

**RETAIL DISTRIBUTION REVIEW (MISCELLANEOUS AMENDMENTS)
INSTRUMENT 2016**

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of:
- (1) the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
 - (a) section 137A (The FCA’s general rule-making power);
 - (b) section 137T (General supplementary powers);
 - (c) section 139A (Power of the FCA to give guidance);
 - (2) article 15 (Record-keeping and reporting requirements relating to relevant complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Ombudsman Scheme and Complaints Scheme) Order 2001 (SI 2001/2326); and
 - (3) the other powers 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 Act.

Commencement

- C. This instrument comes into force as follows:
- (1) Part 2 of Annex A (TC) and Part 2 of Annex B (SUP) come into force on 31 December 2016;
 - (2) the remainder of this instrument comes into force on 7 March 2016 immediately after the relevant parts of the Individual Accountability Instrument 2015 and Individual Accountability (Solvency II and Consequentials) Instrument 2015 come into force.

Amendments to the Handbook

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

(1)	(2)
Training and Competence sourcebook (TC)	Annex A
Supervision manual (SUP)	Annex B
Dispute Resolution: Complaints sourcebook (DISP)	Annex C

Citation

- E. This instrument may be cited as the Retail Distribution Review (Miscellaneous Amendments) Instrument 2016.

By order of the Board
25 February 2016

Annex A

Amendments to the Training and Competence sourcebook (TC)

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

Part 1: Comes into force 7 March 2016

The form (the Retail Investment Adviser Competence Notification Form) referred to in TC 2.1.33G is deleted and is replaced with the following new form. The deleted text is not shown and the new text is not shown underlined.

**Retail Investment Adviser –
Competence Notification Submission Form**



This form must be sent back to: RIAnotifications@fca.org.uk

Firm details				
Firm details		Firm Reference Number (FRN)		
Person making notification				
Name		Individual Reference Number (IRN) (where applicable)		
Position in firm				
Contact telephone number				
Contact email address				
Retail Investment Adviser				
Name		Individual Reference Number (IRN) (where applicable)		
or, if Retail Investment Adviser has no IRN:				
Date of birth				
National Insurance (NI) Number				
or, if Retail Investment Adviser has no NI number:				
Passport number				
Nationality				
Nature of notification		Number of events	Date(s) occurred	Date(s) closed
(1)	a retail investment adviser, who has been assessed as competent for the purposes of TC 2.1.1R, is no longer considered competent for the purposes of TC 2.1.1R;			
(2)	a retail investment adviser has failed to attain an appropriate qualification within the time limit prescribed by TC 2.2A.1R(1);			
(3)	a retail investment adviser has failed to comply with a <i>Statement of Principle</i> in carrying out their <i>controlled function</i> or has failed to comply with <i>COCON</i> (as applicable); and			
(4)	a retail investment adviser has performed an activity in TC Appendix 1 before having demonstrated the necessary competence for the purposes of TC 2.1.1R and without appropriate supervision.			
Please provide full information relating to the breach(es) highlighted above				
Please provide information about any steps that you have taken or intend to take to rectify the position or prevent any future potential occurrence:				

Amend the following as shown.

2.2B Reporting requirements

...

Content of the report

2.2B.4 R The report must contain professional standards data as follows:

- (1) ...
- (2) the names ~~and, where applicable, Individual Reference Numbers~~ of the *firm's employees* who are *retail investment advisers*, including trainees;
- (2A) the following information in respect of the *employees* in (2):
 - (a) the *employee's* Individual Reference Number (IRN); or
 - (b) in the case of an *employee of a relevant authorised person who is performing an FCA-specified significant harm function and has no IRN:*
 - (i) the *employee's* National Insurance (NI) number and date of birth; or
 - (ii) if the *employee* has no NI number, the *employee's* date of birth, current passport number and nationality;
- ...
- (4) if a *retail investment adviser* has not attained an appropriate qualification, the date on which the *employee* began to carry on the activity of a *retail investment adviser*; ~~and~~
- (5) the name of the *accredited body* used for the purposes of TC 2.1.27R; and
- (6) whether the *firm* has assessed a *retail investment adviser* as competent for the purposes of TC 2.1.1R.

