HANDBOOK ADMINISTRATION (NO 40) INSTRUMENT 2016

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of the powers and related provisions listed in Schedule 4 (Powers exercised) to the General Provisions of the Handbook.
- B. The rule-making powers referred to above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Financial Services and Markets Act 2000.

Commencement

- C. This instrument comes into force on 1 March 2016 except as provided below:
 - (1) Part 2 of Annex A (Glossary of definitions), Part 1 of Annex B (SYSC), Annex C (COCON) and Part 2 of Annex I (SUP) come into force on 7 March 2016;
 - (2) Part 2 of Annex B (SYSC) and Part 3 of Annex I (SUP) come into force on 18 March 2016;
 - (3) Part 2 of Annex F (MCOB) and Part 4 of Annex I (SUP) come into force on 21 March 2016;
 - (4) Annex G (BCOBS) and Annex H (MAR) come into force on 1 April 2016;
 - (5) Part 5 of Annex I (SUP) comes into force on 1 September 2016; and
 - (6) Part 3 of Annex A (Glossary of definitions) comes into force on 7 September 2016.

Amendments to the Handbook

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

(1)	(2)
Glossary of definitions	Annex A
Senior Management Arrangements, Systems and Controls sourcebook (SYSC)	Annex B
Code of Conduct sourcebook (COCON)	Annex C
General Provisions (GEN)	Annex D
Interim Prudential sourcebook for Investment Businesses (IPRU(INV))	Annex E
Mortgages and Home Finance: Conduct of Business sourcebook (MCOB)	Annex F
Banking: Conduct of Business sourcebook (BCOBS)	Annex G
Market of Conduct sourcebook (MAR)	Annex H
Supervision manual (SUP)	Annex I
Listing Rules sourcebook (LR)	Annex J
Prospectus Rules sourcebook (PR)	Annex K

Amendments to material outside the Handbook

E. The Enforcement Guide (EG) is amended in accordance with Annex L to this instrument.

Citation

F. This instrument may be cited as the Handbook Administration (No 40) Instrument 2016.

By order of the Board 25 February 2016

Annex A

Amendments to the Glossary of definitions

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

Part 1: Comes into force on 1 March 2016

member of staff any individual

(a) working for a *firm* who is directly engaged in <u>any of the MCD credit agreement</u> the activities <u>23A to 23D</u> specified in TC <u>4.1.6R Appendix 1.1</u>;

. . .

Part 2: Comes into force on 7 March 2016

employee ...

(5) for the purposes of (1) and (2), "employment" is to be construed accordingly.

<u>employment</u> <u>see "employee".</u>

Part 3: Comes into force on 7 September 2016

firm ...

- (8) (in *SYSC* 18 with the exception of the guidance in *SYSC* 18.3.9G):
 - (a) a relevant authorised person except a small deposit taker; and
 - (b) a firm as referred to in Chapter 1.1 of the PRA Rulebook: Solvency II Firms: Whistleblowing Instrument 2015.

Annex B

Amendments to the Senior Management Arrangements, Systems and Controls sourcebook (SYSC)

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

Part 1: Comes into force on 7 March 2016

4.8 Senior management responsibilities for third-country relevant authorised persons: allocation of responsibilities

. . .

4.8.9 R Table: FCA-prescribed senior management responsibilities for third-country relevant authorised persons

FCA-prescribed senior management responsibility in relation to the branch	Explanation	Equivalent PRA- prescribed UK branch senior management responsibility
(6) Responsibility for the escalation of correspondence from the <i>PRA</i> , <i>FCA</i> and other regulators regulators in respect of the firm to the governing body and/or the management body of the firm or, where appropriate, of the parent undertaking or holding company of the firm's group		

Part 2: Comes into force on 18 March 2016

1 Application and purpose

...

