

### LIST OF 2009 NON-LEGAL CORRECTIONS AND CLARIFICATIONS IN THE HANDBOOK

This document lists the minor corrections and clarifications that we have recently made to the Handbook, other than those made by Handbook Administration instrument. These changes are regarded as having no legal effect. None of these changes represents a change in policy.

In this list, underlining indicates new text and striking through indicates deleted text.

<i>Handbook reference</i>	<i>Text of change made</i>	<i>Reason for change</i>	<i>Published date of change</i>
SUP 11.2.1	Part XII of the <i>Act</i> (Notices of acquisitions of control over UK authorised persons) places an obligation on the <i>controllers</i> and proposed <i>controllers</i> of those <i>UK domestic firms</i> not listed in SUP 11.1.1 R (1) to SUP 11.1.1 R (6) to notify the <i>FSA</i> of changes in <i>control</i> , including acquiring, increasing or reducing <i>control</i> or ceasing to have <i>control</i> over a <i>firm</i> . Furthermore, those <i>persons</i> are required to obtain the <i>FSA's</i> approval before becoming a <i>controller</i> or increasing their <i>control</i> over a <i>firm</i> . SUP 11.3 is intended to assist those <i>persons</i> in complying with their obligations under Part XII of the <i>Act</i> .	Comma missing	30.4.09
SUP 1.3.2A(2)	(2) <i>controllers</i> and potential <i>controllers</i> of <i>building societies</i> are exempt from the obligation to notify a change in <i>control</i> unless the change involves the acquisition of a holding of a specified percentage of a <i>building society's</i> capital or the increase or reduction by a specified percentage of a holding of a <i>building society's</i> capital (The Financial Services and Markets Act 2000 (Controllers) (Exemption) Order 2009 (SI 2009/774)). The "capital" of a <i>building <del>society</del> <u>society</u></i> for these purposes consists of:  (a) ...	To retain italics for "society" (as shown in LI 2009/20) and glossarise as "building society".	30.4.09
SUP 11.3.5A	The <i>FSA</i> recognises that <i>firms</i> acting as <i>investment managers</i> may have difficulties in complying with the prior notification requirements in sections		30.4.09

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	178 and <del>190(1)</del> 191D of the <i>Act</i> as a result of acquiring or disposing of listed <i>shares</i> in the course of that fund management activity. ...		
SUP 1.4.2A(1)	<p>A <i>non-directive firm</i> must notify the <i>FSA</i> of any of the following events concerning the <i>firm</i>:</p> <p>(1) a <i>person</i> becoming <i>controller</i> of the <i>firm</i>; or<del>;</del></p> <p>(2) ...</p>		30.4.09
REC 4.2C.2	The <del>FSA</del> <i>FSA</i> will approve an acquisition or an increase in control if it is satisfied that the acquisition by the <i>person</i> seeking approval does not pose a threat to the sound and prudent management of any financial market operated by the <i>UK RIE</i> (see section 301F(4) of the <i>Act</i> ).		30.4.09
<i>Glossary</i>	<p>non-directive firm</p> <p>(d) an undertaking pursuing the activity of direct insurance within the meaning of:</p> <p>(i) article 2 of the Consolidated Life Directive, authorised under that directive; or</p> <p>(ii) article 1 of the First Non-Life Directive, authorised under that directive;</p> <p><del>(e)</del> an undertaking pursuing the activity of reinsurance within the meaning of article 2.1 (a) of the Reinsurance Directive, authorised under that directive.</p>		30.4.09

<i>Handbook reference</i>	<i>Text of change made</i>	<i>Reason for change</i>	<i>Published date of change</i>				
COMP 10.2.3R	In second column against row starting “ <i>Protected contract of insurance when the contract is a relevant general insurance contract</i> ” the text of (1) should be amended as follows:  (1) Where the <i>claim</i> is in respect of a <del>liability subject to compulsory insurance</del> <i>liability subject to compulsory insurance</i> : 100% of <i>claim</i> .	The term “liability subject to compulsory insurance” was originally italicised in 2001/66, but the italics seem at some later stage to have been omitted. LI 2009/25, for example, shows these words unitalicised, but <b>not</b> amended, and the policy intention is that the term should remain italicised.	6.7.09				
FEES 4 Annex 8R	<table border="1"> <tr> <td colspan="2"><b>Annual fees for the period 1 April <del>2008</del> <u>2009</u> to 31 March <del>2009</del> <u>2010</u></b></td> </tr> <tr> <td>...</td> <td>...</td> </tr> </table>	<b>Annual fees for the period 1 April <del>2008</del> <u>2009</u> to 31 March <del>2009</del> <u>2010</u></b>		...	...	Dates corrected.	31.7.09
<b>Annual fees for the period 1 April <del>2008</del> <u>2009</u> to 31 March <del>2009</del> <u>2010</u></b>							
...	...						
ICOBS Sch 4	Reformat schedule, and divide into two.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09				
MCOB Sch 4	Reformat schedule, and divide into two.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09				
BCOBS Sch 4	<b><u>These changes come into force on 1 November 2009, to coincide with commencement of main BCOBS instrument</u></b>	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09				
UPRU Sch 4	Remove row numbers.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09				

