

## Chapter 17

# Application of other parts of the Handbook

17.1 Application and purpose

17.1.1 **G** This chapter applies to a *firm* carrying out *regulated funeral plan activities*. It is intended to draw a *firm's* attention to the application of other key parts of the *FCA Handbook* to *firms*, as set out in the table at ■ FPCOB 17.1.2G.

17.1.2 **G** Application of other parts of the Handbook and of Regulatory Guides

Module	Relevance to Funeral Plan Firms
The Principles for Businesses ( <i>PRIN</i> )	The Principles for Businesses ( <i>PRIN</i> ) set out high-level requirements imposed by the <i>FCA</i> . They provide a general statement of regulatory requirements. The <i>Principles</i> apply to all <i>firms</i> .
Senior Management Arrangements, Systems and Controls ( <i>SYSC</i> )	<a href="#">SYSC 1</a> , <a href="#">SYSC 4</a> to <a href="#">SYSC 10</a> , <a href="#">SYSC 18</a> , <a href="#">SYSC 19F.3</a> , <a href="#">SYSC 21</a> , <a href="#">SYSC 22</a> , <a href="#">SYSC 23</a> , <a href="#">SYSC 24</a> , <a href="#">SYSC 27</a> and <a href="#">SYSC 28A</a> apply to <i>firms</i> carrying out <i>regulated funeral plan activities</i> .
Code of Conduct ( <i>COCON</i> )	This contains <i>rules</i> and <i>guidance</i> that are directly applicable to a <i>firm's SMF managers</i> , <i>certification employees</i> and other <i>conduct rules staff</i> . It also contains <i>guidance</i> for <i>firms</i> on giving their staff training about <i>COCON</i> and general factors to which the <i>FCA</i> will have regard when assessing compliance with the <i>COCON rules</i> .
Threshold Conditions ( <i>COND</i> )	In order to become <i>authorised</i> under the <i>Act</i> all <i>firms</i> must meet the <i>threshold conditions</i> . The threshold conditions must be met on a continuing basis by <i>firms</i> . Failure to meet one of the conditions is sufficient grounds for the exercise by the <i>FCA</i> of its powers.
Statements of Principle and Code of Practice for Approved Persons ( <i>APER</i> )	<i>APER</i> applies to <i>FCA approved persons</i> working within an <i>appointed representative</i> and so is not relevant to a <i>firm</i> without <i>appointed representatives</i> .  The <i>Statements of Principle</i> are <i>rules</i> made under section 64A(1)(a) of the <i>Act</i> (Rules of conduct).

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The Fit and Proper test for Employees and Senior Personnel ( <i>FIT</i> )	<p>The <i>Code of Practice for Approved Persons</i> sets out descriptions of conduct which, in the opinion of the <i>FCA</i>, do or do not comply with a <i>Statement of Principle</i>. The <i>Code of Practice for Approved Persons</i> also sets out, in certain cases, factors which, in the opinion of the <i>FCA</i>, are to be taken into account in determining whether or not an <i>approved person's</i> conduct complies with a <i>Statement of Principle</i>.</p> <p>The purpose of <i>FIT</i> is to set out and describe the criteria that a <i>firm</i> should consider when assessing the fitness and propriety of a <i>person</i>:</p> <ul style="list-style-type: none"> <li>(1) in respect of whom an application is being made for approval to undertake a <i>controlled function</i> under the senior managers regime;</li> <li>(2) who has already been approved;</li> <li>(3) who is a <i>certification employee</i>; or</li> <li>(4) whom a <i>firm</i> is considering appointing to be a <i>certification employee</i>.</li> </ul> <p>It also sets out and describes criteria that the <i>FCA</i> will consider when assessing the fitness and propriety of a <i>candidate for a controlled function</i> position and that it may consider when assessing the continuing fitness and propriety of <i>approved persons</i>.</p>
Training and Competence ( <i>TC</i> )	<i>TC</i> sets out rules and guidance regarding the competence of a <i>firm's</i> employees, continuing professional development and associated record keeping requirements.
General Provisions ( <i>GEN</i> )	<i>GEN</i> contains <i>rules</i> and <i>guidance</i> on general matters, including interpreting the <i>FCA Handbook</i> , statutory status disclosure, the <i>FCA's</i> logo and insurance against financial penalties.
Fees manual ( <i>FEES</i> )	This manual sets out the fees applying to <i>firms</i> .
Product Intervention and Product Governance Sourcebook ( <i>PROD</i> )	The purpose of <i>PROD</i> is to improve <i>firms'</i> product oversight and governance processes. For <i>funeral plan products</i> , this sets out the systems and controls which need to be established by product <i>manufacturers</i> and <i>distributors</i> to deliver fair value products. <i>PROD</i> also sets out the <i>FCA's</i> statement of policy on mak-

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Supervision manual ( <i>SUP</i> )	ing temporary and permanent product intervention rules. <i>SUP</i> sets out the relationship between the <i>FCA</i> and <i>firms</i> . As a general rule, <i>SUP</i> contains material that is of continuing relevance after authorisation.
Decision, Procedure and Penalties manual ( <i>DEPP</i> )	<i>DEPP</i> sets out: (1) the <i>FCA</i> 's decision-making procedure for giving <i>statutory notices</i> . These are <i>warning notices</i> , <i>decision notices</i> and supervisory notices ( <i>DEPP</i> 1.2 to <i>DEPP</i> 5); and (2) the <i>FCA</i> 's policy with respect to the imposition and amount of penalties under the Act (see <i>DEPP</i> 6).
Dispute Resolution: Complaints ( <i>DISP</i> )	<i>DISP</i> sets out <i>rules</i> and <i>guidance</i> in relation to treating complainants fairly and the <i>Financial Ombudsman Service</i> .
Compensation ( <i>COMP</i> )	<i>COMP</i> sets out <i>rules</i> relating to the scheme for compensating <i>consumers</i> when authorised <i>firms</i> are unable, or likely to be unable, to satisfy claims against them.
Professional Firms ( <i>PROF</i> )	<i>PROF</i> is relevant to <i>exempt professional firms</i> and <i>authorised professional firms</i> which engage in <i>funeral plan distribution</i> .
The Enforcement Guide ( <i>EG</i> )	The Enforcement Guide ( <i>EG</i> ) describes the <i>FCA</i> 's approach to exercising the main enforcement powers given to it by the Act and by other legislation.
Financial Crime Guide: A firm's guide to countering financial crime risks ( <i>FCG</i> ) and Financial Crime Thematic Reviews ( <i>FCTR</i> )	<i>FCG</i> and <i>FCTR</i> provide <i>guidance</i> on steps that a <i>firm</i> can take to reduce the risk that it might be used to further <i>financial crime</i> .
The Perimeter Guidance Manual ( <i>PERG</i> )	The purpose of <i>PERG</i> is to give <i>guidance</i> about the circumstances in which <i>authorisation</i> is required, or <i>exempt person</i> status is available, including <i>guidance</i> on the activities which are regulated under the Act and the exclusions which are available.
The Unfair Contract Terms and Consumer Notices Regulatory Guide ( <i>UNFCOG</i> )	<i>UNFCOG</i> explains the <i>FCA</i> 's policy on how it will use its powers under the Consumer Rights Act 2015 in relation to unfair terms and consumer notices.