...

App 8.1 Professional Standards Data Submission Form

This form (the Professional Standards Data Submission Form) is deleted and is replaced with the following new form. The deleted text is not shown and the new text is not shown underlined.

App
8.1.1

R The Professional Standards Data Submission Form approved by the *FCA* for notifications under *TC 2.2B.3R* may be found at the *FCA's* website

<https://www.the-fca.org.uk/retail-distribution-review-rdr-reporting-requirements>

App 8.1 Professional Standards Data Submission Form

(Illustration of online reporting requirements)



Professional Standards Data

Please note, pasting into the form may cause validation errors and you may have to resubmit your data

Firm Name	<i>Mandatory</i>
Firm FRN	<i>Mandatory</i>
Submitter Forename	<i>Mandatory</i>
Submitter Surname	<i>Mandatory</i>
Submitter IRN	<i>Optional</i>
Submitter Position	<i>Mandatory</i>
Submitter Email	<i>Mandatory</i>
Telephone Number	<i>Mandatory</i>

Version 2.0

Validation

INVALID - not ready to submit

Form must be submitted to the following email address after indicator above is green
RDPSData@fca.org.uk

For further information please visit:

<https://www.the-fca.org.uk/retail-distribution-review-rdr-reporting-requirements>

If a retail investment adviser has no IRN, please submit their date of birth and NI number. If the adviser has no NI number, please provide their date of birth, passport number and nationality.

RIA Forename	RIA Surname	RIA IRN	RIA DOB	RIA NI Number	RIA Passport Number	RIA Nationality	Qualification Status	Accredited Body	Activity Start Date	Firm assessed Retail Investment Adviser as Competent (YES/NO)

Sch 2 Notification requirements

Sch 2.1 G

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
...				
TC 2.2B.3R	Notifications - professional standards data	<p>(1) The <i>firm's</i> name and Firm Reference Number;</p> <p>(2) the names and Individual Reference Numbers of the <i>firm's employees</i> who are <i>retail investment advisers</i>, including trainees;</p> <p><u>(2A) the following information in respect of the employees in (2):</u></p> <p><u>(a) the employee's Individual Reference Number (IRN); or</u></p> <p><u>(b) in the case of an employee of a relevant authorised person who is performing an FCA-specified significant harm function and has no IRN:</u></p> <p><u>(i) the employee's National Insurance (NI) number and date of birth; or</u></p> <p><u>(ii) if the employee has no NI number, the employee's date of birth, current passport number and nationality;</u></p> <p>(3) whether a <i>retail investment adviser</i> has attained an appropriate qualification;</p> <p>(4) if a <i>retail investment adviser</i> has not attained an appropriate qualification, the date on which the <i>employee</i></p>	The end of each quarter.	Within 20 <i>business days</i> of the end of the quarter, unless TC 2.2B.3R(3) applies.

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
		<p>began to carry on the activity of a <i>retail investment adviser</i>; and</p> <p>(5) the name of the <i>accredited body</i> used for the purposes of <i>TC 2.1.27R</i>; and</p> <p>(6) whether the <i>firm</i> has <u>assessed a <i>retail investment adviser</i> as competent for the purposes of <i>TC 2.1.1R</i>.</u></p>		

Part 2: Comes into force 31 December 2016

2.2B Reporting requirements [deleted]

~~Application~~

- ~~2.2B.1 R This section applies to a *firm* with *employees* that are *retail investment advisers*.~~

~~Purpose~~

- ~~2.2B.2 G (1) The purpose of this section is to set out the requirement for *firms* which employ *retail investment advisers* to notify each individual *retail investment adviser's* professional standards data to the *FCA*.~~
- ~~(2) The purpose of collecting this data is to assist the *FCA* in the ongoing supervision of *firms* which employ *retail investment advisers* and to enable the *FCA* to gain an understanding of the professional development of individual *retail investment advisers* in the interests of protecting customers.~~

~~Reporting requirement~~

- ~~2.2B.3 R (1) A *firm* must submit a report (the 'data report') to the *FCA* containing the information required by *TC 2.2B.4R* quarterly, within 20 *business days* of the end of the quarter, unless (3) applies.~~
- ~~(2) The reporting periods are the four calendar quarters of each year beginning on 1 January.~~
- ~~(3) A *firm* need not submit a data report if no changes have occurred in relation to the information submitted by the *firm* in its previous~~

report.

