

SUPERVISION MANUAL (AMENDMENT NO 8) INSTRUMENT 2002

Powers exercised

- A. The Financial Services Authority makes this instrument in the exercise of the following powers in or under the Financial Services and Markets Act 2000 (the “Act”):
- (1) section 148(3) (Modification or waiver of rules);
 - (2) section 157(1) (Guidance);
 - (3) sections 250(4) and (5) (Modification or waiver of rules); and
 - (4) regulations 7(3) and (4) of the Open-ended Investment Companies Regulations 2001 (SI 2001 (1228) (Modification or waiver of rules).

Commencement

- B. This instrument comes into force on 1 October 2002.

Amendment of the Supervision manual

- C. The Supervision manual is amended in accordance with Annex A to this instrument.

Amendment of the Glossary

- D. The Glossary is amended in accordance with Annex B to this instrument.

Citation

- E. This instrument may be cited as the Supervision Manual (Amendment No 8) Instrument 2002.

By order of the Board

19 September 2002

Annex A

Amendments to SUP

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

SUP 6 Ann 4 G: Additional guidance for a firm winding down (running off) its business

3 Table Specific guidance for insurers

...

3. An insurer ceasing to ~~carry out~~ effect contracts of insurance is required to submit a *scheme of operations* in accordance with SUP App 2 (Insurers: scheme of operations)...

...

5 Table Specific guidance for firms accepting deposits

...

12. Entering into a trust arrangement does not "transfer" deposits or discharge the *firm's* contractual obligations to its depositors. ~~The firm will, therefore, need to continue to be an authorised person until these obligations are discharged.~~

...

14. Placing funds in a segregated account does not discharge a *firm's* contractual obligations to its depositors; ~~the FSA therefore continues to have a supervisory responsibility towards the firm.~~

SUP 8.2.7 G Table Rules which can be waived (see SUP 8.2.6G)

...

Continued rules	Article 4...	<i>IPRU(Bank)</i> 3.3.15R...
-----------------	--------------	---------------------------------

<u>Continued provisions</u>	<u>Article 9 of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002</u>	<u>CRED 7, CRED 14</u>
-----------------------------	---	------------------------

SUP 8.3.3 D ...

- (6) the *firm's* reasons for considering that the conditions in section 148(4) of the ~~Act~~ Act are satisfied ...

SUP 17 Annex 5 G: Regulated markets

2 Table

<p>...</p> <p>Denmark</p> <ol style="list-style-type: none"> 1. Københavns Fondsbørs <ul style="list-style-type: none"> — Equity market; — Bond market; — Derivatives market 2. <u>XtraMarked (authorised market place for unlisted units of Investment Associations (UCITS) and Special-Purpose Associations)</u> 3. <u>Dansk Autoriseret Markedsplads A/S (Danish Authorised Market Place Ltd. (DAMP))</u> [authorised market place = regular trade in securities admitted for trading but not listed on stock exchange]

SUP Schedule 2

Notification requirements

2 G Table

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
...
<i>SUP 16.7.57R to SUP 16.7.58R</i>	Reporting – financial reports – <i>Members' adviser</i>	Quarterly reporting statement	Quarterly	15 <i>business days</i> after the quarter end
<u><i>SUP 16.7.62R to SUP 16.7.63R</i></u>	Reporting – financial reports – <i>Credit union</i>	Form CQ – Key financial data	Quarterly	<u>One month after quarter end</u>
<u><i>SUP 16.7.62R to SUP 16.7.63R</i></u>	Reporting – financial reports – <i>Credit union</i>	Form CY – Extended financial data	Annually	<u>Seven months after the financial year end</u>
<u><i>SUP 16.7.64R to SUP 16.7.65R</i></u>	Reporting – financial reports – <i>ELMI</i>	Annual report and audited accounts	Annually	<u>3 months after the firm's accounting reference date</u>
<u><i>SUP 16.7.64R to SUP 16.7.65R</i></u>	Reporting – financial reports – <i>ELMI</i>	Form ELM-CA/LE – Unconsolidated reporting statement on capital adequacy	Half-yearly	<u>20 business days after period end (22 business days if submitted electronically)</u>
<u><i>SUP 16.7.64R to SUP 16.7.65R</i></u>	Reporting – financial reports – <i>ELMI</i>	Form ELM-CA/LE – Consolidated reporting statement on capital adequacy	Half-yearly	<u>20 business days after period end (22 business days if submitted electronically)</u>

<u>SUP 16.7.64R to SUP 16.7.65R</u>	<u>Reporting – financial reports – ELM I</u>	<u>Form BSD3 – Consolidated reporting statement on capital adequacy in the case of ELM 7.3.2R</u>	<u>Half-yearly</u>	<u>20 business days after period end (22 business days if submitted electronically)</u>
<u>SUP 16.7.64R to SUP 16.7.65R</u>	<u>Reporting – financial reports – ELM I</u>	<u>Form ELM-CA/LE – Unconsolidated large exposures reporting statement</u>	<u>Half-yearly</u>	<u>20 business days after period end (22 business days if submitted electronically)</u>
<u>SUP 16.7.64R to SUP 16.7.65R</u>	<u>Reporting – financial reports – ELM I</u>	<u>Form ELM-CA/LE – Consolidated large exposures reporting statement</u>	<u>Half-yearly</u>	<u>20 business days after period end (22 business days if submitted electronically)</u>
<u>SUP 16.8</u>

Annex B

Amendments to the Glossary

Amend the following definition as shown (underlining indicates new text and striking through indicates deleted text).

regulated market (a) ...

(iv) ...

(see ~~Part 1~~ Tables 1 and 2 of SUP 17 Ann 5G for an indicative list of these markets); and

(b) ...

(see ~~Part 2~~ Tables 3 and 4 of SUP 17 Ann 5G for an indicative list of these markets).