Powers exercised

A. The Financial Conduct Authority makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):

1. section 137A (The FCA’s general rules);
2. section 137T (General supplementary powers);
3. section 139A (Power of the FCA to give guidance);
4. section 213 (The compensation scheme)
5. section 214 (General)
6. section 226 (Compulsory jurisdiction);
7. paragraph 19 (Establishment) of Schedule 3 (EEA Passport Rights); and
8. paragraph 23 (Fees) of Schedule 1ZA (The Financial Conduct Authority).

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on 23 March 2018 except as follows:

1. Part 2 of Annex A (Glossary of definitions), Part 2 of Annex E (FEES), Part 2 of Annex K (SUP) and Annex L (COMP) come into force on 1 April 2018 immediately after the changes made by the Financial Services Compensation Scheme (Funding and Scope) Instrument 2017 (FCA 2017/58) come into force;
2. Part 3 of Annex A (Glossary of definitions) comes into force on 2 April 2018 immediately after the changes to the definition of ‘OPS firm’ made by the Handbook Administration (MiFID 2) Instrument (FCA 2017/65) come into force; and
3. Annex I (BCOBS) comes into force on 15 August 2018 immediately after the changes made by the Banking (Information about Current Account Services) Instrument 2017 (FCA 2017/78) come into force.

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).

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glossary of definitions</td>
<td>Annex A</td>
</tr>
<tr>
<td>Senior Management Arrangements, Systems</td>
<td>Annex B</td>
</tr>
<tr>
<td>and Controls sourcebook (SYSC)</td>
<td></td>
</tr>
<tr>
<td>Training and Competence sourcebook (TC)</td>
<td>Annex C</td>
</tr>
<tr>
<td>General Provisions (GEN)</td>
<td>Annex D</td>
</tr>
</tbody>
</table>
Amendments to material outside the Handbook

E. The MiFID 2 Guide (M2G) is amended in accordance with Annex M to this instrument.

Notes

F. In Annex C to this instrument, the “note” (indicated by “Note:”) is included for the convenience of readers and does not form part of the legislative text.

Citation

G. This instrument may be cited as the Handbook Administration (No 48) Instrument 2018.

By order of the Board
22 March 2018
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 23 March 2018

Amend the following definitions as shown.

composite insurer (in relation to firm type in SUP 16.10 (Confirmation of standing data firm details)) an insurer with permission to effect or carry out both long-term insurance contracts and general insurance.

discretionary investment manager (in COBS and (in relation to firm type) in SUP 16.10 (Confirmation of standing data firm details) a person who, acting only on behalf of a client, manages designated investments in an account or portfolio on a discretionary basis under the terms of a discretionary management agreement.

standing data firm details the information relating to a firm held by the appropriate regulator on the matters set out in SUP 16 Annex 16A.

non-discretionary investment manager (in relation to firm type in SUP 16.10 (Confirmation of standing data firm details) a person who, acting only on behalf of a client, manages designated investments in an account or portfolio on a non-discretionary basis under the terms of a non-discretionary management agreement.

own account trading firm (in relation to firm type in SUP 16.10 (Confirmation of standing data firm details) a firm that only deals or arranges deals in securities or contractually based investments for its own benefit, or for the benefit of an associate.

standardised approach (for the purposes of BIPRU) one of the following:

(a) (where expressed to relate to credit risk) the method for calculating capital requirements for credit risk in BIPRU 3 (Credit risk) and BIPRU 9.2.1R(1) and BIPRU 9.11 (Standardised approach);

(b) (where expressed to relate to operational risk) the method for calculating capital requirements for operational risk in BIPRU 6.3 (Standardised approach); [deleted]

(c) (where not expressed to relate to any risk and used in BIPRU 3, BIPRU 4 (IRB approach), BIPRU 5 (Credit risk mitigation), BIPRU 9 (Securitisation) or BIPRU 10 (Large exposures requirements)) it has the meaning in (a);

(d) (where not expressed to relate to any risk and used in BIPRU 6
(Operational risk)) it has the meaning in (b); [deleted]

(e) (where the one of the approaches in (a) to (d) (c) is being applied on a consolidated basis) that approach as applied on a consolidated basis in accordance with BIPRU 8 (Group risk - consolidation); or

Part 2: Comes into force 1 April 2018

Amend the following definition as shown.

**compensation costs** the costs incurred:

(a) in paying compensation; or

(b) as a result of making the arrangements contemplated in COMP 3.3.1R or taking the measures contemplated in COMP 3.3.3R; or [deleted]

(c) in making payments or giving indemnities under COMP 11.2.3R; or [deleted]

(d) under section 214B or section 214D of the Act; or

(e) by virtue of section 61 (Sources of compensation) of the Banking Act 2009;

(including the costs of paying interest, principal and other costs of borrowing to pay such costs).

Delete the following definition. The text is not shown struck through.

**occupational pension fund management business** (in COMP) the business of carrying on:

(1) **pension fund management**; or

(2) (other than in connection with a personal pension scheme) **pension fund management**, written as linked long term business, for an **occupational pension scheme** or for an institution falling within article 2 of the Council Directive of 3 June 2003 on the activities and supervision of institutions for occupational retirement provision (No
2003/41/EC) but only to the extent that:

(a) there is no transfer to the *participant firm* of:

  (i) investment, market, or credit risk;

  (ii) mortality or expense risk prior to any annuity being effected; and

(b) any annuity options provide for the *participant firm* to change the annuity rates without prior notice.

