Financial Services

Skills Council

AES-3 Appropriate Examinations: Lifetime Mortgage Activities

Standards for Appropriate Examinations for those advising a customer on equity release transactions

ApEx1 UK Financial Services, Regulation and Ethics

ApEx5 Mortgage Advice

ApEx6 Lifetime Mortgage Advice

The Appropriate Examinations Standards (AES) series is published by the Financial Services Skills Council. The Standards set out the requirements for Appropriate Examinations required for the relevant regulated activities specified under the Financial Services Authority's Training and Competence Rules.

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Overview

AES3-1 This paper states the standards for Appropriate Examinations for those individuals defined in the FSA's Training and Competence sourcebook TC 1 R 21 as employees engaging in advising a customer on equity release transactions.

AES3-2 The Skills Council will list as appropriate those examinations which meet the requirements set out below and elsewhere in this paper.

The Standard

AES3-3 Each Standard defines the learning outcomes and the levels of attainment that a candidate must achieve and the indicative content relevant to each learning outcome.

AES3-4 The Appropriate Examination requirement for those advising a customer on equity release transactions is:

4.1 Individuals must have passed an Appropriate Examination based on the **ApEx1 UK Financial Services, Regulation and Ethics** standard published here.

and

4.2 Individuals must have passed an Appropriate Examination based on the **ApEx5 Mortgage Advice** standard published here.

and

4.3 Individuals must have passed an Appropriate Examination based on the **ApEx6 Lifetime Mortgage Advice** standard published here.

AES3-5 Candidates must achieve, at the level of attainment specified, all the required outcomes in each Standard in order to pass an Appropriate Examination.

Recognition of Appropriate Examinations that meet the Standards

AES3-6 The Skills Council will designate as Appropriate Examinations proposed examinations that

6.1 meet the relevant Appropriate Examination Standards

and

- 6.2 are brought forward by an awarding body which meets at least one of the following conditions:
 - 6.2.1 it is accredited by the bodies regulating qualifications in England, Wales and Northern Ireland (Ofqual/DCELLS/Ofqual NI) and has been or is intended to be entered into the Qualifications and Credit Framework (QCF) or equivalent;

or

6.2.2 it submits the proposed Appropriate Examination for credit rating and placement in the Scottish Credit and Qualifications Framework by the Scottish Qualifications Authority;

or

- 6.2.3 it is offered by a higher education institution, empowered by statute to offer qualifications and in receipt of a satisfactory institutional audit report by the UK's Quality Assurance Agency for Higher Education (QAA);
 - or
- 6.2.4 it is approved by a body equivalent to those identified in above and having authority in a jurisdiction other than the UK.

Listing

AES3-7 The Skills Council holds a List of Appropriate Examinations. Once awarding body proposals meet the requirements set out above, they will be entered into this List as Appropriate Examinations that may meet the Training and Competence requirements of the FSA.

AES3-8 The List is accessible free of charge to employers, practitioners, candidates and members of the public on the Skills Council's website <u>www.fssc.org.uk/exams/index.html</u>.

AES3-9 It is provided to guide employers in discharging their responsibilities under the FSA's Training and Competence Rule TC 2.1.1R: which states with effect from 1 November 2007:

1. A firm must not assess an employee as competent to carry on an activity in TC Appendix 1 until the employee has demonstrated the necessary competence to do

so and has (if required by TC Appendix 1) passed each module of an Appropriate Examination. This assessment need not take place before the employee starts to carry on the activity

2. A firm may assess an employee who is subject to, but has not satisfied, an Appropriate Examination requirement as competent to the extent that:

(a) that employee works in a branch in an EEA State other than the United Kingdom;

- (b) the employee is engaging in MiFID business; and
- (c) there is no Appropriate Examination or equivalent in that EEA State.

Extract from the TC Sourcebook @ The Financial Services Authority 2007

Employers may use the List to identify Appropriate Examinations. The List provides contact details of the awarding bodies offering the examinations.

Internal Examinations

AES3-10 Employers may decide that an internal examination is more appropriate to their business. For further information, please contact the Skills Council.

Questions and Answers

AES3-11 The Skills Council publishes separately a list of Frequently Asked Questions about Appropriate Examinations. These are available to download from the Skills Council's website – <u>www.fssc.org.uk</u>.

Part One:

About the Standards

The Standards

AES3-12 For certain regulated activities, firms must ensure that employees have passed an Appropriate Examination in order to meet the FSA's Training and Competence Rules.

AES3-13 This paper sets out Appropriate Examination Standards in the form of learning outcomes, attainment levels and indicative content to be achieved by those advising a customer on equity release transactions.

Basis

Source

- AES3-14 Proposals for an examination curriculum were first published in the FSA's consultation paper CP157 Examination Framework for Retail Financial Services (Investment Advice Strand 1).
- AES3-15 The Standards stated here are derived from:
 - 15.1 the work of successive round table consultations and working parties, involving practitioners and awarding bodies;
 - 15.2 feedback from the FSA's consultation on CP157;
 - 15.3 subsequent work by a practitioner group to produce a prepublication draft;
 - 15.4 feedback from the Skills Council's own consultation on the process of identifying appropriate examinations (March 2004).

Relevance

AES3-16 The knowledge and understanding shown here underpins achievement of the appropriate National Standards for Providing Financial Advice, which are the benchmarks for assessing the individual's ability to practice competently in this role.

Status

AES3-17 Taken together, the Standards are the definitive statement of the knowledge and understanding which needs to be assessed within an Appropriate Examination for investment advisers to enable them to satisfy the FSA's examination requirement, subject to the examination being regarded as appropriate by their firm.

AES3-18 They do not apply to other areas of knowledge and understanding that a practitioner may need to offer advice on consumer requirements and financial products and services.

AES3-19 Where the FSA determines that an Appropriate Examination is required for other activities, the Financial Services Skills Council will bring forward relevant Examination Standards.

