

**LEGAL CUTOVER (FINANCIAL CONDUCT AUTHORITY AND PRUDENTIAL  
REGULATION AUTHORITY HANDBOOKS (GLOSSARY)) INSTRUMENT 2013**

**WHEREAS:**

- A. The Authority has, in accordance with Article 5 of the Designation Order, appointed persons to exercise functions referred to in Article 5(1) of the Designation Order, which include the function of the Financial Conduct Authority of designating or modifying a Relevant Instrument and the functions of making rules and issuing guidance.
- B. By virtue of Article 5(3)(a) of the Designation Order the persons appointed may discharge the relevant functions as if they were the governing body of the Financial Conduct Authority.
- C. By virtue of Article 7(1) of the Designation Order this Instrument shall be treated as if it had been made by the Financial Conduct Authority acting through its governing body.
- D. Article 2(1)(c) of the Early Commencement Order commenced the Financial Conduct Authority's guidance power and rule making powers for the purpose of making Financial Conduct Authority guidance and rules.
- F. Article 2(1)(c) of the Early Commencement Order commenced the Prudential Regulation Authority's rule making powers for the purpose of making Prudential Regulation Authority rules.

**Interpretation**

- 1. In this Instrument (including the Recitals):
  - (1) "Designation Order" means the Financial Services Act 2012 (Transitional Provisions) (Rules and Miscellaneous Provisions) Order 2013 (SI 2013/161);
  - (2) "Early Commencement Order" means the Financial Services Act 2012 (Commencement No. 1) Order 2013 (SI 2013/113);
  - (3) "the 2000 Act" means the Financial Services and Markets Act 2000;
  - (4) "the 2012 Act" means the Financial Services Act 2012;
  - (5) "the Authority" means the Financial Services Authority;
  - (6) "Financial Conduct Authority" means the body corporate referred to in section 1A of the 2000 Act, as amended by section 6 of the 2012 Act;
  - (7) "Prudential Regulation Authority" means the body corporate referred to in section 2A(1) of the 2000 Act, as amended by section 6 of the 2012 Act;
  - (8) "Handbook" means the Authority's Handbook of Rules and Guidance (and including for this purpose the Handbook Guides and Regulatory Guides published by the

Authority alongside the Handbook of Rules and Guidance) in each case as published on the Authority's Handbook website at 11h59 pm on 27 February 2013;

- (9) "Glossary" means the Glossary of definitions forming part of the Handbook;
- (10) "Relevant Instrument" has the meaning in section 119(6)(b) of the 2012 Act;
- (11) "FSA Instrument" means an instrument or other document published by the Authority, by which the Authority made, issued, gave, imposed or amended a Relevant Instrument;
- (12) "FCA Relevant Instrument" means a Relevant Instrument designated by the Financial Conduct Authority under paragraph 2;
- (13) "PRA Relevant Instrument" means a Relevant Instrument designated by the Prudential Regulation Authority under paragraph 14 and excludes any Relevant Instrument falling within paragraph 15;
- (14) "Commencement date" means 1 April 2013, provided that Her Majesty's Treasury makes the Financial Services and Markets Act 2000 (PRA-Regulated Activities) Order in the form of the draft laid before Parliament on 24 January 2013.

#### **Provisions of the Glossary designated by the Financial Conduct Authority**

- 2. In accordance with Article 3(1) of the Designation Order, the Financial Conduct Authority designates the provisions set out in each FSA Instrument (or part of such instrument) by which the Authority made, issued, gave or imposed each provision of the Glossary.
- 3. As required by Article 3(1)(c) and (d) of the Designation Order, the Financial Conduct Authority specifies that:
  - (1) The FCA Relevant Instruments were made, issued, given or imposed by the Authority under the provisions set out in the relevant FSA Instrument;
  - (2) The FCA Relevant Instruments collectively were made, issued, given or imposed by the Authority under the provisions set out in column 1 of Parts 1 to 10 of Schedule A to this Instrument; and
  - (3) The FCA Relevant Instruments collectively are treated as made, issued, given or imposed by the Financial Conduct Authority under the corresponding provisions set out in column 2 of Parts 1 to 10 of Schedule A to this Instrument.
- 4. In accordance with Article 2(2)(a) of the Designation Order, each FCA Relevant Instrument is treated as having been made, issued, given or imposed by the Financial Conduct Authority.

#### **Modification of the Glossary by the Financial Conduct Authority**

- 5. In accordance with Article 3(1) of the Designation Order, the Financial Conduct Authority modifies each FCA Relevant Instrument (or part of such instrument) as specified in Annex A to this Instrument.

**Provisions of the Glossary made, given or amended by the Financial Conduct Authority**

6. In accordance with Article 2(1) of the Early Commencement Order and in the exercise of the powers and related provisions specified in paragraph 7, the Financial Conduct Authority makes, issues, gives, or amends each provision in Annex B to this Instrument.
7. The Financial Conduct Authority makes, issues, gives or amends the provisions in paragraph 6 in exercise of the powers and related provisions of the 2000 Act, as amended by the 2012 Act, and of other enactments as amended by or under the 2012 Act, listed in column 2 of Parts 1 to 10 of Schedule A to this Instrument.
8. The rule-making powers in paragraph 7 are specified for the purpose of section 138G (Rule-making instruments) of the 2000 Act, as amended by the 2012 Act.

**Commencement: Financial Conduct Authority**

9. As required by Article 3(1) of the Designation Order, the Financial Conduct Authority specifies that the designation (in paragraph 2) and the modification (in paragraph 5) come into effect on the Commencement Date, or on such later date as may be required under paragraph 10 or paragraph 11. Provided that if both paragraph 10 and paragraph 11 apply, then the designation and modification will come into effect on whichever date is the later.
10. If by the Commencement Date a corresponding provision referred to in paragraph 3(3) has not yet been amended so as to enable or permit the Financial Conduct Authority to make, issue, give or impose an FCA Relevant Instrument, the designation and any modification of that FCA Relevant Instrument will come into effect immediately after the necessary amendment is fully effective.
11. If:
  - (1) the Authority would not have been able to make, issue, give or impose an FCA Relevant Instrument but for a power or function conferred on the Authority by or under an enactment listed in Schedule B to this Instrument; and
  - (2) By the Commencement date, the enactment in (1) has not been amended so as to confer a corresponding power or function on the Financial Conduct Authority,then the designation and any modification of the FCA Relevant Instrument in (1) will come into effect immediately after the necessary amendment is fully effective.
12. If:
  - (1) An FSA Instrument provides that a Relevant Instrument comes into force on a date falling after the date on which the designation of that instrument as an FCA Relevant Instrument comes into effect; then
  - (2) The Financial Conduct Authority directs that (unless the context or a specific direction by the Financial Conduct Authority requires otherwise) the Relevant Instrument in (1) will come into force on the date specified in the FSA Instrument.

13. The Financial Conduct Authority directs that paragraph 6 of this Instrument comes into force immediately after the coming into force of the designations in paragraph 2 and the modifications in paragraph 5.

#### **Provisions of the Glossary designated by the Prudential Regulation Authority**

14. In accordance with Article 3(1) of the Designation Order, the Prudential Regulation Authority designates the provisions set out in each FSA Instrument (or part of such instrument) by which the Authority made, issued, gave or imposed each provision of the Glossary.
15. The designation by the Prudential Regulation Authority in paragraph 14 excludes any provision designated as guidance in an FSA Instrument.
16. As required by Article 3(1)(c) and (d) of the Designation Order, the Prudential Regulation Authority specifies that:
  - (1) The PRA Relevant Instruments were made, issued, given or imposed by the Authority under the provisions set out in the relevant FSA Instrument;
  - (2) The PRA Relevant Instruments collectively were made, issued, given or imposed by the Authority under the provisions set out in column 1 of Parts 1 to 10 of Schedule A to this Instrument; and
  - (3) The PRA Relevant Instruments collectively are treated as made, issued, given or imposed by the Prudential Regulation Authority under the corresponding provisions set out in column 3 of Parts 1 to 10 of Schedule A to this Instrument.
17. In accordance with Article 2(2)(a) of the Designation Order, each PRA Relevant Instrument is treated as having been made, issued, given or imposed by the Prudential Regulation Authority.

#### **Modification of the Glossary by the Prudential Regulation Authority**

18. In accordance with Article 3(1) of the Designation Order, the Prudential Regulation Authority modifies each PRA Relevant Instrument (or part of such instrument) as specified in Annex A to this Instrument.

#### **Provisions of the Glossary made, given or amended by the Prudential Regulation Authority**

19. In accordance with Article 2(1) of the Early Commencement Order and in the exercise of the powers and related provisions specified in paragraph 20, the Prudential Regulation Authority makes, issues, gives, or amends each provision in Annex B to this Instrument.
20. The Prudential Regulation Authority makes, gives or amends the provisions in paragraph 19 in exercise of the powers and related provisions of the 2000 Act, as amended by the 2012 Act, and of other enactments as amended by or under the 2012 Act, listed in column 3 of Parts 1 to 10 of Schedule A to this Instrument.
21. The rule-making powers in paragraph 20 are specified for the purpose of section 138G (Rule-making instruments) of the 2000 Act, as amended by the 2012 Act.

### **Commencement: Prudential Regulation Authority**

22. As required by Article 3(1) of the Designation Order, the Prudential Regulation Authority specifies that the designation (in paragraph 14) and the modification (in paragraph 18) come into effect on the Commencement Date, or on such later date as may be required under paragraph 23 or paragraph 24. Provided that if both paragraph 23 and paragraph 24 apply, then the designation and modification will come into effect on whichever date is the later.
23. If by the Commencement Date a corresponding provision referred to in paragraph 16(3) has not yet been amended so as to enable or permit the Prudential Regulation Authority to make, issue or give a PRA Relevant Instrument, the designation and any modification of that PRA Relevant Instrument will come into effect immediately after the necessary amendment is fully effective.
24. If:
- (1) the Authority would not have been able to make, issue, give or impose, a PRA Relevant Instrument but for a power or function conferred on the Authority by or under an enactment listed in Schedule B to this Instrument; and
  - (2) By the Commencement date, the enactment in (1) has not been amended so as to confer a corresponding power or function on the Prudential Regulation Authority,
- then the designation and any modification of the PRA Relevant Instrument in (1) will come into effect immediately after the necessary amendment is fully effective.
25. If:
- (1) An FSA Instrument provides that a Relevant Instrument comes into force on a date falling after the date on which the designation of that instrument as a PRA Relevant Instrument comes into effect; then
  - (2) The Prudential Regulation Authority directs that (unless the context or a specific direction by the Prudential Regulation Authority requires otherwise) the Relevant Instrument in (1) will come into force on the date specified in the FSA Instrument.
26. The Prudential Regulation Authority directs that paragraph 19 of this Instrument come into force immediately after the coming into force of the designations in paragraph 14 and the modifications in paragraph 18.

