FINANCIAL CONDUCT AUTHORITY

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How to respond

The Financial Conduct Authority invites comments on this consultation paper. Comments should reach us by 30 June 2025 for Chapters 3 and 5, 7 July 2025 for Chapter 4, and 14 July 2025 for Chapters 2, 6 and 7.

Comments may be sent by electronic submission using the form on the FCA's website.

Alternatively, please send comments in writing to:

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If you are responding in writing to multiple chapters please send your comments to Lisa Ocero in the Handbook Team, who will pass your responses on as appropriate.

All responses should be sent to:

Financial Conduct Authority
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Disclaimer

When we make rules, we are required to publish:

- a list of the names of respondents who made representations where those respondents consented to the publication of their names,
- an account of the representations we receive, and
- an account of how we have responded to the representations.

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3	Removing reporting requirements and notifications, amending the frequency of reporting for REP009 and removing nil return requirements for REP008.	3 weeks
4	To lift the ban on the retail sale, marketing and distribution of cryptoasset exchange traded notes (cETNs) where admitted to a UK recognised investment exchange (UK RIE), and categorise these cETNs as Restricted Mass Market Investments (RMMIs).	4 weeks
5	Amendments to the UK EMIR reporting requirements to trade repositories.	3 weeks
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Chapter 2

Consequential amendments to SUP as a result of legislative changes introduced in section 415AA of FSMA

Introduction

2.1 Section 415AA of the Financial Services and Markets Act 2000 (FSMA), which came into force on 29 August 2023, allows the FCA to take action against firms that are no longer authorised for misconduct that took place while they were authorised. The FCA can appoint investigators, issue a public censure, impose a financial penalty or require redress payments to victims of misconduct in relation to firms which become unauthorised after the misconduct or suspected misconduct has occurred. This applies to firms which became unauthorised on or after 20 July 2022.

2.2 As a result of these changes, we have reviewed Chapter 6 of the Supervision manual (SUP) which provides guidance to firms with Part 4A permission that wish to cancel their Part 4A permission and end their authorisation.

2.3 We set out below proposed minor consequential amendments to SUP 6 in light of the legislative changes introduced in section 415AA of FSMA.

Summary of proposals

2.4 SUP 6.4 contains guidance on applications for cancellation of permission.

Amendment of SUP 6.4.23G and deletion of SUP 6.4.24G to SUP 6.4.26G

2.5 SUP 6.4.24G sets out that powers under FSMA to issue public censures, impose financial penalties and require that restitution cannot be used against formerly authorised firms. With the introduction of section 415AA, this is no longer the case. Our proposal is therefore:

- to delete SUP 6.4.24G; and
- to add these powers to the list of powers which do apply to formerly authorised firms in SUP 6.4.23G.

2.6 SUP 6.4.25G is contingent on the legal position expressed in SUP 6.4.24G. It creates a strong presumption that the FCA will refuse a firm's cancellation application where the FCA either proposes to exercise enforcement powers or has ongoing proceedings against the firm. Now that the FCA has powers to take enforcement action against firms that were formerly authorised, the fact that a firm may be under investigation can no longer create that presumption. SUP 6.4.25G will therefore be deleted.

2.7 As a consequence of deleting SUP 6.4.24G and SUP 6.4.25G, we also propose to delete SUP 6.4.26G, moving the cross-reference to the Decision Procedure and Penalties manual (DEPP) to SUP 6.4.23G.

Retention of SUP 6.4.22G(5) and (6)

2.8 SUP 6.4.22G sets out factors that the FCA will take into account in deciding whether to cancel a firm's Part 4A permission. These include, at (5), whether the firm is currently being investigated or subject to continuing enforcement action and, at (6), whether there are any other matters which should be investigated first. The factors listed in SUP 6.4.22G are not exhaustive; rather, they are considered holistically and given due weight according to the relevant circumstances.

2.9 We propose to retain (5) and (6), notwithstanding the extension of powers under section 415AA. The extension provides a backstop for enforcement action in instances such as, but not limited to, where a firm's misconduct comes to light after a firm's authorisation has ceased. We do not intend to rely on these powers instead of the investigative and enforcement framework provided by FSMA for use against authorised firms.

2.10 With that in mind, we will retain the factors relating to investigation and enforcement set out in SUP 6.4.22G as relevant considerations in the round when taking decisions about cancellation applications. This means that a firm may be kept authorised where an investigation has been or will be commenced, or where enforcement action is continuing (as is the case now). Conversely and for the avoidance of doubt, retention of these factors does not preclude us from granting cancellation in circumstances where a firm is or will be investigated.

Amendment of SUP 6.4.22G (references to PRA)

2.11 SUP 6.4.22G refers to the 'relevant regulator', and the heading above SUP 6.4.23G refers to the PRA. We no longer consider these necessary and propose amendments to refer only to the FCA. Information about the PRA's approach to firm cancellation applications is on the PRA website: www.bankofengland.co.uk/prudential-regulation/authorisations/cancelling-firm-permissions.