AES3-20 The Skills Council has already brought forward such Standards in the following publications, which may be downloaded from the Skills Council's website:

- AES-1 Retail Investment Advice
- AES-2 Mortgage Advice
- AES-3 Lifetime Mortgage Activities
- AES-4 Long Term Care Insurance Advice
- AES-5 Overseeing Life Policy Administration
- AES-6 Overseeing Investment Management Administration
- AES-7 Overseeing Stakeholder Pension Administration
- AES-8 Overseeing Collective Investment Schemes
- AES-9 Overseeing Safeguarding Client Money
- AES-10 Overseeing Stakeholder Pension Scheme Decision Trees
- AES-11 Securities and Derivatives Advice
- AES-12 Securities Advice
- AES-13 Derivatives Advice
- AES-14 Managing Investments
- AES-15 Advising on Friendly Society tax-exempt policies
- AES-16 Acting as a Broker Fund Adviser
- AES-17 Advising on syndicate participation at Lloyd's
- AES-18 Acting as a Pension transfer specialist

Scope of the Standards

AES3-21 The knowledge and understanding specified is set out under the following principal headings:

21.1 Learning Outcomes that require individuals to demonstrate knowledge and understanding;

21.2 Attainment Levels which define the level of knowledge and understanding individuals must demonstrate to show that they have achieved the learning outcome. An attainment level is set for each outcome, and determines which of the following the individual must demonstrate:

- 21.2.1 knowledge;
- 21.2.2 understanding;
- 21.2.3 an ability to apply knowledge and understanding;
- 21.2.4 an ability to analyse information;
- 21.2.5 an ability to assess or evaluate information.

21.3 Indicative content

21.3.1These are statements of the general areas of knowledge and understanding that must be covered in an Appropriate Examination.

21.3.2They are designed to guide awarding bodies when they design examinations in the subjects covered by each Standard.

Application

AES3-22 The Standards are set:

22.1 to enable firms to make training and testing arrangements for individuals to acquire and apply knowledge and understanding appropriate to provide financial investment advice

and

22.2 to guide awarding bodies so that they can bring forward proposals for Appropriate Examinations to the Financial Services Skills Council.

AES3-23 **An Appropriate Examination must meet the Standard**. It may comprise the whole of a qualification or part of it. It is for awarding bodies to decide the examination strategy they will use to meet the required Standard(s).

AES3-24 Whatever examination strategy is used, the Skills Council requires that the arrangements for testing achievement against the Standard(s) are clearly stated in both the examination design and the materials used to communicate awarding body requirements to candidates and employers.

Listing of Appropriate Examinations

AES3-25 The Skills Council maintains a List of Appropriate Examinations. This comprises

25.1 Qualifications and other tests that meet Appropriate Examination Standards; and

25.2 Qualifications and other tests that have been previously approved by the FSA.

AES3-26 For any examination to be entered into the List of Appropriate Examinations by the Financial Services Skills Council, it must

26.1 Meet the relevant Standard(s) set out here: that is, it must test achievement of

26.1.1 the learning outcomes at the specified levels of attainment, and

26.1.2 the indicative content.

and

26.3 Meet the requirements of a nationally recognised quality assurance body as defined below.

AES3-27 When awarding bodies bring forward proposals for examinations for entry into the Skills Council's List of Appropriate Examinations, the Skills Council will review each proposal against its Appropriate Examination Criteria [see Part Two].

AES3-28 The Skills Council will endeavour to inform the awarding body of the results of its review within ten working days' of receipt of the proposals and

Either

28.1 Confirm that the proposals meet the relevant Examination Standard(s)

Or

28.2 Request specific changes to be made so that the proposals meet the criteria.

¹ This timescale allows for discussions between the awarding body and the Skills Council if there is a need to clarify any aspects of the proposals. The Skills Council will make its best efforts to complete the review within ten days.

AES3-29 Once a proposal meets the criteria, the Skills Council will endorse its submission to an appropriate external quality assurance body. There are different external quality assurance bodies, depending upon where the awarding body is located and its educational status². The Skills Council's requirement is that:

29.1 Appropriate Examinations offered by an awarding body based in England, Wales or Northern Ireland must

29.1.1 meet the requirements of the relevant Appropriate Examination Standard(s)

and

- 29.1.2 be accredited by the relevant national qualifications regulators within the national qualifications frameworks (NQF) of England, Wales and Northern Ireland.
- 29.2 Appropriate Examinations offered by an awarding body based in Scotland must be credit-rated by the Scottish Qualifications Authority and placed in the Scottish Credit and Qualifications Framework (the equivalent in Scotland of the NQF).
- 29.3 UK higher education bodies³ (such as universities) offering Appropriate Examinations must have had a satisfactory institutional audit report from the Quality Assurance Agency for Higher Education (QAA).
- 29.4 Some examinations previously recognised by the FSA as 'approved examinations' are awarded by bodies outside the UK. Such bodies do not come into the scope of the UK quality assurance bodies identified above. In such cases, the Skills Council
 - 29.4.1 will ask the awarding body to confirm that their examinations are consistent with the relevant Appropriate Examination Standard(s); and
- 29.4.2 requires that the examination offered by the overseas awarding body is approved by a national body equivalent to QCA or QAA where such bodies exist in the jurisdiction of the awarding body. This will apply both to current qualifications previously approved by the FSA and to any new qualifications awarded by extra-territorial bodies.

AES3-30 Once accredited as a national qualification, the Skills Council will enter the qualification into the List of Appropriate Examinations, as a *current Appropriate Examination*.

² For more details of these bodies and their role in assuring the quality of Appropriate Examinations, please contact the Skills Council.

³ Higher education bodies are not in scope to QCA.

AES3-31 When such an examination replaces a previously approved examination (for example, a new version of the Mortgage Advice Qualification (MAQ), for advising a customer on a regulated mortgage contract) the older version will:

31.1 continue to be listed, because it will apply to those who passed it before the new version became available.

31.2 be listed as 'appropriate, but no longer available for new candidates'.

AES3-32 The Skills Council will co-operate with awarding bodies in informing the industry about transitional arrangements for candidates who have not completed a previously listed examination that is replaced by a new version.