Annex 1 Detailed application of SYSC

• • •

Provision SYSC 4	COLUMN A Application to a common platform firm other than to a UCITS investment firm	COLUMN A+ Application to a UCITS management company	COLUMN A++ Application to a full-scope UK AIFM of an authorised AIF	COLUMN B Application to all other firms apart from insurers, managing agents the Society, and full-scope UK AIFMs of unauthorised AIFs
SYSC 4.1.1FR 4.1.1FG	Not applicable	Guidance	Not applicable	Not applicable

Annex C

Amendments to the Code of Conduct sourcebook (COCON)

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

Comes into force on 7 March 2016

[Editor's Note: The new text shown below was included in the Individual Accountability (Non-Solvency II Firms) Instrument 2015 (FCA 2015/55) but was inadvertently excluded from the Accountability (Foreign Branches) Instrument 2015 (FCA 2015/67). It is shown here for the avoidance of doubt. Please also note that the text as shown below takes into account the most recent amendments to COCON 1.1.10R as made by the Individual Accountability (Extension of Scope) and Whistleblowing (Amendment) Instrument 2016 (FCA 2016/1) which is due to come into force on 7 March 2016, immediately after the aforementioned instruments.]

1.1 Application

...

1.1.10 R (1) ...

- (2) Subject to (3), *COCON* only applies to the conduct of *persons* to whom this *rule* applies (as set out in (1)) if that conduct:
 - (a) is performed from an establishment maintained in the *United Kingdom* by:

. . .

(ii) (for a *Solvency II firm* or a *small non-directive*<u>insurer</u>) the *firm* in relation to whom that *person*carries out *controlled functions*; or

• • •

...

Annex D

Amendments to the General Provisions (GEN)

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

2,2	Inte	erpretin	ng the Handbook
	Use	of defin	ned expressions
2.2.8	G	Exam	ples of related expressions are:
		•••	
		(3)	; and
		(4)	; and
		<u>(5)</u>	"employment", which should be interpreted by reference to "employee".

Annex E

Amendments to the Interim Prudential sourcebook for Investment Businesses (IPRU(INV))

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

1.1.3A G This sourcebook does not apply to <u>BIPRU firms</u> except:

...

1.1.3B R This sourcebook does not apply to <u>IFPRU investment firms</u> except it does apply to <u>exempt IFPRU commodities firms</u>.

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Annex F

Amendments to the Mortgages and Home Finance: Conduct of Business sourcebook (MCOB)

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

Comes into force on 1 March 2016

Part 1:

9.4	Con	itent of illustrations
	002	
9.4.30	G	An example of further information that may be included in accordance with <i>MCOB</i> 9.4.27R <i>MCOB</i> 9.4.29R might be that an "approval in principle" has been granted subject to valuation and satisfactory credit reference.
9 Annex 1	R	The illustration: table of contents, prescribed text and prescribed section headings and subheadings
		4. What have you you have told us
		5. Overall cost of this mortgage Description of this mortgage

Part 2: Comes into force on 21 March 2016

TP1.1 Transitional Provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook Provision: coming into force
•••					
49	MCOB 5A, MCOB 6A and MCOB 7B	R	Where a <i>firm</i> provides an additional APRC in accordance with TP 46R(1) TP 46R(3) above, the <i>firm</i> is not required to comply with <i>MCOB</i> 5.6.59R (1)(g) and <i>MCOB</i> 5.6.59R (1)(h).	From 21 March 2016 until 21 March 2019	21 March 2016

Annex G

Amendments to the Banking: Conduct of Business sourcebook (BCOBS)

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

Comes into force on 1 April 2016

2A	Opti	ional additional products	
2A.1	Restriction on marketing or providing an optional product for which a fe is payable		
2A.2.1 2A.1.2	G	An example of an omission by a <i>banking customer</i> which is not to be regarded as an active election is the failure by the <i>banking customer</i> to change a default option such as a pre-ticked box on a website.	
2A.2.2 2A.1.3	G	Firms are reminded that a similar prohibition on opt-out selling of add-on products is imposed by The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 in relation to optional additional agreements where the main sale is not a financial service or product.	

Annex H

Amendments to the Market Conduct sourcebook (MAR)

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

Comes into force on 1 April 2016

8.3	Red	quiren	ments for benchmark administrators		
•••					
	Fair	r, reaso	onable	and non-discriminatory access to benchmarks	
8.3.19	R	(1)			
		(2)	In th	nis section, "relevant user" means:	
			(a)	a <i>central counterparty <u>CCP</u></i> ;	
			(b)	an <i>MTF</i>	
			(c)	a regulated market.	