**Part 3: Comes into force 2 April 2018**

*OPS firm*  (a) (except in IPRU(INV)) a *firm* which:

  (i) carries on *OPS activity*; and

  (ii) is one or more of the following:

  …

  (C) a *company* which is:

  …

  (III) an administering authority subject to the *Local Government Pension Scheme (Administration) Regulations 2008* or the *Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014* *Local Government Pension Scheme Regulations 2013* as in force on 1 April 2018; or

(b) …
## TP 6  Transitional Provision 6

<table>
<thead>
<tr>
<th></th>
<th>Material to which the transitional provision applies</th>
<th>Transitional provision</th>
<th>Transitional provision: dates in force</th>
<th>Handbook provisions: coming into force</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>SYSC 2.2.4</strong> R</td>
<td>Where this rule imposes requirements relating to a record of a person’s scope of responsibilities, a firm is required to comply with these requirements from the following dates: (a) from 1 January 2016, to the extent that such a record already exists which satisfies SYSC 2.2.4R(3); (b) if (a) does not apply, from the date that a firm actually produces such a record, if before 7 September 2016; and (c) in any event, from 7 September 2016. [expired]</td>
<td>From 1 January 2016 until 7 September 2016 or, if earlier, the date on which any such scope of responsibilities document is produced or firms are required to produce one.</td>
<td>1 January 2016</td>
</tr>
<tr>
<td>2.</td>
<td><strong>SYSC 2.1.3A</strong> R</td>
<td>A firm is not required to allocate the function of dealing with the apportionment of responsibilities</td>
<td>From 7 March 2016 to 7 June 2016 or if earlier, the date on</td>
<td>7 March 2016</td>
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<td></td>
<td>under SYSC 2.1.1R to one or more approved persons performing a significant influence function until 7 June 2016 or, if earlier, the first occasion before 7 June 2016 that the firm updates its governance map. Until any new allocation is made the existing allocation must continue. [expired]</td>
<td>which the firm updates its governance map.</td>
<td></td>
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</tbody>
</table>
| 3. | **SYSC 2.2.6** | A firm is required to comply with the requirement to produce a scope of responsibilities record from the following dates:  
(a) from 7 March 2016, to the extent that such a record already exists which satisfies SYSC 2.2.6R(3) or was required to be produced as part of an application for a person to be approved to perform a controlled function;  
(b) if (a) does not apply, from the date that a firm actually produces such a record, if before 7 March 2017; and  
(c) in any event, from 7 March |
<p>|   | From 7 March 2016 until 7 March 2017 or, if earlier, the date on which any such scope of responsibilities document is produced or the firm is required to produce one. | 7 March 2016 |</p>
<table>
<thead>
<tr>
<th></th>
<th>SYSC 2.1.3C</th>
<th>R</th>
<th>2017: [expired]</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>A firm is not required to allocate the function of dealing with the apportionment of responsibilities to one or more approved persons performing a significant influence function until 7 March 2017. Until any new allocation is made, the existing allocation must continue. [expired]</td>
<td>From 7 March 2016 until 7 March 2017</td>
<td>7 March 2016</td>
</tr>
</tbody>
</table>

...
Annex C

Amendments to the Training and Competence sourcebook (TC)

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

TP 9  Transitional Provisions relating to the MCD credit agreement activities

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>9.1</td>
<td>2.1.5B</td>
<td>R</td>
<td>A firm that before 20 March 2014 was carrying on activities that with effect from 21 March 2016 would amount to acting as an MCD credit intermediary or an MCD creditor may comply with the TC rules as they were in force at 20 March 2016. [Note: article 43(3) of the MCD] [expired]</td>
<td>From 21 March 2016 to 21 March 2017</td>
<td>21 March 2016</td>
</tr>
</tbody>
</table>

…
Annex D

Amendments to the General Provisions (GEN)

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

TP 1  Transitional provisions

…

TP 1.3  Transitional provisions applying to GEN only

(3)

<p>| | | | | |</p>
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<td>…</td>
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</tr>
<tr>
<td>15</td>
<td><em>Rules and directions implementing MiFID II</em></td>
<td>R</td>
<td>A firm that is required or wishes to make any notification, application or undertake any other administrative procedure enabling it to carry on MiFID, equivalent third country or optional exemption business in the UK from 8 January 2018, may do so before that date subject to the requirements of any applicable statutory provision, rule, direction or EU regulation that will be in force on 3 January 2018.</td>
<td>3 July 2017 to 2 January 2018</td>
</tr>
<tr>
<td>16</td>
<td><em>Rules and directions</em></td>
<td>G</td>
<td>(4) The purpose of this transitional</td>
<td>3 July 2017 to 2 January</td>
</tr>
</tbody>
</table>
implementing MiFID II provision is to help the firm to take the necessary administrative or regulatory steps to enable them to carry on investment services or activities in the UK from 3 January 2018.

(2) This could take the form, for example, of making notifications to the FCA in the case of algorithmic trading notifications (see MAR 7A.3.6R), before 3 January 2018.