Responsibility for maintaining competence

AES3-33 Employers are reminded that under the FSA's Training & Competence Rules and Guidance:

- TC 2.1.12 A firm must review on a regular and frequent basis employees' competence and take appropriate action to ensure that they remain competent for their role.
- TC 2.1.13 A firm should ensure that maintaining competence for an employee takes into account such matters as:
 - (1) technical knowledge and its application;
 - (2) skills and expertise; and
 - (3) changes in the market and to products, legislation and regulation.

Extract from the TC Sourcebook @ The Financial Services Authority 2007

Internal Examinations

AES3-34 An employer may decide not to use external Appropriate Examinations in their arrangements for meeting the FSA's Training and Competence Rules. They may instead decide to use internal examinations. Under the FSA's Training and Competence Rules, the employing firm should be able to justify that the examination is appropriate for the activity being carried out by the employee.

Part Two:

Criteria for Appropriateness

FSSC Criteria for recognising Appropriate Examinations

Proposals for recognition as Appropriate Examinations must meet the following criteria:

- AER1. The organisation making the proposals must be
 - 1.1. an awarding body accredited with the Qualifications and Curriculum Authority: that is, it must have satisfied the requirements for Part A accreditation with QCA; or
 - 1.2. prepared to accept a credit rating of the proposed Appropriate Examination and its placement in the Scottish Credit and Qualifications Framework by the Scottish Qualifications Authority; or
 - 1.3. a higher education institution, empowered by statute to offer qualifications and in receipt of a satisfactory institutional audit report by the UK's Quality Assurance Agency for Higher Education (QAA); or
 - 1.4. an examining body located outside the UK and approved by a body equivalent to QCA, SQA or QAA and having authority in a jurisdiction other than the UK.
- AER2. The proposals must meet the requirements of the relevant Appropriate Examination Standards: that is:
 - 2.1. The proposed learning outcomes must:
 - 2.1.1. be the learning outcomes specified in the Appropriate Examination Standards, and
 - 2.1.2. test attainment at least at the cognitive level defined for each outcome in each of the Appropriate Examination Standards;
 - 2.2. The proposals must clearly identify how each learning outcome is to be tested.
 - 2.3. The proposed **syllabus content** should be consistent with the indicative content of the Appropriate Examination Standard(s).

- 2.4. The assessment methods used must:
 - 2.4.1. be appropriate to testing attainment at the level specified in the relevant Appropriate Examination Standard(s);
 - 2.4.2. generate valid and reliable evidence of the candidate's knowledge and understanding;
 - 2.4.3. be capable of consistent application by competent examiners and moderators;
 - 2.4.4. be applicable to all potential candidates and allow for suitable alternative procedures to be available for candidates with special assessment needs.

Part Three:

Lifetime Mortgage Advice

Standards for Appropriate Examinations

Summary of Learning Outcomes

SUMMARY OF LEARNING OUTCOMES

	APEX1 UK FINANCIAL SERVICES, REGULATION AND ETHICS						
ApEx		UK Financial Services	Level				
Candi	idates	will be expected to:					
U	Dem	onstrate an understanding of:					
	U1.	the purpose and structure of the UK financial services industry	Comprehension				
	U2.	the main financial asset classes and their characteristics, covering past performance, risk and return	Comprehension				
	U3.	the main financial services product types and their functions	Comprehension				
	U4.	the main financial advice areas	Comprehension				
	U5.	the process of giving financial advice, including the importance of regular reviews of the consumer's circumstances	Comprehension				
	U6.	the basic legal concepts relevant to financial advice	Comprehension				
	U7.	the UK taxation and social security systems and how they affect personal financial circumstances	Comprehension				
	U8.	the impact of inflation, interest rate volatility and other relevant socio-economic factors on personal financial plans	Comprehension				
ApEx		Regulation and Ethics	Level				
Condi							
Canul		will be expected to:					
K		onstrate a knowledge of:					
		onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals	Knowledge				
	Dem K1 K2	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients	Knowledge Knowledge				
	Dem K1 K2	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of:	Knowledge				
K	Dem K1 K2	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of: the FSA's approach to regulating firms and individuals	Knowledge Comprehension				
K	Dem K1 K2 Dem	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of: the FSA's approach to regulating firms and individuals how the FSA's rules affect the control structures of firms and their relationship with the FSA	Knowledge Comprehension Comprehension				
K	Dem K1 K2 Dem U9.	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of: the FSA's approach to regulating firms and individuals how the FSA's rules affect the control structures of firms and their relationship with the FSA how the FSA's Conduct of Business rules apply to the process of advising customers/clients	Knowledge Comprehension Comprehension Comprehension				
K	Dem K1 K2 Dem U9. U10. U11. U12.	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of: the FSA's approach to regulating firms and individuals how the FSA's rules affect the control structures of firms and their relationship with the FSA how the FSA's Conduct of Business rules apply to the process of advising customers/clients how the anti-money laundering rules apply to dealings with private and intermediate customers	Knowledge Comprehension Comprehension				
K	Dem K1 K2 Dem U9. U10. U11. U12. U12.	onstrate a knowledge of: the main aims and activities of the Financial Services Authority (FSA),and its approach to ethical conduct by firms and individuals how non-tax law and regulations impact upon firms and the process of advising clients onstrate an understanding of: the FSA's approach to regulating firms and individuals how the FSA's rules affect the control structures of firms and their relationship with the FSA how the FSA's Conduct of Business rules apply to the process of advising customers/clients	Knowledge Comprehension Comprehension Comprehension				

