

Supervision

Schedule 5

Rights of actions for damages

Sch 5.1 G

- 1
- The table below sets out the *rules* in *SUP* contravention of which by an *authorised person* may be actionable under section 138Dof the *Act* (Actions for damages) by a *person* who suffers loss as a result of the contravention.
- 2
- If a "Yes" appears in the column headed "For private person?", the *rule* may be action-able by a "*private person*" under section 138D(or, in certain circumstances, his fiduciary or representative). A "Yes" in the column headed "Removed" indicates that theFCA has removed the right of action under section 138D(3)of the *Act*. If so, a reference to the *rule* in which it is removed is also given.
- 3
- The column headed "For other person?" indicates whether the rule is actionable by a *person* other than a *private person* (or his fiduciary or representative). If so, an indica-tion of the type of *person* by whom the *rule* is actionable is given.

Sch 5.2 G

			Right of action under section 138D			
Chapter/ Appendix	Section/ Annex	Paragraph	For pri- vate person?			For other person?
			Removed?			
All <i>rules</i> in <i>SUP</i> with the status letter "E"			No	No	No	
3	8	All <i>rules</i> in the section	No	No	No	
4	3	13	No	No	No	
4	5	All <i>rules</i> in the section	No	No	No	
10A	All <i>rules</i> in sections <i>SUP</i> 10A.1 to <i>SUP</i> 10A.11		No	No	No	
10C	All <i>rules</i> in sections <i>SUP</i> 10C.1 to <i>SUP</i> 10C.9		No	No	No	
All other <i>rules</i> in <i>SUP</i>			Yes	No	No	

