

Supervision

Chapter 10A

FCA Approved Persons



10A.15 References and accurate information

References

- 10A.15.1 G (1) ■ SYSC 22 (Regulatory references) says that if a *firm* (A):
- is considering appointing a *person* (P) to perform any *controlled function* or certain other functions;
 - (b) requests a reference from a *firm* (B) that is P's current or former *employer*; and
 - (c) indicates to B the purpose of the request;
- B should, as soon as reasonably practicable, give a reference to A.
- (2) This applies even if A is a *firm* to which ■ SUP 10C (FCA senior managers regime for approved persons in SMCR firms) applies rather than this chapter.
- (3) [deleted]

10A.15.2 G [deleted]

10A.15.3 G [deleted]

10A.15.3A G [deleted]

The need for complete and accurate information

- 10A.15.4 G The obligations to supply information to the *FCA* under either ■ SUP 10A.14.8R or ■ SUP 10A.14.10R apply notwithstanding any agreement (for example a 'COT 3' Agreement settled by the Advisory, Conciliation and Arbitration Service (ACAS)) or any other arrangements entered into by a *firm* and an *employee* upon termination of the *employee's* employment. A *firm* should not enter into any such arrangements or agreements that could conflict with its obligations under this section.
- 10A.15.5 G Failing to disclose relevant information to the *FCA* may be a criminal offence under section 398 of the *Act*.