(3) It also enables a firm wishing to classify clients in accordance with the client categorisation requirements in COBS 3 (to take effect on 3 January 2018) to take steps towards doing so before 3 January 2018. [expired]
Annex E

Amendments to the Fees manual (FEES)

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

Part 1: Comes into force 23 March 2018

5 Financial Ombudsman Service Funding

5.8 Joining the Financial Ombudsman Service

5.8.1 A firm which becomes subject to the Financial Ombudsman Service part way through a financial year must pay a rateable proportion of the general levy as specified in the formula set out in FEES 4.2.6R 4.2.7ER.

10 Pensions guidance levy

10.2 Pensions guidance levy

10.2.5 For the first fee year during which FEES 10 applies to a firm’s permission to carry on a regulated activity, the pensions guidance levy applicable to that permission must be modified using the formula in FEES 4.2.6R 4.2.7FR.

10.5 Application of FEES 4 to the pensions guidance levy

10.5.4 Table of rules in FEES 4 that also apply in FEES 10.

<table>
<thead>
<tr>
<th>FEES 4 incorporated into FEES 10</th>
<th>Description</th>
<th>Modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>...</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### FEES 4.2.7BR
Calculation of periodic fees and tariff base for a firm’s second financial year

### FEES 4.2.7CG
Application of FEES

### FEES 4.2.7ER
Modifications for persons becoming subject to periodic fees during the course of a fee year

### FEES 4.2.7FR
Calculating the fee in the firm’s first year of authorisation

### FEES 4.2.7GR
Calculating fees in the second fee-year where the firm received permission between 1 January and 31 March in its first fee year

### FEES 4.2.7HR to FEES 4.2.7KR
Calculating all other fees in the second and subsequent years of authorisation where a full year of tariff data is not available

### FEES 4.3.15R 4.3.17R
Firms acquiring businesses from other firms

---

**TP 10**

Transitional Provisions relating to FEES 4.2.7BR for firms carrying on credit related regulated activities

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>FEES 4.2.7R(2)(b)</td>
<td>R</td>
<td>Insert a new paragraph after (5)(c) as follows:</td>
<td>From 1 April 2014 until 1 April 2016</td>
<td>1 April 2014</td>
</tr>
</tbody>
</table>
Part 2: Comes into force 1 April 2018

6 Financial Services Compensation Scheme Funding

...  

6.4 Management expenses

...  

6.4.10 G Since a firm that becomes a participant firm in the course of a financial year of the compensation scheme will already be obtaining a discount in relation to the base costs levy through the modified fee provisions of FEES 4.2.6R 4.2.7ER, no rule is necessary in FEES 6 for discounts on the base costs levy.

...
Annex F

Amendments to the General Prudential sourcebook (GENPRU)

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

2 Capital

2.1 Calculation of capital resources requirements

Calculation of the credit risk capital requirement (BIPRU firm only)

2.1.51 R A BIPRU firm must calculate its credit risk capital requirement as the sum of:

1. the credit risk capital component; and
2. the counterparty risk capital component; and
3. the concentration risk capital component. [deleted]

2.2 Capital resources

Limits on the use of different kinds of capital: Purposes for which tier three capital may be used (BIPRU firm only)

2.2.47 R For the purposes of meeting:

1. the market risk capital requirement; and
2. the concentration risk capital component; and [deleted]

Upper tier two capital: General/collective provisions (BIPRU firm only)

2.2.188 R The value of general/collective provisions which a firm may include in its tier two capital resources as referred to in GENPRU 2.2.187R may not exceed 1.25% of the sum of the following:

1. the sum of the market risk capital requirement and the operational risk capital requirement (if applicable).
12.5; and

...
Annex G

Amendments to the Prudential sourcebook for Banks, Building Societies and Investment Firms (BIPRU)

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

4 The IRB approach

...

4.2 The IRB approach: High level material

...

Combined use of methodologies: Meaning of non-significance and immateriality

...

4.2.30 R ...

(6) The consolidated credit risk requirement is adjusted for the purposes of this rule as follows:

(a) the element based on the concentration risk capital component is excluded, with only the elements based on the credit risk capital component and the counterparty risk capital component are being taken into account; and

(b) the calculation is carried out with respect to the group of undertakings referred to in BIPRU 4.2.17R.

...

...

7 Market risk

...

7.8 Securities underwriting

General rules

...

7.8.2 R A firm which underwrites or sub-underwrites an issue of securities must, for the purposes of calculating its market risk capital component and its concentration risk capital component:

...

...
Large exposure risk from underwriting securities: Calculating the net underwriting exposure

7.8.33 R A firm, before entering into a new underwriting commitment, must be able to recalculate the concentration risk capital component to the level of detail necessary to ensure that the firm’s capital resources requirement does not exceed the firm’s capital resources. [deleted]

8 Group risk consolidation

8.7 Consolidated capital resources requirements

General approach

8.7.1 G The calculation of the consolidated capital resources requirement of a firm’s UK consolidation group or non-EEA sub-group involves taking the individual components that make up the capital resources requirement on a solo basis and applying them on a consolidated basis. Those components are the capital charge for credit risk (the credit risk capital requirement), the capital charge for market risk (the market risk capital requirement), the capital charge for operational risk (the operational risk capital requirement) and the fixed overheads requirement.

