

EU Securitisation Regulation Implementation (DEPP and EG)

Consultation Paper

CP18/30

12 October 2018



How to respond

We are asking for comments on this Consultation Paper (CP) by 2 November 2018.

You can send them to us using the form on our website at: www.fca.org.uk/cp18-30-response-form.

Or in writing to:

Law and Policy
Enforcement and Market
Oversight Division
Financial Conduct Authority
12 Endeavour Square
London E20 1JN

Email:

cp18-30@fca.org.uk

How to navigate this document onscreen



returns you to the contents list



takes you to helpful abbreviations

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1 Summary

Introduction

- 1.1** The EU Securitisation Regulation¹ (EU SR) entered into force on 17 January 2018 and will come into effect on 1 January 2019.
- 1.2** The EU SR is directly applicable in the United Kingdom (UK). To implement the EU SR in the UK, Her Majesty's Treasury (the Treasury) will lay an implementing statutory instrument (SI) before Parliament. The SI will give the FCA supervisory, disciplinary and investigatory powers over persons subject to the EU SR. We base our preparations for the application of the SI, including proposals in this Consultation Paper (CP), on our current understanding of the Treasury's intentions. If the final SI differs from that understanding then we may need to change our approach.
- 1.3** On 1 August 2018, we published CP18/22²: Handbook changes to reflect the application of the EU Securitisation Regulation and the amendment to the Capital Requirement Regulation (CP18/22). That CP set out how certain parts of our Handbook need to change to be consistent with the application of the EU SR. It also stated that we expect to be designated the competent authority for Third Party Verifiers (TPVs), whose role is explained in that CP. We expect to be responsible for authorising TPVs from 1 January 2019. Where we refer to the authorisation of a TPV that is to an authorisation under Article 28 of the EU SR. CP18/22 also set out the new application and periodic fees for the authorisation of TPVs.
- 1.4** We encourage you to read this CP alongside our previous CP18/22.

Summary of proposals

- 1.5** We need to amend our Decision Procedure and Penalties manual (DEPP) and Enforcement Guide (EG) because of the changes that the SI will introduce.
- 1.6** In relation to enforcement powers over originators, sponsors, original lenders, securitisation special purposes entities (SSPEs) and other persons subject to the EU SR that are already FCA or PRA authorised firms, we propose applying our existing policy and procedure in the exercise of our disciplinary and investigatory powers.
- 1.7** We also propose a decision-making procedure for authorising a TPV, the temporary withdrawal of a TPV's authorisation and the cancellation of a TPV's authorisation under the SI.

1 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R2402&from=EN>

2 <https://www.fca.org.uk/publication/consultation/cp18-22.pdf>



1.8 We also propose decision-making procedures to:

- exercise investigatory and disciplinary powers over TPVs and originators, sponsors, original lenders, SSPEs and other persons subject to the EU SR that are not authorised by the FCA or the PRA under the Financial Services and Markets Act 2000 (FSMA) (unauthorised entities) and that fail to adhere to certain obligations set out in the SI
- impose a temporary disciplinary prohibition preventing an individual holding an office or position involving responsibility for taking decisions about the management of an originator, sponsor or SSPE if the individual has contravened a requirement
- impose a temporary ban on simple, transparent and standardised (STS) notifications

Who does this consultation affect?

1.9 These proposals will be of interest to anyone who may be subject to regulation under the EU SR. This will include (but is not limited to):

- entities which may wish to act as TPVs
- firms involved in securitisation markets either as institutional investors or manufacturers (originators, sponsors or SSPEs) of securitisations or as sellers of securitisation positions
- unauthorised entities (originators, original lenders or SSPEs) participating in a securitisation transaction subject to the EU SR
- individuals holding offices or positions involving responsibility for taking management decisions at originators, sponsors or SSPEs

Is this of interest to consumers?

1.10 The proposed changes to DEPP and EG do not directly affect consumers. However, we intend the proposals in this CP to improve the transparency and strengthen the integrity of the securitisation market.

1.11 Investors may also be interested in this CP as the SI seeks to protect investors investing in securitisations. It does this by improving transparency and introducing powers to impose certain regulatory sanctions on individuals, original lenders, originators, sponsors and SSPEs.

