
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.3.2G*).

RAPs also have separate record keeping obligations under the *UK auctioning regulations*.

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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 *UK auctioning regulations*).

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</i> and <i>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>				
Regulation 7(4) and 7(6) of the <i>UK auc-</i>	Either a methodology or a modification to that meth-	See REC 3.27	Event concerned	Without delay

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
<i>tioning regulations</i>	odology as specified by the <i>UK auctioning regulations</i>			
Regulation 10(2) of the <i>UK auctioning regulations</i>	Adjustment to the auction calendar where the modification manner is not already provided for in the <i>UK auctioning regulations</i>	See REC 3.27	Event concerned	Without delay
Regulation 11 of the <i>UK auctioning regulations</i>	Cancellation of an auction in the circumstances set out in regulation 11 of the <i>UK auctioning regulations</i>	See REC 3.15	Event concerned	Without delay
Regulation 23(3) of the <i>UK auctioning regulations</i>	Submission of exit strategy	See REC 3.14A	Date of appointment as a <i>RAP</i>	Within 3 months from the date of appointment
Regulation 40 of the <i>UK auctioning regulations</i>	Restriction on maximum bid size or other remedial measures	See REC 3.22.2	Proposal to take action	Immediately
<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	Immediately
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	Immediately
REC 3.7	Auditors	Details of removal or appointment of auditors	Removal or appointment of auditors	Immediately
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>	Immediately

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
REC 3.10	Complaints	Copy of adverse report and details of recommendations from <i>complaints investigator</i>	Availability of report or recommendations	Immediately
REC 3.11	Insolvency events	Notice of insolvency event	Insolvency event	Immediately
REC 3.12	Legal proceedings	Details of legal proceedings commenced against <i>UK recognised body</i>	Institution of proceedings	Immediately
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	Immediately
REC 3.14	Products, services and normal hours of operation or (for <i>RAPs</i>) the timing, frequency or duration of its bidding windows	See REC 3.14	See REC 3.14	Immediately
REC 3.14A	Operation of a <i>trading venue</i> or (for <i>RAPs</i>) their exit strategy	Details of proposal to operate a new <i>trading venue</i> or close an existing <i>trading venue</i> or (for <i>RAPs</i>) their exit strategy	Communication of proposal to <i>members</i> or shareholders or (for <i>RAPs</i>) date of appointment	Immediately or (for <i>RAPs</i>) within 3 months from the date of appointment
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 con-	Admission of new type of non- <i>authorised person</i> or <i>person</i> from new	Immediately

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
		considering the <i>recognition requirements</i> or (for <i>RAPs</i>) the <i>RAP recognition requirement</i> in regulation 20 of the <i>RAP regulations</i> can still be met	non-UK jurisdiction to membership	
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
REC 3.22	Restriction on open position or instruction to close out	Details of decision to restrict member's open position or instruction to close out position	Decision 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
REC 3.27	For <i>RAPs</i> : Auction clearing price methodology and manner to modify auction calendar	See REC 3.27	Event concerned	Immediately
<i>ROIEs</i>				
The Act s295	Report to <i>FCA</i>	Statement as to whether events have occurred which would affect	Not applicable	Once a year

Reference to legislation or Handbook	Matter to be notified	Contents of notification	Trigger event	Time allowed
		the <i>FCA's</i> assessment of whether the <i>recognition requirements</i> are met		
<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 <i>days</i> in advance of change of address
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	Im- mediately

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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.)

