Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of and/or under:

   (1) section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000 ("the Act"); and

   (2) the following provisions in the Financial Services and Markets Act 2000 (Securitisation) Regulations 2018:

      (a) regulation 9 (Statements of policy); and
      (b) paragraph 1 of Schedule 1 (Application of sections 66 to 70 of the Act).

Commencement

B. This instrument comes into force on 6 June 2019.

Amendments to the Handbook

C. The Decision Procedure and Penalties manual (DEPP) is amended in accordance with Annex A to this instrument.

Material outside the Handbook

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

Citation

E. This instrument may be cited as the Enforcement (EU Securitisation Regulation) (No 2) Instrument 2019.

By order of the Board
30 May 2019
Annex A

Amendments to the Decision Procedure and Penalties manual (DEPP)

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

2 Statutory notices and the allocation of decision making

…

2 Annex Warning notices and decision notices under the Act and certain other enactments

…

<table>
<thead>
<tr>
<th>UK Securitisation Regulations</th>
<th>Description</th>
<th>Handbook reference</th>
<th>Decision maker</th>
</tr>
</thead>
<tbody>
<tr>
<td>…</td>
<td>…</td>
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<tr>
<td>Paragraph 1 of Schedule 1</td>
<td>when the FCA is proposing or deciding to take action against an individual by exercising the disciplinary powers conferred by section 66*, to publish a statement or impose a financial penalty as applied by paragraph 1 of schedule 1</td>
<td></td>
<td>RDC</td>
</tr>
<tr>
<td>Paragraph 4 of Schedule 1</td>
<td>when the FCA is proposing or deciding to publish a statement (under section 205), or impose a financial penalty (under section 206), or suspend a permission or impose a restriction in relation to the carrying on of a regulated activity (under section 206A) as applied by paragraph 4 of schedule 1.</td>
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<td>RDC</td>
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Annex B

Amendments to the Enforcement Guide (EG)

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

19.38 UK Securitisation Regulations

…

19.38.4 The regulatory powers which the UK Securitisation Regulations provide to the FCA include the power:

…

(6) to require restitution; and

(7) to impose temporary prohibitions on individuals holding management functions; and

(8) to impose a suspension, condition, limitation or other restriction.