### **Citation**

27. This instrument may be cited as the Legal Cutover (FCA and PRA Handbooks (Glossary)) Instrument 2013.

**By order of the persons appointed under Article 5 of the Designation Order to discharge specified functions of the Financial Conduct Authority as if they were its governing body**

28 February 2013

**By order of the Board of the Prudential Regulation Authority**

7 March 2013

## Annex A

### Amendments to the Glossary of definitions

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

*accepted market practice* (as defined in section 130A(3) of the *Act*) practices that are reasonably expected in the financial market or markets in question and are accepted by the ~~FSA~~ FCA or, in the case of a market situated in another *EEA State*, the competent authority of that *EEA State* within the meaning of the *Market Abuse Directive*.

*accredited body* any of the following bodies recognised by the ~~FSA~~ FCA for the purpose of providing the independent verification required under *TC* 2.1.27R:

...

*advanced IRB approach* one of the following:

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the ~~FSA~~ appropriate regulator, whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.

*advanced measurement approach* one of the following:

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the ~~FSA~~ appropriate regulator, whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.

*advanced prudential calculation approach* one of the following:

...

including, in each case, whatever corresponds to that approach under the rules of or administered by a *regulatory body* other than the *FSA appropriate regulator*.

*alternative standardised approach*

one of the following:

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the *FSA appropriate regulator*, whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.

*annual financial statements*

the financial statements in respect of the year ending on the *firm's* annual accounting reference date, which is the date to which a corporate *firm's* accounts are prepared for the purposes of the Companies Acts, or, where the *firm* is not subject to the Companies Acts, the equivalent date chosen by the *firm* and notified to the *FSA FCA or PRA* as the case may be.

*applicable sectoral consolidation rules*

(in respect of a *financial sector* and in accordance with paragraph 6.9 of *GENPRU 3 Annex 1R* (Applicable sectoral consolidation rules)) the *FSA's appropriate regulator's sectoral rules* about capital adequacy and solvency on a consolidated basis applicable to that *financial sector* under the table in paragraph 6.10 of *GENPRU 3 Annex 1R*.

*applicable sectoral rules*

(in respect of a *financial sector*) *applicable sectoral consolidation rules* for that *financial sector* and the *FSA's appropriate regulator's sectoral rules* about capital adequacy and solvency for:

...

*applications day*

~~the first day on which section 40 of the Act (Application for permission) comes into force (for any purpose).~~

*appropriate PRA position risk adjustment*

- (1) (in relation to a *position* treated under *BIPRU 7.6* (Option PRR)) the percentage figure applicable to that *position* under the table in *BIPRU 7.6.8R* (Appropriate Position Risk Adjustment);
- (2) (for any other purpose and in relation to a *position*) the *PRA position risk adjustment* applicable to that position under *BIPRU 7* (Market risk).

*approved reporting mechanism*

a trade-matching or reporting system approved by the *FSA FCA* in accordance with Section 412A of the *Act*.

*Article 129 implementing*

any:



*measure*

- (a) measure taken by the ~~FSA~~ appropriate regulator under regulations 7-9 of the *Capital Requirements Regulations 2006*; or

...

*asset  
identification  
rules*

~~(as defined in subsection 142(2) of the Act, as originally enacted,  
(Insurance business: regulations supplementing Authority's rules))~~ rules made by the ~~FSA~~ appropriate regulator which require an *authorised person* who has *permission to effecting or carry out contracts of insurance* to identify assets which belong to him and which are maintained in respect of a particular aspect of his business.

*authorisation  
order*

an order made by the ~~FSA~~ FCA:

...

*authorised  
electronic  
money  
institution*

(in accordance with regulation 2(1) of the *Electronic Money Regulations*):

- (a) a *person* included by the ~~FSA~~ FCA in the ~~FSA Register~~ Financial Services Register as an *authorised electronic money institution* pursuant to regulation 4(1)(a) of the *Electronic Money Regulations*; or
- (b) a *person* deemed to have been granted authorisation ~~by the FSA~~ by virtue of regulation 74 of the *Electronic Money Regulations*.

*authorised  
payment  
institution*

(in accordance with regulation 2(1) of the *Payment Services Regulations*) a *person* included by the ~~FSA~~ FCA in the ~~FSA Register~~ Financial Services Register as an authorised payment institution pursuant to regulation 4(1)(a), or a *person* deemed to have been granted authorisation ~~by the FSA~~ by virtue of regulation 121 of the *Payment Services Regulations*.

*authorised  
person*

(in accordance with section 31 of the *Act* (Authorised persons)) one of the following:

- (a) a *person* who has a ~~Part IV permission~~ Part 4A permission to carry on one or more *regulated activities*;

...

- (f) the *Society of Lloyd's*.

...

*bank*

- (a) a *firm* with a ~~Part IV permission~~ Part 4A permission which includes

*accepting deposits, and:*

...

- (ii) whose ~~Part IV permission~~ Part 4A permission includes a requirement that it comply with the rules in *GENPRU* and *BIPRU* relating to banks ;

...

*banking and investment group*

a group of *persons* (at least one of which is an *EEA regulated entity* that is a *credit institution* or an *investment firm*) who:

- (a) form a group in respect of which the consolidated capital adequacy requirements for the *banking sector* or the *investment services sector* under:

- (i) the ~~FSA's~~ appropriate regulator's sectoral rules; or

...

*CAD 1 model approach*

one of the following

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the ~~FSA~~ appropriate regulator, whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.

*capital resources*

...

- (3) (for the purposes of *GENPRU* and *BIPRU*, in relation to an undertaking not falling within (1) or (2) and subject to (4)), capital resources calculated in accordance with (1) on the assumption that:

- (a) it is a *BIPRU firm* with a ~~Part IV permission~~ Part 4A permission; and

...

*CCR internal model method*

one of the following:

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the ~~FSA~~ appropriate regulator, whatever corresponds to the approach in (a) or (b), as the case may be, under

those rules.

<i>CFEB</i>	the consumer financial education body <u>originally</u> established by the <i>FSA</i> under section 6A(1) of the <i>Act</i> (Enhancing public understanding of financial matters etc) ( <u>as it had effect before the passing of the Financial Services Act 2012</u> ) and having the name Money Advice Service.
<i>CFEB levy</i>	the levy payable to the <i>FSA</i> <u>FCA</u> pursuant to <i>FEES</i> 7.2.1R by the <i>persons</i> listed in <i>FEES</i> 1.1.2R(5).
<i>close links</i>	...  (3) (in <i>SUP</i> 3 (Auditors) and <i>SUP</i> 4 (Actuaries)) (in accordance with section 343(8) of the <i>Act</i> (Information given by auditor or actuary to <del>the Authority</del> <u>a regulator</u> ; persons with close links)) the relationship in (2), disregarding (e) and (f).
<i>Code of Market Conduct</i>	the provisions in <i>MAR</i> 1 indicated by an "E" or "C" in the margin or heading, issued by the <i>FSA</i> <u>FCA</u> as required by section 119 of the <i>Act</i> (The Code).
<i>competent authority</i>	(1) ( <del>in relation to admission to an official listing</del> ): ( <u>in relation to the functions referred to in Part VI of the Act</u> ):  (a) <del>the authority designated under Schedule 8 to the Act (Transfer of functions under Part VI (Official listing)) as responsible for admitting securities to, and for removing securities from, the official list ; for the time being, the FSA in its capacity as such; or</del> <u>the FCA; or</u>  (b) an authority exercising functions corresponding to those in <del>(a)</del> <u>in the functions referred to in Part VI of the Act</u> under the laws of another <i>EEA State</i> .  ...
<i>connected person</i>	(1) (in relation to the <i>FSA's</i> <u>FCA's</u> or <i>PRA's</i> consideration of an application for, or of whether to vary or cancel, a <del>Part IV permission</del> <u>Part 4A permission</u> ) (in accordance with section <del>49(1)</del> <u>55R</u> of the <i>Act</i> (Persons connected with an applicant)) any <i>person</i> appearing to the <i>FSA</i> <u>regulator concerned</u> to be, or likely to be, in a relationship with the applicant or <i>person</i> given <i>permission</i> , which is relevant.  (2) (in relation to the <i>FSA's</i> <u>FCA's</u> or <i>PRA's</i> power to gather information under section 165 of the <i>Act</i> ( <del>Authority's Regulators' power to require information</del> )) (in accordance with section 165(11) of the <i>Act</i> ) a <i>person</i> who has, or has at any relevant time had, the following relationship with an <del>authorised person</del> <u>another person</u> ("A"):

...

- (3) (in relation to the ~~FSA's~~ FCA's or PRA's powers of investigation under sections 171 and 172 of the *Act* (Powers of persons appointed under section 167; Additional power of persons appointed as a result of section 168(1) or (4))) (in accordance with section 171(4) of the *Act*) a *person* who has, or has at any relevant time had, the following relationship with a *person* under investigation ("P"):

...

*consent notice* a notice given by the ~~FSA~~ FCA or PRA as the case may be to a *Host State regulator* under:

...

*Consumer Panel* the panel of *persons* which section ~~40~~ 1Q of the *Act* (The Consumer Panel) requires the ~~FSA~~ FCA to establish and maintain, as part of its arrangements for consultation under section ~~8~~ 1M, to represent the interests of *consumers*.

*core provision* (as defined in section 316(3) of the *Act* (Direction by ~~Authority~~ a regulator)) a provision of the *Act* mentioned in section 317 of the *Act* (The core provisions) which applies to the carrying on of an insurance market activity by a *member*, or the *members* of the *Society* taken together, if the ~~FSA~~ appropriate regulator so directs.

*credit quality assessment scale* the credit quality assessment scale:

...

- (2) published by the ~~FSA~~ appropriate regulator in accordance with the *Capital Requirements Regulations 2006* which determine:

...

*data element* A discrete fact or individual piece of information relating to a particular field within a *data item* required to be submitted to the ~~FSA~~ appropriate regulator by a *firm* or other regulated entity.

*decision notice* a notice issued by the ~~FSA~~ appropriate regulator in accordance with section 388 of the *Act* (Decision notices).

*DLG by default* (in relation to a *UK ILAS BIPRU firm* (a *group liquidity reporting firm*) and any reporting period under *SUP 16* (Reporting requirements)) the *firm* and each *person* identified in accordance with the following:

...

- (ca) In the case of a *group liquidity reporting firm* that is within paragraph (a) of the definition of *UK lead regulated firm* (it is not part of a group that is subject to consolidated supervision by the ~~FSA~~ FCA or the PRA or any other *regulatory body*), paragraph (c)(i) of the definition of *DLG by default* is amended so that it only includes a member of the *firm's group* that falls into one of the following categories:

...

...

*document viewing facility*

(in *LR*) a location identified on the ~~FSA~~ FCA website where the public can inspect documents referred to in the *listing rules* as being documents to be made available at the document viewing facility.