Annex I

Amendments to the Supervision manual (SUP)

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

Part 1: Comes into force on 1 March 2016

15.5 Core information requirements

...

15.5.3 G Firms are reminded that certain name changes (for example, to include 'Limited') may also require a notification under SUP 5.5.1R 15.5.1R.

Part 2: Comes into force on 7 March 2016

10A.9 Significant management functions

. . .

10A.9.12 G A senior manager carrying on the significant management function under SUP 10A.9.9R with significant responsibility for a significant business unit that carries on activities other than designated investment business for the purposes of SUP 10A.9.9R(1) could, for example, be the head of a unit carrying on the activities of: personal lending, corporate lending, salvage or loan recovery, proprietary trading, or a member of a committee (that is, a person who, together with others, has authority to commit the firm) making decisions in these functions.

...

10C.1 Application

. . .

10C.1.5 G ...

(3) For an *EEA relevant authorised person*, the effect is to reserve to the *Home State regulator* the assessment of fitness and propriety of a *person* performing a function in the exercise of an *EEA right*. A member of the *governing body*, or the *notified ontified UK branch manager*, of an *EEA relevant authorised person*, acting in that capacity, will not, therefore, have to be approved by the *FCA* under the *Act*.

...

...

10C.4 Specification of functions

. . .

10C.4.3 R Table of FCA controlled functions for relevant authorised persons

...

Part 3 Three: (FCA-designated senior management functions for third-country relevant authorised persons)			
Type	SMF	Description of FCA controlled function	
	SMF3	Executive Executive director function	

...

10C.5 FCA governing functions

Executive director function (SMF3)

- 10C.5.1 R (1) For a *UK relevant authorised person*, the *executive* executive *director function* ...
 - (2) For a *third-country relevant authorised person*, the *executive* executive *director function*
 - (3) Paragraph (2) includes a *person* who is member (other than a *non-executive* non-executive member) of the *branch's governing body*.

...

10C.8 The other local responsibility function (SMF22) and EEA branch senior manager functions (SMF21)

Other local responsibility function (SMF22)

. . .

10C.8.3 G Table: Examples of how the other local responsibility function applies

Example	Comments
---------	----------

(3)	A only needs approval to perform the executive executive director function function. B needs approval to perform the other local responsibility function.
(5) 'A' is appointed to perform the executive executive director function. The same branch also allocates local responsibility for some branch functions to A.	A only needs approval to perform the <i>executive</i> executive director function.
(6) 'A' is approved to perform the other local responsibility function. Later, A is appointed to perform the executive executive director function for the same firm.	A requires approval for the <i>other local responsibility function</i> when A is first appointed. When A is later approved to perform the <i>executive</i> executive <i>director function</i> , A stops performing the <i>other local responsibility function</i> . The <i>firm</i> should use Form E to apply for approval for A to perform the <i>executive</i> executive director function.
(9)	On A's first appointment, A will need to be approved to perform the executive executive director function. A will need to get approval to perform the other overall responsibility function before A gives up being a director.
	,

...

10C.9 Minimising overlap with the PRA approved persons regime

. . .

10C.9.9 G Table: Examples of how the need for dual FCA and PRA approval in relation to PRA-authorised persons is reduced

Example	Whether FCA approval	Whether PRA approval	Comments
	required	required	

(12)	No. A is not treated as performing the executive executive director function.	

. . .

10C.11 Statements of responsibility

. . .

10C.11.19 G Table: examples of how the requirements for submitting statements of responsibility work

Example	Comments
(15) Firm X has a <i>branch</i> in the <i>United Kingdom</i> . Firm Y is a <i>UK authorised</i> authorised subsidiary of firm X.	•••
Firm X is a third-country relevant authorised person and Firm firm Y is a relevant authorised person.	
Both <i>firms</i> apply for approval for the same individual (P) to perform the <i>executive</i> executive director function.	

10C.15 Forms and other documents and how to submit them to the FCA

. . .

10C.15.3 G Table: FCA approved persons forms and other documents

Relevant Relevant statement of		

responsibilities		

. . .

13A.6 Which rules will an incoming EEA firm be subject to?

. . .

13A.6.3 G (1) In particular, an *EEA firm* (other than an *EEA pure <u>re-insurer</u>*) ...

