

THIS WEEK AT THE UK REGULATORS 19 NOVEMBER 2018

FCA issues Prohibition Orders

On 13 November 2018 the FCA issued Prohibition Orders against Russell Taylor and Alan Taylor in respect of their activities at their investment firm Taylor and Taylor Associates Ltd (in liquidation). Earlier this year both men were convicted on their own confession of conspiracy to defraud. Russell Taylor was sentenced to five years' imprisonment and disqualified as a company director for 12 years. Alan Taylor was sentenced to six years' imprisonment and also disqualified as a company director for 12 years. The FCA concluded that they were not fit and proper persons to perform any function in relation to any regulated activity carried on by an authorised person, exempt person or exempt professional firm.

On 15 November 2018 the FCA issued a Prohibition Order against Andrew Hind. In 2016 Mr Hind was convicted of conspiring by insider dealing to acquire price affected securities on a regulated market and sentenced to 42 months' imprisonment. In 2017 the Institute of Chartered Accountants of England and Wales excluded him from membership. The FCA concluded that Mr Hind was not a fit and proper person to perform any function in relation to any regulated activity carried on by any authorised person, exempt person or exempt professional firm.

On 15 November 2018 the FCA also issued a Prohibition Order against Martyn Dodgson. Mr Dodgson was convicted of conspiring by insider dealing to acquire price affected securities on a regulated market and sentenced to 54 months' imprisonment. The FCA concluded that Mr Dodgson was not a fit and proper person to perform any function in relation to any regulated activity carried on by any authorised person, exempt person or exempt professional firm.

<https://www.fca.org.uk/publication/final-notices/russell-taylor-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/alan-taylor-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/andrew-hind-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/martyn-dodgson-2018.pdf>

Enforcement notices

The FCA has cancelled the permissions granted to the following firms:

- Prestige Auto Sales (N. W.) Ltd (12 November 2018)
- Wellpoint Ltd (12 November 2018)
- Neil Richard Dulson (12 November 2018)
- Trackerview Ltd (12 November 2018)
- Tonie Brown (12 November 2018)

Thirty second guide: The week in overview

The FCA and the PRA have published consultation papers on their fees and levies.

The PRA has also published a Policy Statement on the UK leverage ratio, with associated documents, and a Policy Statement on securitisation which looks at the new EU framework and Significant Risk Transfer, also with associated documents.

<https://www.fca.org.uk/publication/final-notices/prestige-auto-sales-nw-ltd-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/wellpoint-ltd-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/neil-richard-dulson-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/trackerview-ltd-2018.pdf>

<https://www.fca.org.uk/publication/final-notices/tonie-brown-2018.pdf>

FCA warnings

| Name of firm | Date of warning | Details |
|--------------------------------|------------------|---|
| C. Letlid Loan and Finance Ltd | 13 November 2018 | Unauthorised firm https://www.fca.org.uk/news/warnings/c-letlid-loan-and-finance-ltd |
| Harper Wealth Management | 13 November 2018 | Unauthorised firm https://www.fca.org.uk/news/warnings/harper-wealth-management |
| Access Loan | 13 November 2018 | Unauthorised firm https://www.fca.org.uk/news/warnings/access-loan |
| Assurance ET Capital Partners | 15 November 2018 | Clone firm https://www.fca.org.uk/news/warnings/assurance-et-capital-partners-clone-eea-authorized-firm |
| GMT Crypto | 15 November 2018 | Clone firm https://www.fca.org.uk/news/warnings/gmt-crypto-clone-authorized-firm |
| Goose Investments | 15 November 2018 | Unauthorised firm https://www.fca.org.uk/news/warnings/goose-investments |
| Avant Finance/Avant Credit | 16 November 2018 | Clone firm https://www.fca.org.uk/news/warnings/avant-finance-avant-credit-clone-authorized-firm |
| Bernstein Securities | 16 November 2018 | Unauthorised firm https://www.fca.org.uk/news/warnings/bernstein-securities |

Policy developments

| | FCA | PRA |
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| | Proposed developments | |
| Consultation papers | On 15 November 2018 the FCA published Consultation Paper CP18/34 titled " <i>Regulatory fees and levies: policy proposals for 2019/20</i> ". The CP sets out proposed policy changes in the way that | On 14 November 2018 the PRA published Consultation Paper CP28/18 titled " <i>PRA fees and levies: Changes to periodic and transaction fees</i> ". The aim of the proposals is to ensure that the methodologies for determining PRA fees for |