2 Proposed changes to DEPP and EG

Introduction

2.1 In this chapter, we cover the proposals to amend DEPP and EG in light of the draft SI proposed by the Treasury. The SI:

- extends our powers over FCA and PRA authorised firms for contraventions of the EU SR
- adds new provisions for sanctioning powers over TPVs and unauthorised entities. These powers are necessary to supervise and enforce compliance with the EU SR
- sets out a procedure for authorising, cancelling and temporarily withdrawing the authorisation of a TPV
- gives us additional powers in respect of contraventions of the EU SR

2.2 Our new powers include:

- the power to impose a temporary prohibition on individuals holding an office or position involving responsibility for taking decisions about the management of an originator, sponsor or SSPE (temporary disciplinary prohibitions)
- the power to impose a temporary ban on simple, transparent and standardised (STS) notifications

Changes to DEPP

2.3 As noted in chapter 1, we are consulting before the draft SI is finalised. Once finalised, the cross references to regulations within that SI, in the draft handbook instrument may change. We propose changes to DEPP 2 Annexes 1 and 2 to set out the decision-making procedures for:

- an application for authorisation to provide a third-party verification service – the decision to give a warning notice proposing to refuse an application will be taken by FCA staff under executive procedures. The decision to give a decision notice refusing an application will be taken under the Regulatory Decision Committee (RDC) procedure unless no representations are made in response to the warning notice. Otherwise the decision to give the decision notice will be taken under executive procedures
- determining whether authorisation for a TPV is to be temporarily withdrawn – the FCA will take the decision under executive procedures



- determining whether authorisation for a TPV is to be cancelled – the FCA will take the decision to cancel on its own initiative under the RDC procedure. The decision to refuse an application to cancel will be made in a similar manner to decisions to refuse an application for authorisation.
- determining whether to impose a temporary ban on making STS notifications – the decision will be taken by the FCA under executive procedures
- determining when to impose a temporary disciplinary prohibition – the FCA will take the decision under the RDC procedure
- determining when to publish a statement in relation to a contravention of the SI by a TPV, an unauthorised entity, an authorised entity or an individual – the FCA will take the decision to impose a public censure under the RDC procedure in contested cases. The settlement decision makers will take the decision in settled cases
- determining when to impose a financial penalty on a TPV, an unauthorised entity, an authorised entity or an individual – the FCA will take the decision to impose a financial penalty under the RDC procedure in contested cases. The settlement decision makers will take the decision in settled cases
- determining when to impose a restitution requirement – the FCA will take the decision to require a person to pay restitution under the RDC procedure

Q1: Do you have any comments on our proposals to change DEPP 2 Annexes 1 and 2?

The application of the disciplinary prohibition and penalty policy

- 2.4** The EU SR gives us the power to impose a temporary disciplinary prohibition in respect of an individual holding an office or position involving responsibility for taking decisions about the management of an originator, sponsor or SSPE.
- 2.5** We propose applying our current policy for disciplinary prohibitions as set out in DEPP 6A, when deciding whether to impose a temporary disciplinary prohibition and the duration of any such prohibition. In our view, the factors set out in DEPP 6A are equally appropriate when determining whether a temporary disciplinary prohibition should be imposed and its duration.
- 2.6** We also propose to apply our existing penalty policy as the statement of policy on the use of sanctioning powers for authorised and unauthorised entities that breach the SI or EU SR. We do not consider that there are any circumstances or special features of the SI that require or merit any different policy. Accordingly, the relevant decision-makers will apply the existing method in DEPP 6 as applicable. This involves considering all the relevant circumstances of the case.
- 2.7** We consider that our existing sanctioning policies already includes the substance of those factors in Article 33 of the EU SR. We therefore do not consider that Article 33 of the EU SR requires any changes to our existing policy on sanctions as set out in chapters 6 and 6A of DEPP.

2.8 The above approach will be reflected in the changes to Chapter 19 of EG.

Q2: Do you agree with the above proposals about our policy on how we decide whether to impose a temporary disciplinary prohibition and the duration of the prohibition?

Q3: Do you have any comments on our proposal to apply the existing sanctioning policies as set out in DEPP 6 and 6A?

Proposed changes to EG

2.9 We propose to add a new section to Chapter 19 of EG (Non-FSMA powers) to deal with how we will exercise our powers against individuals, TPVs, authorised and unauthorised entities alleged to have contravened the SI or the EU SR (EG 19.38). Our approach under the SI will broadly mirror our approach to conducting investigations, sanctioning and the use of regulatory powers under FSMA.