*EEA registered tied agent*

a *tied agent* of a *UK MiFID investment firm* that is not an *appointed representative* and would have been an ~~FSA~~ FCA *registered tied agent* but for the fact that it does business in an *EEA State* that permits *investment firms* authorised by the *competent authority* of that state to appoint *tied agents*.

*EEA tied agent*

a *tied agent* who is an ~~FSA~~ FCA *registered tied agent* or an *EEA registered tied agent*.

*electronic commerce activity direction*

a direction made, or proposed to be made, by the ~~FSA~~ FCA under regulation 6 of the *ECD Regulations*.

*eligible ECAI*

an *ECAI*:

- (a) (for *exposure risk weighting* purposes other than those in (b)) recognised by the ~~FSA~~ appropriate regulator under regulation 22 of the *Capital Requirements Regulations 2006* (Recognition for exposure risk-weighting purposes); or
- (b) (for *securitisation risk weighting* purposes) recognised by the ~~FSA~~ appropriate regulator under regulation 23 of the *Capital Requirements Regulations 2006* (Recognition for securitisation risk-weighting purposes).

*establishment conditions*

(in relation to the establishment of a *branch* in the *United Kingdom*) the conditions specified in paragraph 13 of Schedule 3 to the *Act* (EEA Passport Rights), which are that:

...

- (b) if the *firm* falls within paragraph (e) in the definition of "*EEA firm*":

...

- (ii) the ~~FSA~~ FCA or PRA (as the case may be) has received notice ("a regulator's notice") from the firm's Home State regulator that the firm intends to establish a *branch* in the *United Kingdom*;
  - (iii) the EEA firm's Home State regulator has informed it that the regulator's notice has been sent to the ~~FSA~~ FCA or PRA (as the case may be); and
  - (iv) one *month* has elapsed beginning with the date on which the EEA firm's Home State regulator informed the *firm* that it had sent the regulator's notice to the ~~FSA~~ FCA or PRA (as the case may be).
- (c) the *EEA firm* has been informed of the *applicable provisions* or two *months* have elapsed beginning with the date when the ~~FSA~~ FCA or PRA (as the case may be) received the consent notice.

*evidential provision*

a *rule*, contravention of which does not give rise to any of the consequences provided for by other provisions of the *Act*; and which provides, in accordance with section ~~149(2)~~ 138C of the *Act*, that:

...

*excluded material*

(in relation to access to ~~FSA~~ appropriate regulator material) (as defined in section 394(7) of the *Act* (Access to ~~Authority~~ FCA or PRA material)) material which:

...

*exempt insurance intermediary*

an *insurance intermediary*:

- (a) whose ~~Part IV permission~~ Part 4A permission is limited to or includes *insurance mediation activity*;

”

*exempt regulated activity*

(as defined in section 325(2) of the *Act* (~~Authority's~~ FCA's general duty)) a *regulated activity* which may, as a result of Part XX of the *Act* (Provision of Financial Services by Members of the Professions), be carried on by *members* of a profession which is supervised and regulated by a *designated professional body* without breaching the *general prohibition*.

*feeder UCITS*

(in accordance with article 58(1) of the *UCITS Directive*):

- (a) a *UCITS scheme* or a *sub-fund* of a *UCITS scheme* which has been

approved by the ~~FSA~~ FCA; or

...

*final notice* a notice given by the ~~FSA~~ appropriate regulator under section 390 of the Act (Final notices).

*financial crime* (in accordance with section ~~6(3)~~ 1H of the Act) any kind of criminal conduct relating to money or to financial services or markets, including any offence involving:

...

(c) handling the proceeds of crime; or

(d) the financing of terrorism;

in this definition, "offence" includes an act or omission which would be an offence if it had taken place in the *United Kingdom*.

*Financial Ombudsman Service Limited* the *body corporate* established by the FSA under paragraph 2(1) of Schedule 17 to the Act (The Scheme Operator) (as originally enacted) to administer the *Financial Ombudsman Service*.

*Financial Services Compensation Scheme Limited* the *body corporate* established by the FSA under section 212 of the Act (The scheme manager) (as originally enacted) to administer the *compensation scheme*.

*financial stability information power* the ~~FSA's~~ PRA's power under section 165A of the Act (~~Authority's~~ PRA's power to require information: financial stability) which, in summary, is a power to require a *person* to provide information or documents relevant to the stability of one or more aspects of the *UK financial system*.

*financial stability information requirement* a requirement imposed on a *person* by the ~~FSA~~ PRA using the *financial stability information power* or the *overseas financial stability information power*.

*financial year in question* (for the purposes of *INSPRU* 1.1 and of the definition of *non-directive insurer*) the last *financial year* to end before the date on which the latest accounts of the *insurer* are required to be deposited with the ~~FSA~~ appropriate regulator; the preceding *financial year* and previous *financial years* are construed accordingly.

...

*firm in run-off* a *firm* whose ~~Part IV permission~~ Part 4A permission has been varied so as to remove the *regulated activity* of *effecting contracts of insurance*.

*foundation IRB approach* one of the following:

...

- (c) when the reference is to the rules of or administered by a *regulatory body* other than the *FSA appropriate regulator*, whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.

~~FSA Register~~  
Financial Services Register

the public record, as required by section 347 of the *Act* (The public record), regulation 4 of the *Payment Services Regulations* (The register of certain payment service providers) and regulation 4 of the *Electronic Money Regulations*, of every:

...

- (f) ~~recognised clearing house~~; [deleted]

...

- (i) *person* within such other class (if any) as the ~~FSA~~ FCA may determine; except as provided by any transitional provisions.

~~FSA FCA~~  
registered tied agent

a *tied agent* who is an *agent* for the purposes of section 39A of the *Act*.

~~FSA UK~~  
regulated EEA financial conglomerate

a *financial conglomerate* (other than a *third-country financial conglomerate*) that satisfies one of the following conditions:

...

- (2) a *firm* that is a member of that *financial conglomerate* is subject to obligations imposed through its ~~Part IV permission~~ Part 4A permission to ensure that *financial conglomerate* meets levels of capital adequacy based or stated to be based on Annex I of the *Financial Groups Directive*.

~~FSA's PRA's~~  
SCV requirements

(in *COMP*) the ~~FSA's~~ PRA's requirements with respect to *single customer view*.

~~FSB~~  
Compensation Standards

(~~in accordance with the definition of "the Implementation Standards" in section 139A(12) of the Act~~) the Implementation Standards for Principles for Sound Compensation Practices issued by the Financial Stability Board on 25 September 2009.

*general levy*

(in *FEES*) the annual fee raised from a *firm* under the *rules* to fund a part agreed between the *Financial Ombudsman Service* and the ~~FSA~~ FCA of the *Financial Ombudsman Service's* annual budget.



<i>general market risk <del>PRA</del> position risk adjustment</i>	a <del>PRA</del> <u>position risk adjustment</u> with respect to <i>general market risk</i>
<i>Home State regulator</i>	...  (2) (in relation to a <i>UK firm</i> or <i>UCITS scheme</i> ) the <del>FSA</del> <u>FCA</u> or <u>PRA</u> , as the case may be.
<i>Host State regulator</i>	(1) (in relation to an <i>EEA firm</i> or a <i>Treaty firm</i> exercising an <i>EEA right</i> or <i>Treaty right</i> in the <i>United Kingdom</i> ) the <del>FSA</del> <u>FCA</u> or <u>PRA</u> , as the case may be.  ...  (4) ((in relation to an <i>EEA UCITS scheme</i> which is a <i>recognised scheme</i> ) the <del>FSA</del> <u>FCA</u> .  ...
<i>immediate group</i>	(1) (in relation to <del>an authorised person</del> a person (“A”)) (as defined in section 148(11) of the <del>Act (Modification or waiver of rules)</del> <u>421ZA</u> of the <i>Act</i> ( <i>Immediate group</i> )):  (a) <del>the authorised person</del> <u>A</u> ;  (b) a <i>parent undertaking</i> of <del>the authorised person</del> <u>A</u> ;  (c) a <i>subsidiary undertaking</i> of <del>the authorised person</del> <u>A</u> ;  (d) a <i>subsidiary undertaking</i> of a <i>parent undertaking</i> of <del>the authorised person</del> <u>A</u> ;  (e) a <i>parent undertaking</i> of a <i>subsidiary undertaking</i> of <del>the authorised person</del> <u>A</u> .  ...
<i>independent expert</i>	(in <i>SUP 18</i> ) the person approved or nominated by the <del>FSA</del> <u>appropriate regulator</u> to make the <i>scheme report</i> for an <i>insurance business transfer scheme</i> .
<i>individual capital guidance</i>	<i>guidance</i> given to a <i>firm</i> about the amount and quality of capital resources that the <del>FSA</del> <u>appropriate regulator</u> thinks the <i>firm</i> should hold at all times under the <i>overall financial adequacy rule</i> as it applies on a solo level or a consolidated level.
<i>individual liquidity</i>	<i>guidance</i> given to a <i>firm</i> about the amount, quality and funding profile of liquidity resources that the <del>FSA</del> <u>appropriate regulator</u> has asked the <i>firm</i> to

<i>guidance</i>	maintain.
<i>instrument of incorporation</i>	the instrument of incorporation of an <i>ICVC</i> (as from time to time amended) initially provided to the <del>FSA</del> <u>FCA</u> in accordance with regulation 14(1)(c) of the <i>OEIC regulations</i>
<i>Insurance market direction</i>	a direction made by the <del>FSA</del> <u>appropriate regulator</u> under section 316(1) of the <i>Act</i> (Direction by <del>Authority</del> <u>a regulator</u> ).
<i>investment</i>	(in accordance with sections 22(4) <del>of the Act</del> (The classes of activity and categories of investments Regulated activities) and 397(13) (Miscellaneous offences) <del>of the Act</del> and section 93(2) of the Financial Services Act 2012) any investment, including any asset, right or interest.
<i>investment management firm</i>	...  (c) a <i>firm</i> :  (i) which was given a <del>Part IV permission</del> <u>Part 4A permission</u> on or after <i>commencement</i> , or which was authorised under section 25 of the Financial Services Act 1986 immediately before <i>commencement</i> and was not a member of <i>IMRO</i> , <i>PIA</i> or the <i>SFA</i> ; and  (ii) for which the most substantial part of its gross income (including <i>commissions</i> ) from the <i>designated investment business</i> included in its <del>Part IV permission</del> <u>Part 4A permission</u> is derived from one or more of the following activities (based, for a <i>firm</i> given a <del>Part IV permission</del> <u>Part 4A permission</u> after <i>commencement</i> , on the business plan submitted as part of the <i>firm's</i> application for <i>permission</i> or, for a <i>firm</i> authorised under section 25 of the Financial Services Act 1986, on the <i>firm's</i> financial year preceding its <i>authorisation</i> under the <i>Act</i> ):  ...  ...
<i>IRB approach</i>	one of the following:  ...  (c) when the reference is to the rules of or administered by a <i>regulatory body</i> other than the <del>FSA</del> <u>appropriate regulator</u> , whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.
<i>kind of control</i>	(in relation to a <i>firm</i> ) <del>(in accordance with section 179(4) of the Act (Acquiring control)</del> (for the purposes of <i>SUP</i> ):

