

Chapter 22

Regulatory references



22.4 Drafting the reference: detailed requirements

Drafting the reference: detailed requirements for SMCR firms

- 22.4.1 G ■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) has two purposes:
- (1) to set out what information a *firm* should disclose under ■ SYSC 22.2.2R(4); and

(2) to provide a template that a *firm* should use when giving a reference under this chapter.

How to draft the reference

- 22.4.2 R (1) A *firm* must use the template in Part One of ■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) when giving a reference under this chapter to another *firm* (A).
- (2) A *firm* may make minor changes to the format of the template in Part One of ■ SYSC 22 Annex 1R when giving a reference under this chapter, provided that the reference includes all the information required by ■ SYSC 22 Annex 1R.

(3) This *rule* applies even if A is not an *SMCR firm*.
- 22.4.3 G (1) [deleted] [*Editor’s note*: The text of this provision has been moved to ■ SYSC 22.4.6G(1)]
- (2) [deleted] [*Editor’s note*: The text of this provision has been moved to ■ SYSC 22.4.6G(2)]

(3) [deleted] [*Editor’s note*: The text of this provision has been moved to ■ SYSC 22.4.6G(3)]
- 22.4.4 G A *firm* should use the template in ■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) even if the *firm* asking for the reference does not specifically ask it to.

		PRA requirements
22.4.5	R	B may combine in a single reference what the <i>PRA's rules</i> require and what this chapter requires.
		Inclusion of additional material
22.4.6	G	<p>(-1) This chapter sets out minimum requirements for a reference. It does not prevent a <i>firm</i> from including more than is required by this chapter.</p> <p>(1) Therefore ■SYSC 22.4.2R does not stop a <i>firm</i> including matters in the reference not required by the template in ■SYSC 22 Annex 1R.</p> <p>(2) A <i>firm</i> may include the material required by the template and additional material in the same document.</p> <p>(3) Any additional material should not alter the scope of any of the questions in the templates.</p>
22.4.7	G	If a <i>firm</i> does disclose more than is required by this chapter the reference should still meet its duties under general law to its former <i>employee</i> and the recipient (see ■SYSC 22.5.3G to ■SYSC 22.5.5G).
		Time limits
22.4.8	G	Nothing in this chapter prevents a <i>firm</i> from disclosing material outside the time limits under this chapter.