

**FEES Manual (Financial Ombudsman Service Case Fees 2008/09)
Instrument 2008**

Powers exercised

- A The Financial Ombudsman Service Limited amends the Financial Services Authority's Fees Manual (FEES), in the exercise of the following powers in the Financial Services and Markets Act 2000:
- (1) Schedule 17 paragraph 15 (Fees);
 - (2) Schedule 17 paragraph 16C (Fees);
 - (3) Schedule 17 paragraph 18 (Terms of reference to the scheme).

Approval

- B The amendments have not yet been approved by the Financial Services Authority. They are therefore made subject to the approval of the Financial Services Authority.

Commencement

- C This instrument comes into force on 1 April 2008 subject to the approval of the Financial Services Authority having been received before that time.

Amendment of the FEES Manual

- D The Board specifies the amounts to be included in Part 3, Part 3A and Part 4 of FEES 5 Ann 1R as indicated in the Annex to this Instrument.
The Board also specifies that the rule contained in FEES 5.5.15R is amended as indicated in the Annex to this Instrument.

Citation

- E This instrument may be cited as the FEES Manual (Financial Ombudsman Service Case Fees 2008/09) Instrument 2008.

By order of the Board of the Financial Ombudsman Service Limited:
5 March 2008

Annex

After part 2 of FEES 5 Annex 1R insert the following text in place of the existing text:

Part 3: Case fees

Table: Standard case fees and special case fees

Compulsory jurisdiction – case fee table		
case fee		
standard case fee	£450	(for the fourth chargeable case and any subsequent chargeable case in this financial year 2008/09)
special case fee	£450	(for the fourth chargeable case and any subsequent chargeable case in this financial year 2008/98)
The definitions of <i>standard case fee</i> and <i>special case fee</i> are in FEES 5.5, (case fees) in the <i>FSA Handbook</i> .		
The definition of a <i>chargeable case</i> is in the Glossary to the <i>FSA Handbook</i>		

Part 3A: Case fees licencees

Table: Consumer credit jurisdiction – standard case fee

Consumer credit jurisdiction – case fee table		
case fee		
standard case fee	£450	(for the fourth chargeable case and any subsequent chargeable case in this financial year 2008/09)
The definitions of <i>standard case fee</i> and <i>special case fee</i> are in FEES 5.5, (case fees) in the <i>FSA Handbook</i> .		
The definition of a <i>chargeable case</i> is in the Glossary to the <i>FSA Handbook</i>		

Part 4: VJ participants

Table: Fee tariffs and case fees for VJ participants

Voluntary jurisdiction – general levy tariff and case fee table					
industry block and business activity		tariff basis	tariff rate	Minimum Levy	case fee*
1V	deposit acceptors, <i>mortgage lenders</i> and <i>administrators</i> , including debit/credit/charge card issuers and electronic money institutions	number of relevant accounts	£0.0178	£100	£450
2V	<i>VJ participants</i> undertaking insurance activities subject only to prudential regulation	per £1,000 of relevant annual gross premium income	£0.165	£100	£450
3V	<i>VJ participants</i> undertaking insurance activities subject to prudential and conduct of business regulation	Per £1,000 of relevant adjusted annual gross premium income	£0.073	£100	£450
6V	intermediaries	n/a	n/a	£60	£450
8V	National Savings & Investments	n/a	n/a	£10,000	£450
9V	Post Office Limited	n/a	n/a	£10,000	£450
10V	Persons not covered by 1V to 8V undertaking activities which would be <i>regulated activities</i> or <i>consumer credit activities</i> if they were carried on from an establishment in the <i>United Kingdom</i>	n/a	n/a	£60	£450
<p>*note on case fees</p> <p>As for the compulsory jurisdiction, <i>VJ participants</i> will only be charged for the fourth and subsequent chargeable case in this financial year 2008/09.</p>					

Amend FEES 5.5.15R by substituting the following text for the existing text, to reflect the increase in the number of 'free' case fees from two to three in each financial year.

FEES 5.5.15R Notwithstanding the above, a *firm* or *licensee* will only be liable for, and *FOS* will only invoice for, the standard case fee or, as the case may be, the special case fee, in respect of the fourth and subsequent *chargeable cases* in any *financial year*.