- (4) A *firm* may submit a data report more frequently than quarterly if it wishes.

Content of the report

- 2.2B.4 R The report must contain professional standards data as follows:
- (1) the *firm's* name and Firm Reference Number;
 - (2) the names of the *firm's employees* who are *retail investment advisers*, including trainees;
 - (2A) the following information in respect of the *employees* in (2):
 - (a) the *employee's* Individual Reference Number (IRN); or
 - (b) in the case of an *employee* of a *relevant authorised person* who is performing an *FCA-specified significant harm function* and has no IRN:
 - (i) the *employee's* National Insurance (NI) number and date of birth; or
 - (ii) if the *employee* has no NI number, the *employee's* date of birth, current passport number and nationality;
 - (3) whether a *retail investment adviser* has attained an appropriate qualification;
 - (4) if a *retail investment adviser* has not attained an appropriate qualification, the date on which the *employee* began to carry on the activity of a *retail investment adviser*;
 - (5) the name of the *accredited body* used for the purposes of *TC 2.1.7R*; and
 - (6) whether the *firm* has assessed a *retail investment adviser* as competent for the purposes of *TC 2.1.1R*.
- 2.2B.5 R The data report must comply with the provisions of *TC Appendix 8R*.
- 2.2B.6 R A *firm* must submit the data report to the *FCA* electronically in a standard format prescribed by the *FCA*.
- 2.2B.7 R A data report will not have been submitted to the *FCA* in accordance with *TC 2.2B.6R* unless all mandatory data reporting fields (as set out in *TC Appendix 8R*) have been completed correctly and the report has been accepted by the relevant *FCA* reporting system.

...

TC Appendix 8 (Professional Standards Data Submission Form) is deleted in its entirety. The deleted text is not shown.

App 8.1 Professional Standards Data Submission Form [deleted]

[*Editor's Note:* This Appendix was amended in Part 1 of this Annex and the amended Appendix, which is now to be deleted, is set out there.]

Amend the following as shown.

Sch 2 Notification requirements

Sch 2.1 G

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
...				
TC 2.2B.3R	Notifications— professional standards data	<p>(1) The <i>firm's</i> name and Firm Reference Number;</p> <p>(2) the names of the <i>firm's</i> employees who are <i>retail investment advisers</i>, including trainees;</p> <p>(2A) the following information in respect of the employees in (2):</p> <p>(a) the <i>employee's</i> Individual Reference Number (IRN); or</p> <p>(b) in the case of an <i>employee of a relevant authorised person who is performing an FCA specified significant harm function and has no IRN</i>;</p> <p>(i) the <i>employee's</i> National Insurance (NI) number and date of birth; or</p> <p>(ii) if the <i>employee</i> has no NI number, the <i>employee's</i> date of birth, current passport number and nationality;</p> <p>(3) whether a <i>retail investment adviser</i> has attained an appropriate qualification;</p> <p>(4) if a <i>retail investment adviser</i> has not attained an appropriate qualification, the</p>	The end of each quarter.	Within 20 <i>business days</i> of the end of the quarter, unless <i>TC 2.2B.3R(3)</i> applies.

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
		<p>date on which the <i>employee</i> began to carry on the activity of a <i>retail investment adviser</i>;</p> <p>(5) the name of the <i>accredited body</i> used for the purposes of <i>TC 2.1.27R</i>; and</p> <p>(6) whether the <i>firm</i> has assessed a <i>retail investment adviser</i> as competent for the purposes of <i>TC 2.1.1R</i>.</p>		

Annex B**Amendments to the Supervision manual (SUP)**

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

Part 1: Comes into force on 7 March 2016

The form (Form G: The Retail Investment Adviser Complaints Alerts Form) referred to in SUP 15.12.1R is deleted and is replaced with the following new form. The deleted text is not shown and the new text is not shown underlined.