...

• • •

13A.6 Which rules will an incoming EEA firm be subject to?

...

13A.6.3 G (1) In particular, an *EEA firm* (other than an *EEA pure <u>re-insurer</u>*) ...

...

...

13A Annex 1G Application of the Handbook to Incoming EEA Firms

(1) Module of the Handbook	(2) Potential application to an incoming EEA firm with respect to activities carried on from an establishment of the firm (or its appointed representative) in the United Kingdom	(3) Potential application to an incoming EEA firm with respect to activities carried on other than from an establishment of the firm (or its appointed representative) in the United Kingdom
SUP		
	SUP 10C (FCA senior management regime for approved persons in relevant authorised persons) Applies to EEA incoming firms which are EEA relevant authorised persons, but the applicable	Applies to incoming EEA firms which are EEA relevant authorised persons, but the applicable controlled functions are limited. See SUP 10C.1 (Application) for more detailed guidance.

controlled functions are limited. See SUP 10C.1 (Application) for more detailed guidance.	

Part 3: Comes into force on 18 March 2016

16.12 Integrated Regulatory Reporting

Regulatory Activity Group 6

. . .

16.12.21 R The applicable due dates for submission referred to in *SUP* 16.12.4R are set out in the table below. The due dates are the last day of the periods given in the table below following the relevant reporting frequency period set out in *SUP* 16.12.20R.

Data item	Quarterly	Half yearly	Annual
FSA039		30 business days	
FIN072	20 business days		
FSA040	15 business days		
<u>FIN072</u>	20 business days		

Part 4: Comes into force on 21 March 2016

App 3.9 Mapping of MiFID, CRD, AIFMD, UCITS Directive, MCD and Insurance Mediation Directive to the Regulated Activities Order

• • •

3.9.8 G Activities set out in article 4 of the MCD

	Table 3: <i>MCD</i> activities	PART II RAO activities	Part II RAO investments
1	Acting as credit intermediary	Articles 25A(1), 25 <u>A</u> (2A), 53A,	Articles 88 and 88D

<u></u>		
	36A(1)(d), (e), (f)	
	and 53DA	

Part 5: Comes into force on 1 September 2016

16.12 Integrated Regulatory Reporting

. . .

[Editor's Note: The changes to SUP 16.12.19AR supplement those made by the Personal Pension Scheme Operators (Capital Requirements) Instrument 2014 (FCA 2014/46), which also come into force on 1 September 2016, and take account of the changes which are to be brought into force on 18 March 2016 by the UCITS V Directive Instrument 2016 (FCA 2016/4).]

16.12.19A R ...

Note 4	FSA034 must be completed by a <i>firm</i> not subject to the exemption in <i>IPRU(INV)</i> 5.2.3(2)R.
	FSA035 must be completed by a <i>firm</i> subject to the exemption in <i>IPRU(INV)</i> 5.2.3(2)R, other than a <i>firm</i> that is the <i>depositary</i> of a <i>UCITS scheme</i> . unless (1) it calculates its <i>own funds requirement</i> in accordance with <i>IPRU(INV)</i> rule 5.2.3(4)(a)(i), in which case FIN071 must be completed or (2) the <i>firm</i> is the depositary of a <i>UCITS scheme</i> in which case, FIN072 must be completed. FIN072 must be completed by a <i>firm</i> if it is the <i>depositary</i> of a <i>UCITS scheme</i> .

Annex J

Amendments to the Listing Rules sourcebook (LR)

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

Omission of information

• • •

4.2.11 R For the purposes of section $\frac{82(1)(g)}{82(1)(c)}$ of the *Act*, *specialist securities* are specified.

Annex K

Amendments to the Prospectus Rules sourcebook (PR)

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

- 2.2.9 R If the final terms of the *offer* are not included in the *base prospectus* or a *supplementary prospectus*:
 - (1) the final terms must be:
 - (a) filed with the FCA; and
 - (b) made available to the public in accordance with *PR* 3.2.4R to *PR* 3.2.6R;

[Note: see PR TR 2]

...

...

TR Transitional Provisions

...