Q4: Do you have any comments on our proposal to add a new EG 19.38?

What do you need to do next?

2.10 We want to know what you think of our proposals. Please send us your comments on our proposed changes by **2 November 2018**. You can use the online response form on our website or write to us at the address on page 2.

2.11 We are consulting for 3 weeks to allow us to consider consultation responses and publish our statement in December 2018. We believe that a short consultation period is appropriate, as the changes we propose are either consequential or extend our current approach and policy to the enforcement of the EU SR.

What will we do next?

2.12 As indicated above we will consider your feedback and publish a Policy Statement in December 2018. We expect the SI to be made in December 2018 and that the Treasury will announce and set the actual commencement date in due course.



Annex 1

Questions in this paper

- Q1:** Do you have any comments on our proposals to change DEPP 2 Annexes 1 and 2?
- Q2:** Do you agree with the above proposals about our policy on how we decide whether to impose a temporary disciplinary prohibition and the duration of the prohibition?
- Q3:** Do you have any comments on our proposal to apply the existing sanctioning policies as set out in DEPP 6 and 6A?
- Q4:** Do you have any comments on our proposal to add a new EG 19.38?

Annex 2

Cost benefit analysis and equality and diversity

Cost benefit analysis

1. This CP proposes applying current sanctioning policy and disciplinary procedures to breaches of requirements under the SI or EU SR. It implements new decision-making procedures for considering applications for authorisation, cancellation and temporary withdrawal of authorisation for TPVs as set out in the SI and by specifying the relevant decision-maker for the different stages of the process. It also implements new decision-making procedures for imposing a temporary ban on making STS notifications, imposing a temporary disciplinary prohibition, publishing a statement for breaching the SI or EU SR and imposing a financial penalty for breaching the SI or EU SR.
2. Depending on the provisions, either we have no discretion in implementation, or the proposed approach will not substantially differ from our current approach to the exercise of our disciplinary and investigatory powers.
3. Our view is that the costs of the proposals will be of minimal significance if compared with any reasonable counterfactual and that no cost benefit analysis is required. Similarly, we see no implications for our competition objective.

Equality and diversity

4. We are required under the Equality Act 2010 to 'have due regard' to the need to eliminate discrimination and to promote equality of opportunity in carrying out our policies, services and functions.
5. We have considered whether there are any potential equality or diversity impacts of this CP. We believe there are none, but would welcome your comments.



Annex 3

Compatibility Statement

Compatibility with the FCA's general duties

1. The FCA believes the proposals set out above are compatible with its duties under section 1B of FSMA. The effective and appropriate use of enforcement powers plays an important part in pursuing the FCA's statutory objectives, it increases compliance with rules by making market participants more aware of conduct that may breach these rules, and the potential for sanctions for such conduct.
2. We have considered the regulatory principles in section 3B of FSMA. In particular, our proposals are consistent with the need to use resources in the most efficient and economic way, and the principle that regulators should exercise their functions as transparently as possible.
3. We do not expect the proposed changes to have a significantly different impact on mutual societies.
4. Under the Legislative and Regulatory Reform Act 2006 (LRRRA) the FCA is subject to requirements to consider several high-level 'Principles' as we exercise some of our regulatory functions and to have regard to a 'Regulators' Code' when determining general policies and principles and giving general guidance (but not when exercising other legislative functions like making rules). We have considered the principles in the LRRRA and the Regulators' Code for the parts of the proposals that comprise general policies, principles or guidance.

Annex 4

Abbreviations used in this paper

CP	Consultation Paper
CRR Amendment	The EU Capital Requirement Regulation
DEPP	The Decision Procedure and Penalties Manual in the FCA's Handbook
EG	Enforcement Guide
EU	European Union
EU SR	European Union Securitisation Regulation
FCA	Financial Conduct Authority
FSMA	The Financial Services and Markets Act 2000
Handbook	The FCA's Handbook of rules and guidance
PRA	Prudential Regulation Authority
SI	Statutory Instrument
SSPEs	Securitisation Special Purposes Entities
STS	Simple, transparent and standardised securitisation
RDC	Regulatory Decisions Committee
TPV	Third Party Verifiers
the Treasury	Her Majesty's Treasury
Unauthorised entities	originators, original lenders or SSPEs participating in securitisation transactions and who are not authorised under FSMA



We have drafted this CP in the context of the existing UK and EU regulatory framework. The Government has made clear that it will continue to implement and apply EU law until the UK has left the EU. We will keep the CP under review to assess whether any amendments may be required in the event of changes in the UK regulatory framework.