**15 Annex 8R Form G: The Retail Investment Adviser Complaints Alerts
Notifications Form**



Form G: Retail Investment Adviser Complaints Notifications Form

Version 2.0

Please note, pasting into the form may cause validation errors and you may have to resubmit your data

	Validation
Firm Name	<i>Mandatory</i>
Firm FRN	<i>Mandatory</i>
Submitter Forename	<i>Mandatory</i>
Submitter Surname	<i>Mandatory</i>
Submitter IRN	<i>Optional</i>
Submitter Position	<i>Mandatory</i>
Submitter Email	<i>Mandatory</i>
Telephone Number	<i>Mandatory</i>

INVALID - not ready to submit

Form must be submitted to the following email address after indicator above is green

RDRFormG@fca.org.uk

For further information please visit:

<https://www.the-fca.org.uk/retail-distribution-review-rdr-reporting-requirements>

RIA Forename	<i>Mandatory</i>
RIA Surname	<i>Mandatory</i>
RIA IRN	<i>Mandatory if IRN has been issued previously</i>

If a retail investment adviser has no IRN, please submit their date of birth and NI number. If the adviser has no NI number, please provide their date of birth, passport number and nationality.

RIA DOB	
RIA NI Number	
RIA Passport Number	
RIA Nationality	

Complaint Number	Subject of Complaint	Subject Code	Redress paid exceeds £50,000	Date Upheld

Part 2: Comes into force 31 December 2016

16 Annex 18AR Retail Mediation Activities Return ('RMAR')

SUP 16 Annex 18A Section G (Training and Competence) is deleted and is replaced with the following new text. The deleted text is not shown and the new text is not shown underlined.

SUP 16 Annex 18AR

Section G: Training & Competence

General Information

	A	B	C	E	D
	Advising on mortgages	Advising on non-investment insurance (retail customers)	Advising on retail investment products	Advising on second (and subsequent) charge mortgages	Total
17	Did the firm do any of the following activities during the reporting period?				
1	Total number of employees at the firm as at the end of the reporting period				
2	Of which:				
26	Number of employees that give advice in each area				
3	Number of individual advisers employed by the firm				
4	Number of employees that supervise others to give advice in each area				
27	Number of individual employees with supervisory responsibilities				
5	Number of advisers assessed as competent by the firm in each area				
30	Number of advisers assessed as competent in one or more areas				
18	Number of fully qualified advisers				
19	Number of advisers holding a valid Statement of Professional Standing (SPS)				
6	Number of advisers that hold an appropriate qualification in each area				
29	Number of individual advisers holding at least one appropriate qualification				
25	Number of employees that left the firm during the reporting period				
7	Number of advisers that left the firm during the reporting period				
28	Number of individual advisers that left the firm during the reporting period				

Non-investment insurance (retail customers)

	A	B	C
20	Fair analysis of the market	Restricted - Multi-Tie	Restricted - Single-Tie

Mortgages (and second and subsequent charge mortgages)

	A	B	C	D
21	Independent (Whole of Market plus option of fee only)	Whole of Market (without fee-only option)	Restricted - Multi-tie	Restricted - Single-tie
22	What types of second (and subsequent) charge mortgage advice were provided by the firm in the reporting period?			

Retail Investment Advice

	A	B	C	D	E	F	G	H	I	J	K	L
23	Independent	Restricted										
14	Clawed back commission by:		Number									
14			Value									

Professional Standards Data

24 Please provide the following information for each of the firm's retail investment advisers employed by the firm at the end of the reporting period:

Adviser ID						Adviser Qualification					
Last Name	First Name	IRN	N Number	Date of Birth	Passport Number	Nationality	Part Qualified Y/N	Fully Qualified Y/N	Accredited Body	Activity Start Date	SPS Start Date

16 Annex 18BG Notes for Completion of the Retail Mediation Activities Return ('RMAR')

...

