LISTING RULES (CONTACT WITH THE FSA) INSTRUMENT 2012

Powers exercised

A. The Financial Services Authority makes this instrument in the exercise of the power in section 157(1) (Guidance) of the Financial Services and Markets Act 2000.

Commencement

B. This instrument comes into force on 30 September 2012.

Amendments to the Handbook

C. The modules of the FSA’s Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to the instrument listed in column (2).

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Citation

D. This instrument may be cited as the Listing Rules (Contact with the FSA) Instrument 2012.

By order of the Board
26 July 2012
Annex A

Amendments to the Supervision manual (SUP)

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

9.2.1 G Requests for individual guidance may be made in writing or orally. Requests for individual guidance in relation to the Part 6 rules should be made in writing other than in circumstances of exceptional urgency or in the case of a request from a sponsor in relation to the provision of a sponsor service. If oral queries raise complex or significant issues, the FSA will normally expect the details of the request to be confirmed in writing. Simple requests for guidance may often be dealt with orally, although it is open to a person to seek a written confirmation from the FSA of oral guidance given by the FSA.

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9.2.4 G The FSA does not expect to enter into discussions on a ‘no-name’ basis about the affairs of an individual person except in relation to SUP 9.2.4A G.

9.2.4A G The FSA may enter into discussions with a person on a ‘no-names’ basis about how a particular requirement in the Part 6 rules should be interpreted, but:

(1) the FSA will not be bound by any guidance given in response to the request; and

(2) the person receiving the guidance will not be able to rely upon it. [deleted]
Annex B

Amendments to the Listing Rules sourcebook (LR)

In this Annex, underlining indicates new text.

Early consultation with FSA

1.2.5 G An issuer or sponsor should consult with the FSA at the earliest possible stage if it:

(1) is in doubt about how the listing rules apply in a particular situation; or

(2) considers that it may be necessary for the FSA to dispense with or modify a listing rule.

1.2.6 G Where a listing rule refers to consultation with the FSA, submissions should be made in writing other than in circumstances of exceptional urgency or in the case of a submission from a sponsor in relation to the provision of a sponsor service.

Address for correspondence

Note: The FSA’s address for correspondence is:

....
Annex C

Amendments to the Disclosure Rules and Transparency Rules sourcebook (DTR)

In this Annex, underlining indicates new text.

Early consultation with FSA

1.2.4 G An issuer, person discharging managerial responsibilities or connected person should consult with the FSA at the earliest possible stage if they:

(1) are in doubt about how the disclosure rules apply in a particular situation; or

(2) consider that it may be necessary for the FSA to dispense with or modify a disclosure rule.

1.2.5 G Where a disclosure rule refers to consultation with the FSA, submissions should be made in writing other than in circumstances of exceptional urgency.

Address for correspondence

Note: The FSA’s address for correspondence is:

....

Early consultation with FSA

1A.2.4 G An issuer or other person should consult with the FSA at the earliest possible stage if they:

(1) are in doubt about how the transparency rules apply in a particular situation; or

(2) consider that it may be necessary for the FSA to dispense with or modify a transparency rule.

1A.2.5 G Where a transparency rule refers to consultation with the FSA, submissions should be made in writing other than in circumstances of exceptional urgency.

Address for correspondence

Note: The FSA’s address for correspondence in relation to the disclosure rules is:

....