

**APPLICATION FEES (AMENDMENT) INSTRUMENT 2022****Powers exercised**

- A. The Financial Conduct Authority (“the FCA”) makes this instrument in the exercise of the powers and related provisions in or under:
- (1) the following powers and related provisions of the Financial Services and Markets Act 2000 (“the Act”)
    - (a) section 73A (Part 6 Rules);
    - (b) section 137A (The FCA’s general rules)
    - (c) section 137T (General supplementary powers);
    - (d) section 139A (Power of the FCA to give guidance);
    - (e) section 234 (industry funding); and
    - (f) paragraph 23 (Fees) of Part 3 (Penalties and Fees) of Schedule 1ZA (The Financial Conduct Authority) of the Act;
  - (2) regulation 118 (Costs of supervision) of the Payment Services Regulations 2017 (SI 2017/752);
  - (3) regulation 59 (Costs of supervision) of the Electronic Money Regulations 2011 (SI 2011/99);
  - (4) regulation 46 and paragraph 5 of Schedule 1(Fees) in the Regulated Covered Bond Regulations 2008 (SI 2008/346);
  - (5) article 25(a) (Application of the Act to the FCA in respect of its supervision of consumer buy-to-let mortgage firms) of the Mortgage Credit Directive Order 2015 (SI 2015/910);
  - (6) regulation 40 (FCA: penalties, fees and exemption from liability in damages) of the Data Reporting Services and Regulations 2017 (SI 2017/699);
  - (7) section 27 of the Financial Guidance and Claims Act 2018;
  - (8) regulation 26 of the Financial Services and Markets Act (2000) (Benchmarks) Regulations 2018 (SI 2018/135);
  - (9) regulation 40 (FCA: penalties, fees and exemption from liability in damages) of the Data Reporting Services Regulations 2017 (SI 2017/699);
  - (10) paragraph 25 of Schedule 1 of the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations (SI 2017/701);
  - (11) regulation 21 of the Small and Medium Sized Business (Credit Information) Regulations 2015 (SI 2015/1945);

- (12) regulation 18 of the Small and Medium Sized Business (Finance Platforms) Regulations 2015 (SI 2015/1946); and
  - (13) paragraph 11 (Penalties and fees) of Schedule 1 and paragraph 4(7) of Schedule 2 of the Securitisation Regulations 2018 (SI 2018/1288).
- B. The rule-making powers referred to above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

**Commencement**

- C. This instrument comes into force on 27 May 2022.

**Notes**

- D. In this instrument, notes shown as “**Note:**” and “*Editor’s note:*” are intended for the convenience of the reader but do not form part of the legislative text.

**Amendments to the Handbook**

- E. The Fees manual (FEES) is amended in accordance with the Annex to this instrument.

**Citation**

- F. This instrument may be cited as the Application Fees (Amendment) Instrument 2022.

By order of the Board  
28 April 2022

**Annex**

**Amendments to the Fees manual (FEES)**

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

**3 Application, Notification and Vetting Fees**

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**3.2 Obligation to pay fees**

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3.2.7 R Table of application, notification, vetting and other fees payable to the FCA

Part 1A: Application, notification and vetting fees		
(1) Fee payer	(2) Fee payable (£) by reference to the pricing category in <i>FEES 3 Annex 1AR</i> .	Due date
...		
(f) ... <u>(vi) Applications in respect of controlled functions under the Senior Managers and Certification Regime (SMCR), including applications by principal firms in respect of SMCR functions in appointed representatives.</u>	Pricing category applicable to the application or notification set out in <i>FEES 3 Annex 15R</i> .	As specified in <i>FEES 3 Annex 15R</i>
...		

...

**3 Annex FCA Transaction Fees  
15R**

	Application type	Pricing category in FEES 3 Annex 1	Due date
...			
5	Validation Orders		
...			
6	<u>Applications in respect of controlled functions under the Senior Managers and Certification Regime (SMCR) and applications by <i>principal firms</i> in respect of <i>controlled functions</i> for <i>appointed representatives</i> (CF(AR)), using the <i>Long Form A</i>, provided the application does not form part of an application for <i>authorisation</i>, <i>variation of permission</i> or <i>registration of an appointed representative</i>.</u>	<u>1</u>	<u>On or before the date the application is made</u>