

FEES PROVISIONS INSTRUMENT 2006

Powers exercised

- A. The Financial Services Authority ("FSA") makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 ("the Act"):
- (1) section 72 (The competent authority);
 - (2) section 74(4) (The official list);
 - (3) section 99(1) (Fees);
 - (4) section 101 (Listing rules: general provisions);
 - (5) section 138 (General rule-making power);
 - (6) section 156 (General supplementary powers);
 - (7) section 157(1) and (4) (Guidance);
 - (8) section 213 (The Compensation Scheme);
 - (9) section 223 (Management expenses);
 - (10) paragraph 17(1) of Schedule 1 (Fees); and
 - (11) paragraphs 1 (General), 4 (Rules), and 7 (Fees) of Schedule 7 (The Authority as Competent Authority for Part VI).
- B. The rule-making powers listed above are specified for the purpose of section 153(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 1 April 2006.

Amendments to the Handbook

- D. The Fees manual is amended in accordance with Annex A to this instrument.
- E. The Supervision manual is amended in accordance with Annex B to this instrument.
- F. The Credit Unions sourcebook is amended in accordance with Annex C to this instrument.

Citation

- G. This instrument may be cited as the Fees Provisions Instrument 2006.

By order of the Board
23 March 2006

Annex A

Amendments to the Fees manual

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

- 2.2.1 R If a *person* does not pay the total amount of a periodic fee (including fees relating to reportable transactions to the FSA using the FSA's Direct Reporting System or FSA's Transaction Reporting System (see SUP 17)), FOS levy or case fee, ...

...

FEES 3 Annex 4R

Application and tranche fees in relation to listing rules

Part 1

Fee type	Fee amount
Application Fees for the period 1 July 2005 to 31 March 2006	
Application for <i>listing</i>	<u>£225200 plus £100 per each additional issue of securities with its own International Securities Identification Number.</u>
...	

...

FEES 3 Annex 5R

Document vetting and approval fees in relation to listing and prospectus rules

...

Part 2

...

...	
Tranches — upfront fee per tranche for draw downs in the following 12 months. Payment in advance for more than 75 draw downs will attract a 10% discount.	£100

...

FEES 3 Annex 6R

Fees payable for guidance on the availability of a waiver (or concession) in connection with rules implementing Basel Capital Accord

Part 1

Fees payable other than applications for guidance on the availability of a waiver (or concession) to allow a firm to use the Effective Expected Potential Exposure estimates

Table 1

Application group	Description of group	Application fee 2005/2006 2006/07		
		Advanced IRB (£'000)	Foundation IRB (£'000)	AMA (£'000)
Group 1	Five or more significant overseas entities applying for <i>guidance</i> on the availability of a <i>waiver</i> or concession in connection with future <i>rules</i> implementing the revised Basel Capital Accord (including any amendments)	247219	214190	167148

...

Table 2

Application group	Description of group		Application fee 2005/2006 2006/07		
	Modified eligible liabilities (£m)	Number of traders as at 31 December 2004 2005	Advanced IRB (£'000)	Foundation IRB (£'000)	AMA (£'000)
Group 2	>40,000	>200	214190	183162	135120
Group 3	>5,000 - 40,000	26 - 200	8777	6659	4742
Group 4	0 - 5,000	0 - 25	3935	2825	2220
(1)	Advanced and Foundation IRB applications are applications for <i>guidance</i> regarding the Internal Ratings Based approach for credit risk. AMA applications are applications for guidance regarding the Advanced Measurement Approach for operational risk.				
(2)	For the purposes of Table 2, a <i>firm's</i> A.1 or A10 tariff data for the relevant period will be used to provide the value of modified eligible liabilities or number of traders.				

...

Part 2

Fees payable for applications for guidance on the availability of a waiver (or concession) to allow a firm to use the Effective Expected Potential Exposure estimates

£50,000

...

4.2.11 R Table of periodic fees

...			
<i>Sponsors</i>	<u>£10,000 per year for the period from 1 April to 31 March the following year (see Note)</u>	Within 30 <i>days</i> of the date of the invoice	Approval of <i>sponsor</i>
...			

Note: *Sponsors* on the list of approved *sponsors* as at 1 April each year will be liable for the full year's annual fee unless FEES 4.3.13R applies.

...

4.3.13 R (1) If:

- (a) *a firm* makes an application to vary its *permission* (by reducing its scope), or cancel it, in the way set out in SUP 6.3.15D(3) (Variation of permission) and SUP 6.4.5D (Cancellation of permission); an *issuer* makes an application for de-listing; or a *sponsor* notifies FSA of its intention to be removed from the list of approved *sponsors*; and
- (b) the *firm, issuer or sponsor* makes the application or notification referred to in (a) before the start of the period to which the fee relates;

FEES 4.2.1R applies to the *firm* as if the relevant variation or cancellation of the *firm's permission, de-listing or removal from the list of approved sponsors*, took effect immediately before the start of the period to which the fee relates.

- (2) But (1) does not apply if, due to the continuing nature of the business, the variation, ~~or~~ cancellation, de-listing or removal is not to take effect within three *months* of the start of the period to which the fee relates.

...

FEES 6 Annex 1R

Financial Services Compensation Scheme - Management Expenses Levy Limit

This table belongs to *FEES* 6.4.2R

Period	Limit on total of all management expenses levies attributable to that period (£)
1 December 2001 to 1 April 2002	£4,209,000
1 April 2002 to 31 March 2003	£13,228,000
1 April 2003 to 31 March 2004	£13,319,000
1 April 2004 to 31 March 2005	£17,590,000
1 April 2005 to 31 March 2006	£27,030,000
<u>1 April 2006 to 31 March 2007</u>	<u>£37,060,000</u>

Annex B

Amendments to the Supervision manual

In this Annex, underlining indicates new text.

...

16.3.14 R (1) If a *firm* does not submit a complete report by the date on which it is due in accordance with the *rules* in this chapter and any prescribed submission procedures, the *firm* must pay an administrative fee of £250.

(2) The administrative fee in (1) does not apply in respect of quarterly reports required to be submitted by *credit unions*.

...

Annex C

Amendments to the Credit Unions sourcebook

In this Annex, underlining indicates new text.

...

- 14.10.4D G If a *credit union* fails to submit a complete annual report by the date on which it is due in accordance with the *rules* in SUP 16.7 and any prescribed submission procedures, the *credit union* must pay an administrative fee of £250 (see SUP 16.3.14R). Failure to submit a report in accordance with the *rules* in SUP 16.7 may also lead to the imposition of a financial penalty and other disciplinary sanctions (see *ENF* 13.5 and *CRED* 15.5).

...