<i>Handbook reference</i>	<i>Text of change made</i>	<i>Reason for change</i>	<i>Published date of change</i>
COBS Sch 4	Remove semi-colons at end of rows.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
INSPRU Sch 4	Remove row numbers.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
COLL Sch 4	<i>Remove row numbers etc and other changes.</i>	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
CRED Sch 4	Remove row numbers etc and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
ELM Sch 4	Remove row numbers etc and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
PROF Sch 4	Remove row numbers etc and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
REC Sch 4	Divide table into two parts and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09

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<i>Handbook reference</i>	<i>Text of change made</i>	<i>Reason for change</i>	<i>Published date of change</i>
CASS Sch 4	Divide Schedule into two.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
MAR Sch 4	Divide Schedule into two.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
TC Sch 4	Remove row numbers etc.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
SUP Sch 4	Remove row numbers etc and other changes..	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
COMP Sch 4	Remove row numbers etc, split existing table into 3 and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
COAF Sch 4	Remove row numbers etc, and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09
PRIN Sch 4	Remove row numbers etc, and other changes.	Changes to ensure consistency of layout and presentation of Schedules 4 throughout the Handbook	30.9.09

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PERG 9.10.4G	... For example, the controls in sections 238 and 240 do not apply to financial <del>promotions</del> <u>promotions</u> ...	The last letter of "promotions" is not currently italicised. It should be.	30.9.09
LR Appendix 1	<i>Within this appendix, the term for certificate representing certain securities should read:</i> <i>"in respect of any share, debenture, government and public <u>share</u>, <u>debenture</u>, <u>government and public security</u> or warrant..."</i>	New text not shown as italic.	30.9.09
COLL 8.5.15 R (1A)	<del>COLL 6.8.2 R (2) to COLL 6.3.5A R (7)</del> (Accounting periods) also apply to the half-yearly accounting period and annual accounting period of a qualified investor scheme.	Incorrect reference removed.	30.9.09
INSPRU 7.1.18G	... ICA <u>ICA</u>	This should be defined term.	31.10.09
COBS 9.2.6R	<i>If a firm does not obtain the necessary <del>Information</del> <u>information</u> to assess suitability, it must not make a personal recommendation to the client or take a decision to trade for him.</i>	Typographical error.	6.11.09

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IPRU(INV) Ch 3 App 35 Part 2	<b>List Of Supranational Organisations</b> a multilateral development bank; The Bank for International Settlements; The Council of Europe; Euratom (The European Atomic Energy Community); <del>Eurofina</del> <u>Eurofima</u> (The European Company for Financing of Railroad Rolling Stock); The <i>EU</i> ; The International Monetary Fund; ...	Spelling error corrected.	30.12.09
SUP 13A Annex 2G	3. It is necessary to refer to the case law of the European Court of Justice to interpret the concept of the "general good". To summarise, to satisfy the general good test, <i>Host State</i> rules must come within a field which has not been harmonised at an <i>EU</i> level, satisfy the general requirements that they pursue an objective of the general good, be non-discriminatory, ...	-	30.12.09
BIPRU 5.6.19A G	This paragraph provides <i>guidance</i> in relation to <i>BIPRU 5.6.19R(8)</i> . In carrying out the stress testing programme, a <i>firm</i> should evaluate the simultaneous impact of individual stress scenarios on its <i>counterparty exposures</i> , its <i>positions</i> and the aggregate amount of margin calls that it would receive. A <i>firm's</i> stress scenarios should take into account the possibility that the liquidation period may be substantially longer than 5 days for <i>repurchase transactions</i> and <del><i>securities lending</i></del> <u><i>securities lending</i></u> or <del><i>borrowing transactions</i></del> <u><i>borrowing transactions</i></u> , and 10 days for other types of <i>securities financing transactions</i> .	Removed italicisation, these terms are not defined.	30.12.09

List last updated: January 2010

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