
Recognised Investment Exchanges

REC TP 1 Transitional provisions

1	This schedule sets out the transitional provisions in <i>REC</i> .
2	The <i>Recognition Requirements Regulations</i> also contain transitional provisions applying to <i>recognised bodies</i> .
3	<i>GEN</i> also contains some technical transitional provisions that apply throughout the <i>Handbook</i>

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Schedule 1 Record keeping requirements

Sch 1.1 G

There are no record keeping requirements as such in *REC*.

UK recognised bodies have obligations under the *Recognition Requirements Regulations* to ensure that satisfactory arrangements are made for recording transactions effected by, or cleared through, their *facilities*. See *REC 2.9* for *guidance* (in the case of *RAPs*, see *REC 2.9* as applied by *REC 2A.3.2 G*).

RAPs also have separate record keeping obligations under the *auction regulation*.

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Schedule 2 Notification requirements

Sch 2.1 G

The following table summarises the notification requirements applicable to all *recognised bodies*. The *notification rules* are set out in detail in REC 3 (Notification rules for UK recognised bodies) and REC 6.7 and, to avoid unnecessary repetition, are not set out in detail here. The *notification rules* for *RAPs* differ in some respects from the *notification rules* for *UK RIEs* (for example, due to requirements contained in the *auction regulation*).

For completeness, summary details of the main notification requirements in the *Act* itself and the Companies Act 1989 are also included in the table. The summary of these statutory provisions here should not be taken to imply that these are obligations imposed by the *FCA* under its powers nor that the following summary supersedes or alters the meaning of these provisions.

Guidance on the statutory notification requirements for *ROIEs* is given in REC 6.6.

Sch 2.2 G

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
<i>UK RIEs</i>				
The Acts 293(5)	Changes to <i>rules and guidance</i>	Details of change	Change to rule or guidance	Without delay
Companies Act 1989 s157	Proposed changes to <i>default rules</i>	Details of proposed change	Proposal to change <i>default rules</i>	14 days in advance of change
The Act s293(6)(a)	Changes to arrangements for <i>clearing facilitation services</i> in respect of <i>on-exchange</i> transactions	Details of change	Change to arrangements	Without delay
The Act s293(6)(b)	Changes to criteria determining to whom it will provide <i>clearing facilitation services</i>	Details of change	Change to criteria	Without delay
The Act s300B(1)	Proposal to make <i>regulatory provision</i>	Details of proposal	Proposal to make <i>regulatory provision</i>	Without delay
<i>RAPs</i>				
The <i>auction regulation</i> article 7(7)	Either a methodology or a modification to that methodology as specified by the <i>auction regulation</i>	See REC 3.15	Event concerned	Without delay

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
<i>Notification rules for UK recognised bodies (see REC 3 (Notification rules for UK recognised bodies))</i>				
REC 3.4	<i>Members of the management body and internal organisation</i>	Details of change	See REC 3.4	See REC 3.4
REC 3.5	Disciplinary action and events relating to <i>members of the management body</i>	Details of disciplinary action or event	Disciplinary action or awareness of event	Im- mediately
REC 3.6	Constitution and governance	Details of proposals to amend constitution, amendments to constitution and agreements relating to constitution	Communication of proposal to amend constitution, making amendment to constitution or awareness of agreement relating to constitution	Im- mediately
REC 3.7	Auditors	Details of removal or appointment of auditors	Removal or appointment of auditors	Im- mediately
REC 3.8	Financial and other information	See REC 3.8	See REC 3.8	See REC 3.8
REC 3.9	Fees and incentive schemes	Summary of proposals to change fees and charges and changes to fees and charges	Communication to <i>members</i>	Im- mediately
REC 3.10	Complaints	Copy of adverse report and details of recommendations from <i>complaints investigator</i>	Availability of report or recommendations	Im- mediately
REC 3.11	Insolvency events	Notice of insolvency event	Insolvency event	Im- mediately
REC 3.12	Legal proceedings	Details of legal proceedings commenced against <i>UK recognised body</i>	Institution of proceedings	Im- mediately
REC 3.13	Delegation of <i>relevant functions</i>	Details of offers or agreements to delegate <i>relevant functions</i> and offers or agreements to undertake relevant functions on behalf of another <i>recognised body</i>	Making offer or agreement to delegate	Im- mediately
REC 3.14	Products, services and normal hours of operation or (for	See REC 3.14	See REC 3.14	Im- mediately

