

Chapter 16

Reporting requirements

16.3 General provisions on reporting

Application

- 16.3.1 **G** The effect of ■ SUP 16.1.1 R is that this section applies to every *firm* except:
- (1) an *ICVC*;
 - (2) an *incoming EEA firm* or *incoming Treaty firm*, which is not:
 - (a) a *firm* of a type listed in ■ SUP 16.1.3 R as a *firm* to which section ■ SUP 16.6 or ■ SUP 16.12 applies;
 - (b) an *insurer* with *permission* to effect or carry out life policies;
 - (3) a *UCITS qualifier*.

Structure of the chapter

- 16.3.2 **G** This chapter has been split into the following sections, covering:
- (1) annual controllers reports (■ SUP 16.4);
 - (2) annual close links reports (■ SUP 16.5);
 - (3) compliance reports (■ SUP 16.6);
 - (4) [deleted]
 - (4A) annual report and accounts (■ SUP 16.7A);
 - (5) persistency reports (■ SUP 16.8);
 - (6) annual appointed representatives reports (■ SUP 16.9);
 - (7) verification of *firm details* (■ SUP 16.10);
 - (8) product sales data reporting (■ SUP 16.11);
 - (9) integrated regulatory reporting (■ SUP 16.12);
 - (10) reporting under the *Payment Services Regulations* (■ SUP 16.13);
 - (11) client money and asset return (■ SUP 16.14);
 - (12) reporting under the *Electronic Money Regulations* (■ SUP 16.15); and
 - (13) prudent valuation reporting (■ SUP 16.16);

- (14) remuneration reporting (■ SUP 16.17);
- (15) *AIFMD* reporting (■ SUP 16.18);
- (16) reporting under the *MCD Order* for *CBTL firms* (SUP 16.21).
- (17) reporting under the *Payment Accounts Regulations* (■ SUP 16.22);
- (18) annual financial crime reporting (■ SUP 16.23);
- (18A) employers' liability register compliance reporting (■ SUP 16.23A);
- (19) retirement income data reporting (■ SUP 16.24); and
- (20) claims management reporting (■ SUP 16.25).

16.3.3 **G** The annual controllers, annual close links, persistency and annual appointed representatives reports sections are the same for all categories of *firm* to which they apply.

16.3.4 **G** The compliance section is set out by category of *firm*, with detailed requirements set out in tables giving:

- (1) a brief description of each report;
- (2) the frequency with which the report is required; and
- (3) the due date for submission of the report.

16.3.5 **G** Further requirements about the reports, such as form and content, are set out in the sections for each category of *firm*, where this is appropriate. In many cases, however, it is more appropriate to provide this information by means of a separate annex; in these cases the relevant section refers to the annex.

How to submit reports

16.3.6 **R** A periodic report required to be submitted under this chapter, or under any other *rule*, must be submitted in writing in accordance with ■ SUP 16.3.7 R to ■ SUP 16.3.10 G, unless:

- (1) a contrary intention appears; or
- (2) the report is required under the *listing rules*.

16.3.7 **R** A report or *data item* must:

- (1) give the firm reference number (or all the firm reference numbers in those cases where a report is submitted on behalf of a number of *firms*, as set out in ■ SUP 16.3.25 G); and
- (2) if submitted in paper form, be submitted with the cover sheet contained in ■ SUP 16 Annex 13 R fully completed.

16.3.8 **R** A written report must be delivered to the *FCA* by one of the methods listed in **■ SUP 16.3.9 R**.