Section G: Training & Competence ('T&C')

Note: *Home purchase* and *reversion activity* should be included under the ~~existing mortgage headings~~ 'advising on mortgages' heading in this section of the RMAR.

...

Section G: guide for completion of individual fields

General information

17	<u>Did the <i>firm</i> do any of the following activities during the reporting period?</u>	<u>Indicate whether the <i>firm</i> undertook any of the stated activities by selecting “Y” or “N” for each of the columns.</u>
1	Total number of all <u>staff employees at the <i>firm</i> as at the end of the reporting period</u>	This should be the total number of <u>staff employees</u> that worked for the <i>firm</i> as at the end of the reporting period. Therefore, employees <u>employees</u> that may have advised <u>worked for the <i>firm</i></u> during the period but were not employed as at the end date should not be included.
Of which:		
2	Number of <u>staff employees</u> that give advice <u>in each area</u>	‘Advice’ is given where the sale of a product is based on a recommendation given to the <i>customer</i> on the merits of a particular product. If <u>staff employees</u> advise in relation to more than one business type (i.e. home finance transaction <u>advising on mortgages</u> , <u>advising on non-investment insurance</u> non-investment insurance contracts , <u>advising on retail investment products</u> retail investment products or <u>advising on second (and subsequent) charge mortgages</u>), they should be counted in each applicable field. The ‘total’ in the right hand column field should be the actual number of applicable employees, however, rather than a total of the three columns. Note: in relation to advising on <u>non-investment insurance</u> non-investment insurance contracts , this total should not include employees that do not advise <i>retail customers</i> . <u>Each area should be considered to refer to the four business types in the form.</u>
26	Number of individual advisers <u>employed by the <i>firm</i></u>	<u>The total should be the actual number of individual advisers employed by the <i>firm</i>, regardless of whether they advise in one or more areas.</u>
3	Number of <u>staff employees</u> that give advice (Full time <u>equivalent FTE</u>)	This should be the same data as above, but expressed in ‘full time equivalent’ terms; ; e.g. <u>E.g.</u> if the <i>firm</i> firm has 20 part time <u>staff employees</u> that work 50% of normal hours, the figure would be 10.

<u>4</u>	Number of <u>staff employees</u> that supervise others to give advice <u>in each area</u>	<p>Note the requirements in the Training & Competence Sourcebook (<i>TC 2.1.2R, TC 2.1.3G, TC 2.1.4G and TC 2.1.5R</i>) for <u>employees employees</u> to be appropriately supervised, and also the competencies that are required for those who supervise others.</p> <p>If any of these <u>staff employees</u> carries out supervisory activities in relation to more than one business type, they should be counted in each applicable field.</p> <p>The ‘total’ in the right hand column field should be the actual number of applicable employees, however, rather than a total of the three columns.</p> <p><u>Each area should be considered to refer to the four business types in the form.</u></p>
<u>27</u>	<u>Number of individual employees with supervisory responsibilities</u>	<u>The total should be the actual number of individual supervisors at the firm, regardless of whether they supervise in one or more areas.</u>
<u>5</u>	Number of advisers that have been assessed as competent by <u>the firm in each area</u>	<p>This is a subset of the total of ‘number of <u>staff employees</u> that give advice <u>in each area</u>’ above.</p> <p>See <i>TC Appendix 1.1R</i> for the detailed training & competence requirements relating to individual activities.</p> <p>If <u>staff employees</u> are competent in relation to more than one business type, they should be counted in each applicable field. The ‘total’ in the right hand column field should be the actual number of applicable employees, however, rather than a total of the three columns.</p> <p><u>Each area should be considered to refer to the four business types in the form.</u></p>
<u>30</u>	<u>Number of advisers assessed as competent in one or more areas</u>	<u>The total should be the actual number of individuals assessed by the firm as competent in one or more of the four business types specified in columns A-C and E.</u>
<u>18</u>	<u>Number of fully qualified advisers</u>	<u>The total number of advisers holding appropriate qualifications to carry on activities 2, 3, 4, 6, 12 and 13 in <i>TC Appendix 1.1.1 R</i> (other than in relation to a <i>Holloway sickness policy</i> where the <i>Holloway policy special application conditions</i> are met).</u>
<u>19</u>	<u>Number of advisers holding a valid Statement of Professional</u>	<u>The total number of <i>retail investment advisers</i></u>

