

Chapter 26

Senior managers and certification regime: Overall and local responsibility



26.1 Application

Main application rules

- 26.1.1
- R
- This chapter applies to:
- (1) an *SMCR banking firm*;

(2) an *SMCR insurance firm* that is a *Solvency II firm* (including a *large non-directive insurer*) but excluding:

(a) an *insurance special purpose vehicle*; and

(b) a *firm* in ■ SYSC 23 Annex 1 5.2R (*firms in run-off*); and

(3) an *enhanced scope SMCR firm*;

except to the extent that this chapter applies a narrower scope to a particular provision.
- 26.1.2

R

This chapter is not limited to *regulated activities* or other specific types of activities.
- Exclusions
- 26.1.3

R

This chapter does not apply to an *EEA SMCR firm*.
- Territorial scope
- 26.1.4

R

There is no territorial limitation on the application of this chapter, save as set out in ■ SYSC 26.1.5R.

26.1.5

R

When this chapter applies to an *overseas SMCR firm*, it applies in relation to the *firm's branch* in the *United Kingdom*.

26.1.6

R

Unless the context requires otherwise, the terms in the first column of the table in ■ SYSC 26.1.7R are modified as described in the second column of that table in relation to an *overseas SMCR firm*.

26.1.7

R

Table: Application of this chapter to an overseas SMCR firm
- | Reference in this chapter | Modification |
|---------------------------|---|
| <i>firm</i> | treated as a reference to the <i>branch</i> |
- SYSC 26/2
- www.handbook.fca.org.uk
- Release 35 ● Apr 2024

Reference in this chapter	Modification
<i>governing body</i>	(a) treated as a reference to the <i>branch’s governing body</i> ; (b) the <i>Glossary</i> definition of this term is adjusted so as to refer to the <i>branch</i> rather than the <i>firm</i> as a whole
<i>group</i>	treated as including the rest of the <i>firm</i>
chief executive	<i>branch manager</i> or the <i>person performing the head of third country branch function</i> or the <i>PRA’s Head of Overseas Branch designated senior management function</i>