

(By email)

5 February 2019

Our Ref: FOI6190

### **Freedom of Information: Right to know request**

Thank you for your request under the Freedom of Information Act 2000 ("the Act") dated 08 January 2019 for the following information:

- 1. The number of complaints made by consumers to the Advertising Standards Authority in October 2018 which were passed by the ASA to the FCA because they fall outside the ASA's remit.*
- 2. In as much detail as possible under FOI, the outcomes of the investigation of these complaints. If you are allowed to release more than summary information, please contact me to specify the exact types of data which you are allowed to release, to avoid making an unnecessarily arduous request.*

Your request has been considered and I can confirm we hold the information you are seeking. We have numbered our response for ease of reference.

1. For the month of October 2018, there were 28 referrals from the Advertising Standards Authority (ASA) to the FCA which they fell outside the ASA's remit.
2. Whilst the FCA cannot comment on individual cases, the FCA reviewed each of the referrals from the ASA; in 22 cases, we determined that there were no breaches for us to pursue or they did not fall within the FCA's remit; one was closed in accordance with our risk based approach; three were taken forward as cases; and we linked a further two to already existing cases.

I believe this should satisfy your request; however, if you are unhappy with the decision made in relation to your request, you have the right to request an internal review. If you wish to exercise this right you should contact us within three months of the date of this response.

If you are not content with the outcome of the internal review, you also have a right of appeal to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 01625 545 700. Website: [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely

**Information Disclosure Team**