Special rules for the consolidated operational risk requirement

8.7.26 R For the purposes of calculating the consolidated operational risk requirement, a firm must apply BIPRU 6.2.9R to BIPRU 6.2.12R (Combination of different methodologies) to the whole UK consolidation group or non-EEA sub-group as if the group were a single undertaking. [deleted]

8.7.27 R (1) This rule sets out how BIPRU 6.3.2R(3) (Negative figure arising in calculation of the relevant indicator under the basic indicator approach) applies on a consolidated basis.

(2) If the calculation for any individual undertaking under method one in BIPRU 8.7.13R(2) (application of aggregation approach to the whole group) or method three as described in BIPRU 8.7.13R(4)(c) (mixture of aggregation and accounting consolidation) or for any sub-group created under method three as described in BIPRU 8.7.13R(4)(a) results in a figure of zero or a negative figure, that figure must be excluded.
(3) If a firm is using method two in BIPRU 8.7.13R (accounting consolidation approach for the whole group), BIPRU 6.3.2R(3) applies to the UK consolidation group or non-EEA sub-group as if it were a single undertaking.

(4) (3) also applies to a sub-group created under method 3 as described in BIPRU 8.7.13R(4)(a). [deleted]

Elimination of intra-group transactions

8.7.29 R In accordance with BIPRU 8.2.1R and BIPRU 8.3.1R (The basic consolidation rules for a UK consolidation group or non-EEA sub-group), a firm may exclude that part of the risk capital requirement that arises as a result of:

…

(2) (in respect of the consolidated operational risk requirement and consolidated fixed overheads requirement) intra-group transactions;

…

11 Disclosure (Pillar 3)

…

11.3 Disclosures: Information to be disclosed; Frequency, media and location of disclosures; Verification

Information to be disclosed

…

11.3.2 R …

(3) A firm using the advanced measurement approach for the calculation of its operational risk capital requirement must publicly disclose the information laid down in BIPRU 11.6.6R. [deleted]

…

11.5 Technical criteria on disclosure: General requirements

…

Disclosure: Compliance with BIPRU 3, BIPRU 4, BIPRU 7 and the overall Pillar 2 rule
11.5.4 R  A firm must disclose the following information regarding compliance with BIPRU 3, BIPRU 4, BIPRU 7 and the overall Pillar 2 rule:

...  

(4)  the firm’s minimum capital requirements for the following:

(a)  in respect of its trading-book business, its:

...  

(v)  counterparty risk capital component; and

(vi)  concentration risk capital component; and [deleted]

...  

Disclosure: Market risk

11.5.12 R  A firm must disclose its capital resources requirements separately for each risk referred to in (1), (2) and (3):

(1)  in respect of its trading-book business, its:

...  

(f)  concentration risk capital component; and [deleted]

...  

TP 2  Capital floors for a firm using the IRB approach

...  

<table>
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<tr>
<th>...</th>
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</thead>
</table>

How to apply IPRU

...  

2.26 R  [deleted]

2.27 G  The concentration risk capital component is the capital requirement for a firm that chooses to have trading book exposures that exceed the large exposure limits for the non-trading book. In most cases IPRU has a similar capital requirement. The purpose of BIPRU TP 2.26R is to allow a firm to calculate the amount of the excess trading book exposures for which it calculates the
| additional capital charge using **BIPRU 10** (Large exposures requirements) in order to avoid having to apply the **IPRU** large exposure requirements for this purpose only. [deleted] |
Annex H

Amendments to the Conduct of Business sourcebook (COBS)

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

1 Application

1.1 General application

... Structured deposits: further provisions ...

1.1.1AC R A third country investment firm and a MiFID optional exemption firm must also comply with the provisions of the MiFID Org Regulation which relate to the articles of MiFID referred to in COBS 1.1.1AR(2) 1.1.1AR(1), as modified by article 1(2) of the MiFID Org Regulation, when selling, or advising a client in relation to, a structured deposit.

1.1.1AD G The provisions of MiFID and the MiFID Delegated Directive referred to in COBS 1.1.1AR(2) 1.1.1AR(1) can be found in the chapters of COBS in the following table and are followed by a ‘Note:’.

... 3 Client categorisation ...

3.5 Professional clients ...

Per se professional clients

3.5.2 R Each of the following is a per se professional client unless and to the extent it is an eligible counterparty or is given a different categorisation under this chapter:

... (4) a national or regional government, including a public body that manages public debt at national or regional level, a central bank, an international or supranational institution (such as the World Bank, the IMF, the ECB, the EIB) or another similar international
organisation;

…

[Note: first paragraph of section I of annex II to MiFID]

…

10A Appropriateness (for non-advised services) (MiFID provisions)

…

10A.4 Assessing appropriateness: when it need not be done

10A.4.1 R …

(3) For the purposes of this rule, a third country market is considered to be equivalent to a regulated market if it is a market in relation to which the Commission has, at the request of a competent authority, adopted an affirmative equivalence decision in accordance with the requirements and procedure in article 4(1)(c) of Directive 2003/71/EC and the condition in article 4(1)(d) of Directive 2003/71/EC is satisfied 25(4) of MiFID.

[Note: article 25(4) of MiFID]
Annex I

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

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

7 Information about current account services

...  

7.3 Account opening information

...  

Information about how an account may be opened  

...  

7.3.4 G ...  

(3) If the firm publishes the information required by BCOBS 7.3.3R(1) to (3) on the same webpage as the other information which this chapter requires it to publish, the information required by BCOBS 7.3.3R(1) to (3) should appear below that other information (that is, below Tables 2 to 8 of Part 2 of BCOBS 7 Annex 1R).