INDICATIVE CONTENT FOR EACH LEARNING OUTCOME

		Α	pEx1 UK Financial Services, Regulation and Ethics
		Ar	PEX1A INTRODUCTION TO UK FINANCIAL SERVICES
Attainment Level		Outcome	Indicative Content
U Demonstrate an understanding of:	U1	The purpose and structure of the UK financial services industry	 U1.1. The function of the financial services industry in the economy – transferring funds between individuals, businesses and government – risk management U1.2. The main institutions/organisations – markets, retail institutions, wholesale institutions
			 U1.3. The role of the EU and of the UK government – regulation, taxation, economic and monetary policy, provision of welfare and benefits U1.4 The purpose and position of clearing and settlement organisations
	U2	The main financial asset classes and their characteristics, covering past performance, risk and return	U2.1. Cash deposits U2.2. Government securities and corporate bonds – fixed interest and index linked U2.3. Equities U2.4. Derivatives U2.5. Commodities U2.6. Property – residential and commercial
	U3	The main financial services product types and their functions	 U3.1. Direct investment – cash, government securities and corporate bonds, equities and property insurance U3.2. Collective investments – structure, tax and charges – OEICs/unit trusts, investment trusts and companies, life assurance contracts, offshore funds U3.3. Derivatives – their structure and purpose U3.4. Mortgages and other loans – personal and commercial
	U4	The main financial advice areas	 U4.1. Budgeting U4.2. Protection U4.3. Borrowing U4.4. Investment and saving U4.5. Retirement planning U4.6. Estate planning U4.7. Tax planning U4.8. The importance of regular reviews in line with the consumer's circumstances and arrangements

	U5	The process of giving financial advice, including the importance of regular reviews of the consumer's circumstances	 U5.1. The nature of the client relationship, confidentiality, trust and consumer protection U5.2. The information required from consumers and methods of obtaining it U5.3. Factors determining how to match solutions with consumer needs and demands U5.4. How to assess affordability and suitability U5.5. The importance of communication skills in giving advice and how to adapt advice to customers with different capacities and needs U5.6. The importance of monitoring and review of consumers' circumstances U5.7. The information consumers must be given under the current regulatory requirements
Attainment Level		Outcome	
U Demonstrate an understanding of:		The basic legal concepts relevant in financial advice	 U6.1. Legal persons – individuals, wills, intestacy, personal representatives (and administration of estates), trustees, companies, limited liabilities, partnerships U6.2. Contract, capacity U6.3. Agency U6.4. Real property, personal property and joint ownership U6.5. Powers of attorney and enduring powers of attorney U6.6. Insolvency and bankruptcy
	U7	The UK taxation and social security systems and how they affect personal financial circumstances	 U7.1. UK income tax system – liability to income tax, allowances, reliefs, rates, grossing up interest and dividends, employed and self-employed income, priorities for taxing different classes of income U7.2. Capital gains tax – liability to CGT, disposals, death, deductions, losses, main exemptions, indexation relief, taper relief, basic calculation of chargeable gains U7.3. Inheritance tax U7.4. Corporation tax U7.5. Concept of residency/domicile U7.6. Stamp duty on securities U7.7. National insurance U7.8. Social Security benefits
	U8	The impact of inflation and interest rate volatility on the performance of investments	U8.1. Definition of inflation U8.2. The difference between fixed and variable interest rates and how they affect the affordability, suitability and performance of financial products in both the long and short term

			APEx1B REGULATION & ETHICS
Attainment Level		Outcome	Indicative Content
K Demonstrate a	K1	The main aims and	K1.1 The role, activities and statutory objectives of the FSA
knowledge of:		activities of the Financial	K1.2 Key features of the FSA's principles for businesses
		Services Authority (FSA)	K1.3 Arrangements, systems and controls for senior managers
		and its approach to ethical	K1.4 The fit and proper test for approved persons
		conduct by firms and	K1.5 The prevention of crime, including market abuse and insider dealing
		individuals	K1.6 The approach to and requirements for treating customers fairly
	K2	How other non-tax laws	K2.1 The Office of Fair Trading and the Consumer Credit Act 1974
		and regulations are	K2.2 TPR's rules with respect to occupational pension schemes
		relevant to firms and to the	K2.3 Unfair Contract Terms
		process of advising clients	K2.4 EU directives
	K3 7	The role of oversight groups	K3.1 The role of internal and external auditors, trustees and compliance
U Demonstrate an	U9	The FSA's approach to	U9.1. Authorisation of firms, regulated activities & regulated investments, firms' status (independent or other)
understanding		regulating firms and	U9.2. Capital adequacy
of:		individuals	U9.3. FSA supervision and the risk based approach
			U9.4. Discipline and enforcement including notification requirements
	U10	How the FSA's rules affect	U10.1. Approved persons and controlled functions
		the control structures of	U10.2. Reporting and record keeping
		with the FSA	U10.4. Depolarisation
	011	How the FSA's Conduct of	U11.1. Types of customer
		Business Rules apply to	U11.2. Terms of business and client agreements
		the process of advising	U11.3. Status of advisers and status disclosure to customers
		customers/clients	U11.4. Advice and know your customer rules
			U11.5. Suitability of advice
			U11.6. Execution-only sales
			U11.7. Charges and commissions
			U11.8. Cooling off and cancellation
			U11.9. Product disclosure
			U11.10. Advertising and financial promotion rules
L	<u> </u>		<u> </u>

		APEx1B REGULATION & ETHICS (CONT'D.)
Attainment Level	Outcome	Indicative Content
D Demonstrate an	U12 How the Anti-Money	U12.1 Proceeds of Crime Act 2002 and associated Money Laundering regulations
understanding	Laundering rules apply to	U12.2 Definition of proceeds of crime
of:	dealings with private and	U12.3 Money laundering offences and the Terrorism Act 2000
	intermediate customers	U12.4 Client identification procedures
		U12.5 Record keeping requirements
		U12.6 Reporting procedures
		U12.7 Training requirements
		U12.8 The role of the Financial Action Task Force
	U13 The main features of the	U13.1. Firms' internal complaints procedures
	rules for dealing with	U13.2. The Financial Ombudsman Service (FOS)
	complaints and	U13.3. The Financial Services Compensation Scheme (FSCS)
	compensation	
	U14 How the Data Protection Act	U14.1. Definitions in the Data Protection Act
	1998 affects the provision	U14.2. The data protection principles
	of financial advice and the	U14.3. Enforcement of the Data Protection Act
	conduct of firms generally	

