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14 October 2019

Our Ref: FOI6760

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

Thank you for your request under the Freedom of Information Act 2000 (the "Act"), dated 16<sup>th</sup> September 2019, for information relating to debt collectors.

Your request has been considered and I will respond to each part of your request below.

1. If you are responsible for the registration of Debt Collectors.

The FCA is responsible for accessing a firm's application to ensure that they meet and will continue to meet the FCA's threshold conditions in relation to the regulatory activity of debt collecting.

2. What authority do these registered Debt Collectors have.

Debt Collection firms can undertake the regulated activity of debt collecting as set out in the Regulated Activities Order under article 39F [here](#). The definition of Debt Collecting is outlined in the FCA's Perimeter Guidance Manual under chapter 2.7.8D (G) and states:

- (1) Taking steps to procure the payment of a debt due under a credit agreement or a consumer hire agreement is a regulated activity.
- (2) 2) Taking steps to procure the payment of a debt due under an article 36H agreement (see PERG 2.7.7HG (3)) which has been entered into with the facilitation of an operator of an electronic system in relation to lending is also a regulated activity.
- (3) (3) The activity is not a regulated activity in so far as the activity is operating an electronic system in relation to lending (article 36H of the Regulated Activities Order) see PERG 2.7.7H G. The authorised firm is required to adhere to the rules and guidance set out in the FCA's Consumer Credit Sourcebook in particular chapters 5 and 7.

3. What happens if a registered Debt Collector breaches their authority; and what action can one take to remedy this.

In the first instance, the consumer can complain directly to the debt collection firm and await the firm's investigation and redress (if applicable). If the consumer is not satisfied with the debt collection firm's response, then they may escalate their complaint to the Financial Ombudsman Service (FOS) and ask them to investigate the complaint. A link to their website can be found [here](#). The customer is also able to advise the FCA about the conduct of an authorised firm by phoning the Supervision Hub on the following telephone number 0800 111 6768. Guidance on making a complaint about an authorised firm can be found on the FCA website [here](#).

4. Do you have a database available online with the contact details of your registered Debt Collectors, including telephone numbers and email addresses.

Details of all directly authorised firms and their appointed representatives who undertake debt collecting activities are held on the FS Register, which can be found [here](#).

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 the Information Disclosure Team within 40 working days 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  
Financial Conduct Authority