16.3.9 **R** **Method of submission of reports (see **■ SUP 16.3.8 R**)**

Method of delivery	
1.	Post or hand deliver to the published address of the <i>FCA</i> for submission of reports. If hand delivering mark the report for the attention of 'Central Reporting' and obtain a dated receipt.
2.	[deleted]
3.	Electronic mail to the published e-mail address of the <i>FCA</i> 's Central Reporting team.
4.	Online submission via the appropriate systems accessible from the <i>FCA</i> website

16.3.10 **G** (1) The published address of the *FCA* for postal submission of reports is:

Central Reporting
The Financial Conduct Authority
PO BOX 35747
London E14 5WP

(2) The published address of the *FCA* for hand delivery of reports is:

(a) Central Reporting
The Financial Conduct Authority
12 Endeavour Square
London, E20 1JN

if the *firm's* usual supervisory contact at the *FCA* is based in London, or:

(b) Central Reporting
The Financial Conduct Authority
Quayside House
127 Fountainbridge
Edinburgh EH3 8DJ

if the *firm's* usual supervisory contact at the *FCA* is based in Edinburgh.

(3) The current published email address for the *FCA*'s Central Reporting team is regulatory.reports@fca.org.uk . Please note that the Central Reporting team does not handle general correspondence between *firms* and the *FCA*, and will not respond to queries. Accordingly, firms should not make submissions to the Central Reporting team's email address other than as directed in **■ SUP 16.3.8R**.

Complete reporting

16.3.11 **R** A *firm* must submit reports required under this chapter to the *FCA* containing all the information required.

16.3.12 **G** ■ SUP 15.6 refers to and contains requirements regarding the steps that *firms* must take to ensure that information provided to the *FCA* is accurate and complete. Those requirements apply to reports required to be submitted under this chapter.

Timely reporting

16.3.13 **R**

- (1) A *firm* must submit a report required by this chapter in the frequency, and so as to be received by the *FCA* no later than the due date, specified for that report.
- (2) If the due date for submission of a report required by this chapter falls on a day which is not a *business day*, the report must be submitted so as to be received by the *FCA* no later than the first *business day* after the due date.
- (3) If the due date for submission of a report required by this chapter is a set period of time after the quarter end, the quarter ends will be the following dates, unless another *rule* or the reporting form states otherwise:
 - (a) the *firm's accounting reference date*;
 - (b) 3 months after the *firm's accounting reference date*;
 - (c) 6 months after the *firm's accounting reference date*; and
 - (d) 9 months after the *firm's accounting reference date*.
- (4) If the due date for submission of a report required by this chapter is a set period of time after the end of a half-year, a quarter, or a month, the dates will be determined by (a) or (b) below except where otherwise indicated:
 - (a) the *firm's accounting reference date*; or
 - (b) monthly, 3 monthly or 6 months after the *firm's accounting reference date*, as the case may be.

Failure to submit reports

16.3.14 **R** If a *firm* does not submit a complete report by the date on which it is due in accordance with the *rules* in, or referred to in, this chapter or the provisions of relevant legislation and any prescribed submission procedures, the *firm* must pay an administrative fee of £250.

16.3.14A **G** Failure to submit a report in accordance with the *rules* in, or referred to in, this chapter or the provisions of relevant legislation may also lead to the imposition of a financial penalty and other disciplinary sanctions. A *firm* may be subject to reporting requirements under relevant legislation other than the *Act*, not referred to in this chapter. An example of this is reporting to the *FCA* by *building societies* under those parts of the Building Societies Act 1986 which have not been repealed (see ■ SUP 16.1.4 G). If it appears to the *FCA* that, in the exceptional circumstances of a particular case, the payment of any fee would be inequitable, the *FCA* may reduce or remit all or part of the fee in question which would otherwise be payable (see ■ FEES 2.3).

16.3.15 **G** The *FCA* may from time to time send reminders to *firms* when reports are overdue. *Firms* should not, however, assume that the *FCA* has received a report merely because they have not received a reminder.

16.3.16 **G** The *firm* is responsible for ensuring delivery of the required report by the due date. If a report is received by the *FCA* after the due date and the *firm* believes its delivery arrangements were adequate, it may be required to provide proof of those arrangements. Examples of such proof would be:

- (1) "proof of posting" receipts from a *UK* post office or overseas equivalent which demonstrates that the report was posted early enough to allow delivery by the due date in accordance with the delivery service standards prescribed by the relevant postal authority; or
- (2) recorded postal delivery receipts showing delivery on the required day; or
- (3) records of a courier service provider showing delivery on the required day.