SUMMARY OF LEARNING OUTCOMES

FOR DETAILS OF THE LEARNING OUTCOMES AND INDICATIVE CONTENT FOR MODULES ApEx1 TO 4 INCLUSIVE, PLEASE SEE AES-1 AVAILABLE FROM THE FINANCIAL SERVICES SKILLS COUNCIL WEBSITE (www.fssc.org.uk)

	ApEx5 Mortgage Advice	Level				
Candidates will be expected to						
Κ	Demonstrate a knowledge of:					
K1	the definition of a mortgage and a regulated mortgage contract	Knowledge				
K2	the house-buying process, the key parties involved and their roles.	Knowledge				
K3	the principal types of property defect that surveys can identify and understand their implications when seeking a mortgage, including the options available to consumers.	Knowledge				
K4	the process and implications of buying property at auction	Knowledge				
K5	the common types of borrower and how their main mortgage related requirements may differ and what factors may disqualify people from borrowing	Knowledge				
U	Demonstrate an understanding of:					
U1.	the economic and regulatory context for giving mortgage advice	Comprehension				
U2.	. the role of a mortgage adviser and the importance and principles of providing advice, including the key factors affecting the advice given					
U3.	the implications for consumers of 'gazumping' and 'gazundering'	Comprehension				
U4.	1. the purpose of additional security, including the role of guarantors					
U5.	the fees and charges involved in arranging a mortgage, where these apply, the services they cover, when they become	Comprehension				
	due, which are refundable and how the opportunity for refunds diminishes as the process nears completion					
U6.	the principal factors affecting the value of property, including their implications for consumers seeking mortgages and when	Comprehension				
	Consumers should be referred for specialist advice					

U7. the different forms of valuation and survey and which might be appropriate for different properties and/or the borrower's Circumstances	Comprehension
U8. the main features and functions of mortgage payment protection insurance (MPPI) and life, accident, sickness and unemployment (ASU) insurance	Comprehension
U9. the principles and procedures associated with raising additional money and the circumstances when further borrowing might be appropriate	Comprehension
U10. the principles, procedures and costs associated with transferring mortgages	Comprehension
U11. the principles of using mortgages within debt consolidation arrangements	Comprehension
U12. the need to obtain Local Authority planning consent for house development/extensions	Comprehension
U13. the implications for the borrower of the non-payment of mortgages, other breaches of the Mortgage Deed, non-payment of building insurance, non-payment of ground rent/service charges and the options available	Comprehension
U14. the legal rights and remedies available to lenders in respect of non-payment from borrowers	Comprehension
U15. the main provisions made by the State to assist consumers in difficulties over the repayment of mortgages	Comprehension
U16. the main requirements of the Mortgage Conduct of Business Rules and the legislation affecting mortgages	Comprehension
U17. the key features of the different types of mortgage repayment options and their benefits and dis-benefits for different types of borrower	Comprehension
U18. the key features of the common types of mortgage product and interest rate options	Comprehension
U19. the structure and features of other types of mortgage and when they might be suitable for borrowers	Comprehension
An Demonstrate an ability to	
An1. analyse consumers' circumstances and suitable mortgage solutions taking account of any existing arrangements	Analysis
A Demonstrate an ability to	
A1. apply suitable mortgage solutions to specific consumers' circumstances	Application

Indicative Content For Each Learning Outcome

	APEX 5: MORTGAGE ADVICE					
Attainment Levels		Outcome	Indicative Content			
K Demonstrate a knowledge of:	K1.	the definition of a mortgage and a regulated mortgage contract	K1.1 K1.2	definition as given in FSA handbook legal definition		
	K2.	the house-buying process, the key parties involved and their roles	England, K2.1a K2.2a K2.3a OR Scotland K2.1b K2.2b K2.2b	role of estate agent/valuer/conveyancer/legal adviser process to contract exchange/completion and when a contract becomes binding proposed use of home information packs (as published in the new Housing Bill) role of estate agent/valuer/legal adviser conditional/unconditional offer private bargain/private treaty		
	КЗ.	the principal types of property defect that surveys can identify and understand their implications when seeking a mortgage, including the options available to consumers	K2.4 K3.1 K3.2	acceptance/completion/conclusion of missives main property defects how property defects may affect the lending decision and/or require immediate remedial works		
	K4.	the process and implications of buying property at auction	K4.1 K4.2	requirement for funding (ie cash/mortgage commitment) to be in place up front contracts exchanged, with associated deposit, on the day		
	K5.	the common types of borrower and how their main mortgage related requirements may differ and what factors may disqualify people from borrowing	K5.2 ir K5.3 tr	 rivate/residential borrowers intermediary/business/commercial borrowers (outline only) inose who cannot borrow indischarged bankrupts mentally incapacitated minors consumers with poor credit history consumers unable to prove income 		
U Demonstrate an understanding of:	U1.	the economic and regulatory context for giving mortgage advice	U1.1 U1.2 U1.3 U1.4	the property market and the main conditions that effect it interest rates and their drivers the UK mortgage lending sector mortgage regulation: MCOB and its implications for the mortgage adviser		

	APEX 5: MORTGAGE ADVICE						
Attainment Levels		Outcome		Indicative Content			
	U2.	the role of a mortgage adviser and the importance and principles of providing advice, including the key factors affecting the advice given.	U2.1 U2.2 U2.3 U2.4 U2.5 U2.6 U2.7 U2.8	affordability suitability risk time principles of ethical advice methods of verifying information supplied methods of checking that mortgage solution term needs and circumstances ways of advising clients in arrears who has indebtedness	ons match	o consumer immediate and long	
	U3.	the main features and the implications for consumers of 'gazumping' and 'gazundering'	U3.1 U3.2	gazumping gazundering			
	U4.	the purpose of additional security, including that of guarantors	U4.1	the requirement for guarantors to be adv	ised to se	ek independent legal advice	
U Demonstrate an understanding of:	U5.	the fees and charges involved in arranging a mortgage, identify where these apply, the services they cover, when they become due, which are refundable and how the opportunity for refunds diminishes as the process nears completion	Commo U5.1 U5.2 U5.3 U5.4 U5.5 U5.6 U5.7 U5.8 U5.9 U5.10 U5.11 U5.12 U5.13	only applicable charges and fees: reservation fees application fees arrangement fees lenders reference fees Land Registry fees valuation fees estate agent fees legal/solicitors fees Stamp Duty Land Tax Local Authority searches bankruptcy searches telegraphic transfer costs environmental searches, e.g. flooding, mining	Less co. only): U5.14 U5.15 U5.16 U5.17 U5.18	mmon/other party charges (outline survey fees and fees for other specialist reports booking fees title indemnity fees higher lending charges broker fees	