	<u>Standing (SPS)</u>	<u>holding a valid SPS from an <i>accredited body</i>.</u>
6	Number of advisers that have passed appropriate examinations <u>hold an appropriate qualification in each area</u>	<p>This is a subset of the total in 'number of <i>staff employees</i> that give advice <u>in each area</u>' above.</p> <p>In the case of certain activities, <i>TC 2</i> imposes requirements on <i>firms</i> in relation to their <i>employees</i> and passing examinations.</p> <p>The relevant activities to which <i>TC</i> applies and require <i>employees</i> to obtain appropriate qualifications can be found in <i>TC Appendix 1</i>. Then appropriate qualifications for these activities can be found in <i>TC Appendix 4E</i>.</p> <p>If <i>staff advisers</i> have <u>appropriate</u> qualifications in relation to more than one business type, they should be counted in each applicable field. The 'total' in the right hand column field should be the actual number of applicable employees, however, rather than a total of the three columns.</p> <p><u>Each area should be considered to refer to the four business types in the form.</u></p>
29	<u>Number of individual advisers holding at least one appropriate qualification</u>	<u>The total should be the actual number of individuals holding at least one appropriate qualification for advising on mortgages, acting as a <i>retail investment adviser</i>, or advising on second (and subsequent) charge mortgages.</u>
25	<u>Number of <i>employees</i> that left the <i>firm</i> during the reporting period</u>	<u>The total should be the actual number of <i>employees</i> whose last day of employment fell within the reporting period.</u>
7	Number of advisers that have left since the last reporting date <u>that left the <i>firm</i> during the reporting period</u>	<p>This is the total number of advisory <i>staff employees</i> that have left the <i>firm</i> during <u>whose last day of employment fell within the current reporting period.</u></p> <p>If any of these <i>staff advisers</i> used to carry out advisory activities in relation to more than one business type, they should be counted in each applicable field. The 'total' in the right hand column field should be the actual number of applicable employees, however, rather than a total of the three columns.</p>
28	<u>Number of individual advisers that left the <i>firm</i> during the reporting period.</u>	<u>The total should be the actual number of individual advisers whose last day of employment fell within the reporting period.</u>

<u>Non-investment insurance (retail customers)</u>		
<u>20</u>	<p><u>What types of advice were provided? Which types of non-investment insurance advice were provided by the firm in the reporting period?</u></p>	<p>For each type of advice, the <i>firm</i> should indicate whether or not staff have <u>advice has been provided</u> advice on that basis / business type.</p> <p><u>Fair Analysis of the Market</u></p> <p><u>If an <i>insurance intermediary</i> informs a <i>customer</i> that it gives advice on the basis of a fair analysis of the market, it must give that advice on the basis of an analysis of a sufficiently large number of <i>contracts of insurance</i> available on the market to enable it to make a recommendation, in accordance with professional criteria, regarding which <i>contract of insurance</i> would be adequate to meet the <i>customer's</i> needs. (See <i>ICOB</i>S 5.3.3R, <i>ICOB</i>S 4.1.6R and <i>ICOB</i>S 4.1.8G).</u></p> <p><u>Restricted – Multi-tie</u></p> <p><u>A <i>firm</i> provides advice on products selected from a limited number of provider firms.</u></p> <p><u>Restricted – Single-tie</u></p> <p><u>A <i>firm</i> provides advice on products selected from one provider firm only.</u></p> <p><u>In relation to their <i>home finance mediation activities</i>, <i>firms</i> are not required by <i>MCOB</i> 4.4A to use a label to describe the service they provide to <i>customers</i>. In filling out this section they should simply answer ‘no’ for each category relating to their <i>home finance mediation activities</i>.</u></p>
<u>Mortgages (and second and subsequent charge mortgages)</u>		
<u>21 and 22</u>	<p><u>Which types of mortgage advice were provided by the <i>firm</i> in the reporting period?</u></p> <p><u>What types of second (and subsequent) charge mortgage advice were provided by the <i>firm</i> in the reporting period?</u></p>	<p>For each type of advice, the <i>firm</i> should indicate whether or not <u>advice has been provided</u> on that basis / business type.</p> <p><u>In relation to their <i>home finance mediation activities</i>, <i>firms</i> are not required by <i>MCOB</i> 4.4A to use a label to describe the service they provide to <i>customers</i>. In filling out this section they should simply answer “no” for each category relating to their <i>home finance mediation activities</i>.</u></p> <p><u>Independent (whole of market plus option of fee-only)</u></p>