	...
<i>lead regulated firm</i>	<p>a <i>firm</i> which is the subject of the financial supervision requirements of an <i>overseas regulator</i> in accordance with an agreement between the <del>FSA</del> <u>appropriate regulator</u> and that regulator relating to the financial supervision of <i>firms</i> whose head office is within the country of that regulator.</p> <p>This definition is not related to the defined terms <i>UK lead regulated firm</i> or <i>non UK lead regulated firm</i>.</p>
<i>limitation</i>	<p>a limitation incorporated in a <del>Part IV permission</del> <u>Part 4A permission</u> under <del>section 42(7)(a)</del> <u>section 55E(5)</u> of the <i>Act</i> (Giving permission: the <u>FCA</u>), <u>section 55F(4)</u> of the <i>Act</i> (Giving permission: the <u>PRA</u>) or <del>section 45(4)</del> <u>55J(10)</u> of the <i>Act</i> (<del>Variation etc on the Authority's own initiative</del> <u>Variation or cancellation on initiative of regulator</u>).</p>
<i>list of sponsors</i>	<p>(in <i>LR</i>) the list of sponsors maintained by the <del>FSA</del> <u>FCA</u> in accordance with section 88(3)(a) of the <i>Act</i>.</p>
<i>listed</i>	<p>...</p> <p>(3) (in <i>LR</i> ) admitted to the <i>official list</i> maintained by the <del>FSA</del> <u>FCA</u> in accordance with section 74 of the <i>Act</i>.</p>
<i>Lloyd's Return</i>	<p>the financial report that the <i>Society</i> is required to submit to the <del>FSA</del> <u>PRA</u> under <i>IPRU(INS)</i> 9.48(1).</p>
<i>Lloyd's trust deed</i>	<p>a trust deed in the form prescribed by the <i>Society</i> and notified to the <del>FSA</del> <u>PRA</u>, for execution by a <i>member</i> in respect of his <i>insurance business</i>.</p>
<i>low frequency liquidity reporting firm</i>	<p>any of the following:</p> <p>...</p> <p>(c) a <i>standard ILAS BIPRU firm</i> that meets the following conditions:</p> <p>...</p> <p>(ii) it has submitted a projected to balance sheet to the <del>FSA</del> <u>FCA or PRA (as the case may be)</u> as part of an application for a <del>Part IV</del> <u>Part 4A permission</u> or a variation of one; and</p> <p>...</p>
<i>master netting agreement internal models approach</i>	<p>one of the following:</p>

	...	
	(c)	when the reference is to the rules of or administered by a <i>regulatory body</i> other than the <i>FSA appropriate regulator</i> , whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.
<i>material currency</i>	...	
	(b)	First, the amount of its assets and the amount of its liabilities in each currency (ignoring the sign) are separately calculated. The figures are as shown in the most recent <i>data item FSA054</i> submitted to the <i>FSA appropriate regulator</i> .
	...	
	(i)	If the <i>firm</i> has not delivered <i>data item FSA054</i> to the <i>FSA appropriate regulator</i> at the <i>reporting level</i> concerned or is currently not required to do so at the <i>reporting level</i> concerned, the calculation is carried out using the methods for drawing up <i>data item FSA054</i> .
<i>media firm</i>		a <i>firm</i> whose only <i>permitted activities</i> are <i>advising on investments</i> and <i>agreeing to carry on that regulated activity</i> , and whose <del><i>Part IV permission</i></del> <i>Part 4A permission</i> includes <i>requirements</i> to the effect that the <i>firm</i> must advise:
	...	
<i>member</i>	...	
	(2)	(2) (in <i>PROF, LR</i> and <i>EG 16</i> ) (as defined in section 325(2) of the <i>Act</i> ( <del>Authority's</del> <i>FCA's</i> general duty)) (in relation to a profession) a <i>person</i> who is entitled to practise that profession and, in practising it, is subject to the rules of the relevant <i>designated professional body</i> , whether or not he is a member of that body.
	...	
<i>member contribution</i>		any paid up contribution by a member of a <i>mutual</i> where the members' accounts meet the following criteria:
	...	
	(b)	the memorandum and articles of association or other constitutional documents must stipulate, with respect to the payments referred to in (a) made for reasons other than the individual termination of membership, that the <i>FSA appropriate regulator</i> must be notified at least one month in advance of the intended date of such payments; and

- (c) the *FSA appropriate regulator* must be notified of any amendment to the relevant provisions of the memorandum and articles of association or other constitutional documents.

*misleading  
statements and  
practices  
offence*

~~any of the offences described in section 397 of the Act (Misleading statements and practices), which are in summary:~~

- (a) ~~the offence of:~~
- ~~(i) making a statement, promise or forecast, which the *person* making the statement, promise or forecast knows to be misleading, false or deceptive in a material particular; or~~
  - ~~(ii) dishonestly concealing any material facts whether in connection with a statement, promise or forecast made by the *person* concealing the facts or otherwise; or~~
  - ~~(iii) recklessly making (dishonestly or otherwise) a statement, promise or forecast which is misleading, false or deceptive in a material particular;~~

~~where the *person* makes the statement, promise or forecast or conceals the facts for the purpose of inducing, or is reckless as to whether it may induce, another *person* (whether or not that *person* is the same *person* to whom the statement, promise or forecast is made):~~

- ~~(A) to enter or offer to enter into, or to refrain from entering or offering to enter into, a relevant agreement; or~~
  - ~~(B) to exercise, or refrain from exercising, any rights conferred by a relevant investment;~~
- (b) ~~the offence of doing any act or engaging in any course of conduct which creates a false or misleading impression as to the market in or the price or value of any relevant investments where the act was done or the course of conduct engaged in for the purpose of creating that impression and of thereby inducing another *person* to acquire, dispose of, subscribe for or underwrite those investments or to refrain from doing so, or to exercise, or refrain from exercising, any rights conferred by those investments;~~

~~in this definition: "relevant agreement" means an agreement:~~

- ~~(I) the entering into or performance of which by either party constitutes an activity of a kind specified in an order made by the Treasury or one which falls within a specified class of activity; and~~
- ~~(II) which relates to a relevant investment;~~

~~"relevant investment" means an investment of a kind specified in an order made by the Treasury or one which falls within a class of investment prescribed in regulations made by the Treasury. [deleted]~~

*Money Advice Service* the consumer financial education body (*CFEB*) originally established by the *FSA* under section 6A(1) of the *Act* (Enhancing public understanding of financial matters etc) (as it had effect before the passing of the Financial Services Act 2012).

*notice of discontinuance* a notice given by the ~~*FSA*~~ *appropriate regulator* in accordance with section 389 of the *Act* (Notices of discontinuance) which states that the ~~*FSA*~~ *appropriate regulator* has decided not to take the action proposed in a *warning notice* or the action to which a *decision notice* relates.

*notification rule* (1) (in relation to a *firm*) a *rule* requiring a *firm* to give the ~~*FSA*~~ *appropriate regulator* notice of, or information regarding, an event, but excluding:

...

*officer* (1) ((in connection with the exercise of the ~~*FSA's*~~ *appropriate regulator's* power to require information) an officer of the ~~*FSA*~~ *appropriate regulator*, a member of the ~~*FSA's*~~ *appropriate regulator's* staff or an agent of the ~~*FSA*~~ *appropriate regulator*.

...

*official list* (1) (in *LR*) the list maintained by the ~~*FSA*~~ *FCA* in accordance with section 74(1) of the *Act* for the purposes of Part VI of the *Act*.  
(2) (except in *LR*):  
(a) the list maintained by the ~~*FSA*~~ *FCA* in accordance with section 74(1) of the *Act* (The official list) for the purposes of Part VI of the *Act* (Official Listing);

...

*overseas financial stability information power* the ~~*FSA's*~~ *PRA's* power under section 169A of the *Act* (Support of overseas regulator with respect to financial stability) which, in summary, is a power exercisable at the request of an *overseas regulator* to require a *person* to provide information or documents relevant to the stability of one or more aspects of the *relevant financial system* operating in the country or territory of that regulator.

*overseas regulator* (1) (except in relation to the *overseas financial stability information power*) (as defined in section 195(3) of the *Act* (Exercise of power in support of overseas regulator)) an authority in a country or territory outside the *United Kingdom*:

...

- (b) which exercises any of the following functions:
- (i) a function corresponding to any function of the ~~FSA~~ FCA or PRA under the *Act*;
  - (ii) a function corresponding to any function exercised by the ~~FSA~~ FCA in its capacity as *competent authority* in relation to the listing of securities;

...

~~Part IV permission Part 4A permission~~ (as defined in section 40(4) ~~55A~~ of the *Act* (Application for *permission*)) a *permission* given by the ~~FSA~~ FCA or PRA under ~~Part IV Part 4A~~ of the *Act* (Permission to carry on regulated activities), or having effect as if so given.

~~personal investment firm~~ ...

- (c) a *firm*:
- (i) which was given a ~~Part IV permission Part 4A permission~~ after *commencement*, or which was authorised under section 25 of the Financial Services Act 1986 immediately before *commencement* and not a member of *IMRO*, *PIA* or *SFA*; and
  - (ii) (ii) for which the most substantial part of its gross income (including *commissions*) from the *designated investment business* included in its ~~Part IV permission Part 4A permission~~ is derived from one or more of the following activities (based, for a *firm* given a ~~Part IV permission Part 4A permission~~ after *commencement*, on the business plan submitted as part of the *firm's* application for *permission* or, for a *firm* authorised under section 25 of the Financial Services Act 1986, on the *firm's* financial year preceding its *authorisation* under the *Act*):

...

position risk adjustment a percentage applied to a *position* as part of the process of calculating the *PRR* in relation to that *position* as set out in the tables in BIPRU 7.2.44R (Specific risk position risk adjustments), BIPRU 7.2.57R (General market risk position risk adjustments), BIPRU 7.3.30R (Simplified equity method position risk adjustments), BIPRU 7.3.34R (Position risk adjustments for specific risk under the standard equity method) and BIPRU 7.6.8R (The appropriate position risk adjustment) and also as set out in BIPRU 7.2.48AR to BIPRU 7.2.48LR.

*power of intervention* the power conferred on the ~~FSA~~ the FCA or the PRA under section 196 of the *Act* (The Power of Intervention) to impose a requirement on an *incoming firm*.

