

Chapter 7A

SFGB levies

7A



7A.4 The SFGB pensions guidance
advice levy

Obligation to pay SFGB pensions guidance levy

7A.4.1 R

A *firm* must pay the *SFGB pensions guidance levy* applicable to it:

- (1) in full and without deduction by 1 August or, if later, within 30 *days* of the date of the invoice in the *fee year* to which that sum relates; and
- (2) in accordance with the *rules* in this section.

7A.4.1A R

Where the *FCA* grants a *person's* application for annulment of a cancellation or variation of *Part 4A permission* under Schedule 6A to the *Act* and the *person* falls within ■ FEES 7A.4.1R and the annulment takes effect after 1 August or after the invoice referred to in ■ FEES 7A.4.1R(1) has been issued, then the date for payment referred to in ■ FEES 7A.4.1R(1) does not apply, but the *person* must pay the *SFGB pensions guidance levy* applicable to it in full and without deduction, on the date on which the annulment takes effect.

Calculation of SFGB pensions guidance levy

7A.4.2 R

The *SFGB pensions guidance levy* applicable to a particular *firm* is calculated as follows:

- (1) identify each of the activity groups in ■ FEES 7A.1.2R(2) that apply to the business of the *firm* for the relevant period;
- (2) calculate the amount payable under ■ FEES 7A.4.3R for each of those activity groups;
- (3) modify the result in accordance with, if applicable, ■ FEES 7A.4.4R; and
- (4) apply any payment charge in ■ FEES 4.2.4R.

7A.4.3 R

The amount payable for a particular activity group is calculated as follows:

- calculate the size of the *firm's* tariff base for the activity group using:
- (i) the tariff base calculations in Part 3 of ■ FEES 4 Annex 1AR; and
 - (ii) the valuation date requirements in Part 5 of ■ FEES 4 Annex 1AR;

exclude best estimate liabilities for fees purposes in the calculation for fee-block A4;

use the figure in (1) to calculate the levy applicable for each band in ■ FEES 7A Annex 3R;

add together the sums for each applicable band under (2);

the amount in (3) is the amount payable by the *firm* for that activity group.

7A.4.4 **R** For the first *fee year* during which ■ FEES 7A.4.2R applies to a *firm's permission* to carry on a *regulated activity*, the *SFGB pensions guidance levy* applicable to that permission must be modified using the formula in ■ FEES 4.2.6R.

7A.4.5 **R** For ■ FEES 7A.4.3R, a *firm* may apply the relevant tariff bases and rates to its non-UK business, as well as to its UK business, if:

- (1) it has reasonable grounds for believing that the cost of identifying the *firm's UK business* separately from its non-UK business is disproportionate to the difference in the *SFGB pensions guidance levy* payable by it; and
- (2) it notifies the FCA in writing:
 - (a) at the same time as it provides the information concerned under ■ FEES 4.4 (Information on which fees are calculated); or
 - (b) if earlier, at the time it pays the *SFGB pensions guidance levy* applicable to it.

7A.4.6 **R** The *SFGB pensions guidance levy* is calculated using the same information that is used to calculate a *firm's* periodic fee under ■ FEES 4.

7A.4.7 **R** Where a *firm* which has not complied with ■ FEES 4.4.2R (information on which fees are calculated) in relation to a particular *fee year* the *SFGB pensions guidance levy* for that *firm* for that *fee year* is calculated using (where relevant) the valuation(s) of business used to calculate the *SFGB pensions guidance levy* for that *firm* for the previous *fee year*, multiplied by the factor of 1.10.

Application of FEES 4 to the SFGB pensions guidance levy

7A.4.8 **G**

- (1) The *FCA Handbook* provisions relating to the *SFGB pensions guidance levy* are meant to follow closely the provisions relating to the payment of periodic fees payable by an *authorised person* under ■ FEES 4.
- (2) As such, the table in ■ FEES 7A.4.11R lists rules in ■ FEES 4 that also apply, in a modified form, to the *SFGB pensions guidance levy*.

- 7A.4.9

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The *rules* in the table in ■ FEES 7A.4.11R and any other rules in FEES included in ■ FEES 7A.4 by cross-reference apply to the *SFGB pensions guidance levy* in the same way as they apply to periodic fees payable under ■ FEES 4.
- 7A.4.10

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A reference to a periodic fee in a ■ FEES 4 *rule* incorporated into ■ FEES 7A.4 must be read, for the purposes of applying that *rule* to the *SFGB pensions guidance levy*, as a reference to the *SFGB pensions guidance levy*.
- 7A.4.11

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Table of rules in ■ FEES 4 that also apply in ■ FEES 7A.4.

FEES 4 rules incorporated into FEES 7A.4	Description	Modifications
FEES 4.2.7ER	Modifications for persons becoming subject to periodic fees during the course of a <i>fee year</i>	None
FEES 4.2.7FR	Calculating the fee in the firm's first year of authorisation	None
FEES 4.2.7GR	Calculating fees in the second fee year where the firm received permission between 1 January and 31 March in its first fee year	None
FEES 4.2.7HR to FEES 4.2.7KR	Calculating all other fees in the second and subsequent years of authorisation where a full year of tariff data is not available	None
FEES 4.2.8R	How FEES 4.2.7R applies to an incoming EEA firm or an incoming Treaty firm	None
FEES 4.2.9R	Fee payers ceasing to hold relevant status or reducing the scope of their permission after start of relevant period	Reference to column (1) of the table in FEES 4.2.11R is a reference to FEES 7A.1.3G
FEES 4.3.7R	Groups of firms	Reference to FEES 4.2.1R is a reference to FEES 7A.4.1R
FEES 4.3.13R	Firms applying to cancel or vary permission before start of period	Reference to FEES 4.2.1R is a reference to FEES 7A.4.1R
FEES 4.3.17R	Firms applying to cancel or vary permission before start of period	Reference to FEES 4.2.7ER to FEES 4.2.7KR is a reference to FEES 7A.4.4R Reference to FEES 4.2.1R is a reference to FEES 7A.4.1R
FEES 4.4.1R to FEES 4.4.6AR	Information on which fees are calculated	None