		<p>To hold itself out as acting <u>independently</u>, a <i>firm</i> carrying on <i>home finance mediation activity</i> must consider products from across the whole of the market, and offer its <i>clients</i> the opportunity to pay by fee.</p> <p><u>Whole of market (without fee-only option)</u></p> <p><u>A firm carrying on home finance mediation activity provides whole of market recommendations when it has considered a large number of products that are generally available from the market as a whole.</u></p> <p><u>Restricted – Multi-tie</u></p> <p><u>A firm provides advice on products selected from a limited number of provider firms.</u></p> <p><u>Restricted – Single-tie</u></p> <p><u>A firm provides advice on products selected from one provider firm only.</u></p>
<u>Retail Investment Advice</u>		
<u>23</u>	<p><u>Which types of retail investment advice were provided by the <i>firm</i> in the reporting period?</u></p>	<p><u>Independent</u></p> <p><u>For a retail investment firm to provide independent advice its personal recommendations must be based on a comprehensive and fair analysis of the relevant market, and be unbiased and unrestricted (COBS 6.2A.3R).</u></p> <p><u>Restricted</u></p> <p><u>A retail investment firm provides restricted advice if:</u></p> <p>(a) <u>it makes personal recommendations to retail clients in relation to retail investment products which are not independent advice; or</u></p> <p>(b) <u>it provides basic advice.</u></p>
	Independent	<p>For a retail investment firm to provide independent advice its personal recommendations must be based on a comprehensive and fair analysis of the relevant market, and be unbiased and unrestricted (COBS 6.2A.3R).</p>
	Independent (whole of market plus option of fee-only)	<p>To hold itself out as acting independently, a <i>firm</i> carrying on <i>home finance mediation activity</i>, must</p>

		consider products from across the whole of the market, and offer its clients the opportunity to pay by fee.
	Whole of market (without fee-only option)	A firm carrying on home finance mediation activity provides whole of market recommendations when it has considered a large number of products that are generally available from the market as a whole.
	On the basis of a fair analysis of the market	If an insurance intermediary informs a customer that it gives advice on the basis of a fair analysis of the market, it must give that advice on the basis of an analysis of a sufficiently large number of contracts of insurance available on the market to enable it to make a recommendation, in accordance with professional criteria, regarding which contract of insurance would be adequate to meet the customer's needs. (See ICOBS 5.3.3R, see also ICOBS 4.1.6R and ICOBS 4.1.8G).
	Restricted / Multi tie—the products of a limited number of providers	A firm provides advice on products selected from a limited number of provider firms. Restricted advice applies to advice on retail investment products. Multi tie applies to insurance mediation activity and home finance mediation activity.
	Restricted /Single tie—the products of one provider	A firm provides advice on products selected from one provider firm only. Restricted advice applies to advice on retail investment products. Single tie applies to insurance mediation activity and home finance mediation activity.
	Restricted—limited types of products	A firm provides advice on limited types of products.

Sub heading: Clawed back commission (retail investment firms only)

...

