

Email: foi@fca.org.uk

5 March 2020

Our Ref: FOI7086

Freedom of Information: Right to know request

Thank you for your Freedom of Information request of 10 February 2020, in which you asked for information regarding the Temporary Permissions Regime (TPR) and Temporary Marketing Permissions Regime (TMPR).

Your request has been considered and we will answer each point in turn.

1. The total number of notifications received by the FCA from firms to use the TPR?

We have received 1097 from firms to use the TPR.

1a). The total number of notifications received by the FCA from firms to use the TPR broken down by the firm's home state?

Home State	Number of firm notifications
FRANCE	103
IRELAND	192
SPAIN	38
GERMANY	102
MALTA	36
LUXEMBOURG	61
CZECH REPUBLIC	13
NETHERLANDS	110
DENMARK	22
LIECHTENSTEIN	36
CYPRUS	161
PORTUGAL	7
NORWAY	26
ICELAND	3
BELGIUM	45

AUSTRIA	11
BULGARIA	8
CROATIA	1
ESTONIA	1
GREECE	9
HUNGARY	4
ITALY	29
LATVIA	5
LITHUANIA	29
POLAND	13
SLOVAKIA	3
SLOVENIA	1
SWEDEN	21
FINLAND	5
ROMANIA	2
Total	1097

1b). The total number of notifications received by the FCA from firms to use the TPR by firm type?

Firm type	Number of firm notifications
Advisers and intermediaries	258
Alternative Asset Manager (e.g. hedge fund / private equity manager)	39
Asset Manager	145
Contracts for Difference Providers	108
Corporate Finance Firms	13
Credit brokers	5
Crowdfunders (Investment)	1
Custody Services and Administrators	4
Debt advice firms	1
Debt purchasers, debt collectors, and debt administrators	1
E-money Issuer	49
Life Insurance	19
Lloyds & London Market Intermediaries (incl. Managing General Agents)	68
Lloyds Managing Agents & London Market (Re)Insurers (incl. P&I Clubs)	3
Motor finance providers	1
Multilateral Trading Facility	8
Organised Trading Facility	3
Payment Services Firm	137
Personal and Commercial Lines Insurance Intermediaries	79
Personal and Commercial Lines Insurers (incl. EEA insurers)	13
Platforms	5
Price Comparison Websites	1
Principal Trading Firms	35

Retail Bank	3
Retail finance providers	4
Wealth Managers and Stockbrokers	36
Wholesale Bank	1
Wholesale Brokers	56
Other	1
Total	1097

1c) The total number of notifications received by the FCA from firms to use the TPR, broken down by passport being used?

Directive	Number of firms
AIFMD	74
MiFID	391
IDD	411
PSD	125
SEMD	61
UCITS	33

Please note:

- Some firms passport under more than one directive.
- The information in the tables above has been provided to us by the firms
- The list of countries that have notified are from the EEA (i.e EU including Liechtenstein, Norway and Iceland)

2. The total number of notifications received by the FCA from fund managers to use the TMPR?

As of 31 January 2020, 601 notifications were submitted from fund managers to use the TMPR.

2a) The total number of notifications received by the FCA from fund managers to use the TMPR broken down by the firm's home state?

We can confirm that we hold information that falls within the scope of point 2a and the information we can provide is contained in the table below. However, due to receiving a small number of notifications from fund managers to use the TMPR from some of these jurisdictions we could not be confident that individual firms could not be identified. We are therefore prohibited from providing it to you under section 44 (Prohibitions on disclosure) of the Act. For more information as to why this exemption applies, please see Annex A below.

