

Appendix 2

2.1 TCs Territorial Scope subject to the limitation in TC Appendix 3

App2.1.1 **R**

	<i>UK domestic firm</i>	<i>Incoming EEA firm</i>	<i>Overseas firm (other than an incoming EEA firm)</i>
<i>MiFID business and equivalent third country business</i>	<p>TC applies in respect of <i>employees</i> who carry on activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i></p> <p>and</p> <p>if an activity is carried on from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i> or, where applicable, its <i>tied agent</i>) in, and within the territory of, another <i>EEA State</i>, TC applies although matters which would otherwise be covered by SYSC 5.1.5ABR are matters reserved for the <i>Host State regulator</i></p>	TC does not apply	TC applies in respect of <i>employees</i> who carry on activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i>

<i>Insurance distribution activities</i>	<p>TC applies in respect of <i>employees</i> who carry on activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i></p> <p>and</p> <p>TC also applies in respect of <i>employees</i> who engage in or oversee activities from a branch established in another <i>EEA state</i></p>	TC does not apply	TC does not apply
<p>Mortgage activities and <i>reversion activities</i> numbers 20, 20A, 21, 21A, 21B, 22 and 23 in TC App 1.1.1R; and</p> <p><i>MCD credit agreement</i> activities numbers 23A to 23E in TC App 1.1.1R</p>	<p>TC applies if the customer is resident in the <i>United Kingdom</i> at the time the activity is carried on</p> <p>and</p> <p>TC also applies if the <i>customer</i> is resident in another <i>EEA State</i> (at the time that the activity is carried on) but only if the activity is carried on from an establishment maintained by the <i>firm</i> or its <i>appointed representative</i> in the <i>United Kingdom</i></p>	<p>Same as for <i>UK domestic firm</i> except that:</p> <p>(1) if the <i>firm</i> carries on the activity from an establishment maintained by the <i>firm</i> or its <i>appointed representative</i> in the <i>United Kingdom</i> and the <i>customer</i> is resident in another <i>EEA State</i> when the activity is carried on, TC does not apply; and</p> <p>(2) if the <i>firm</i> carries on the activity from an establishment maintained by the <i>firm</i> in another <i>EEA State</i> (and the <i>customer</i> is resident in the <i>United Kingdom</i> when the activity is carried on), the following provisions of TC apply: TC 2.1.5AR; TC 2.1.5BR(2), (3), (5) and (6); TC 2.1.5CR; TC 2.1.5DG; TC 2.1.5ER; and TC 2.1.5FG.</p> <p>[Note: article 9(3) of the <i>MCD</i>]</p>	Same as for <i>UK domestic firm</i>

<p>Any other activity in Appendix 1</p>	<p>TC applies in respect of <i>employees</i> who carry on these activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i></p> <p>and</p> <p>TC also applies in respect of employees who carry on activities with or for a <i>client</i> in the <i>United Kingdom</i></p>	<p>TC applies in respect of its <i>employees</i> who carry on activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i></p>	<p>TC applies in respect of its <i>employees</i> who carry on activities from an establishment maintained by the <i>firm</i> (or its <i>appointed representative</i>) in the <i>United Kingdom</i></p>
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