

## Chapter 8A

Directions and determinations  
by the FCA waiving, varying or  
disapplying CCA requirements



8A.3 Applying for a direction or determination by the FCA waiving, varying or disapplying CCA requirements

Publication

8A.3.1 G The FCA intends to include any direction or determination made by the FCA waiving, varying or disapplying CCA requirements in the public register under section 347 of the Act.

Form and method of application

8A.3.2 D A firm wishing to apply for a direction under section 60(3) of the CCA, must complete the application form in SUP 8A Annex 1 D and submit it to the FCA in the way set out in SUP 15.7.4 R, SUP 15.7.5A R, SUP 15.7.6A G and SUP 15.7.9 G.

8A.3.3 D A firm wishing to apply for a determination under section 64(4) of the CCA must apply to the FCA in the way set out in SUP 15.7.4 R, SUP 15.7.5A R, SUP 15.7.6A G and SUP 15.7.9 G.

8A.3.4 D A firm wishing to apply for a direction under section 101(8) of the CCA must complete the application form in SUP 8A Annex 2 D and the information form in SUP 8A Annex 3 D, and submit them to the FCA in the way set out in SUP 15.7.4 R, SUP 15.7.5A R, SUP 15.7.6A G and SUP 15.7.9 G.

Procedure on receipt of an application

8A.3.5 G The FCA will acknowledge an application promptly and, if necessary, will seek further information from the firm. The time taken to determine an application will depend on the issues it raises. A firm should make it clear in the application if it needs a decision within a specific time.

8A.3.6 G The FCA will treat a firm's application as withdrawn if it does not hear from the firm within 20 business days of sending a communication which requests or requires a response from the firm. The FCA will not do this if the firm has made it clear to the FCA in some other way that it intends to pursue the application.

**8A.3.7** **G** If the *FCA* decides not to give a direction or a determination, it will give reasons for the decision.

**8A.3.8** **G** A *firm* may withdraw its application at any time up to the giving of the direction or determination. In doing so, a *firm* should give the *FCA* its reasons for withdrawing the application.