

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>)	SYSC 1 , SYSC 4 to SYSC 10 , SYSC 18 , SYSC 19F.3 , SYSC 21 , SYSC 22 , SYSC 23 , SYSC 24 , SYSC 27 and SYSC 28A 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).

Module	Relevance to Funeral Plan Firms
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"> (1) in respect of whom an application is being made for approval to undertake a <i>controlled function</i> under the senior managers regime; (2) who has already been approved; (3) who is a <i>certification employee</i>; or (4) whom a <i>firm</i> is considering appointing to be a <i>certification employee</i>. <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

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