Change of accounting reference date

16.3.17 **R**

- (1) A *firm* must notify the *FCA* if it changes its *accounting reference date*.
- (2) When a *firm* extends its accounting period, it must make the notification in (1) before the previous *accounting reference date*.
- (3) When a *firm* shortens its accounting period, it must make the notification in (1) before the new *accounting reference date*.
- (4) ■ SUP 16.10.4A R to ■ SUP 16.10.4C G (Requirement to check the accuracy of standing data and to report changes to the *FCA*) apply to any notification made under (1).

16.3.18 **G** ■ SUP 16.2.1 G emphasises the importance to the *FCA* of timely and accurate information. The extension of a *firm's* accounting period to more than 15 months may hinder the timely provision of relevant and important information to the *FCA*. This is because many due dates for reporting to the *FCA* are linked to *firms'* *accounting reference dates*. Indeed, for some categories of *firm*, the only reports required by the *FCA* have due dates for submission which are linked to the *firm's* *accounting reference date*. If the extension of a *firm's* accounting period appears likely to impair the effectiveness of the *FCA* supervisory work, the *FCA* may take action to ensure that it continues to receive the information it requires on a timely basis.

16.3.19 **G** If more than one *firm* in a *group* intends to change its *accounting reference date* at the same time, a single notification may be given to the *FCA*, as described in ■ SUP 15.7.8 G.

Notifications regarding financial information reporting under the EU CRR

16.3.19A **R** [deleted]

16.3.19B **R** [deleted]

Underwriting agents: submission to the Society of Lloyd's

16.3.20 **R** (1) [deleted]

(2) [deleted]

16.3.21 **G** [deleted]

Service of Notices Regulations

16.3.22 **G** The Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001 (SI 2001/1420) contain provisions relating to the service of documents on the *FCA*. They do not apply to reports required under **■ SUP 16**, because of the specific *rules* in this section.

Confidentiality and sharing of information

16.3.23 **G** When the *FCA* receives a report which contains confidential information and whose submission is required under this chapter, it is obliged under Part 23 of the *Act* (Public Record, Disclosure of Information and Co-operation) to treat that information as confidential. (See **■ SUP 2.2.4G**)

16.3.24 **G** **■ SUP 2.3.12AG** states that the *FCA* may pass to other regulators information which it has in its possession. Such information includes information contained in reports submitted under this chapter. The *FCA's* disclosure of information to other regulators is subject to **■ SUP 2.2.4G** (Confidentiality of information).

Reports from groups

16.3.25 **G** If this chapter requires the submission of a report or *data item* covering a *group*, a single report or *data item* may be submitted, and so satisfy the requirements of all *firms* in the *group*. Such a report or *data item* should contain the information required from all of them, meet all relevant due dates and indicate all the *firms* on whose behalf it is submitted; if necessary a separate covering sheet should list the *firms* on whose behalf a report or *data item* is submitted. Nevertheless, the requirement to provide a report or *data item*, and the responsibility for the report or *data item*, remains with each *firm* in the *group*. However, reporting requirements that apply to a *firm*, by reason of the *firm* being a member of a *financial conglomerate*, are imposed on only one member of the *financial conglomerate* (see, for example, **■ SUP 16.12.32 R**).

16.3.26 **G** Examples of reports covering a *group* are:

- (1) the compliance reports required from *banks* under **■ SUP 16.6.4 R**;
- (2) annual controllers reports required under **■ SUP 16.4.5 R**;
- (3) annual close links reports required under **■ SUP 16.5.4 R**

- (4) consolidated financial reports required from *banks* under ■ SUP 16.12.5 R;
- (5) consolidated reporting statements required from *securities and futures firms* under ■ SUP 16.12.11 R;
- (6) reporting in relation to *defined liquidity groups* under ■ SUP 16.12.