- price stabilising rules* the ~~rules~~ made under section ~~144~~ 137Q of the *Act*, and appearing in *MAR* 2.1 to *MAR* 2.4, together with any other provisions available for their interpretation.
- prohibition order* an order made ~~by the FSA~~ under section 56 of the *Act* (Prohibition orders) which prohibits an individual from performing a specified function, any function falling within a specified description or any function.
- prudential context*
- (1) For the *FCA*, in relation to activities carried on by a *firm*, the context in which the activities have, or might reasonably be regarded as likely to have, a negative effect on:
- (a) ~~confidence in the integrity of the UK financial system~~; or
  - (b) the ability of the *firm* to meet either:
    - (i) the "fit and proper" test in *threshold condition 5* (Suitability); or
    - ...
- (2) For the *PRA*, in relation to activities carried on by a *firm*, the context in which the activities have, or might reasonably be regarded as likely to have, a negative effect on:
- (a) the safety and soundness of a *PRA-authorised person*; or
  - (b) the ability of the *firm* to meet either:
    - (i) the "fit and proper" test in *threshold condition 5* (Suitability); or
    - (ii) the applicable requirements and standards under the *regulatory system* relating to the *firm's* financial resources.
- public censure* ...
- (4) a statement published under section 87M (Public censure of issuer) of the *Act*, under ~~section 89 (Public censure of sponsor)~~ section 88A (Disciplinary powers: contravention of s88(3)(c) or (e)) of the *Act* or under section 91 (Penalties for breach of ~~listing rules~~ Part 6 rules) of the *Act*.
- qualifying capital instrument* (in *UPRU*) means that part of a *firm's* capital which is a security of indeterminate duration, or other instrument, that fulfils the following conditions:
- (a) it may not be reimbursed on the bearer's initiative or without the prior agreement of ~~FSA~~ FCA;



	...
<i>qualifying capital item</i>	(in <i>UPRU</i> ) means that part of a <i>firm's</i> capital which has the following characteristics:  ...  (c) (its amount is determined by the management of the <i>firm</i> and verified by independent auditors, and is made known to, and is monitored by, <del>FSA</del> <u>FCA</u> .  ...
<i>registration date</i>	(in <i>RCB</i> ) the date of the <del>FSA's</del> <u>FCA</u> decision to register a <i>regulated covered bond</i> .
<i>regulated activity</i>	(in accordance with section 22 of the <i>Act</i> ( <del>The classes of activity and categories of investment</del> <u>Regulated activities</u> )) any of the following activities specified in Part II of the <i>Regulated Activities Order</i> (Specified Activities):  ...
<i>regulatory costs</i>	the periodic fees payable to the <del>FSA</del> <u>appropriate regulator</u> by a <i>participant firm</i> in accordance with <i>FEES 4</i> (Periodic fees) .
<i>Regulatory Decisions Committee</i>	a committee of the Board of the <del>FSA</del> <u>FCA</u> , described in <i>DEPP 3.1</i> (The nature and procedure of the RDC).
<i>regulatory objectives</i>	( <del>as described in sections 2(2) and 3 to 6 of the Act</del> ):  (a) <del>market confidence;</del>  (b) <del>[deleted]</del>  (c) <del>the protection of consumers;</del>  (d) <del>the reduction of financial crime; and</del>  (e) <del>financial stability. [deleted]</del>
<i>remedial direction</i>	( <del>in accordance with section 308(8) of the Act (Directions by the Treasury)</del> ) a direction requiring the <del>FSA</del> :  (a) <del>to exercise its powers under section 297(2) of the Act to revoke the recognition order for a recognised body; or</del>  (b) <del>to exercise its powers under section 296 of the Act by giving such directions to the recognised body concerned as may be specified</del>

~~in the direction:~~ [deleted]

reporting  
accountant

an accountant appointed:

- (a) by the ~~FSA~~ appropriate regulator; or
- (b) by a *firm*, having been nominated or approved by the ~~FSA~~ appropriate regulator under section 166 of the *Act* (Reports by skilled persons); or
- (c) by an applicant for ~~Part IV permission~~ Part 4A permission;

to report on one or more aspects of the business of a *firm* or applicant, such as its financial position, including *internal controls* and reporting returns.

requirement

a requirement included in a firm's ~~Part IV permission~~ Part 4A permission under section 43 of the *Act* (Imposition of requirements), section 45(4) of the *Act* (Variation etc on the Authority's own initiative) or section 46 of the *Act* (Variation of permission on acquisition of control) under section 55L(3) of the *Act* (Imposition of requirements by the FCA), section 55M(3) of the *Act* (Imposition of Requirements by the PRA) or section 55O of the *Act* (Imposition of requirements on acquisition of control).

retail  
(investment)  
customer

(in relation to a *firm's permission* and the ~~FSA Register~~ Financial Services Register) a *retail client*.

retail (non-  
investment  
insurance)  
customer

(in relation to a *firm's permission* and the ~~FSA Register~~ Financial Services Register) a *consumer* or a *customer* acting in the capacity of both a *consumer* and a *commercial customer* (see *ICOBS 2.1.3G*).

risk capital  
requirement

- (1) (in relation to the ~~FSA's~~ appropriate regulator's rules) one of the following:

...

rule

(in accordance with section 417(1) of the *Act* (Definitions)) a rule made by the ~~FSA~~ FCA or the PRA under the *Act*, including:

...

SCV  
implementation  
report

(in *COMP*) a report in accordance with *COMP 17.3.6R* explaining how the relevant *firm* has satisfied the ~~FSA's~~ PRA's *SCV requirements*.

SCV report

(in *COMP*) a report in accordance with *COMP 17.3.9R* from the relevant *firm's* board of directors confirming that the *firm's SCV system* satisfies the ~~FSA's~~ PRA's *SCV requirements*.

SCV system

(in *COMP*) a *firm's* system for satisfying the ~~FSA's~~ PRA's *SCV*

*requirements.*

*secondary material*

(as more fully described in section 394 of the *Act* (Access to Authority ~~FCA or PRA~~ material)) material, other than that which the ~~FSA~~ appropriate regulator relied on in reaching its decision, which:

- (a) the ~~FSA~~ appropriate regulator considered in reaching its decision; or
- (b) the ~~FSA~~ appropriate regulator obtained in connection with, that is, in the investigation of, the matter in question

*section 178 notice*

(in accordance with section 178(3) of the *Act*) a notice given to the ~~FSA~~ appropriate regulator under section 178 of the *Act*.

*sectoral rules*

(in relation to a *financial sector*) rules and requirements relating to the prudential supervision of *regulated entities* applicable to *regulated entities* in that *financial sector* as follows:

...

- (c) (for all other purposes) rules and requirements of the ~~FSA~~ appropriate regulator;

and so that:

...

- (h) references to the ~~FSA's~~ appropriate regulator's *sectoral rules* are to *sectoral rules* in the form of *rules* .

*securities and futures firm*

...

- (c) a *firm*:
  - (i) which was given a ~~Part IV permission~~ Part 4A permission after *commencement*, or which was authorised under section 25 of the Financial Services Act 1986 immediately before *commencement* and not a member of *IMRO*, *PIA* or *SFA*; and
  - (ii) for which the most substantial part of its gross income (including *commissions*) from the *designated investment business* included in its ~~Part IV permission~~ Part 4A permission is derived from one or more of the following activities (based, for a *firm* given a ~~Part IV permission~~ Part 4A permission after *commencement*, on the business plan submitted as part of the *firm's* application for *permission* or, for a *firm* authorised under section 25 of the Financial Services Act 1986, on the *firm's* *financial*

year preceding its *authorisation* under the Act):

...

*service company* a *firm* whose only *permitted activities* are making arrangements with a view to transactions in investments, and agreeing to carry on that regulated activity, and whose ~~Part IV permission~~ Part 4A permission:

...

(b) includes *requirements* substantially to the effect that the *firm* must not:

...

(iii) in carrying on its *regulated activities*, provide services otherwise than in accordance with *documents* (of a kind specified in the *requirement*) provided by the *firm* to the ~~FSA~~ FCA.

*service conditions* (in accordance with paragraph 14 of Schedule 3 to the Act (EEA Passport Rights)) the conditions that:

...

(b) if the *firm* falls within paragraph (a), (d), (e) or (f) in the definition of "*EEA firm*", the ~~FSA~~ FCA or the *PRA* (as the case may be) has received notice from the *firm's Home State regulator* containing such information as may be prescribed;

(c) if the *firm* falls within paragraph (d) of that definition, its *Home State regulator* has informed it that the regulator's notice has been sent to the ~~FSA~~ FCA or the *PRA* (as the case may be); and

(d) if the *firm* falls within paragraph (e) of that definition, one *month* has elapsed beginning with the date on which the *firm's Home State regulator* informed the *firm* that it had sent the regulator's notice to the ~~FSA~~ FCA or the *PRA* (as the case may be).

*SIFA* the Handbook Guide: "Using the FSA Handbook: an Overview for small IFA firms" [deleted]

*small electronic money institution* (in accordance with regulation 2(1) of the *Electronic Money Regulations*) a person included by the ~~FSA~~ FCA in the ~~FSA Register~~ Financial Services Register pursuant to regulation 4(1)(b) of the *Electronic Money Regulations*.

*small payment institution* (in accordance with regulation 2(1) of the *Payment Services Regulations*) a person included by the ~~FSA~~ FCA in the ~~FSA Register~~ Financial Services Register pursuant to regulation 4(1)(b) of the *Payment Services Regulations*.

<i>specific risk PRA position risk adjustment</i>	a <i>PRA position risk adjustment</i> for <i>specific risk</i> including any such <i>PRA position risk adjustment</i> as applied under <i>BIPRU 7.6.8R</i> (Table: Appropriate position risk adjustment).
<i>sponsor</i>	(1) (in <i>LR</i> ) a approved, under section 88 of the by the <del>FSA</del> <i>FCA</i> , as a sponsor. ...
<i>standardised approach</i>	one of the following: ... (f) when the reference is to the rules of or administered by a <i>regulatory body</i> other than the <del>FSA</del> <i>appropriate regulator</i> , whatever corresponds to the approach in (a) to (e), as the case may be, under those rules.
<i>standing data</i>	the information relating to a <i>firm</i> held by the <del>FSA</del> <i>appropriate regulator</i> on the matters set out in <i>SUP 16 Annex 16AR</i> .
<i>statutory notice associated decision</i>	a decision which is made by the <del>FSA</del> <i>appropriate regulator</i> and which is associated with a decision to give a <i>statutory notice</i> , including a decision: ... (c) to refuse access to <del>FSA</del> <i>appropriate regulator</i> material . ...
<i>statutory notice decision</i>	a decision by the <del>FSA</del> <i>appropriate regulator</i> on whether or not to give a <i>statutory notice</i> .
<i>subsidiary undertaking</i>	... (2) (for the purposes of determining whether a <i>person</i> has <i>close links</i> with another <i>person</i> ) (in accordance with section 343(8) of the <i>Act</i> (Information given by auditor or actuary to <del>the FSA a regulator</del> ) and paragraph 3(3) of Schedule 6 to the <i>Act</i> (Threshold conditions)); ...
<i>Supervisory Liquidity Review Process</i>	the <del>FSA's</del> <i>appropriate regulator's</i> assessment of the adequacy of certain <i>firms'</i> liquidity resources as described in <i>BIPRU 12.2</i> and <i>BIPRU 12.5</i> .

