

Modification by consent of SUP 16.23A.6 direction

To: XXX (the "firm")

Ref: XXX

Of: XXX

Date: XXX

Handbook Versions as in force at the date of this Direction

Power

1. This Direction is given by the *FCA* under section 138A of the *Act*.

Duration

2. (1) This Direction takes effect on XX
 (2) This Direction ends on **- 3 years from start date.**

Rule modified

3. The *FCA* directs that the *rules* listed below apply to the *firm* with the modifications shown. The modifications are subject to the conditions set out in paragraph 8.
4. In the table below, underlining indicates new text and striking through indicates deleted text.

Rule	Modification
SUP 16.23A.6R(1)	<p>(a) A <i>firm</i> must obtain and submit to the <i>FCA</i> a report satisfying the requirements of <u>SUP 16.23A.6R(2)</u>, prepared by an auditor, or the Employers Liability Tracing Office (ELTO), satisfying the requirements of <u>SUP 3.4</u> and <u>SUP 3.8.5 R to 3.8.6 R</u>, and addressed to the <i>directors</i> of the <i>firm</i>.</p> <p>(b) <u>For the purposes of compliance with SUP 16.23A.6R(1) if a firm appoints ELTO to prepare the report:</u></p> <p>(i) <u>The requirements of SUP 3.4.2 R will be satisfied to the extent that the firm takes reasonable steps to ensure that ELTO has the required skill, resources and experience to prepare the report satisfying the requirements of SUP 16.23A.6R(2).</u></p> <p>(ii) <u>The requirements of SUP 3.4.4G will be satisfied to the extent that ELTO has skills, resources and</u></p>

	<p><u>experience commensurate with the nature, scale and complexity of the firm's business and the requirements and standards required to produce the report satisfying the requirements of SUP 16.23A.6R(2). The firm should seek confirmation of this from ELTO as appropriate.</u></p> <p><u>(iii) The requirements of SUP 3.8.5R to SUP 3.8.6 R will not fail to be satisfied solely as a consequence of the relationship between ELTO, as a qualifying tracing office, and the firm, solely by virtue of the firm being a member of ELTO.</u></p> <p><u>(iv) SUP 3.8.7 G and SUP 3.5.4 G, to which it refers, are not applicable to the extent that ELTO does not have a recognised supervisory body.</u></p>
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Interpretation

5. Interpretative provisions (including definitions) of the *Handbook* apply to this Direction in the same way as they apply to the *Handbook*.

XXX

Waivers Team
Supervision-Retail & Authorisations
Financial Conduct Authority