...  

7.5 Availability of certain services and helplines

...  

7.5.6 G ...  

(3) In respect of BCOBS 7.5.1R and 7.5.2R, firms should complete Tables 2 and 3 in Part 2 of BCOBS 7 Annex 1R by: stating “24 hours” in the relevant cell; or setting out in the relevant cell the days and the times at which banking customers can carry out the relevant actions, and discuss the relevant actions and the relevant matters, by the relevant methods; or stating “not possible” in that cell if an action cannot be done or a matter cannot be discussed by a particular method. Firms may annotate the Table to indicate whether different times apply to bank holidays.

(4) In Tables 2 and 3, if contact details or opening hours differ between types of account, firms should either annotate the Table accordingly, or produce different copies of the Table for different types of account. And in Table 2, if the contact details for a particular matter differs from that given at the top of the relevant column for a particular method, firms should include the correct contact details for
the relevant matter in the relevant row of that column.

...

7.7 Publication of information about current accounts

How must information be published?

...

7.7.3 G ...

(2) A firm may publish the information required by BCObS 7.3.1R and BCObS 7.3.3R(1) to (3) on the same webpage as it publishes other information about the accounts in question (see BCObS 7.3.4G(2)). But the information which is to be published in the format of the other Tables in Part 2 of BCObS 7 Annex 1R should appear on one webpage (that is, one webpage for personal current accounts, and one for business current accounts) and in the order set out in that Part of that Annex.

...

TP 1 Transitional Provisions

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<tr>
<td></td>
<td>Material to which the transitional provision applies</td>
<td>Transitional provision</td>
<td>Transitional provision: dates in force</td>
<td>Handbook provision coming into force</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>BCObS 7.1.2R</td>
<td>G</td>
<td>The effect of TP 9 is that a firm that on 15 August 2018 has 70,000 or more personal current accounts, or 15,000 or more business current accounts, under one of its trading names, and which has had the requisite number of accounts since 1 February 2018, must comply with BCObS 7 from 15 August 2018. That means publishing, on 15 August 2018, the standing information</td>
<td>From 15 August 2018 to 30 September 2018</td>
<td>15 August 2018</td>
</tr>
</tbody>
</table>
required by *BCOBS 7.3.1R* and 7.3.3R(1) and (3) (account opening information), *BCOBS 7.5.1R* and 7.5.2R (information about the availability of certain services and helplines), *BCOBS 7.6.1R* (major operational or security incidents) and 7.6.3R (complaints). Providing the *firm* continues to have the requisite number of accounts, it will also have to publish its first information under *BCOBS 7.3.5R* and 7.4.1R no later than 15 February 2018 2019.

---

<table>
<thead>
<tr>
<th>13</th>
<th><em>BCOBS 7.3.5R</em> and 7.4.1R and <em>BCOBS 7 Annex 1R</em></th>
<th>R</th>
<th><em>Firms</em> are not obliged to publish information that relates to a current account measurement period ending before 1 October 2018. Accordingly, <em>firms</em> may omit Tables 7 and 8 of <em>BCOBS 7 Annex 1R</em> from the information they publish in respect of current account measurement periods ending before 1 October 2018.</th>
<th>From 15 August 2018 to 14 February 2019</th>
<th>15 August 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>
Annex J
Amendments to the Client Assets sourcebook (CASS)

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

6 Custody rules

...  

6.3 Depositing assets and arranging for assets to be deposited with third parties

...  

6.3.9 R CASS 6.3.6R 6.3.6AR does not permit a firm to agree to a third party having any recourse or right against client money in a client bank account or standing to the credit of a client transaction account of the kind referred to in:

...  

...
Annex K

Amendments to the Supervision manual (SUP)

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

Part 1: Comes into force 23 March 2018

3 Auditors

...

3.3 Appointment of auditors

...

3.3.2 R A firm to which this section applies (see SUP 3.1) must:

...

(2) notify the appropriate regulator, without delay, on the form in SUP 15 Ann 3 (Standing data Notification to amend firm details form), in accordance with the instructions on the form, when it is aware that a vacancy in the office of auditor will arise or has arisen, giving the reason for the vacancy;

...

(5) Notify the appropriate regulator of the appointment of an auditor, on the form in SUP 15 Ann 3 (Standing data Notification to amend firm details form), in accordance with the instructions on the form, advising the appropriate regulator of the name and business address of the auditor appointed and the date from which the appointment has effect.

...

13 Annex 1AR Passporting: Branch passport notifications and tied agent notifications under MiFID ITS 4A

This annex consists of only one or more forms. Forms can be completed online now by visiting: http://www.fca.org.uk/firms/being-regulated/passporting/notification-forms https://www.fca.org.uk/firms/connect for an FCA-authorised person.

...

