

Chapter 5

Financial Ombudsman Service Funding

5.1 Application and Purpose

Application

- 5.1.1

R

Rules and guidance made by the FCA in this chapter apply to every *firm* which is subject to the *Compulsory Jurisdiction*.
- 5.1.1-A

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Whilst no *rule* made by the FCA in this chapter applies to *VJ participants*, some of the *guidance* may do. The application of rules made by the *FOS Ltd* in this chapter is set out in ■ FEES 5.5B and described in ■ FEES 5.1.2 AG.
- 5.1.1A

R

A reference to *firm* in this chapter includes a reference to a *fee-paying payment service provider*, *fee-paying electronic money issuer*, a *CBTL firm*, a *designated finance platform* and a *designated credit reference agency*.
- 5.1.1B

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■ FEES 5.1.1A R does not apply to ■ FEES 5.5B or ■ FEES 5 Annex 2R or ■ Annex 3R unless otherwise stated in rules made by the *FOS Ltd*.
- 5.1.1C

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This chapter applies to a *TP firm*. This *rule* demonstrates the contrary intention under ■ GEN 2.2.26R.
- 5.1.2

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The rules set out in the table under ■ FEES 5.1.2 AG are made by the *FOS Ltd*. All other ■ FEES 5 rules are made by the *FCA*.
- 5.1.2A

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Table of ■ FEES 5 rules made by the *FOS Ltd*

FEES 5 rules made by the FOS Ltd	Description
FEES 5.5B	Rules relating to case fees
FEES 5 Annex 2R	Annual Levy Payable in Relation to the Voluntary Jurisdiction
FEES 5 Annex 3R	Case Fees Payable
- 5.1.3

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[deleted]
- 5.1.3A

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[deleted]

		Exemption
5.1.4	R	A firm which is exempt under ■ DISP 1.1.12 R is also exempt from ■ FEES 5.1, ■ 5.2, ■ 5.3, ■ 5.4 and ■ 5.6.
5.1.4A	R	A firm will only be exempt from ■ FEES 5.7 for any given financial year if it met the conditions in ■ DISP 1.1.12 R on 31 March of the immediately preceding financial year.
5.1.5	R	A firm which ceases to be exempt under ■ FEES 5.1.4 R is to be treated, for the purposes of its contribution to the general levy, as a firm to which ■ FEES 5.8 applies.
5.1.6	R	[deleted]
5.1.6A	G	Firms which cease to be authorised and therefore subject to the Compulsory Jurisdiction part way through the year will not receive a refund of their general levy except in exceptional circumstances.
5.1.6B	G	If, after the start of the period to which the general levy relates, a person's Part 4A permission is cancelled under Schedule 6A or the person's Part 4A permission is varied reducing its permission under Schedule 6A, the person will not receive a refund of their general levy, except in exceptional circumstances.
		Purpose
5.1.7	G	The purpose of this chapter is to set out the requirements on firms to pay annual fees (through a general levy invoiced and collected by the FCA on behalf of FOS Ltd) and case fees (invoiced and collected directly by FOS Ltd) in order to fund the operation of the Financial Ombudsman Service. This Chapter also provides for unauthorised persons to pay case fees to FOS Ltd in respect of any relevant complaints which it handles.
		Gibraltar-based firms
5.1.8	R	In accordance with ■ GEN 2.3 (General saving of the Handbook for Gibraltar), provisions in ■ FEES 5 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 amount of annual and case fees payable that are set out in ■ FEES 5 Annex 1R, ■ 5 Annex 2R and ■ 5 Annex 3R, which may change each fee year.