

Statement of policy with respect to the making of temporary product
intervention rules

Chapter 2

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2.6 General considerations for product intervention rules

- 2.6.1** **G** Together with the considerations in ■ PROD 2.5, when making temporary or permanent product intervention *rules*, the *FCA* will have regard to the regulatory principles set out in section 3B of the *Act*, (see ■ PROD 2.9).
- 2.6.2** **G** The *FCA* will also take into account general considerations that include, but are not limited to, whether the proposed *rules* are:
- (1) an appropriate and effective means of addressing actual or potential *consumer* detriment associated with a particular product or group of products;
 - (2) a proportionate and deliverable means of addressing actual or potential detriment;
 - (3) compatible with the *FCA*'s duty to promote effective competition in the interests of *consumers* (section 1B(4) of the *Act*);
 - (4) supported by sufficient and appropriate evidence;
 - (5) transparent in their aim and operation;
 - (6) likely to be beneficial for *clients* when taken as a whole; and
 - (7) compatible (where relevant) with other applicable law.
- 2.6.3** **G** In accordance with the Equality Act 2010, the *FCA* will have due regard to the need to:
- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it;
- when making temporary or permanent product intervention *rules*.