	APEX 5: MORTGAGE ADVICE					
Attainment Levels Out		Outcome		Indicative Content		
	U6.	U6. the principal factors affecting the value of property, including their implications for	U6.1	type of property		
			U6.2	location		
		consumers seeking mortgages and when	U6.3	building materials and any restrictions		
		consumers should be referred	U6.4	age of property		
		for specialist advice	U6.5	freehold/commonhold/leasehold (England & Wales)		
			U6.6	tenure (Scotland – note: new legislation from 2003)		
			U6.7	multiple use		
			U6.8	vacant possession		
			U6.9	reinstatement value		
			U6.10	whether it is insurable, eg risk of flooding		
			U6.11	planning permission		
			U6.12	building regulations		
			U6.13	contract guarantees		
			U6.14	history of subsidence		
			U6.15	listed/heritage		
			U6.16	easements, e.g. rights of way		
			U6.17	due diligence enquiries, e.g. outstanding disputes		
			U6.18	covenants		
U Demonstrate an understanding of:	U7.	and survey and which might be appropriate for different	U7.1	forms of valuation and or survey (basic valuations, homebuyer's report, building survey)		
			U7.2	requirements of lenders		
			U7.3	rights of the consumer		

	APEX 5: MORTGAGE ADVICE					
Attainment Levels	Outcome Indicative Content					
	U8.	the main features and functions of mortgage	U8.1	Cover provided by MPPI and ASU – long term illness, incapacity, unemployment, differences between MPPI and ASU		
	payment protection insurance (MPPI) and life, accident,	U8.2	Need for MPPI and ASU			
		sickness and unemployment (ASU) insurance	U8.3 U8.4 U8.5 U8.6 U8.7	MCOB and ICOB rules Main limitations on the insurance provided Comparing MPPI with ASU, income protection and critical illness insurance – advantages and drawbacks State support for mortgage costs – qualifying rules, main limits on benefits life assurance (endowments should be linked with repayment vehicles for interest only mortgages)		
			U8.8 U8.9 U8.10 U8.11 U8.12	mortgages) accident/sickness/critical illness/unemployment/redundancy insurance permanent health insurance buildings and contents insurance waiver of premium benefit higher lending charge		
	U9.	the principles and procedures	U9.1	equity release products (lifetime mortgages and home reversion schemes)		
		associated with raising additional money and the	U9.2	further advances		
		circumstances when further	U9.3	draw down facilities		
		borrowing might be appropriate	U9.4	release of part security		
			U9.5	remortgages, second mortgages		
			U9.6	bridging loans		
			U9.7	charging structures		
			U9.8	legal implications		
U Demonstrate an	U10.	the principles, procedures and	U10.1	transfer of mortgage to a new lender		
understanding of		costs of transferring mortgages	U10.2	implications of property moves		
			U10.3	converting one mortgage to another		
			U10.4	adding/removing one party from a joint mortgage		
			U10.5	redeeming a mortgage before/at the end of its term		
			U10.6	making additional/lump sum capital repayments on a mortgage, during its term		

	APEX 5: MORTGAGE ADVICE						
Attainment Levels	Outcom	e	Indicative Content				
	U11. the principles of		relationship between costs/penalties/repayments/term				
	mortgages within debt consolidation arrangements		risk to the consumer associated with consolidation				
		U11.3	risks associated with moving loans from unsecured to secured status				
		U11.4 U11.5					
	U12. the need to obta Authority plannin house developm	ng consent for U12.2	the main procedures in obtaining local authority planning consent				
	U13. the implications borrower of the mortgages, othe	non-payment of	when to provide a mortgage warning, ensuring that this is understood possible courses of action available (e.g. Scotland mortgage to rent scheme)				
	the Mortgage De payment of build non-payment of rent/service cha options available	eed, non- ding insurance, ground rges and the U13.3					
	U14. the legal rights a available to lend of non-payment	ders in respect					
	U15. the main provision the State to assist in difficulties over repayment of more than the state of the stat	ist consumers U15.2 er the					
U Demonstrate an understanding of	U16. the main require Mortgage Condu Rules and the le affecting mortga	uct of Business U16.2 egislation U16.3	 Property Misdescriptions Act Contract Law Principles of Agency Consumer Law Principles of testacy and intestacy, including grants of probate and letters of administration Rights of parties to joint tenancies and tenancies in common 				

APEX 5: MORTGAGE ADVICE								
Attainment Levels	Outcome	Indicative Content						
		 U16.10 Lenders Rights and Borrowers Covenant U16.11 Financial Services and Markets Act 2000 (including the Mortgage Conduct of Business Rules) England/Wales/Northern Ireland: U16.12 Property Law (Law of Property Act 1925, Leasehold Reform Act 1967, Leasehold Reform, Housing and Urban Development Act 1993 OR Scotland: U16.13 Rent to Mortgage Scheme U16.14 Matrimonial Homes Act (e.g. single borrowers require an affidavit) U16.15 Tenancy Act U16.16 Mortgage Rights Act U16.17 Statutory Repair Act U16.18 Bankruptcy Act (refers to 'sequestrian' in Scotland) U16.19 Land Tenure Reform Act (note – new legislation due 2003) U16.20 Legislation regarding intestacy – impact upon partner where mortgagor dies intestate U16.21 Feu disposition (reference Land Certificate in England/Wales) U16.21 Feu disposition (reference Cant Certificate in England/Wales) 						
U Demonstrate an understanding of	U17. the structure and features of other types of mortgage	U16.22Court decree (reference County Court Judgement in England/Wales)U17.1commercial mortgagesU17.2lifetime mortgages (defined term for 'equity release' mortgages for older consumers)U17.3low start/deferred interest mortgagesU17.4self build mortgagesU17.5100%/125% mortgagesU17.6foreign currency mortgagesU17.7new build mortgagesU17.8buy to let mortgages (including types of tenancy)U17.9'right to buy' Council property mortgagesU17.10shared appreciation mortgagesU17.11shared ownership mortgagesU17.12equity shares mortgagesU17.13pension scheme mortgagesU17.14adverse credit/sub-prime mortgages (for 'non-conforming' or 'non-status' borrowers, with, e.g. CCJs/arrears/discharged bankruptcy)U17.15Islamic home finance						
	U18. the key features of the different types of mortgage repayment options and their benefits and	 U18.1 capital and interest repayment (repayment mortgages) U18.2 interest payment (interest only mortgages) U18.3 implications for the consumer of the under-performance of repayment options 						