*supervisory notice* (as defined in section 395(13) of the *Act* (The ~~Authority's~~ FCA's and PRA's procedures)) a notice given by the ~~FSA~~ appropriate regulator in accordance with section ~~53(4), (7) or (8)(b)~~ 55Y(4), (7) or (8)(b); 78(2) or (5); 197(3), (6) or (7)(b); 259(3), (8) or (9)(b); 268(3), (7)(a) or (9)(a) (as a result of subsection (8)(b)); 282(3), (6) or (7)(b); or 321(2) or (5).

*supervisory review and evaluation process* the ~~FSA's~~ appropriate regulator's assessment of the adequacy of certain firms' capital, as more fully described in *BIPRU* 2.2.9G and *INSPRU* 7.1.91G to *INSPRU* 7.1.99G.

*top-up permission* a ~~Part IV permission~~ Part 4A permission given to an *incoming EEA firm*, an *incoming Treaty firm* or a *UCITS qualifier*.

*total non-deferred shares* (in *CREDS*) means the total of members' share balances in a *credit union* shown in the most recent annual return to have been sent to the ~~FSA~~ appropriate regulator under *SUP* 16.7.62R or *SUP* 16.12.5R (see *CREDS* 8.2.3G), excluding any *deferred shares* in the *credit union*.

*trading day* ...

(2) other than in (1) or (3) , a day included in the calendar of trading days published by ~~FSA~~ the appropriate regulator at ~~www.fsa.gov.uk.~~ [web address tbc]

...

*trust scheme rules* rules in *COLL* made by the ~~FSA~~ FCA under section 247(1) of the *Act* (Trust scheme rules) in relation to:

...

*UCITS firm* a *firm* which:

...

(b) does not have a ~~Part IV permission~~ Part 4A permission (or an equivalent permission from its *Home State regulator*) to carry on any *regulated activities* other than those which are in connection with, or for the purpose of, such schemes.

*UCITS investment firm* a *firm* which:

...

(b) has a ~~Part IV permission~~ Part 4A permission (or an equivalent permission from its *Home State regulator*) to manage *investments* where:

...

<i>UCITS scheme</i>	(a) an <i>authorised fund</i> authorised by the <del>FSA</del> <u>FCA</u> in accordance with the <i>UCITS Directive</i> :  ...
<i>UK financial system</i>	(as defined in <del>section 3 of the Act (Market confidence)</del> <u>section 11 of the Act (Meaning of “the UK financial system”)</u> ) the financial system operating in the <i>United Kingdom</i> including:  ...
<i>UK firm</i>	...  (2) (in <i>REC</i> ) means an <i>investment firm</i> or <i>credit institution</i> which has a <del>Part IV permission</del> <u>Part 4A permission</u> to carry on one or more <i>regulated activities</i> .
<i>UK insurance intermediary</i>	a <i>UK domestic firm</i> which has <del>Part IV permission</del> <u>Part 4A permission</u> to carry on <i>insurance mediation activity</i> but no other <i>regulated activity</i> .
<i>UK ISPV</i>	an <i>ISPV</i> with a <del>Part IV permission</del> <u>Part 4A permission</u> to <i>effect</i> or <i>carry out contracts of insurance</i> .
<i>UK lead regulated firm</i>	a <i>UK firm</i> that:  (a) is not part of a group that is subject to consolidated supervision by the <del>FSA</del> <u>FCA</u> or the <u>PRA</u> or any other <i>regulatory body</i> ; or  (b) is part of a group that is subject to consolidated supervision by the <del>FSA</del> <u>FCA</u> or the <u>PRA</u> and that group is not part of a wider group that is subject to consolidated supervision by a <i>regulatory body</i> other than the <del>FSA</del> <u>FCA</u> or the <u>PRA</u> .  For the purposes of this definition:  ...  (e) If the group is a <i>UK consolidation group</i> or <i>financial conglomerate</i> of which the <del>FSA</del> <u>FCA</u> or the <u>PRA</u> is lead regulator that is headed by an <i>undertaking</i> that is not itself the <i>subsidiary undertaking</i> of another <i>undertaking</i> the <i>firm</i> is a 'UK lead regulated firm'.
<i>UK UCITS management company</i>	a <i>management company</i> that is established in the <i>United Kingdom</i> and is <i>authorised</i> and regulated by the <del>FSA</del> <u>FCA</u> .
<i>UKLA</i>	the <del>FSA</del> <u>FCA</u> acting in its capacity as the <i>competent authority</i> for the purposes of Part VI of the <i>Act</i> (Official Listing).

<i>VaR model approach</i>	one of the following:  ...  (c) when the reference is to the rules of or administered by a <i>regulatory body</i> other than the <i>FSA appropriate regulator</i> , whatever corresponds to the approach in (a) or (b), as the case may be, under those rules.
<i>verified</i>	(in <i>IPRU(INV)</i> 13) where interim net profits are to be included in a <i>firm's</i> capital resources, checked by an external auditor who has undertaken at least to:  ...  (f) follow up problem areas of which he is already aware in the course of auditing the <i>firm's</i> financial statements, a copy of whose report asserting that the interim net profits are reasonably stated has been submitted to the <i>FSA FCA</i> (although this does not apply to <i>exempt CAD firms</i> ).
<i>version 1 credit union</i>	a <i>credit union</i> whose <del><i>Part IV permission</i></del> <i>Part 4A permission</i> includes a <i>requirement</i> (whether for all or for particular purposes) that it must not lend more than 15,000, or such lesser amount as may be specified, in excess of a member's shareholding; in this definition a "member's shareholding" means any shares held by a member of the <i>credit union</i> in accordance with section s 5 and 7 of the Credit Unions Act 1979 or articles 14 and 23 of the Credit Unions (Northern Ireland) Order 1985 (as appropriate).
<i>waiver</i>	a direction waiving or modifying a <i>rule</i> , given by the <i>FSA appropriate regulator</i> under <del>sections 148</del> <u>section 138A of the Act (Modification or waiver of rules)</u> or by the <i>FCA</i> under <u>sections 250 or 294 of the Act (Modification or waiver of rules)</u> or regulation 7 of the <i>OEIC Regulations</i> ( <del>Modification or waiver of FSA rules</del> ) (see <i>SUP</i> 8 and <i>REC</i> 3.3).
<i>warning notice</i>	a notice issued by the <i>FSA appropriate regulator</i> in accordance with section 387 of the <i>Act</i> (Warning notices).



## Annex B

### Amendments to the Glossary of definitions

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

<u>appropriate regulator</u>	(1) <u>in the <i>FCA Handbook</i>, the <i>FCA</i>; and in the <i>PRA Handbook</i>, the <i>PRA</i>;</u>  (2) (a) <u>in <i>SUP 11</i> “appropriate regulator” has the meaning given in section 178 of the <i>Act</i>, and</u>  (b) <u>in <i>SUP 18</i> “appropriate regulator” has the meaning given in section 103A of the <i>Act</i>.</u>
<u>FCA</u>	<u>Financial Conduct Authority.</u>
<u>FCA Handbook</u>	<u>the <i>FCA</i>’s Handbook of rules and guidance.</u>
<u>FCA-<i>authorised person</i></u>	<u>an <i>authorised person</i> who is not a <i>PRA-<i>authorised person</i></i>.</u>
<i>firm</i>	(1) <u>in the <i>FCA Handbook</i>, an <i>authorised person</i>, but not a <i>professional firm</i> unless it is an <i>authorised professional firm</i> (see also <i>GEN 2.2.18R</i> for the position of an authorised partnership or unincorporated association which is dissolved).</u>  (1A) <u>in the <i>PRA Handbook</i>, a <i>PRA-<i>authorised person</i></i>.</u>  ...  (4) (in <i>DISP 2</i> and <i>3</i> ) includes, as a result of the <i>insurance market direction</i> given in <i>DISP 2.1.7D</i> under section 316 of the <i>Act</i> (Direction by <del>Authority</del> <u>a regulator</u> ), <i>members of the Society of Lloyd's</i> .  ...
<i>guidance</i>	guidance given by the <del><i>FSA</i></del> under the <del><i>Act</i></del> :  (a) <u>in the <i>FCA Handbook</i>, by the <i>FCA</i> under the <i>Act</i>; or</u>  (b) <u>in the <i>PRA Handbook</i>, by the <i>PRA</i>.</u>
<i>Handbook</i>	the <del><i>FSA</i>’s <i>Handbook</i></del> of rules and guidance (for a table of contents, see the <del><i>Reader’s Guide</i></del> ) <u><i>FCA Handbook</i> or the <i>PRA Handbook</i> as appropriate.</u>
<i>PRA</i>	<del>Position Risk Adjustment</del> ; a percentage applied to a <i>position</i> as part of the

~~process of calculating the PRR in relation to that *position* as set out in the tables in *BIPRU 7.2.44R* (Specific risk PRAs), *BIPRU 7.2.57R* (General market risk PRAs), *BIPRU 7.3.30R* (Simplified equity method PRAs), *BIPRU 7.3.34R* (PRAs for specific risk under the standard equity method) and *BIPRU 7.6.8R* (The appropriate PRA) and also as set out in *BIPRU 7.2.48AR* to *BIPRU 7.2.48LR* Prudential Regulation Authority.~~

*PRA Handbook* the PRA's Handbook of rules and guidance.

*PRA-authorised person* as defined in section 2B(5) of the Act, an authorised person who has permission:

- (a) given under Part 4A of the Act; or
- (b) resulting from any other provision of the Act;

to carry on regulated activities that consist of or include one or more PRA-regulated activities.

*PRA-regulated activity* a regulated activity specified in an order made under section 22A of the Act or specified pursuant to a power granted in such an order.

*statutory objectives* (1) for the FCA (as described in sections 1B, 1C, 1D and 1E of the Act):

- (a) its strategic objective of ensuring that the relevant markets function well; and
- (b) its operational objectives:
  - (i) the consumer protection objective (as defined in section 1C of the Act);
  - (ii) the integrity objective (as defined in section 1D of the Act); and
  - (iii) the competition objective (as defined in section 1E of the Act);

(2) for the PRA (as described in sections 2B, 2C and 314A of the Act):

- (a) its general objective of promoting the safety and soundness of PRA-authorised persons; and
- (b) its insurance objective of contributing to the securing of an appropriate degree of protection for those who are or may become policyholders.