We make all responses to formal consultation available for public inspection unless the respondent requests otherwise. We will not regard a standard confidentiality statement in an email message as a request for non-disclosure.

Despite this, we may be asked to disclose a confidential response under the Freedom of Information Act 2000. We may consult you if we receive such a request. The Information Commissioner and the Information Rights Tribunal may review any decision we make not to disclose the response.

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Appendix 1

Draft Handbook text

ENFORCEMENT (EU SECURITISATION REGULATION) INSTRUMENT 2018

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of and/or under:
- (1) the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
 - (a) section 139A (Power of the FCA to give guidance); and
 - (b) section 395 (The Authority’s procedures);
 - (2) the following provisions in or under the following provisions of the Financial Services and Markets Act 2000 (Securitisation) Regulations 2018:
 - (a) regulation 9 (Statements of policy);
 - (b) regulation 30 (Application of sections 66 to 70 of the Act);
 - (c) regulation 32 (Application of Part 11 of the Act (information gathering and investigations));
 - (d) regulation 35 (Application of Part 25 of the Act (injunctions and restitution); and
 - (e) regulation 36 (Application of Part 26 of the Act (notices)).

Commencement

- B. This instrument comes into force on [*date*].

Amendments to the Handbook

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

Material outside the Handbook

- E. The Enforcement Guide (EG) is amended in accordance with Annex C to this instrument.

Citation

- F. This instrument may be cited as the Enforcement (EU Securitisation Regulation) Instrument 2018.

By order of the Board
[*date*]

Annex A

Amendments to the Glossary definitions

Insert the following new definition in the appropriate alphabetical position. The text is not underlined.

UK Securitisation Regulations the Financial Services and Markets Act 2000 (Securitisation) Regulations 2018 (SI 2018/[XXX]).

Annex B

Amendments to the Decision Procedure and Penalties manual (DEPP)

In this Annex, underlining indicates new text.

2 Statutory notices and the allocation of decision making

...

**2 Annex Warning notices and decision notices under the Act and certain other
1G enactments**

...

UK Benchmark Regulations 2018	Description	Handbook reference	Decision maker
...			
<u>UK Securitisation Regulations</u>	<u>Description</u>	<u>Handbook reference</u>	<u>Decision maker</u>
<u>Regulation 22(1)(a) and 23(1)(a)</u>	<u>when the FCA is proposing or deciding to impose a temporary prohibition relating to management functions under regulation 5</u>		<u>RDC</u>
<u>Regulation 22(1)(b), 23(1)(b), 30 and 33</u>	<u>when the FCA is proposing or deciding to publish a statement under regulation 7, 30 and 33</u>		<u>RDC</u>
<u>Regulation 22(1)(c), 23(1)(c), 30 and 33</u>	<u>when the FCA is proposing or deciding to impose a financial penalty under regulation 8, 30 and 33</u>		<u>RDC</u>
<u>Regulation 22(1)(d) and 23(1)(d)</u>	<u>when the FCA is proposing or deciding to refuse an application under regulation 15</u>		<u>RDC or executive procedures (see Note 1)</u>
<u>Regulation 22(1)(e) and 23(1)(e)</u>	<u>when the FCA is proposing or deciding to cancel a registration of a third-party verification</u>		<u>RDC</u>

	<u>service otherwise than at its request</u>		
<u>Regulation 22(1)(f) and 23(1)(f)</u>	<u>when the FCA is proposing or deciding to refuse a request to cancel a registration of a third-party verification service</u>		<u>RDC or executive procedures</u> (see Note 1)
<u>Regulation 35 (1) and (5)</u>	<u>when the FCA is proposing or deciding to require restitution</u>		<u>RDC</u>
<p><u>Note 1:</u></p> <p><u>The decision to give a warning notice will be taken by FCA staff under executive procedures. If representations are made in response to a warning notice then the RDC will take the decision to give a decision notice. Otherwise the decision to give a decision notice will be taken by FCA staff under executive procedures.</u></p>			

