

Chapter 5

Regulators' logos and the Key facts logo



5.1 Application and purpose

Application

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This chapter contains:

(1) *guidance for firms, authorised payment institutions, registered account information service providers and authorised electronic money institutions and their appointed representatives, agents or tied agents on the circumstances in which the FCA permits them to reproduce the FSA and FCA logos;*

(2) *rules on the use by firms of the Key facts logo.*

Purpose

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The FSA logo is a registered UK service mark, with number 2150560. The FCA logo is a registered UK service mark, with number 3213355. The Key facts logo is a registered Community trade mark, with the number EU3866688. All are the property of the FCA. They are also subject to copyright and may be used or reproduced with permission of the FCA only. If the FSA, FCA, or Key facts logos are reproduced or otherwise used by any person without such permission the FCA may seek to enforce its rights over its property through the Courts.

5.1.3

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■ GEN 5 Annex 1 G is a general licence, which sets out the circumstances in which the FCA permits a *person* to whom this chapter applies to reproduce the FSA and Key facts logos. Such a *person* need not apply for an individual licence if it uses or reproduces the logos in accordance with the general licence.

5.1.3A

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No general licence is granted by the FCA in respect of the FCA logo.

5.1.4

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The FCA has no policy to allow use of the FSA or Key facts logos by a *person* to whom this chapter applies other than as set out in ■ GEN 5 Annex 1 G. If, however, such a *person* wishes to use or reproduce either of the logos other than in accordance with the general licence, it may apply to the FCA for an individual licence, giving full reasons why it considers the FCA should grant the licence.

The Key facts logo

- 5.1.5 **R** A *firm* must not use the Key facts logo other than as and when it is required or expressly permitted to be used by the *rules*, and in accordance with the general licence in ■ GEN 5 Annex 1 G.
- 5.1.6 **R** A *firm* must take all reasonable steps to ensure that its *representatives* do not use the Key facts logo other than as and when the logo is required to be used by the *rules*.
- 5.1.7 **R** A *firm* must take all reasonable steps to ensure that the Key facts logo is not reproduced on any document that the *firm*, or any *person* acting on its behalf, provides to a *customer* unless the reproduction is required by the *rules*.

The FSA logo

- 5.1.8 **R** A *firm* must not use the FSA logo (and must take all reasonable steps to ensure that its *representatives* do not use the FSA logo) in any communication with a *client* other than in accordance with the general licence in ■ GEN 5 Annex 1 G or any individual licence granted by the *FCA* to the *firm* or its *representatives*.
- 5.1.9 **G** The general licence in ■ GEN 5 Annex 1 G to use the FSA logo will continue till 1 April 2014 whereupon the general licence is revoked by ■ GEN 5 Annex 1 G, 7.1.

The FCA logo

- 5.1.10 **R** A *firm* must not use the FCA logo (and must take all reasonable steps to ensure that its *representatives* do not use the FCA logo) in any communication with a *client* other than in accordance with any individual licence granted by the *FCA* to the *firm* or its *representatives*.
- 5.1.11 **R** ■ GEN 5.1.10 R also applies to a *registered person communicating a financial promotion* relating to one or more *qualifying cryptoassets* (in reliance on the exemption in article 73ZA of the *Financial Promotion Order*). The reference in that *rule* to a *firm* must be read accordingly.

Licence for use of the FSA and Key facts logos

Application

- 1.1 The FCA grants this licence to *firms, authorised payment institutions, authorised electronic money institutions, appointed representatives, agents and tied agents*.

The FSA logo

- 2.1 The FSA logo is made up of two elements which together make up the registered UK service mark, with number 2150560:
- (1) the symbol (the scroll and globe device); and
 - (2) the FSA letters.
- 2.2 The Key facts logo is made up of two elements which together make up the registered Community trade mark, with number E3866688:
- (1) the symbol (the rectangular speech bubble); and
 - (2) the word 'Key facts'.
- 2.3 There are two versions of the FSA logo, version A and a smaller version B in which the scroll has been simplified. There are two versions of the Key facts logo, a low resolution version and a high resolution version.
- 2.4 Copyright subsists in the FSA logo.
- 2.5 Copies of the FSA logo that are capable of being reproduced for printing can be found on the FCA's website at www.fca.org.uk

Permission to use the FSA logo

- 3.1 A UK domestic firm, its appointed representatives and tied agents, an authorised payment institution and its agents and an authorised electronic money institution and its agents are permitted to use the FSA logo:
- (1) as part of a statement by that person, in a letter or electronic equivalent, that it or, in relation to an appointed representative, agent or tied agent, its principal, is authorised and regulated by the FSA; or
 - (2) if required to do so by the FCA.
- 3.1A [deleted]
- 3.2 The disclosure required by GEN 4.3.1 R (Disclosure in letters to retail clients) as continued in GEN TP 1.3(3).13 is an example of a statement within paragraph 3.1 above.
- 3.3 Business cards, compliment slips, text messages, account statements and other similar documents are not letters (or electronic equivalents). Therefore, the licence does not extend to documents such as these.