| | FCA | PRA |
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| | <p>the FCA will raise fees from 2019/20.</p> <p>Deadline for responses: 14 January 2019</p> <p>https://www.fca.org.uk/publications/consultation-papers/cp18-34-regulatory-fees-and-levies-policy-proposals-2019-20</p> | <p>designated investment firms, life insurers and general insurers are appropriate to the risks that the firms pose to the PRA objectives.</p> <p>Deadline for responses: 7 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2018/pr-a-fees-and-levies-changes-to-periodic-and-transaction-fees</p> |
| | Finalised policy and guidance | |
| Policy statements | <p>On 16 November 2018 the FCA published Handbook Notice No 60, describing changes to the Handbook and other material made by the FCA Board on 25 October and 15 November 2018.</p> <p>Effective date: Various</p> <p>https://www.fca.org.uk/publication/handbook/handbook-notice-60.pdf</p> | <p>On 13 November 2018 the PRA published Solvency II templates for the disclosure of aggregate statistical data year-end 2017. The templates are relevant to undertakings and groups supervised under the Directive 2009/138/EC.</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2018/solvency-ii-templates-for-the-disclosure-of-aggregate-statistical-data</p> |
| | | <p>On 14 November 2018 the PRA published Policy Statement PS28/18, titled "<i>UK leverage ratio: Applying the framework to systemic ring-fenced bodies and reflecting the systemic risk buffer</i>". The PS provides feedback to responses to CP14/18 and the PRA's final policy to update:</p> <ul style="list-style-type: none"> • The Leverage Ratio, Public Disclosure, Reporting Leverage Ratio, and Ring-fenced Bodies Parts of the PRA Rulebook (Appendix 1); • Supervisory Statement (SS) 45/15 'The UK leverage ratio framework' (Appendix 2); • SS46/15 'UK leverage ratio: instructions for completing data items FSA083' (Appendix 3); and • FSA083 Leverage Ratio Reporting template, and reporting instructions (Appendix 4). <p>Effective date: 1 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2018/uk-leverage-ratio-applying-the-framework-to-systemic-rfbs-and-reflecting-the-srb</p> |
| | | <p>On 14 November 2018 the PRA published an updated Supervisory Statement 45/15 following the publication of PS 28/18 (see above). The '<i>Additional Leverage Ratio Buffer Model Requirements</i>', will replace the previous '<i>Additional Leverage Ratio Buffer Model Requirements for G-</i></p> |

| FCA | PRA |
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| | <p>S/Is' from 1 January 2019.</p> <p>Effective date: 1 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2015/the-uk-leverage-ratio-framework-ss</p> |
| | <p>On 14 November 2018 the PRA published an updated Supervisory Statement 46/15 titled "<i>UK leverage ratio: instructions for completing data items FSA083 and FSA084</i>" following the publication of PS28/18 (see above).</p> <p>Effective date: 1 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2015/uk-leverage-ratio-instructions-for-completing-data-items-ss</p> |
| | <p>On 15 November 2018 the PRA published Policy Statement PS29/18, titled "<i>Securitisation: The new EU framework and Significant Risk Transfer</i>". The PS contains feedback to responses to CP12/18 and the PRA's final policy, as follows:</p> <ul style="list-style-type: none"> • Final Supervisory Statement (SS) 10/18 'Securitisation: General requirements and capital framework' (Appendix 1); • Updated SS9/13 'Securitisation: Significant Risk Transfer' (Appendix 2); and • Updated SS31/15 'The Internal Capital Adequacy Assessment Process (ICAAP) and the Supervisory Review and Evaluation Process (SREP)' (Appendix 3). <p>Effective date: 1 January 2019 for the new securitisation legislative framework. However, the updated policies amending SS9/13 apply immediately after the publication of the PS to all PRA authorised CRD IV firms.</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2018/securitisation-the-new-eu-framework-and-significant-risk-transfer</p> |
| | <p>On 15 November 2018 the PRA published Supervisory Statement 10/18 titled "<i>Securitisation: General requirements and capital framework</i>" following the publication of PS29/18 (see above). The statement is relevant to PRA-authorized CRD IV firms and PRA-authorized Solvency II firms to which the Securitisation Regulation applies unless stated otherwise.</p> |

| FCA | PRA |
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| | <p>Effective date: 1 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2018/securitisation-general-requirements-and-capital-framework-ss</p> |
| | <p>On 15 November 2018 the PRA published an updated Supervisory Statement 9/13 titled "Securitisation – Significant Risk Transfer" following the publication of PS29/18 (see above).</p> <p>Effective dates: 15 November 2019 for the "current version" and 1 January 2019 for the "future version".</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2013/securitisation-ss</p> |
| | <p>On 15 November 2018 the PRA published an updated Supervisory Statement 31/15 titled "The Internal Capital Adequacy Assessment Process (ICAAP) and the Supervisory Review and Evaluation Process (SREP)" following the publication of PS29/18 (see above).</p> <p>Effective date: 1 January 2019</p> <p>https://www.bankofengland.co.uk/prudential-regulation/publication/2013/the-internal-capital-adequacy-assessment-process-and-supervisory-review-ss</p> |

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