

## Chapter 4A

# Additional MCD advising and selling standards

		<div> <div></div> <div>4A.1</div> </div> <div>Additional disclosure by MCD mortgage credit intermediaries</div>
4A.1.1	R	<p>An <i>MCD mortgage arranger</i> (unless it is also acting as an <i>MCD mortgage lender</i> and carrying out a direct sale of the proposed regulated mortgage contract) must, in good time before carrying out any <i>MCD mortgage credit intermediation activity</i>, provide the <i>consumer</i> with at least the following information in a <i>durable medium</i>:</p> <ol style="list-style-type: none"> <li>(1) the identity and the geographical address of the <i>MCD mortgage arranger</i>;</li> <li>(2) the <i>Financial Services Register</i> or other registers in which the <i>MCD mortgage arranger</i> has been included, the registration numbers, where applicable, and the means for verifying such registrations;</li> <li>(3) whether the <i>MCD mortgage arranger</i> is an <i>MCD mortgage adviser</i>; and</li> <li>(4) the procedures allowing <i>consumers</i> or other interested parties to complain to the <i>MCD mortgage arranger</i>, whether complaints may subsequently be referred to the <i>Financial Ombudsman Service</i> and, if so, the methods of having access to it.</li> </ol> <p>[Note: article 15(1)(a), (b), (d) and (f) of the <i>MCD</i>]</p>
4A.1.2	G	<p>In ■ MCOB 4A.1.1R (4):</p> <ol style="list-style-type: none"> <li>(1) other interested parties includes all parties to the relevant <i>MCD regulated mortgage contract</i> and parties that have an interest in the <i>MCD regulated mortgage contract</i>, such as a guarantor of the obligations under the <i>MCD regulated mortgage contract</i>;</li> <li>(2) where the <i>MCD mortgage arranger</i> provides the information in the general terms and conditions of the sales or service contracts, before carrying out any <i>MCD mortgage credit intermediation activity</i>, it need not provide it again.</li> </ol>
4A.1.3	G	<p>The information listed in ■ MCOB 4A.1.1 R need not all be given at the same time or in the same disclosure.</p>
4A.1.4	G	<p>In general, where other requirements for disclosure in a <i>durable medium</i> also apply, the <i>MCD mortgage arranger</i> may, if it would also satisfy those requirements, combine those other disclosures with the information required</p>

by ■ MCOB 4A.1.1 R, so long as the combined disclosure is provided to the consumer in good time before the *MCD mortgage arranger* carries out any *MCD mortgage credit intermediation activity*.

- 4A.1.5** **R** An *MCD mortgage credit intermediary* who is not a *tied MCD mortgage credit intermediary* (unless it is also acting as an *MCD mortgage lender* and carrying out a direct sale of the proposed *regulated mortgage contract*), but who receives commission from one or more *MCD mortgage lenders* must, at the consumer's request, provide information on the variation in levels of commission payable by the *MCD mortgage lenders* providing the *MCD regulated mortgage contract* being offered to the consumer. The consumer must be informed that they have the right to request such information.

[Note: article 15(2) of the *MCD*]

- 4A.1.6** **R** An *MCD mortgage credit intermediary* (unless it is also acting as an *MCD mortgage lender* and carrying out a direct sale of the proposed *regulated mortgage contract*) must inform the *MCD mortgage lender* of any fee payable by the consumer to the *MCD mortgage credit intermediary* for its services, for the purpose of calculating the *APRC*.

[Note: article 15(4) of the *MCD*]

- 4A.1.7** **R** An *MCD mortgage credit intermediary* (unless it is also acting as an *MCD mortgage lender* and carrying out a direct sale of the proposed *regulated mortgage contract*) must require their *appointed representatives* to disclose to the consumer the capacity in which the *appointed representative* is acting and the *MCD mortgage credit intermediary* that the *appointed representative* is representing when contacting or before dealing with any consumer.

[Note: article 15(5) of the *MCD*]