				Аре	X 5: MORTGAGE ADVICE			
Att	ainment Levels		Outcome	Indicative Content				
			dis-benefits for different types of borrower					
		U19.	the key features of the common types of mortgage product and interest rate options	U19.1 U19.2 U19.3 U19.4 U19.5 U19.6 U19.7 U19.8 U19.9 U19.10 U19.11 U19.12	 capital and interest mortgages repayment tracker mortgages (variable rate/LIBOR/base rate tracker mortgages) interest only tracker mortgages fixed rate mortgages capped rate (including capped and collared) mortgages discounted rate (including cash back/gift) mortgages deferred rate low start mortgages flexible mortgages all in one/current account mortgages, including drawdown facilities: offset mortgages CAT marked mortgages hybrid arrangement products, for example – 'part and part' mortgages the performance and volatility of fixed and variable interest rates for different types of borrower 			
	Demonstrate an ability to analyse	An1	analyse consumers' circumstances and suitable mortgage solutions taking account of any existing arrangements	An1.1 An1.2 An1.3 An1.4 An1.5 An1.6	Factors shaping consumers' circumstances and borrowing purposes How to assess affordability and suitability How to assess the long term performance of mortgage products Methods of identifying and reviewing suitable product solutions How to assess the impact of new solutions on existing arrangements Special rule requirements of MCOB4			
A	Demonstrate an ability to apply	A1	apply suitable mortgage solutions to specific consumers' circumstances	A1.1 A1.2 A1.3 A1.4 A1.5 A1.6	The range of solutions available to suit different types of circumstance The criteria for matching solutions to consumer needs and demands How to explain interest rates, volatility and related technical matters to lay people Factors influencing the way in which recommendations are presented How to check consumers' understanding of recommendations Consumer rights and the regulatory requirements apply to the provision of mortgage advice			
		A2	the principles of providing mortgage advice	A2.1 A2.2 A2.3 A2.4	principles of ethical advice methods of verifying information supplied by consumers methods of checking that mortgage solutions match consumer immediate and long term needs and circumstances ways of advising clients in arrears who have differing attitudes to risk and indebtedness			
An	Demonstrate an ability to analyse	An1	the key features of the different types of mortgage repayment	An1.1	capital and interest repayment (repayment mortgages);			

	APEX 5: MORTGAGE ADVICE								
Att	ainment Levels	Outcome			Indicative Content				
			options and their benefits and dis-benefits for different types of borrower	An1.2 An1.3	interest payment (interest only mortgages); implications for the consumer of the under-performance of repayment options				
An	Demonstrate an	An2	the key features of the common	An2.1	capital interest mortgages;				
	ability to analyse		types of mortgage product and interest rate options	An2.2	straight repayment tracker mortgages (variable rate/LIBOR/base rate tracker mortgages);				
				An2.3	interest only tracker mortgages;				
				An2.4	fixed rate mortgages;				
				An2.5	capped rate (including capped and collared) mortgages; discounted rate (including cash back/gift) mortgages; deferred rate low start mortgages;				
				An2.6	equity release mortgages (links to mortgage/home reversion schemes);				
				An2.7	flexible mortgages;				
				An2.8	all in one/current account mortgages, including drawdown facilities;				
				An2.9	CAT marked mortgages;				
				An2.10 An2.11	hybrid arrangement products, for example – 'part and part' mortgages the performance and volatility of fixed and variable interest rates for different types of borrower				
An	Demonstrate an		2.3 the structure and features of other types of mortgage	An3.1	commercial mortgages;				
	ability to analyse			An3.2	lifetime mortgages (defined term for 'equity release' mortgages for older consumers);				
				An3.3	low start/deferred interest mortgages;				
				An3.4	self build mortgages;				
				An3.5	100%/125% mortgages;				
				An3.6	foreign currency mortgages;				
				An3.7	new build mortgages;				
				An3.8	buy to let mortgages (including types of tenancy);				
				An3.8	let to buy mortgages;				
				An3.9	'right to buy' Council property mortgages;				
				An3.10	shared appreciation mortgages;				

APEX 5: MORTGAGE ADVICE						
Attainment Levels	Outcome	Indicative Content				
		An3.11 shared ownership mortgages (Housing Association);				
		An3.12 equity share mortgages;				
		An3.13 pension scheme mortgages;				
		An3.14 adverse credit/sub-prime mortgages (for 'non-conforming' or 'non-status' borrowers, with, e.g. CCJs/arrears/discharged bankruptcy);				
		An3.15 Sharia-compliant mortgages (also known as Islamic mortgages				