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
	<i>RAPs</i>) the timing, frequency or duration of its bidding windows			
REC 3.14A	Operation of a <i>trading venue</i>	Details of proposal to operate a new <i>trading venue</i> or close an existing <i>trading venue</i>	Communication of proposal to <i>members</i> or shareholders	Immediately
REC 3.15	Suspension of services and inability to operate <i>facilities</i> or (for <i>RAPs</i>) the cancellation of an auction	See REC 3.15	Event concerned	Immediately
REC 3.16	Information technology systems	Details of business continuity plans and details of failure of reserve information technology system	Changes to business continuity plans and failure of reserve information technology system	Immediately
REC 3.17	Inability to discharge <i>regulatory functions</i>	Details of inability to discharge a <i>regulatory functions</i>	Event concerned	Immediately
REC 3.18	Membership	Information regarding new types of <i>member</i> and reasons for considering the <i>recognition requirements</i> or (for <i>RAPs</i>) the <i>RAP recognition requirement</i> in regulation 20 can still be met	Admission of new type of <i>non-authorised person</i> or <i>person</i> from new non-UK jurisdiction to membership	Immediately
REC 3.19	Investigations	Notice of appointment of person to investigate use of <i>facilities</i> or provision of services	Awareness of appointment	Immediately
REC 3.20	Disciplinary action	Details of person against whom disciplinary action taken	Taking disciplinary action	Immediately
REC 3.21	Criminal offences and civil prohibitions	Evidence tending to suggest contraventions of the <i>general prohibition</i> , certain criminal offences or <i>market abuse</i>	Having evidence concerned	Immediately

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
REC 3.22	Restriction or instruction to close out, open positions or (for RAPs) restriction on maximum bid size or other remedial measures	Details of decision to restrict member's open position or instruction to close out position or (for RAPs) details of the event and remedial measures proposed	Decision to take action or (for RAPs) proposal to take action	Immediately
REC 3.23	Default	Notice of decision to put <i>member</i> into default	Communicating decision to <i>member</i> concerned or any other member	Immediately
REC 3.24	Transfers of ownership	Details of transfer of ownership	When the <i>UK RIE</i> becomes aware of the transfer of ownership	Immediately
REC 3.25	Significant breaches of rules and disorderly trading conditions	Significant breaches of rules and disorderly trading conditions	Significant breaches of rules and disorderly trading conditions	Immediately
REC 3.26	Proposal to make <i>regulatory provision</i>	Details of proposal	Proposal to make <i>regulatory provision</i>	Without delay
<i>ROIEs</i>				
The Act s295	Report to <i>FCA</i>	Statement as to whether events have occurred which would affect the <i>FCA's</i> assessment of whether the <i>recognition requirements</i> are met	Not applicable	Once a year
<i>Notification rules for ROIEs (see REC 6.7)</i>				
REC 6.7.3 R	Events which might affect the <i>FCA's</i> assessment of whether the <i>recognition requirements</i> are met	Particulars of event	Not applicable	Include in report under s295
REC 6.7.4 R	Inclusion of certain matters in report	See REC 6.7.4 R	Not applicable	Include in report under s295
REC 6.7.5 R	First report	See REC 6.7.5 R	Not applicable	Include in report under s295
REC 6.7.7 R	Changes of address	Details of new addresses	Decision to change address	14 days in advance of change of address

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
REC 6.7.8 R and REC 6.7.9 R	Revocation or modification of home territory licence etc	Details of revocation or modification	Awareness of revocation or modification	Immediately

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Schedule 5 Rights of action for damages

Sch 5.1 G

There are no rights of action under section 150 of the *Act* in respect of any contravention by a *recognised body* of any *rule* made under the *Act*.

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Schedule 6 Rules that can be waived

Sch 6.1 G

The *notification rules* in REC 3 and REC 6 can be *waived* by the FCA under section 294 of the Act (Modification or waiver of rules). (The statutory notification requirements, also summarised in Schedule 2 to REC, cannot be *waived* by the FCA.)