[Editor’s note: The forms comprising SUP 13 Annex 1AR are amended as follows.]
Part 1: Notice of intention to establish a branch or change branch particulars in another EEA State in accordance with the Markets in Financial Instruments Directive (MiFID) (Branch passport notification)

### 3 Business Plan and structural organisation of the branch

<table>
<thead>
<tr>
<th></th>
<th>Organisational structure</th>
<th></th>
<th>Organisational structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Who Identify who will be responsible for the branch operations on a day-to-day basis? Provide details of the professional experience of the persons responsible for the management of the branch (Please attach CV(s)).</td>
<td>(c) Who Identify who will be responsible for the branch operations on a day-to-day basis?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Who Identify who will be responsible for the internal control functions at the branch?</td>
<td>(d) Who Identify who will be responsible for the internal control functions at the branch?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e) Who Identify who will be responsible for dealing with complaints in relation to the branch?</td>
<td>(e) Who Identify who will be responsible for dealing with complaints in relation to the branch?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(f) How Explain how will the branch report to the head office?</td>
<td>(f) How Explain how will the branch report to the head office?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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<tbody>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Systems &amp; controls</th>
<th></th>
<th>Systems &amp; controls</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Provide a brief summary of arrangements for:</td>
<td></td>
<td>Provide a brief summary of arrangements for:</td>
</tr>
</tbody>
</table>
(f) details the name, address and contact details of the accredited compensation scheme of which the investment firm is a member.

Part 2: Notice of intention to use a tied agent established in another EEA State or to amend the details of a tied agent established in another EEA State in accordance with the Markets in Financial Instruments Directive (MiFID) (tied agent passport notification)

<table>
<thead>
<tr>
<th>3 Business Plan and structural organisation of the tied agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business plan and structural organisation of the tied agent</td>
</tr>
<tr>
<td>(a) How will the tied agent contribute to the strategy of the firm/group? Explain how the tied agent will contribute to the strategy of the firm/group.</td>
</tr>
<tr>
<td>(b) What will the main functions of the tied agent be? Describe what the main functions of the tied agent will be.</td>
</tr>
<tr>
<td>...</td>
</tr>
<tr>
<td>3. Organisational structure</td>
</tr>
<tr>
<td>...</td>
</tr>
<tr>
<td>(c) Who Identify who will be responsible for the tied agent operations on a day-to-day basis? Provide details of the professional experience of the persons responsible for the management of the tied agent (Please attach CV(s)).</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>(d) Who Identify who will be responsible for the internal control functions at the tied agent?</td>
</tr>
<tr>
<td>(e) Who Identify who will be responsible for dealing with complaints in relation to the tied agent?</td>
</tr>
<tr>
<td>(f) How Identify how will the tied agent report to the head office?</td>
</tr>
</tbody>
</table>

4. Systems & controls

Provide a brief summary of arrangements for:

...
Part 3: Notice of the termination of the operation of a branch or cessation of the use of a tied agent established in another EEA State in accordance with the Markets in Financial Instruments Directive (MiFID)

...

2 Schedule for the planned termination

...

Information on the process of winding down the business operations, including details of how client interests are regarding the manner in which client interests are going to be protected, complaints resolved and any outstanding liabilities discharged:

...
15 Notifications to the FCA

...  

15 Annex 3R Standing data Notification to amend firm details form

This annex consists of one or more forms. Forms form can be completed online now by visiting the FCA’s website.

The forms are form is also to be found through the following address:
Standing Data Notification to amend firm details – SUP 15 Annex 3

[Editor’s note: This form is deleted in its entirety and replaced with an updated version. The changes to the form are limited to the updating of references from ‘standing data’ to ‘firm details’ and formatting changes to align the appearance of this form with other FCA paper forms.]
Notification to amend firm details
To update firm name and trading names, website address, accounting reference date, auditors, locum, contacts and addresses
SUP 15 Annex 3R – Notifications under SUP 16.10

Firm name

Firm reference number

Address

Please return the form, marked for the attention of the Customer Contact Centre to:
Financial Conduct Authority
25 The North Colonnade
Canary Wharf
London E14 5HS
United Kingdom

Telephone +44 (0) 7066 1000
Facsimile +44 (0) 7066 1099

Registered as a Limited Company in England and Wales No 1920623. Registered Office as above.
This form should be used to update your firm name and trading name(s), website address, accounting reference date, auditors, locum, contacts and addresses.
## Personal Details

### 1.1 Contact Name for this notification

---

### 1.2 Contact Details

<table>
<thead>
<tr>
<th>Position in the firm</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Daytime telephone number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
<tr>
<td>Individual reference number (IRN), if applicable</td>
<td></td>
</tr>
</tbody>
</table>
Change Full Name of Firm

If you wish to advise the FCA or PRA of a change to the firm's name please enter the following details, otherwise proceed to Section 3.

Note: this section is not intended to be used by firms that are covered by Industrial & Provident, Friendly Society, Credit Union or Building Society legislation. These firms should contact the FCA’s Mutuals Team.

2.1 Current Legal Status
- Private Limited Company
- Public limited company
- Limited Liability Partnership
- Limited partnership
- Sole trader
- Unlimited Liability Company
- Partnership
- Other: Please specify below

2.2 New full name of firm

2.3 Please enter the date on which the change becomes effective

2.4 Has the change requested been approved by Companies House?
- Yes
- No
- N/A

If your firm is a UK registered limited company (including PLC), limited partnership (if registered at Companies House), limited liability partnership or unlimited liability company, you should only make a change to your firm name if the change has already been approved by Companies House.

If you have answered 'Not Applicable', please explain why below.

2.5 I confirm that the change requested does not constitute a change of legal status.
- Yes
Add New Trading Name(s)
If you wish to add a new trading name of the firm please enter the following details, otherwise please proceed to Section 3b.

