

This week at the UK regulators

Thirty second guide: The week in overview

Developments at the UK regulators last week were confined to the release of a customarily long list of warnings from the FCA, an update on timescales for the changes to the Listing Rules and the publication of a policy statement by the PRA implementing the Financial Conglomerates Directive.

Further afield, the FCA will have noted with interest the critical comments made in a report published by the House of Commons Public Accounts Committee on the approach taken by the Office of Fair Trading to regulating consumer credit. The FCA is due to take over responsibility for overseeing consumer credit in the UK in 2014.

Away from the UK, proposals for the French securities regulator to acquire new investigatory powers and to take action for obstruction of enforcement investigations have continued to gather momentum, and will be debated by the French Parliament in the coming week.

FCA warnings

Name of firm	Date of warning	Details
Whitmore Wealth Management	31 May	Not authorised http://www.fca.org.uk/news/warnings/whitmore-wealth-management
Jagero Limited	31 May	Not authorised http://www.fca.org.uk/news/warnings/jagero-ltd
Platinum Capital Management	30 May	Clone of FCA authorised firm http://www.fca.org.uk/news/warnings/platinum-capital-management-clone
Reynolds Consultancy Limited	30 May	Not authorised http://www.fca.org.uk/news/warnings/reynolds-consultancy-ltd
Clarity Capital Markets	30 May	Clone of FCA authorised firm http://www.fca.org.uk/news/warnings/clarity-capital-markets-clone

Hunter & Black Associates	30 May	Not authorised http://www.fca.org.uk/news/warnings/hunter-black-associates
Aldermore International	29 May	Clone of FCA authorised firm http://www.fca.org.uk/news/warnings/aldermore-investments-clone
Montgomery Capital Partners	29 May	Not authorised http://www.fca.org.uk/news/warnings/montgomery-capital-partners

Policy developments

FCA		PRA	
Proposed developments			
		Deadline for responses	
Consultation papers	<p>Following the FSA's consultation paper on proposed changes to enhance the effectiveness of the Listing Rules regime (CP 12/25) published in October 2012, the FSA (on 31 May) issued a statement amending its estimate as to when it expects to publish its feedback (see FSA Update – 8 October 2012). It had expected to be able to do so by Spring 2013. In view of the large number of responses received to the consultation paper, it has now stated that it expects to be able to publish its feedback during the summer.</p> <p>http://www.fca.org.uk/your-fca/documents/consultation-papers/fsa-cp1225</p> <p>http://www.fca.org.uk/news/firms/s</p>	N/A	

	tatement-on-cp-12-25 https://onlineservices.cliffordchance.com/online/freeDownload.action?key=OBWlbfqNhLNomwBl%2B33QzdFhRQAhp8D%2BxrlGReI2crGqLnALtlyZe0uxu6Lv9wzCHpxvSAvxk%2BHp%0D%0A5mt12P8Wnx03DzsaBGwsIB3EVF8XihbSpJa3xHNE7tFeHpEbaelf&attachmentsize=165843			
Finalised policy and guidance				
		Implementation/effective date		
Policy statements			30 May	<p>Following the FSA's consultation paper on the Financial Conglomerates Directive (CP 12/40) published in December 2012, the PRA (on 30 May) published a policy statement (PS 3/13) introducing rules implementing the Financial Conglomerates Directive.</p> <p>http://www.fsa.gov.uk/static/pubs/cp/cp12-40.pdf</p> <p>http://www.bankofengland.co.uk/pr/Pages/publications/financialconglomerates.aspx</p>

Further afield

Public Accounts Committee criticises OFT approach to consumer credit regulation

The House of Commons Public Accounts Committee has, releasing a report on 31 May, labelled the approach of the Office of Fair Trading (OFT) to regulating consumer credit "ineffective and timid in the extreme". The report expresses particular concerns about what it has called a "predatory" approach to borrowers on low incomes, and recommends that the annual percentage rate used to express the cost of

credit is replaced by a simpler mechanism setting out the actual amount which will be required to be repaid in each case.

Whilst this area currently remains the responsibility of the OFT, the FCA is due to inherit responsibility for regulating this area in 2014. It will be considering the committee's comments carefully and considering whether the approach proposed in the FSA's consultation paper published in March 2013 is likely to be robust enough to address its concerns.

<http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpubacc/165/16502.htm>

<http://www.fsa.gov.uk/static/pubs/cp/cp13-07.pdf>

French securities regulator to acquire stronger investigative powers

Under draft legislation in France, the Autorité des Marchés Financiers (AMF) is set to be given new powers to conduct interviews "on the spot" during enforcement investigations and to prosecute "obstruction" of its investigations as an administrative offence.

The power to conduct "on the spot" interviews would depend upon investigators informing subjects of interviews of their right to independent legal advice. The new administrative offence of obstructing an investigation would supplement the existing criminal offence of doing so. Prosecutions in respect of this existing offence must be conducted by the relevant criminal prosecutor rather than by the AMF.

The proposals have not yet been finalised, and will be debated this week by both houses of the French Parliament. However, if enacted in their current form, they would significantly extend the AMF's powers in enforcement investigations and the leverage available to it to encourage co-operation.

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