Permission to use the Key facts logo

- 3A.1 A firm, its appointed representatives and tied agents are permitted to use the Key facts logo as and when it is required or permitted to be used by the rules.
- 3A.2 The following are examples of places where the rules require or permit the Key facts logo to be used:

- (1) [deleted]
- (2) In *ICOB*S:
 - (a) [deleted]
 - (b) in a *policy summary*; and
 - (c) in a *key features* as an alternative to a *policy summary*.
- (3) In *MCOB*
 - (a) [deleted]
 - (b) in an *illustration* (MCOB 5.6.2 R and MCOB 9.4.2 R); and
 - (c) in a risks and features statement (MCOB 4.10.11 R) and financial information statement (MCOB 5.8.7 R).

Conditions on appearance of the FSA logo

- 4.1 The permission in paragraph 3.1 is subject to the following conditions:
- (1) the regulatory mark is attached to the FSA logo;
 - (2) the FSA logo and regulatory mark appear in black type, or reversed out white on a coloured background;
 - (3) the FSA letters appear in type which is not more than three times the size of the accompanying script;
 - (4) the two elements of the FSA logo appear together in the same way, and in the same proportion, as in the registered service mark;
 - (5) the FSA logo is not redrawn in any way, or matched by a typesetter;
 - (6) version B of the FSA logo is used only at sizes below 10 mm in overall height; and
 - (7) if the FSA logo is reproduced electronically, no hyperlink is incorporated.

Conditions on appearance of the Key facts logo

- 4A.1 The permission in paragraph 3A.1 is subject to the following conditions:
- (1) the regulatory mark (®) is attached to the Key facts logo;
 - (2) the Key facts logo and regulatory mark appear:
 - (a) in black type;
 - (b) reversed out white on a coloured background; or
 - (c) in colour provided that this does not diminish their prominence;
 - (3) the two elements of the Key facts logo appear together in the same way, and in the same proportion, as in the Community trade mark;
 - (4) the Key facts logo is not redrawn in any way, or matched by a typesetter;

	(5)	the low resolution version of the Key facts logo is used only in documents intended to be read on a computer, television or other screen; and
	(6)	if the Key facts logo is reproduced electronically, no hyperlink is incorporated.
Further conditions on the use of the FSA and Key facts logos		
5.1	The permissions in paragraphs 3.1 and 3A.1 are also subject to the conditions that any material, whether produced on paper or electronically, on which the FSA or Key facts logos are displayed does not:	
	(1)	in any way imply that the <i>FCA</i> is endorsing the licensee or its products, services or communications (see also GEN 1.2.2 R (1)); or
	(2)	misrepresent the licensee's relationship with the <i>FCA</i> or present false information about the <i>FCA</i> ; or
	(3)	contain content that could be construed as distasteful, offensive or controversial; or
	(4)	infringe any intellectual property or other rights of any <i>person</i> or otherwise not comply with any relevant law or regulation.
6.1	[deleted]	
Commencement and duration		
7.1	This licence comes into effect on 1 May 2003 except that in relation to the Key facts logo it comes into effect on 6 November 2006. In relation to the FSA logo, this licence ceases to have effect and is revoked on 1 April 2014.	
7.2	The <i>FCA</i> may alter or revoke this licence at any time, by giving at least two months' notice on the <i>FCA</i> 's website.	
Interpretation		
8.1	This licence is to be interpreted in accordance with chapter 2 of the General provisions (Interpreting the Handbook) of the <i>Handbook</i> . In particular, expressions in italics are defined in the Handbook Glossary.	
Governing law and jurisdiction		
9.1	This licence is governed by and interpreted in line with English law. The courts of any jurisdiction in the United Kingdom have the exclusive jurisdiction to settle any dispute in connection with this licence.	