Clawed back commission (retail investment firms only)		
13	<u>Number Clawed back commission by number:</u>	Number of policies where cancellations have led to commissions being clawed back during the reporting

		period.
14	<u>Value Clawed back commission by value:</u>	Total value of clawed back commission during the period.

Sub heading: Professional standards data

<u>Professional Standards Data</u>	
24	<p>Please provide the following information for each of the <i>retail investment advisers</i> employed by the <i>firm</i> as at the end of the reporting period:</p>
	<p><u>Adviser ID</u></p> <p><u>Surname</u></p> <p><u>Forename</u></p> <p><u>Individual Reference Number (IRN)</u></p> <p>Please enter the adviser's IRN if they have one.</p> <p>If the adviser has an IRN, no further ID details are required and the <i>firm</i> should move on to complete the 'adviser qualification' questions.</p> <p><u>NI Number, Date of Birth, Passport Number, Nationality</u></p> <p>If an adviser does not have an IRN, the <i>firm</i> should enter both a National Insurance (NI) number and Date of Birth for unique identification or, if they do not have an NI number, Date of Birth, current Passport Number and Nationality. Nationality refers to the country issuing the passport from which the number is provided. For example, the nationality of a person in possession of a British passport issued by HM Passport Office is "British".</p> <p>This information should only be provided in the appropriate combinations; completing only NI number and Nationality, for instance, would not be acceptable.</p>
	<p><u>Adviser Qualification</u></p> <p><u>Part Qualified, Fully Qualified</u></p> <p>For each <i>retail investment adviser</i>, the <i>firm</i> should</p>

	<p><u>indicate whether the adviser is part or fully qualified by selecting “Y” or “N” from the dropdown options.</u></p> <p><u>Accredited Body</u></p> <p><u>For each <i>retail investment adviser</i>, the <i>firm</i> should indicate the <i>accredited body</i> from which the adviser has obtained a <u>Statement of Professional Standing (SPS)</u>. If no SPS is held, “No SPS” should be selected from the dropdown.</u></p> <p><u>Activity Start Date</u></p> <p><u>For each <i>retail investment adviser</i>, the <i>firm</i> should provide the date at which the adviser became part or fully qualified, as applicable.</u></p> <p><u>SPS Start Date</u></p> <p><u>For each <i>fully qualified retail investment adviser</i>, please provide the date of issue for the adviser’s current SPS. If no SPS is held, this field is not required.</u></p>
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Annex C

Amendments to the Dispute Resolution: Complaints sourcebook (DISP)

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

1.10 Complaints reporting rules

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1.10.2A R ...

(3) For the purposes of *DISP 1 Annex 1CR retail investment adviser* information must be reported by ~~Individual Reference Number (IRN)~~;

(a) the *employee's* Individual Reference Number (IRN); or

(b) in the case of an *employee of a relevant authorised person who is performing an FCA-specified significant harm function* and has no IRN:

(i) the *employee's* National Insurance (NI) number and date of birth; or

(ii) if the *employee* has no NI number, the *employee's* date of birth, current passport number and nationality.

The form (DISP 1 Annex 1C Illustration of the online reporting requirements) referred to in DISP 1.10.2AR is deleted and is replaced with the following new form. The deleted text is not shown and the new text is not shown underlined.

1 Annex 1C Illustration of the online reporting requirements, referred to in DISP 1.10.2AR (Complaints by Retail Investment Advisers)

Complaints by Retail Investment Advisers

Nil Return Declaration - DISP 1 Annex 1CR

1 Does the data in this return cover complaints relating to activities carried out by one or more employees when acting as a retail investment adviser (RIA)? If 'Yes', then please list unique identification information for all RIAs included on this form.

A

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2 We wish to declare a nil return

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3 Total complaints, complaints closed, complaints upheld and total redress paid during the reporting period

A	B	G	H	I	J	C	D	E	F
IRN	Name of RIA	Date of birth	NI Number	Passport Number	Nationality	Total number of complaints received	Total number of complaints closed	Total number of complaints Upheld	Total redress paid