

Chapter 13

Illegal money lending levy



13.1 Application and purpose

Application

13.1.1 **R** This chapter applies to every *person* that is in activity group CC1 (Credit-related regulated activities with limited permission) or CC2 (Credit-related regulated activities).

Purpose

13.1.2 **G** The purpose of this chapter is to set out the requirements on the *persons* listed in ■ FEES 13.1.1R to pay the annual *IML* levy to fund the costs of taking action against illegal money lending.

13.1.3 **G** Section 333S of the Act (Financial assistance for action against illegal money lending) provides that the Treasury may make grants or loans, or give other forms of financial assistance, to *persons* for the purpose of taking action against illegal money lending.

13.1.4 **G** Section 333T of the Act (Funding of action against illegal money lending) requires the Treasury to notify the *FCA* of the amount of the Treasury's illegal money lending costs. The *FCA* must make *rules* requiring *authorised persons*, or any specified class of *authorised person*, to pay to the *FCA* the specified amounts or amounts calculated in a specified way, with a view to recovering the amounts notified to it by the Treasury.

13.1.5 **G** ■ FEES 13 sets out the *rules* referred to in ■ FEES 13.1.4G.

13.1.6 **G** The amounts to be paid under the *rules* may include a component to recover the expenses of the *FCA* in collecting the payments.

13.1.7 **G** The *FCA* must pay to the Treasury the amounts that it receives under the *IML* levy apart from amounts in respect of its collection costs (which it may keep).

13.1.8 **G** This chapter sets out the method by which the *IML* levy will be calculated. Details of the actual levy payable will vary from year to year, depending on the amount of funding provided by the Treasury for the purpose of combatting illegal money lending. These details are set out in ■ FEES 13 Annex 1R. New details will be prepared and consulted on for each *financial year*.

13.1.9

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Gibraltar-based firms

In accordance with ■ GEN 2.3 (General saving of the Handbook for Gibraltar), *rules or guidance* in ■ FEES 13 that immediately before *IP completion day* applied in relation to or in connection with Gibraltar will continue to apply after *IP completion day*. The exceptions to this provision are the fee rates set out in ■ FEES 13 Annex 1R, which may change each *fee year*.