2 Annex Supervisory notices

2G

UK Benchmark Regulations 2018	Description	Handbook reference	Decision maker
Regulation 6(6)	when the FCA is exercising its power under regulation 6(2) to impose, vary or cancel a requirement on its own initiative		<i>Executive procedures</i>
...			
<u>UK Securitisation Regulations</u>	<u>Description</u>	<u>Handbook reference</u>	<u>Decision maker</u>
<u>Regulation 17 (3) and (6)</u>	<u>when the FCA is exercising its powers under regulation 16 to temporarily withdraw authorisation to provide a third-party verification service</u>		<i>Executive procedures</i>
<u>Regulation 21 (3) and (6)</u>	<u>when the FCA is exercising its powers under regulation 20</u>		<i>Executive procedures</i>

...

Sch 3 Fees and other required payments

...

3.2G

The <i>FCA</i> 's power to impose financial penalties are contained in:

...

the <i>Small and Medium Sized Business (Finance Platforms) Regulations</i>
--

<u>the <i>UK Securitisation Regulations</i></u>

...

Sch 4 Powers Exercised

...

4.2G

The following additional powers and related provisions have been exercised by the <i>FCA</i> to make the statements of policy in <i>DEPP</i> :
--

...

Regulation 23 (Application of Part 26 of the Act (notices)) of the <i>UK Benchmarks Regulations 2018</i>
--

<u>Regulation 9 (Statements of Policy) of the <i>UK Securitisation Regulations</i></u>
--

<u>Regulation 30 (Application of sections 66 to 70 of the Act) of the <i>UK Securitisation Regulations</i></u>
--

<u>Regulation 32 (Application of Part 11 of the Act (information gathering and investigation)) of the <i>UK Securitisation Regulations</i></u>
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<u>Regulation 33 (Application of Part 14 of the Act (disciplinary measures)) of the <i>UK Securitisation Regulations</i></u>
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<u>Regulation 36 (Application of Part 26 of the Act (notices)) of the <i>UK Securitisation Regulations</i></u>
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[*Editor's note*: the text in this Annex takes account of the changes proposed in CP18/22 'Handbook changes to reflect the application of the EU Securitisation Regulation and the amendment of the Capital Requirement Regulation' (August 2018) as if they were made.]

Annex C

Amendments to the Enforcement Guide (EG)

Insert the following new section after EG 19.37 (UK Benchmarks Regulations 2018). The text is not underlined.

19.38 UK Securitisation Regulations

- 19.38.1 The *UK Securitisation Regulations* implement the *Securitisation Regulation*. The *FCA* has investigative and enforcement powers in relation to both criminal and non-criminal breaches of the *UK Securitisation Regulations*, *Securitisation Regulation* and any directly applicable EU regulation made under the *Securitisation Regulation*.
- 19.38.2 The *Securitisation Regulation* and the *UK Securitisation Regulations* seek to make the securitisation market work more effectively. They aim to address some of the harms to investors identified in these markets following the financial crisis, including the lack of adequate disclosure, and the misalignment between issuers' and investors' interests. The new framework consolidates existing requirements and strengthens the legislation on securitisation. The *Securitisation Regulation* and the *UK Securitisation Regulations* promote transparency and appropriate due diligence by investors for securitisation investments. They create a framework for simple, transparent and standardised (STS) securitisations. This framework will help to reduce the harm from investors making badly-informed decisions because they fail to understand and appropriately analyse the risks in their securitisation investments.
- 19.38.3 The *FCA's* approach to enforcement under the *UK Securitisation Regulations*, whether the person is authorised or not, will mirror our general approach to enforcing the *Act*, as set out in *EG 2*. We will seek to exercise our enforcement powers in a manner that is transparent, proportionate, responsive to the issue and consistent with our publicly stated policies. We will also seek to ensure fair treatment when exercising our enforcement powers. We will aim to change the behaviour of the person who is the subject of our action, to deter future non-compliance by others, to eliminate any financial gain or benefit from non-compliance, and where appropriate, to remedy the harm caused by the non-compliance.