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
2.	PR 2.2.9R(1)	R	The final terms must be sent to the competent authority of any Host State where an offer will be made or an admission to trading will occur. [expired]	From 31 March 2015 up to and including 31 December 2015.	31 March 2015

Annex L

Amendments to the Enforcement Guide (EG)

In this Annex, all the provisions of EG are renumbered as set out in the following table. Cross-headings throughout EG are amended accordingly.

New headings are shown underlined, and amendments to headings are shown with new text underlined and deleted text struck through.

Old heading and numbering	New heading and numbering
1. Introduction	1. Introduction
	1.1 Overview
1.1	1.1.1
1.2	1.1.2
1.3	1.1.3
1.4	1.1.4
1.5	1.1.5
1.6	1.1.6
1.7	1.1.7
1.8	1.1.8
2. The FCA's approach to enforcement	2. The FCA's approach to enforcement
	2.1 Case selection and the use of enforcement powers
2.1	2.1.1
2.2	2.1.2
2.3	2.1.3
2.4	2.1.4

Case selection: Firms and approved persons, market abuse cases and listing matters	2.2 Case selection: Firms and approved persons, market abuse cases and listing matters
2.5	2.2.1
2.6	2.2.2
2.7	2.2.3
2.8	2.2.4
2.9	2.2.5
2.10	2.2.6
Case selection: Threshold Conditions cases	2.3 Case selection: Threshold Conditions cases
2.11	2.3.1
Case selection: Unauthorised business	2.4 Case selection: Unauthorised business
2.12	2.4.1
2.13	2.4.2
2.14	2.4.3
Cases where other authorities have an interest	2.5 Cases where other authorities have an interest
2.15	2.5.1
2.15A	2.5.2
Assisting overseas regulators	2.6 Assisting overseas regulators
2.16	2.6.1
Sources of cases	2.7 Sources of cases

2.7.1
2.8 Enforcement and the FCA's Principles for Business ('the Principles')
2.8.1
2.8.2
2.8.3
2.8.4
2.9 FCA guidance and supporting materials
2.9.1
2.9.2
2.9.3
2.9.4
2.9.5
2.9.6
2.10 Industry guidance
2.10.1
2.10.2
2.10.3
2.11 Senior management responsibility
2.11.1
2.11.2

Co-operation	2.12 Co-operation
2.33	2.12.1
2.34	2.12.2
Late reporting or non-submission of reports to the FCA	2.13 Late reporting or non-submission of reports to the FCA
2.35	2.13.1
Legal review	2.14 Legal review
2.36	2.14.1
Decision making in the context of regulatory enforcement action	2.15 Decision making in the context of regulatory enforcement action
2.37	2.15.1
2.38	2.15.2
2.39	2.15.3
3. Use of information gathering and investigation powers	3. Use of information gathering and investigation powers
	3.1 Introduction
3.1	3.1.1
3.1A	3.1.2
Information requests (section 165)	3.2 Information requests (section 165)
3.2	3.2.1
3.3	3.2.2

Reports by skilled persons (section 166)	3.3 Reports by skilled persons (section 166)
3.4	3.3.1
3.5	3.3.2
3.6	3.3.3
3.6A	3.3.4
3.7	3.3.5
Investigations into general and specific concerns (sections 167 and 168)	3.4 Investigations into general and specific concerns (sections 167 and 168)
3.8	3.4.1
3.9	3.4.2
Official listing investigations (section 97)	3.5 Official listing investigations (section 97)
3.10	3.5.1
Investigations into collective investment schemes (section 284)	3.6 Investigations into collective investment schemes (section 284)
3.11	3.6.1
Investigations to assist overseas authorities (section 169)	3.7 Investigations to assist overseas authorities (section 169)
3.12	3.7.1
3.13	3.7.2
3.14	3.7.3
3.15	3.7.4