**SCHEDULE A**

Part 1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 59 (Approval for particular arrangements)	Section 59	Section 59
Section 72 (The competent authority)	Part VI	None
Section 73A (Part 6 Rules)	Section 73A	None
Section 74 (The official list)	Section 74	None
Section 75 (Applications for listing)	Section 75	None
Section 77 (Discontinuance and suspension of listing)	Section 77	None
Section 79 (Listing particulars and other documents)	Section 79	None
Section 80 (General duty of disclosure in listing particulars)	Section 80	None
Section 81 (Supplementary listing particulars)	Section 81	None
Section 84 (Matters which may be dealt with by prospectus rules)	Section 84	None
Section 85 (Prohibition of dealing etc in transferable securities without approved prospectus)	Section 85	None
Section 87 (Election to have prospectus)	Section 87	None
Section 87A (Criteria for approval of prospectus by	Section 87A	None

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
competent authority)		
Section 87B (Exemptions from disclosure)	Section 87B	None
Section 87G (Supplementary prospectus)	Section 87G	None
Section 88 (Sponsors)	Section 88	None
Section 89 (Public censure of sponsor)	Sections 88A-88F	None
Section 89A (Transparency rules)	Section 89A	None
Section 89B (Provision of voteholder information)	Section 89B	None
Section 89C (Provision of information by issuers of transferable securities)	Section 89C	None
Section 89D (Notification of voting rights held by issuer)	Section 89D	None
Section 89E (Notification of proposed amendment of issuer's constitution)	Section 89E	None
Section 89F (Transparency rules: interpretation etc)	Section 89F	None
Section 89G (Transparency rules: other supplementary provisions)	Section 89G	None
Section 89O (Corporate governance rules)	Section 89O	None
Section 96 (Obligations of issuers of listed securities)	Section 96	None
Section 96A (Disclosure of information requirements)	Section 96A	None

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 96C (Suspension of trading)	Section 96C	None
Section 99 (Fees)	Schedule 1ZA, Paragraph 23.	Schedule 1ZB, Paragraph 31.
Section 99(1) and (2) (Fees)	Schedule 1ZA, Paragraph 23.	Schedule 1ZB, Paragraph 31
Section 100 (Penalties)	Sections 312J and 312K, and schedule 1ZA, Part 2.	None
Section 101 (Part 6 rules: general provisions)	Sections 101 and 137T.	None.
Section 118(8) (Market abuse)	Section 118(8)	None
Section 136(2) (Funding of the legal assistance scheme)	Section 136(2)	None
Section 138 (General rule-making power)	Section 137A	Section 137G
Section 138(1) (General rule-making power)	Section 137A(1)	Section 137G(1)
Section 139 (Miscellaneous ancillary matters)	Section 137B	None
Section 139(4) (Miscellaneous ancillary matters)	Section 137B(3)	None
Section 139A (General rules about remuneration)	Sections 137H and 137I	Sections 137H and 137I
Section 140 (Restrictions on managers of certain collective investment schemes)	Section 137A(1)	Section 137G(1)
Section 141 (Insurance business rules)	Section 137A(1)	Section 137G(1)
Section 142(2) (Insurance business: regulations)	Section 137A(1)	Section 137G(1)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
supplementing Authority's rules)		
Section 144 (Price stabilising rules)	Section 137Q	None
Section 145 (Financial promotion rules)	Section 137R	None
Section 146 (Money laundering rules)	Section 137A(1)	None
Section 147 (Control of information rules)	Section 137P	Section 137P
Section 148(3) (Modification or waiver of rules)	Section 138A(3)	Section 138A(3)
Section 149 (Evidential provisions)	Section 138C	Section 138C
Section 150(2) (Actions for damages)	Section 138D(3)	Section 138D(1)
Section 156 (General supplementary powers)	Section 137T	Section 137T
Section 213 (The compensation scheme) (including as referred to in section 216(5) (Continuity of long-term insurance policies) and section 217(7) (Insurers in financial difficulties)	Section 213	Section 213
Section 214 (General)	Section 214	Section 214
Section 215 (Rights of the scheme in relevant person's insolvency)	Section 215	Section 215
Section 216 (Continuity of long-term insurance policies)	Section 216	Section 216
Section 217 (Insurers in financial difficulties)	Section 217	Section 217

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 218(2)(b) (Annual report)	Section 218(2)(b)	Section 218(2)(b)
Section 223 (Management expenses)	Section 223	Section 223
Section 223C (Payments in error)	Section 223C	Section 223C
Section 224F (Rules about relevant schemes)	Section 224F	Section 224F
Section 226 (Compulsory jurisdiction) (including as applied by regulation 125 of the Payment Services Regulations 2009 (SI 2009/209))	Section 226	None
Section 226A(7) (Consumer credit jurisdiction)	Section 226A(7)	None
Section 229 (Awards)	Section 229	None
Section 234 (Industry funding)	Section 234	None
Section 238(5) (Restrictions on promotion)	Section 238(5)	None
Section 239 (Single property schemes)	Section 239	None
Section 242 (Applications for authorisation of unit trust schemes)	Section 242	None
Section 247 (Trust scheme rules)	Section 247	None
Section 248 (Scheme particulars rules)	Section 248	None
Section 278 (Rules as to scheme particulars)	Section 278	None

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 283(1) (Facilities and information in UK)	Section 283(1)	None
Section 293 (Notification requirements)	Section 293	Section 293
Section 293(1) (Notification requirements)	Section 293(1)	Section 293(1)
Section 295 (Notification: overseas investment exchanges and overseas clearing houses)	Section 295	Section 295
Section 300B (Duty to notify proposal to make regulatory provision)	Section 300B	Section 300B
Section 322 (Rules applicable to former underwriting members)	None	Section 322
Section 332(1) (Rules in relation to persons to whom the general prohibition does not apply)	Section 332(1)	None
Section 340 (Appointment)	Section 340	Section 340
Paragraph 17 (Fees) of Schedule 1 (The Financial Services Authority)	Schedule 1ZA, Paragraph 23.	Schedule 1ZB, Paragraph 31.
Paragraph 17(1) (Fees) of Schedule 1 (The Financial Services Authority)	Schedule 1ZA, Paragraph 23(1).	Schedule 1ZB, Paragraph 31(1).
Paragraph 12 of Part 2 (Funding) of Schedule 1A (Further provision about the Consumer Financial Education Body)	Paragraph 12 of Part 2 (Funding) of Schedule 1A (Further provision about the Consumer Financial Education Body)	None
Paragraph 12(1) (Funding of the relevant costs by	Paragraph 12(1) (Funding of the relevant costs by	None



Column 1	Column 2	Column 3
<b>Provisions of the 2000 Act under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
authorised persons or payment service providers) of Part 2 of Schedule 1A (Further provision about the Consumer Financial Education Body)	authorised persons or payment service providers) of Part 2 of Schedule 1A (Further provision about the Consumer Financial Education Body)	
Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)	Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)	Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)
Schedule 7 (The Authority as Competent Authority for Part VI)	Part VI	None
Paragraphs 1 (General), 4 (Rules), and 7 (Fees) of Schedule 7 (The Authority as Competent Authority for Part VI)	Part VI and Schedule 1ZA Paragraph 23	None
Paragraphs 7(3) (Annual reports), 13 (Authority's procedural rules), 16B (Procedure for complaints etc) and 16D (Enforcement of money awards) of Schedule 17 (The Ombudsman Scheme)	Paragraphs 7(3) (Annual reports), 13 (Authority's procedural rules), 16B (Procedure for complaints etc) and 16D (Enforcement of money awards) of Schedule 17 (The Ombudsman Scheme)	None
Paragraph 13(4) (Authority's procedural rules) of Schedule 17 (The Ombudsman Scheme) to the Act	Paragraph 13(4) of Schedule 17	None

Part 2

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of other enactments under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Regulation 6(1) (FSA rules) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228)	Regulation 6(1) (FCA rules) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228) subject to paragraphs 10 and 11 of this instrument.	None
Article 4(1) (Designation of pre-commencement provisions) of the Financial Services and Markets Act 2000 (Transitional Provisions and Savings) (Rules) Order 2001 (SI 2001/1534)	Section 137A(1)	Section 137G(1)
Article 15 (Record-keeping and reporting requirements relating to relevant complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Ombudsman and Complaints Scheme) Order 2001 (SI 2001/2326)	Article 15 (Record-keeping and reporting requirements relating to relevant complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Ombudsman and Complaints Scheme) Order 2001 (SI 2001/2326)	None
The Financial Services and Markets Act 2000 (Variation of Threshold Conditions) Order 2001 (SI 2001/2507)	None	The Financial Services and Markets Act 2000 (Variation of Threshold Conditions) Order 2001 (SI 2001/2507)
Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to	Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to	Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967).	mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967) subject to paragraphs 10 and 11 of this instrument.	mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967) subject to paragraphs 23 and 24 of this instrument.
Articles 9 (Designation of existing provisions to take effect as rules) and 10 (Modifications of existing provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	Section 137A(1)	Section 137G(1)
Regulation 3 (Consumer contract requirements: modification of rule-making powers) of the Electronic Commerce Directive (Financial Services and Markets) Regulations 2002 (SI 2002/1775)	Regulation 3 (Consumer contract requirements: modification of rule-making powers) of the Electronic Commerce Directive (Financial Services and Markets) Regulations 2002 (SI 2002/1775)	None
Regulation 2 (Power of the Authority to make rules under section 138 of the Financial Services and Markets Act 2000) of the	Regulation 2 (Power of the Authority to make rules under section 138 of the Financial Services and Markets Act 2000) of the	None.

