

## FEES (BUILDING SOCIETIES) INSTRUMENT 2009

### Powers exercised

- A. The Financial Services Authority 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 156 (General supplementary powers); and
  - (2) paragraph 17(1) (Fees) of Schedule 1 (The Financial Services Authority).
- B. The rule-making powers listed above are specified for the purposes of section 153(2) (Rule-making instruments) of the Act.

### Commencement

- C. This instrument comes into force on 11 December 2009.

### Amendments to the Handbook

- D. The Fees manual (FEES) is amended in accordance with the Annex to this instrument.

### Notes

- E. In the Annex to this instrument, the “*Editor’s Note:*” is included for the convenience of readers but does not form part of the legislative text.

### Citation

- F. This instrument may be cited as the Fees (Building Societies) Instrument 2009.

By order of the Board  
10 December 2009

## Annex

## Amendments to the Fees manual (FEES)

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

## 4 Annex 1 R Activity groups, tariff bases and valuation dates applicable

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Part 2

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Activity group	Tariff base
A.1	<p><b>MODIFIED ELIGIBLE LIABILITIES</b>  <b>For banks and building societies:</b></p> <p><b>Part 1:</b>  ...  <b>Assets</b>  In sterling:  £21B + 60% of £22A + £23D + £23E + £23F <u>+23G</u> + £30A +  £30B <u>+ £30C</u> + £32AA1 + £32AA2 <u>+ £32BA</u>  plus  In foreign currency, one-third of:</p> <p>E21B + 60% of E22A + E23D + E23E + E23F <u>+E23G</u> + E30A +  E30B <u>+ E30C</u> + E32AA1 + E32AA2 <u>+ E32BA</u> + C21B + 60%  of C22A + C23D + C23E + C23F <u>+ C23G</u> + C30A + C30B <u>±</u>  <u>C30C</u> + C32AA1 + C32AA2 <u>+ C32BA</u></p>
	<p><b>Part 2: Non-resident office offset</b>  ...  <b>Notes:</b>  (1) All references in the above formula are to entries on Form BT (that is, the Balance Sheet Form completed to provide information required following the Banking Statistics Review 1997 and returned by <i>banks and building societies</i> to the Bank of England as required by the Bank of England Act 1998).  [Editor's Note: On 1 January 2010, the Bank of England will be removing entries relating to the Modified Eligible Liabilities</p>

	<p>formulae from Form BT and inserting these on a new Form ELS. The formulae as they appear on Form ELS will provide the source for calculating Modified Eligible Liabilities for banks and building societies from the 2011/2012 financial year onwards. For further information, please refer to the Fees page of the FSA website at <a href="http://www.fsa.gov.uk/Pages/Doing/Regulated/Fees/index.shtml">http://www.fsa.gov.uk/Pages/Doing/Regulated/Fees/index.shtml</a>.]</p> <p>...</p>
	...
	<p><b>For building societies:</b></p> <ul style="list-style-type: none"> <li>• <del>deposit liabilities (including debt securities up to five years original maturity)</del> (that is, the amounts in sterling (in column 1) and one third of foreign currency referenced amounts (in columns 2 and 3) for items B1.1+B1.2+B2.0a+B2.0b+B2.10+B2.13+B2.14+B2.15+B2.16)</li> <li><b>LESS amounts in respect of:</b></li> <li>• <del>sterling repo liabilities with the Bank of England</del> (that is, ONLY the amounts in sterling (in column 5) for item B2.5a)</li> <li>• <del>balances held with the Bank of England (excluding cash ratio deposits)</del> (that is, the amounts in sterling (in column 1) and one third of foreign currency referenced amounts (in columns 2 and 3) for item B6.2a, less the amounts in sterling (in column 1) and one third of foreign currency referenced amounts (in columns 2 and 3) for item OW1.1)</li> <li>• <del>market loans to banks, building societies (balances with and loans to, plus CDs, Commercial paper)</del> (that is, the amounts in sterling (in column 1) and one third of foreign currency referenced amounts (in columns 2 and 3) for items B6.3.a+B6.4.a+B6.4b+B6.5a+B6.5b+B6.12a)</li> <li>• <del>investments with banks and building societies (bonds, notes and other debt instruments up to five years original maturity)</del> (that is, the amounts in sterling (in column 1) and one third of foreign currency referenced amounts (in columns 2 and 3) for items B6.6a1+B6.6a2+B6.10a1+B6.10a2)</li> </ul>
	<p><b>Note :</b></p> <p>All references in the definition for building society MELs are to entries in the MFS1 which is submitted <i>monthly</i> by all <i>building societies</i> to the <i>FSA</i>.</p> <p>For a <i>dormant account fund operator</i> the tariff base is not relevant and the flat fee in <i>FEES 4 Annex 2R</i> is payable.</p>
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