Home State	Number of firm notifications
AUSTRIA	S.44
BELGIUM	S.44
BULGARIA	S.44
CYPRUS	S.44
DENMARK	S.44
ESTONIA	S.44
FINLAND	S.44
FRANCE	57
GERMANY	S.44
IRELAND	258
ITALY	S.44
LIECHTENSTEIN	S.44
LUXEMBOURG	180
MALTA	17
NETHERLANDS	18
NORWAY	11
SLOVENIA	S.44
SPAIN	S.44
SWEDEN	13
UNITED KINGDOM	12
Total	601

2b) The total number of notifications received by the FCA from fund managers to use the TMPR broken down by the firm type?

We do not record the firm type on Fund TMPR notifications as the Fund manager TMPR form does not require this information.

2c) The total number of notifications received by the FCA from fund managers to use the TMPR broken down by the passport being used?

We can confirm that we hold information that falls within the scope of point 2c and the information we can provide is contained in the table below. However, due to receiving a small number of notifications from fund managers to use the TMPR from some of these jurisdictions we could not be confident that individual firms could not be identified. We are therefore prohibited from providing it to you under section 44 (Prohibitions on disclosure) of the Act. For more information as to why this exemption applies, please see Annex A below.

Home State of Fund manager	Directive	Number of fund manager
AUSTRIA	AIFMD	S.44
BELGIUM	UCITS	S.44
BULGARIA	UCITS	S.44
CYPRUS	AIFMD	S.44
DENMARK	AIFMD	S.44
	UCITS	S.44
ESTONIA	UCITS	S.44
FINLAND	AIFMD	S.44
FRANCE	AIFMD	25
	AIFMD & UCITS	11
	UCITS	21
GERMANY	AIFMD	S.44
	AIFMD & UCITS	S.44
	UCITS	S.44
IRELAND	AIFMD	30
	AIFMD & UCITS	18
	UCITS	210
ITALY	AIFMD	S.44
	UCITS	S.44
LIECHTENSTEIN	AIFMD	S.44
	AIFMD & UCITS	S.44
	UCITS	S.44
LUXEMBOURG	AIFMD	62
	AIFMD & UCITS	54
	UCITS	64
MALTA	AIFMD	S.44
	AIFMD & UCITS	S.44
	UCITS	S.44
NETHERLANDS	AIFMD	14
	AIFMD & UCITS	S.44
	UCITS	S.44
NORWAY	AIFMD	10
	UCITS	S.44
SLOVENIA	UCITS	S.44
SPAIN	AIFMD	S.44
SWEDEN	AIFMD	12
	UCITS	S.44
UNITED KINGDOM	UCITS	12
TOTAL		601

If you are unhappy with our response you have the right to request an internal review. If you wish to exercise this right you should contact us 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

Yours sincerely

Information Disclosure Team / Cyber and Information Resilience Department / Operations



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Annex A

- **General right of access to information held by public authorities**

Under section 1(1)(a) of the Act, any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request. If the public authority holds information of the type specified in the request, the person requesting the information is entitled under section 1(1)(b) to have the information communicated to them. The rights in section 1(1)(a) and (b) are subject to a number of exclusions and exemptions.

- **Section 44 (Prohibitions on Disclosure)**

Section 44(1)(a) of the Act provides that information is absolutely exempt from disclosure if its disclosure (otherwise than under the Act) is prohibited by or under any enactment. Section 348 of FSMA restricts the FCA from disclosing "confidential information" it has received except in certain limited circumstances (none of which apply here).

Confidential information for these purposes is defined as non-public and non-anonymised information which relates to the business or other affairs of any person and which was received by the FCA for the purposes of, or in the discharge of, its functions under FSMA.

The information requested amounts to confidential information which, when received by the FCA, would have been received in the discharge of its functions under FSMA. Disclosure of any confidential information, without the consent of the provider of the information, and, if different, the consent of the person to whom the information relates would be a breach of section 348 of FSMA and would be a criminal offence.

It is also possible for "received" information to be embedded within information created by the FCA and such information is also exempt from disclosure under section 44 of the Act. Consequently, the FCA is prohibited from disclosing to you any information which we received while performing our regulatory duties and which is not in the public domain or where the relevant consents have not been obtained.