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

- (1) to require information and appoint investigators;
- (2) of entry and inspection;
- (3) to publicly censure;
- (4) to impose financial penalties;
- (5) to apply for an injunction or restitution order;
- (6) to require restitution; and
- (7) to impose temporary prohibitions on individuals holding management functions.

19.38.5 In addition, the *UK Securitisation Regulations* provide the power for the *FCA* to take criminal or non-criminal action for misleading the *FCA*.

19.38.6 The *UK Securitisation Regulations*, for the most part, mirror the *FCA*'s investigative, sanctioning and regulatory powers under the *Act*. The *FCA* has decided to adopt procedures and policies in relation to the use of those powers akin to those we have under the *Act*. Key features of the *FCA*'s approach are described below.

The conduct of investigations under the UK Securitisation Regulations

19.38.7 The *UK Securitisation Regulations* apply much of Part 11 of the *Act*. The effect of this is to apply the same procedures under the *Act* for appointing investigators and requiring information when investigating breaches of the *Securitisation Regulation* and the *UK Securitisation Regulations*.

19.38.8 The *FCA* will notify the subject of the investigation that we have appointed investigators to carry out an investigation under the *UK Securitisation Regulations* and the reasons for the appointment, unless notification is likely to prejudice the investigation or otherwise result in it being frustrated. The *FCA* expects to carry out a scoping visit early on in the enforcement process in most cases. The *FCA*'s policy in non-criminal investigations under the *UK Securitisation Regulations* is to use powers to compel the provision of information in the same way as we would in the course of an investigation under the *Act*.

Decision making under the UK Securitisation Regulations

- 19.38.9 The decision-making procedures for those decisions under the *UK Securitisation Regulations* requiring the giving of a *warning notice*, *decision notice* or a *supervisory notice* are dealt with in *DEPP*.
- 19.38.10 The *UK Securitisation Regulations* do not require the *FCA* to have published procedures for commencing criminal prosecutions. However, in these situations the *FCA* expects that we will normally follow our decision-making procedures for the equivalent decisions under the *Act*, as set out in *EG 12*.
- 19.38.11 The *UK Securitisation Regulations* do not require the *FCA* to have published procedures to apply to the court for an injunction or restitution order. However, the *FCA* will normally follow our decision-making procedures for the equivalent decisions under the *Act*, as set out in *EG 10* and *EG 11*.
- 19.38.12 The *UK Securitisation Regulations* require the *FCA* to give third party rights as set out in section 393 of the *Act* and to give access to certain material as set out in section 394 of the *Act* as applied by the *UK Securitisation Regulations*.
- 19.38.13 Certain *FCA* decisions (for example an imposition of a requirement) may be referred to the Tribunal by an aggrieved party.

Imposition of penalties under the UK Securitisation Regulations

- 19.38.14 When determining whether to take action to impose a penalty or to issue a public censure under the *UK Securitisation Regulations* the *FCA*'s policy includes having regard to the relevant factors in *DEPP 6.2* and *DEPP 6.4*. The *FCA*'s policy in relation to determining the level of a financial penalty includes having regard, where relevant, to *DEPP 6.5* to *DEPP 6.5B* and *DEPP 6.5D*.
- 19.38.15 As with cases under the *Act*, the *FCA* may settle or mediate appropriate cases involving non-criminal breaches of the *UK Securitisation Regulations* to assist us to exercise our functions under the *UK Securitisation Regulations* in the most efficient and economic way. See *DEPP 5*, *DEPP 6.7* and *EG 5* for further information on the settlement process and the *settlement discount scheme*.

Imposition of disciplinary prohibitions under the UK Securitisation Regulations

- 19.38.16 The *FCA* may impose under the *UK Securitisation Regulations* a temporary prohibition in respect of an individual holding an office or position involving responsibility for taking decisions about the management of an *originator*, *sponsor* or *SSPE*. When determining whether to impose a temporary prohibition the *FCA* will have regard to the factors set out in *DEPP 6A*.

Statement of policy in section 169(7) (as implemented by the UK Securitisation Regulations)

- 19.38.17 The *UK Securitisation Regulations* apply section 169 of the *Act* which requires the *FCA* to publish a statement of policy on the conduct of certain interviews in

response to request from overseas regulators. For the purposes of the *UK Securitisation Regulations* the *FCA* will follow the procedures described in *DEPP 7*.