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Financial Services and Markets Act 2000 (Fourth Motor Insurance Directive) Regulations 2002 (SI 2002/2706)	Financial Services and Markets Act 2000 (Fourth Motor Insurance Directive) Regulations 2002 (SI 2002/2706) subject to paragraphs 10 and 11 of this instrument.	
Article 9 (Record-keeping and reporting requirements relating to relevant transitional complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Complaints Relating to General Insurance and Mortgages) Order (SI 2004/454)	Article 9 (Record-keeping and reporting requirements relating to relevant transitional complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Complaints Relating to General Insurance and Mortgages) Order (SI 2004/454) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)	Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)	Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)
Regulation 82 (Reporting requirements) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 82 (Reporting requirements) of the Payment Services Regulations 2009 (SI 2009/209) subject to paragraphs 10 and 11 of this instrument.	None
Regulations 86 (Proposal to take disciplinary measures) and 93 (Guidance) of and paragraph 1 of Schedule 5 (Disciplinary powers) to the Payments Services Regulations 2009 (SI	Regulations 86 (Proposal to take disciplinary measures) and 93 (Guidance) of and paragraph 1 of Schedule 5 (Disciplinary powers) to the Payments Services Regulations 2009 (SI 2009/209) subject to	None

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority made rules</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
2009/209)	paragraphs 10 and 11 of this instrument.	
Regulation 92 (Costs of supervision) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 92 (Costs of supervision) of the Payment Services Regulations 2009 (SI 2009/209) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 59 (Costs of supervision) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 59 (Costs of supervision) of the Electronic Money Regulations 2011 (SI 2011/99) subject to paragraphs 10 and 11 of this instrument.	None
Articles 3 (Further power for Authority to make rules concerning mesothelioma claims) and 4 (Modification of FSMA in relation to FSA rules for mesothelioma claims) of the Compensation Act 2006 (Contribution for Mesothelioma Claims) Regulations 2006 (SI 2006/3259)	None	Article 3 (Further power for PRA to make rules concerning mesothelioma claims) and 4 (Modification of FSMA in relation to FSA rules for mesothelioma claims) of the Compensation Act 2006 (Contribution for Mesothelioma Claims) Regulations 2006 (SI 2006/3259) subject to paragraphs 23 and 24 of this instrument.
Regulations 8 (Applications for registration), 9 (Applications for admission to the register of issuers), 18	Regulations 8 (Applications for registration), 9 (Applications for admission to the register of issuers),	None

Column 1	Column 2	Column 3
<p><b>Provisions of other enactments under which the Authority made rules</b></p>	<p><b>Corresponding provisions: Financial Conduct Authority</b></p>	<p><b>Corresponding provisions: Prudential Regulation Authority</b></p>
<p>(Notification requirements), 20 (Material changes to the regulated covered bond), 24 (Requirements relating to the asset pool), 25 (Change of owner), 36 (financial penalties policy statement), 46 (Modifications of primary and secondary legislation) of, and paragraph 5 (fees) to the Schedule (Modifications to primary and secondary legislation) to, the Regulated Covered Bonds Regulations 2008 (SI 2008/346)</p>	<p>18 (Notification requirements), 20 (Material changes to the regulated covered bond), 24 (Requirements relating to the asset pool), 25 (Change of owner), 36 (financial penalties policy statement), 46 (Modifications of primary and secondary legislation) of, and paragraph 5 (fees) to the Schedule (Modifications to primary and secondary legislation) to, the Regulated Covered Bonds Regulations 2008 (SI 2008/346) subject to paragraphs 10 and 11 of this instrument.</p>	

Part 3

Column 1	Column 2	Column 3
<b>Provisions of the 2000 Act under which the Authority issued codes</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 64(2) (Conduct: statements and codes)	Section 64(2)	Section 64(2)
Section 119 (The code)	Section 119	None
Section 120 (Provisions included in the Authority's code by reference to the City Code)	Section 120	None
Section 121 (Codes: procedure)	Section 121	None

Part 4

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority issued statements</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 63C(1) (Statement of policy)	Section 63C(1)	Section 63C(1)
Section 64 (Conduct: statements and codes)	Section 64	Section 64
Section 64(1) (Conduct: statements and codes)	Section 64(1)	Section 64(1A)
Section 69 (Statement of policy) (including as applied by paragraph 1 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 1 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)	Section 69	Section 69
Section 69(1) (Statement of policy)	Section 69(1)	Section 69(1)
Section 93 (Statement of policy)	Section 93	None
Section 93(1) (Statement of policy)	Section 93(1)	None
Section 124 (Statement of policy)	Section 124	None
Section 124(1) (Statement of policy)	Section 124(1)	None
Section 131J(1) (Statement of policy)	Section 131J(1)	None
Section 165B(6) (Safeguards etc in relation to exercise of power under section 165A)	None	Section 165B(6)
Section 169(9) (Investigations etc in support of overseas regulator)	Section 169(9)	Section 169(9)



Column 1	Column 2	Column 3
<b>Provisions of the 2000 Act under which the Authority issued statements</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
(including as applied by paragraph 3 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 3 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)		
Section 210 (Statements of policy) (including as applied by regulation 86(6) of the Payment Services Regulations 2009 (SI 2009/209) and regulation 53 (6) of the Electronic Money Regulations 2011 (SI 2011/99).)	Section 210	Section 210
Section 210(1) (Statements of policy)	Section 210(1)	Section 210(1)
Section 395 (The Authority's procedures) (including as applied by paragraph 7 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 8 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)	Section 395	Section 395
Section 395(5) (The Authority's procedures)	Section 395(5)	Section 395(5)
Section 404(3) (Consumer redress schemes)	Section 404(3)	None
Section 404A (Rules under s404: supplementary)	Section 404A	None

Part 5

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority issued statements</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Regulation 42 (Guidance) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346)	Regulation 42 (Guidance) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 44 (Warning notices and decision notices) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346)	Regulation 44 (Warning notices and decision notices) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 93 (Guidance) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 93 (Guidance) of the Payment Services Regulations 2009 (SI 2009/209) subject to paragraphs 10 and 11 of this instrument.	None
Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99) subject to paragraphs 10 and 11 of this instrument.	None

Part 6

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority directed, required or specified:</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 51 (Applications under this Part)	Section 55U	Section 55U
Section 60 (Applications for approval)	Section 60	Section 60
Section 148(3) (Modification or waiver of rules)	Section 138A(3)	Section 138A(3)
Section 182 (Notification)	Section 179	None
Section 218A (Authority's power to require information)	Section 218A	Section 218A
Section 242 (Applications for authorisation of unit trust schemes)	Section 242	None
Section 250 (Modification or waiver of rules)	Section 250	None
Sections 250(4) and (5) (Modification or waiver of rules)	Sections 250(4) and (5)	None
Section 270(6)(b) (Schemes authorised in designated countries or territories)	Section 270(6)(b)	None
Section 274 (Applications for recognition of individual schemes)	Section 274	None
Section 287 (Application by an investment exchange)	Section 287	None
Section 294 (Modification or waiver of rules)	Section 294	Section 294
Section 294(2) (Modification or waiver of rules)	Section 294(2)	Section 294(2)

Column 1	Column 2	Column 3
<b>Provisions of the 2000 Act under which the Authority directed, required or specified:</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 316 (Direction by Authority)	Section 316	Section 316
Section 317 (The core provisions)	Section 317	Section 317
Section 318 (Exercise of powers through Council)	Section 318	Section 318
Paragraph 5(4) (Notice to Authority) of Schedule 4 (Treaty Rights)	Paragraph 5(4) (Notice to UK Regulator) of Schedule 4 (Treaty Rights)	Paragraph 5(4) (Notice to UK Regulator) of Schedule 4 (Treaty Rights)

Part 7

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority directed, required or specified</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Regulations 7(3) and (4) (Modification or waiver of FSA rules) and 12 (Application for authorisation) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228)	Regulations 7(3) and (4) (Modification or waiver of FSA rules) and 12 (Application for authorisation) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228) subject to paragraphs 10 and 11 of this instrument.	<b>None</b>
Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99) subject to paragraphs 10 and 11 of this instrument.	None

Part 8

Column 1	Column 2	Column 3
<b>Provisions of the 2000 Act under which the Authority made complaints schemes</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Paragraph 7 (Arrangements for the investigation of complaints) of Schedule 1 (The Financial Services Authority)	Part 6 of the Financial Services Act 2012	Part 6 of the Financial Services Act 2012

Part 9

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of the 2000 Act under which the Authority gave guidance</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Section 157 (Guidance)	Section 139A	None
Section 157(1) (Guidance)	Section 139A(1)	None
Section 158A (Guidance on outsourcing by investment firms and credit institutions)	None	None

Part 10

Column 1	Column 2	Column 3
<b>Provisions of other enactments under which the Authority gave guidance</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
Article 11(1) (Guidance) of the Financial Services and Markets Act 2000 (Transitional Provisions and Savings) (Rules) Order 2001 (SI 2001/1534)	Section 139A(1)	None
Article 14 (Guidance on continued provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	Article 14 (Guidance on continued provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	None
Articles 9D (Applications for certificates) and 9F (Revocation of certificate on request) of the Regulated Activities Order	Articles 9D (Applications for certificates) and 9F (Revocation of certificate on request) of the Regulated Activities Order	None
Articles 9G (Obtaining information from certified persons etc) and 9H (Rules prohibiting the issue of electronic money at a discount) of the Regulated Activities Order	Articles 9G (Obtaining information from certified persons etc) and 9H (Rules prohibiting the issue of electronic money at a discount) of the Regulated Activities Order	None
Section 123 of the Banking Act 2009	Section 123 of the Banking Act 2009	Section 123 of the Banking Act 2009
Regulation 14 (Guidance) of the Cross-Border Payments in Euro Regulations 2010 (SI 2010/89)	Regulation 15 of the Payments in Euro (Credit Transfers and Direct Debits) Regulations 2012 (SI 2012/3122)	None
Regulation 60 (Guidance) of	Regulation 60 (Guidance)	None



<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions of other enactments under which the Authority gave guidance</b>	<b>Corresponding provisions: Financial Conduct Authority</b>	<b>Corresponding provisions: Prudential Regulation Authority</b>
the Electronic Money Regulations 2011 (SI 2011/99).	of the Electronic Money Regulations 2011 (SI 2011/99) subject to paragraphs 10 and 11 of this instrument.	

**SCHEDULE B**

Recognised Auction Platforms Regulations 2011 (SI 2011/2699)
Undertakings for Collective Investment in Transferable Securities Regulations 2011 (SI 2011/1613)
Electronic Money Regulations 2011 (SI 2011/99)
Payment Services Regulations 2009 (SI 2009/209)
Regulated Covered Bonds Regulations 2008 (SI 2008/346)
Money Laundering Regulations 2007 (SI 2007/2157)
Compensation Act 2006 (Contribution for Mesothelioma Claims) Regulations 2006 (SI 2006/3259)
Financial Services and Markets Act 2000 (Financial Promotion) Order 2005 (SI 2005/1529)
Financial Services (Distance Marketing) Regulations 2004 (SI 2004/2095)
Financial Conglomerates and Other Financial Groups Regulations 2004 (SI 2004/1862)
Financial Services and Markets Act 2000 (Transitional Provisions) (Complaints Relating to General Insurance and Mortgages) Order 2004 (SI 2004/454)
Financial Services and Markets Act 2000 (Communications by Actuaries) Regulations 2003 (SI 2003/1294)
Financial Services and Markets Act 2000 (Fourth Motor Insurance Directive) Regulations 2002 (SI 2002/2706)
Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967)
Financial Services and Markets Act 2000 (Communications by Auditors) Regulations 2001 (SI 2001/2587)
Financial Services and Markets Act 2000 (Transitional Provisions) (Reviews of Pensions Business) Order 2001 (SI 2001/2512)
Financial Services and Markets Act 2000 (Rights of Action) Regulations 2001 (SI

2001/2256)
Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001 (SI 2001/1420)
Open- Ended Investment Companies Regulations 2001 (SI 2001/1228)
Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) Regulations 2001 (SI 2001/995)
Unfair Terms in Consumer Contracts Regulations 1999 (SI 1999/2083)
Public Interest Disclosure (Prescribed Persons) Order 1999 (SI 1999/1549)