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 

New Trading Name

Please enter the date on which the change becomes effective
/ / 
Delete Current Trading Name(s)

If you wish to delete a trading name of the firm please enter the following details, otherwise please proceed to Section 4.

Trading name to be deleted

Please confirm when the trading name must cease

I confirm that the above trading name will not be used by the firm from the date indicated above

Yes

Trading name to be deleted

Please confirm when the trading name must cease

I confirm that the above trading name will not be used by the firm from the date indicated above

Yes

Trading name to be deleted

Please confirm when the trading name must cease

I confirm that the above trading name will not be used by the firm from the date indicated above

Yes

Trading name to be deleted

Please confirm when the trading name must cease

I confirm that the above trading name will not be used by the firm from the date indicated above

Yes
4. Change Contact Details

If you wish to change the contact details of the Complaints Officer or Primary Compliance Contact please enter the following details, otherwise please proceed to Section 5.

Please note that this will not change your approved person records. If you want to change these records, please complete the appropriate Approved Persons Form.

4.1 Please indicate which contact this change applies to. If you wish to change the details for both please copy this form and record the details for each on separate forms, unless the details are the same.

- Complaints Officer
- Primary Compliance Contact

<table>
<thead>
<tr>
<th>Title</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Forename(s)</td>
<td></td>
</tr>
<tr>
<td>Surname</td>
<td></td>
</tr>
<tr>
<td>Job title</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
<tr>
<td>Phone number. This must be a direct dialled number.</td>
<td></td>
</tr>
<tr>
<td>Fax number</td>
<td></td>
</tr>
</tbody>
</table>

4.2 Please enter the date on which the change becomes effective

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>

Address

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>

Postcode

4.3 If you would also like the contact details of the following to be changed, please tick the appropriate boxes. This will amend the contact details in line with the changes recorded above.

- Complaints Contact
- Primary Compliance Contact
5.1 Please indicate which of the following this change applies to. If you wish to change the details for more than one of the following please copy this form and record the details for each on separate forms, unless the details are the same.

- [ ] Registered Office
- [ ] Principal Place of Business
- [ ] Billing Address
- [ ] Publication Address
- [ ] Head Office
- [ ] CIS UK Facilities Address
- [ ] Motor claims representative
- [ ] UK Branch Address

5.2 Please enter the new address details

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Postcode</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Fax number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

5.3 Please enter the date on which the change becomes effective

\[ / / \]

5.4 Contact Address Details

- [ ] Complaints Address
- [ ] Principal Compliance Address
5.5 Please indicate which of the following this change applies to. If you wish to change the details for more than one of the following please copy this form and record the details for each on separate forms, unless the details are the same.

- ☐ 3rd Party Administration
- ☐ Actuary
- ☐ Customer Services
- ☐ EEA Branch Address
- ☐ Firm Association Branch
- ☐ Professional Advisor

5.6 Please enter the new address details

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Postcode</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Fax number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

5.7 Please enter the date on which the change becomes effective

[ ] / [ ] / [ ]
6.1 Please enter the following details to change your accounting reference date

Current Accounting Reference Date (dd/mm)

New Accounting Reference Date (dd/mm)

6.2 What accounting periods will result from the change? The new accounting reference date that you have entered could result in several different periods depending on whether you want to extend or reduce your periods and which period is the first period affected.

Although the FCA or PRA may accept accounting periods of up to 18 months, SUP 16.3.18G advises firms that accounting periods longer than 15 months may be deemed unacceptable as this may hinder the timely provision of relevant and important information to the FCA or PRA. If a firm wishes to have an accounting period of longer than 18 months (sole traders and certain partnerships), the firm must apply to the FCA in writing.

Please detail the start and end dates for the current accounting period and the two following periods below:

Current Period
From
To

Next Period
From
To

Next Period 2
From
To

Note the change that you have requested will result in a change to your reporting timetable.

I confirm the change requested above and that it is correctly represented by the accounting periods listed.
7 Change of Website Address

7.1 Please enter the new website address (format – www.fca.org.uk)
8 Change Auditor Details

8.1 Please enter the following details to change your Auditor’s details

<table>
<thead>
<tr>
<th>Firm name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Postcode</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Fax Number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

8.2 Effective date

__/__/__/
9.1 Please enter the following details to change your Locum’s details

<table>
<thead>
<tr>
<th>Title</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Forename(s)</td>
<td></td>
</tr>
<tr>
<td>Surname</td>
<td></td>
</tr>
<tr>
<td>Firm name</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Postcode</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Fax Number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

9.2 Effective date

☐/☐/☐
10 Declaration and signatures

Warning
Knowingly or recklessly giving the FCA or PRA information, which is false or misleading in a material particular, may be a criminal offence (sections 398 and 400 of the Financial Services and Markets Act 2000). SUP 15.6.4R requires an authorised person to take reasonable steps to ensure the accuracy and completeness of information given to the FCA or PRA and to notify the FCA or PRA immediately if materially inaccurate information has been provided. Contravention of these requirements may lead to disciplinary sanctions or other enforcement action by the FCA or PRA. It should not be assumed that information is known to the FCA or PRA merely because it is in the public domain or has previously been disclosed to the FCA or PRA or another regulatory body. If you are not sure whether a piece of information is relevant, please include it anyway.