Apex6: Lifetime Mortgage Advice

		Level
On c	completion of the module, candidates will be expected to	
Κ	Demonstrate a knowledge of:	
K1	the definition of a lifetime mortgage and alternatives	Knowledge
U	Demonstrate an understanding of\:	
	U1. the principles of equity release, the types of equity release schemes available and the applications for which such schemes might be appropriate	Comprehension
	U2. the types of consumer targeted and their particular requirements, both personal and financial	Comprehension
	U3. the circumstances where equity release may be appropriate and how these influence the consumer's purpose(s)	Comprehension
	U4. what happens when the consumer dies or goes into long term care, the type of advice that may be appropriate and	Comprehension
	when to offer such advice	
	U5. the key features and relative benefits and risks of lifetime mortgages and the principal products and services that are	Comprehension
	alternatives to lifetime mortgages	
An	Demonstrate an ability to analyse	
An1	the suitability and affordability of the different types of lifetime mortgage products and their principal alternatives for different types of consumer	Analysis
As	Demonstrate an ability to assess	
Ac1	the risks to consumers associated with taking out equity release, and when these might arise	Evaluation
As1		
As1 As2	The relative levels of risk for different consumers taking account of the relevant factors	Evaluation
	The relative levels of risk for different consumers taking account of the relevant factors Demonstrate an ability to apply	Evaluation
As2		Evaluation Application

Indicative Content for Each Learning Outcome

	APEX 6: LIFETIME MORTGAGE ADVICE							
4	Attainment Levels Outcome				Indicative Content			
К	Demonstrate a knowledge of:	K1	the definition of a lifetime mortgage and alterntaives	K1.1	the definition as given in FSA Handbook			
U	Demonstrate an understanding of:	U1	the principles of equity release, the types of equity release schemes available and the applications for which such schemes might be appropriate	U1.1 U1.2 U1.3	principles of equity release and the requirements of the MCOB definition of equity release schemes available, including lifetime mortgages and reversions			
		U2	the types of consumer at whom equity release is targeted and their particular requirements, (both personal and financial)	U2.1 U2.2	 Types of consumer those who need to realise the value of their assets those who choose to realise the value of their assets Requirements for retirement income home improvements financing health/long term care needs inheritance tax planning lifestyle choices and family reasons other than those covered above 			
		U3	the circumstances where equity release may be appropriate and how these influence the consumer's purpose(s)	U3.1 U3.2 U3.3 U3.4 U3.5 U3.6	increased income for asset rich/income poor consumers provision of income towards health and/or long- term care, lifestyle benefits, - e.g. cars, holidays an alternative to trading down an 'alternative' pension plan inheritance tax planning role of SHIP			
		U4	what happens when the consumer dies or goes into long term care, the type of advice that may be appropriate and when to offer such advice	U4.1 U4.2 U4.3 U4.4	effect of there being a will as against dying intestate effect upon single and joint consumers impact of property being owned singly or jointly; joint tenancy/tenancies in common] impact of guarantees regarding 'no negative equity'			

U5	the key features, relative benefits and risks of lifetime mortgages and the principal products and services that are alternatives to lifetime mortgages	U5.1 U5.2 U5.3	features, benefits and risks of lifetime mortgage products: • rolled up interest (income, lump sum) • home income plans (HIPs) • interest-only mortgages • drawdown mortgages • other products coming into the market features, benefits and risks of reversions grants applicable to and tax treatment of different options grants applicable to and tax treatment of different options

	APEX 6: LIFETIME MORTGAGE ADVICE					
Attainment Levels Outcome		Outcome	Indicative Content			
An	Demonstrate an ability to analyse	An1	the suitability and affordability of the different types of lifetime mortgage products and their principal alternatives for different types of consumer	An1.2 An1.3 An1.4 An1.5 An1.6 An1.7	lifetime mortgage products (including whether the consumer wants a no-negative equity guarantee and the impact of choice on estate) home reversion schemes (HRS), (including – legal title, impact upon death, tenant as against consumer and any associated requirements regarding rent and maintenance, opportunities to sell a further share of the property where only part of a property is sold, impact of choice on estate) trading down/downsizing, (including, for those with higher value properties, the possibility of releasing capital, recognition of factors which may mean this is unattractive – eg cost of moving, lack of options in local vicinity) grants, (including – relevance where consumer may require a relatively small amount for home improvements, awareness of options available to consumers – including Local Authority and charitable organisations – and to which bodies consumers may be referred for advice sale and rent, (including – tenancy considerations, effect of life expectancy) informal arrangements where the option might be considered of borrowing monies from, for example, relatives debt advice to address the reasons behind consumers wanting monies where this is to pay off debts how personal health circumstances and needs affect choice of products	
As	Demonstrate an ability to assess	As1	the risks to consumers associated with taking out equity release, and when these might arise	As1.2 As1.3 As1.4 As1.5 As1.6 As1.6 As1.7 As1.8 As1.9	factors that influence whether the consumer has access to further funds how debt can increase rapidly where interest is rolled up possibility of negative equity terms associated with early repayment how an increase in income or capital can cause a loss in entitlement to some means-tested benefits and allowances, (Local Authority, State benefits); with a relevant understanding of the benefits rules, including how these can vary by Local Authority how an increase in income can lead to an increase in tax liability possible restrictions on having someone move into the property possible restrictions regarding future alterations to the property possible terms of any repair and maintenance clauses 0 the impact of divorce and or remarriage	

As1.11 other factors associated with taking out equity release (such as valuation cost legal fees, etc.) AS1.12 the impact of inflation on fixed income

	APEX 6: LIFETIME MORTGAGE ADVICE						
A	Attainment Levels		Outcome	Indicative Content			
As	Demonstrate an ability to assess	As2	the relative levels of risk for different consumers taking account of the relevant factors	As2.3	amount of equity amassed and the amount the consumer wants to release		
A	Demonstrate the ability to apply	A1	the rules relating to state benefits to provide appropriate advice to consumers regarding a potential loss in entitlement due to an increase in income or capital, including how these may vary by Local Authority	A1.1 A1.2	state benefits regional variations		
		A2	suitable equity release solutions to the circumstances of different types of consumer	A2.1 A2.2 A2.3 A2.4 A2.5 A2.6	principles of ethical advice and the requirements of MCOB methods of verifying information supplied by consumers methods of checking that equity release solutions match consumers' needs, demands and circumstances the importance of discussing solutions with the consumers' family and when this is appropriate measures necessary to protect consumers' interests how to explain complex technical matters to people unfamiliar with the terms and concepts of equity release and how to check understanding		