Information requests and investigations to assist EEA regulators in relation to short selling	3.8 Information requests and investigations to assist EEA regulators in relation to short selling
3.15A	3.8.1
3.15B	3.8.2
3.15C	3.8.3
3.15D	3.8.4
Power to require information relating to potentially unfair etc terms and notices	3.9 Power to require information relating to potentially unfair etc terms and notices
3.15E	3.9.1
Liaison where other authorities have an interest	3.10 Liaison where other authorities have an interest
3.16	3.10.1
FCA approach to firms conducting their own investigations in anticipation of enforcement action	3.11 FCA approach to firms conducting their own investigations in anticipation of enforcement action
Firm-commissioned reports: the desirability of early discussion and agreement where enforcement is anticipated	Firm-commissioned reports: the desirability of early discussion and agreement where enforcement is anticipated
3.17	3.11.1
3.18	3.11.2
3.19	3.11.3
3.20	3.11.4
3.21	3.11.5
3.22	3.11.6
3.23	3.11.7
3.24	3.11.8

Appointment of additional investigators	4.4 Appointment of additional
4.4	4.3.1
Notification where a particular person is not yet under investigation	4.3 Notification where a particular person is not yet under investigation
4.3	4.2.2
4.2	4.2.1
Notifying the person under investigation where notice is not required under the Act	4.2 Notifying the person under investigation where notice is not required under the Act
4.1	4.1.1
Notifying the person under investigation where notice is a requirement under section 170	4.1 Notifying the person under investigation where notice is a requirement under section 170
4. Conduct of investigations	4. Conduct of investigations
3.31	3.11.15
3.30	3.11.14
3.29	3.11.13
3.28	3.11.12
Firm-commissioned reports: FCA use of reports and the protection of privileged and confidential material	Firm-commissioned reports: FCA use of reports and the protection of privileged and confidential material
3.27	3.11.11
3.26	3.11.10
3.25	3.11.9
Firm-commissioned reports: material gathered	Firm-commissioned reports: material gathered

	investigators
4.5	4.4.1
Notice of termination of investigations	4.5 Notice of termination of investigations
4.6	4.5.1
What a subject of investigation can say to third parties	4.6 What a subject of investigation can say to third parties
4.7	4.6.1
Use of statutory powers to require the production of documents, the provision of information or the answering of questions	4.7 Use of statutory powers to require the production of documents, the provision of information or the answering of questions
4.8	4.7.1
4.9	4.7.2
4.10	4.7.3
4.11	4.7.4
Scoping discussions	4.8 Scoping discussions
4.12	4.8.1
4.13	4.8.2
Involvement of FCA supervisors during the investigation phase	4.9 Involvement of FCA supervisors during the investigation phase
4.14	4.9.1
The timeframe for responding to information and document requirements	4.10 The timeframe for responding to information and document requirements

4.15	4.10.1
4.16	4.10.2
Approach to interviews and interview procedures	4.11 Approach to interviews and interview procedures
4.17	4.11.1
4.18	4.11.2
4.19	4.11.3
Interviews generally	Interviews generally
4.20	4.11.4
Interviews under caution	Interviews under caution
4.21	4.11.5
Subsequent interviews	Subsequent interviews
4.22	4.11.6
4.23	4.11.7
Interviews under arrest	Interviews under arrest
4.24	4.11.8
Interviews in response to a request from an overseas regulator or EEA regulator	Interviews in response to a request from an overseas regulator or EEA regulator
4.25	4.11.9
4.26	4.11.10
4.27	4.11.11
Search and seizure powers	4.12 Search and seizure powers
4.28	4.12.1
4.29	4.12.2

Preliminary findings letters and preliminary investigation reports	4.13 Preliminary findings letters and preliminary investigation reports
4.30	4.13.1
4.31	4.13.2
4.32	4.13.3
4.33	4.13.4
Joint investigations with the PRA	4.14 Joint investigations with the PRA
4.34	4.14.1
4.35	4.14.2
5. Settlement	5. Settlement
Settlement and the FCA – an overview	5.1 Settlement and the FCA – an overview
5.1	5.1.1
5.2	5.1.2
5.3	5.1.3
5.4	5.1.4
5.5	5.1.5
When settlement decisions may take place	<u>5.2</u> When settlement decisions may take place
5.6	5.2.1
5.7	5.2.2
5.8	5.2.3
The basis of settlement discussions	5.3 The basis of settlement discussions
5.9	5.3.1

5.10	5.3.2
Multiple parties and third party rights in enforcement action involving warning and decision notices	5.4 Multiple parties and third party rights in enforcement action involving warning and decision notices
5.11	5.4.1
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5.13	5.4.3
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