Data Protection
For the purposes of complying with the Data Protection Act, the personal information in this form will be used by the Financial Conduct Authority and the Prudential Regulation Authority to discharge their statutory functions under the Financial Services and Markets Act 2000 and other relevant legislation. It will not be disclosed for any other purposes without the permission of the applicant.

Declaration
By submitting this notification form:

• I/we confirm that the information contained in this form is accurate and complete to the best of my knowledge and belief and that I have taken all reasonable steps to ensure that this is the case.

• I am/we are aware that it is a criminal offence knowingly or recklessly to give the FCA or PRA information that is false or misleading in a material particular.

• I/we confirm that, for those questions that do not require supporting evidence, the records which demonstrate the firm’s compliance with the rules in relation to the questions will be available to the FCA or PRA on request.

• I/we will notify the FCA or PRA immediately if there is a significant change to the information given in the form. If I/we fail to do so, this may result in enforcement action.
<table>
<thead>
<tr>
<th>Signature one</th>
<th>Signature two</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name</strong>¹</td>
<td></td>
</tr>
<tr>
<td><strong>Position</strong>²</td>
<td></td>
</tr>
<tr>
<td><strong>Individual Reference Number (IRN)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Signature</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Date</strong></td>
<td><strong>dd/mm/yy</strong></td>
</tr>
<tr>
<td></td>
<td><strong>dd/mm/yy</strong></td>
</tr>
</tbody>
</table>

¹ For a sole trader, the signature of the principal is required.
For a limited company, the signature of two directors or one director and the company secretary is required.

² For a partnership, the signature of at least one partner is required. e.g. director, partner or sole trader.
16 Reporting requirements

... 

16.3 General provisions on reporting

... 

16.3.2 G This chapter has been split into the following sections, covering:

... 

(7) Verification of standing data firm details (SUP 16.10); 

... 

16.3.17 R ... 

(4) SUP 16.10.4AR to SUP 16.10.4CG (Requirement to check the accuracy of standing data firm details and to report changes to the FCA) apply to any notification made under (1).

... 

16.10 Verification of standing data firm details

... 

16.10.2 G Standing data firm details are used by the FCA: 

... 

16.10.3 G In view of the importance attached to standing data firm details, and the consequences which may result if they are wrong, this section provides the framework for a firm to check and correct them.

Requirement to check the accuracy of standing data and to report changes to the FCA 

16.10.4 R (1) Within 30 business days of its accounting reference date, a firm must check the accuracy of its standing data firm details through the relevant section of the FCA website;

... 

(3) If any standing data firm details are incorrect, the firm must submit the corrected standing data firm details to the FCA using the appropriate form set out in SUP 15 Ann 3 and in accordance with SUP 16.10.4AR.
Amend the following as shown.

Part 2: Comes into force 1 April 2018
Part 2

6. If the answer to question 5 is yes, please state below

- how much of your annual income reported in 3A (life distribution and pensions intermediation) or 4A (investment intermediation) in Part 1 of this section derives from business you have carried out in respect of each category of enhanced reporting investments (as applicable), and

Section J: Data required for calculation of fees

<table>
<thead>
<tr>
<th>General insurance mediation distribution</th>
<th>FCA Annual Income (£s)</th>
<th>FOS Relevant Annual Income (£s)</th>
<th>FSCS Annual Eligible Income (£s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life distribution and pensions intermediation</td>
<td>…</td>
<td>…</td>
<td>…</td>
</tr>
</tbody>
</table>
Annex L

Amendments to the Compensation sourcebook (COMP)

In this Annex, underlining indicates new text.

6 Relevant persons and successors in default

...

6.3 When is a relevant person in default?

...

6.3.2 R The FSCS (or, where COMP 6.3.1R(2)(a) applies, the FCA) may determine a relevant person to be in default when it is, in the opinion of the FSCS (or the FCA):

(1) unable to satisfy protected claims against it; or
(2) likely to be unable to satisfy protected claims against it.

...

6.3A When is a successor in default?

...

6.3A.2 R The FSCS (or, where COMP 6.3A.1R(1)(b)(i) applies, the FCA) may determine a successor to be in default when it is, in the opinion of the FSCS (or the FCA):

(1) unable to satisfy protected claims against it; or
(2) likely to be unable to satisfy protected claims against it.

...
1.4 MIFID 2 technical standards and delegated acts

1.4.1 MiFID 2 also requires the Commission, in certain places, to adopt technical standards, submitted by ESMA. These technical standards, which take the form of regulatory technical standards or implementing technical standards, are, as their names suggest, technical in nature and according to articles 10 and 1546 of the ESMA regulation (1093/2010/EU) (see http://eur-lex.europa.eu/eli/reg/2010/1093/oj http://data.europa.eu/eli/reg/2010/1095/oj) ‘… shall not imply strategic decisions or policy choices … and their content shall be delimited by the legislative acts on which they are based’.

2.8 Other firms- Collective portfolio management firms and authorised professional firms

This short summary focuses only on MiFID II transposition and not obligations arising under other single market legislation

2.8.1 A collective portfolio management investment firm (‘CPMI’) is a firm which is subject to authorisation under UCITS or MiFID AIFMD which does MiFID business, in accordance with article 6 UCITS directive or article 6 AIFMD.