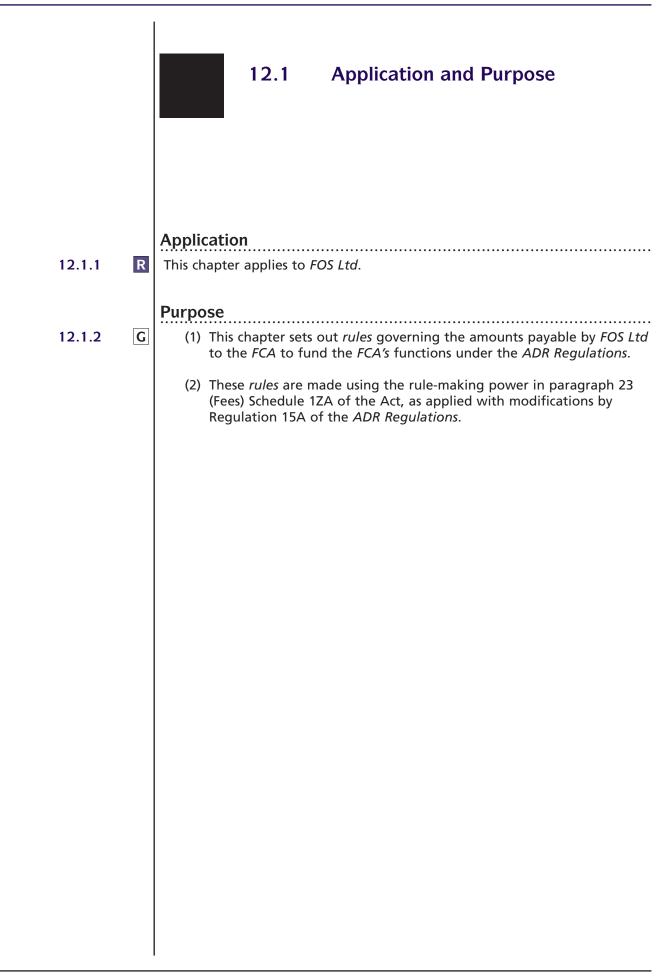
FEES (ALTERNATIVE DISPUTE RESOLUTION COMPETENT AUTHORITY) (FINANCIAL OMBUDSMAN SERVICE) INSTRUMENT 2015

## Chapter 12

## FOS ADR levy

FEES 12 : FOS ADR levy



		12.2 FOS ADR levy
12.2.1	R	Obligation to pay FOS ADR levy         FOS Ltd must pay the FOS ADR levy:         (1) in full and without deduction; and         (2) in accordance with this chapter.
12.2.2	R	<ul> <li>Time of invoice and payment</li> <li>(1) The FCA will raise the FOS ADR levy annually in arrears.</li> <li>(2) The FCA will invoice FOS Ltd in April for the FOS ADR levy relating to the previous fee year.</li> <li>(3) FOS Ltd must pay the FOS ADR levy within 30 days of the date of the invoice</li> </ul>
12.2.3	R	<ul> <li>invoice.</li> <li>Calculation of FOS ADR levy</li> <li>The FOS ADR levy is calculated as follows: <ol> <li>Determine the number of hours, or part of an hour, taken by the FCA, in performing functions under the ADR Regulations.</li> </ol> </li> <li>Using the table at FEES 3 Annex 9R(11), determine the relevant pay grades of those employed by the FCA to perform the functions under</li> </ul>
		<ul> <li>(3) Next, multiply the applicable rate in the table at ■ FEES 3 Annex 9R(11) by the number of hours or part hours obtained under (1).</li> <li>(4) Then add any fees and disbursements invoiced to the FCA by any <i>person</i> in respect of services performed by that <i>person</i> for the FCA to assist the FCA in performing its functions under the ADR Regulations.</li> <li>(5) The resulting figure is the FOS ADR levy.</li> </ul>
12.2.4	G	<ol> <li>(1) The hourly rates chargeable for FCA employees are set out in the table at FEES 3 Annex 9R(11) for Special Project Fee for Restructuring.</li> <li>(2) FCA board members are treated as "Any other person employed by the FCA" for this purpose.</li> </ol>

## FEES 12 : FOS ADR levy

12.2.5	G	The obligation to pay the FOS ADR levy is ongoing.
		Value-added tax (VAT)
12.2.6	R	(1) All levies payable under EEES 12 are stated net of VAT.
		(2) Where VAT is applicable, this must also be included.

		12.3 Late payments and recovery of unpaid levies
12.3.1	R	<ul> <li>Late payments</li> <li>If FOS Ltd does not pay the total amount of the FOS ADR levy before the end of the date on which it is due, it must pay: <ol> <li>an administrative fee of £250; and</li> <li>interest on any unpaid part of the levy at an annual rate of 5% above the Official Bank Rate from time to time in force, accruing daily from the date on which the amount concerned became due.</li> </ol> </li> </ul>
12.3.2	G	<ul> <li>Recovery of levies</li> <li>(1) The FCA may recover the FOS ADR levy as a debt owed to the FCA under paragraphs 23(8) of Schedule 1ZA of the Act.</li> <li>(2) The FCA will consider taking action for recovery (including interest) through the civil courts.</li> </ul>

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