2.12 We have shared our proposed changes relating to firm cancellation applications with the PRA, which has confirmed it has no objections. We note that other parts of SUP 6 also refer to the 'relevant regulator' and the PRA. It is under consideration whether they need to be amended, and if so, these will be consulted on in future as appropriate.

Question 2.1: Do you agree with our changes proposed to SUP 6.4?

Rule Review Framework

2.13 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

2.14 Section 138I of FSMA requires us to publish a cost benefit analysis (CBA) when proposing draft rules. Our proposals do not introduce any new rules or significant changes to existing rules. We have therefore not undertaken a CBA.

Impact on mutual societies

2.15 We are satisfied that the proposals in this chapter would not have a significant impact on mutual societies compared with other authorised persons.

Compatibility statement

2.16 We are required by section 1B of FSMA to act (so far as reasonably possible) in a way which is compatible with our strategic objective, advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

2.17 We are satisfied that the proposed amendments are compatible with our objectives and other legal obligations. Our proposals are unlikely to have a significant impact on the wider UK economy but by ensuring our Handbook is accurate and up to date, firms have certainty as to our processes and procedures, including the scope and applicability of our powers.

Equality and diversity

2.18 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

2.19 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Chapter 3

Data Decommissioning

Introduction

3.1 The Transforming Data Collection (TDC) programme aims to improve our data collection processes to streamline regulatory reporting and reduce unnecessary burden on firms. In Consultation Paper (CP) 25/8, we consulted on the removal of 3 other regulatory returns. Respondents were broadly supportive of our approach to eliminating reporting that is no longer required.

3.2 We have since identified further returns that are no longer useful in conducting our supervisory work. We are now consulting on an additional 2 returns for full decommissioning, 1 for a reduction in reporting frequency and 1 where an alternative submission approach will be put in place. We have also identified areas of our Handbook which contain form layouts and instructions relating to outdated returns. We want to tidy up the Handbook by removing information about returns that firms are no longer required to complete. This will ensure the Handbook reflects the current reporting landscape, reducing complexity.

3.3 These proposals serve as a continuation of the commitment under Strategy to make data collection more proportionate and targeted. They also align with the commitments outlined in Feedback Statement (FS) 25/2, which set out areas for action and further plans for reviewing our requirements following the introduction of the Consumer Duty. This is an immediate step to simplify our requirements on firms and reduce regulatory costs.

3.4 The aim is to ensure we are only collecting data necessary to meet our statutory objectives. These changes will enable firms to focus their resources on high-value reporting obligations and reduce unnecessary burden.

3.5 We expect this to affect firms who are required to submit the following returns:

- REP022 – 11,200 firms
- Retail Investment Advice (RIA) Complaints – 5,100 firms
- REP008 – 36,000 firms
- REP009 – 150 firms

Summary of proposals

3.6 We propose to:

- decommission REP022 (General Insurance Pricing Attestation) and RIA Complaints;
- reduce the frequency of reporting for REP009 (Consumer Buy-To-Let Mortgage Aggregated Data); and

- remove the requirement to submit nil returns for REP008 (Notification of Disciplinary Action relating to conduct rules staff (other than SMF managers)).

REP022 – General Insurance Pricing Attestation

3.7 We published our final report on our insurance pricing practices market study in September 2020. This was followed by the publication of CP20/19, Policy Statement (PS) 21/5 (and the amendment to the rules in PS21/11) which set out the final rules designed to make general insurance markets work better for consumers. These rules came into effect on 1 January 2022.

3.8 ICOBS 6B.2.60R requires firms to provide an attestation about their compliance with the rules published in PS21/5 and PS21/11, including confirmation that their pricing approach is not discriminating against customers of longer tenure. We have used firms' attestations to inform our supervision of their implementation of the pricing rules. But, as these pricing rules have been in force for several years, we consider that firms should have properly established their processes to comply with these requirements. Also, firms remain subject to the wider regulatory framework which requires them to ensure they are complying with these rules and notify us if not.

3.9 We consider that this means the attestation reporting requirements via REP022 are no longer an essential way to monitor firms' compliance and so we propose to remove these requirements and decommission the REP022 return. Firms will still need to be able to demonstrate how they are complying with the pricing rules. This will include the need for relevant senior management of these firms to take accountability for ensuring their firms' regulatory compliance with our rules (including where this is necessary to meet obligations under the Senior Managers and Certification Regime (SM&CR)). We consider that this continues to provide a robust framework for holding firms (and relevant individuals) accountable if we see any concerns with how they are meeting ICOBS 6B.

3.10 In PS21/11, we introduced a notification requirement in SUP 16.28.9R(5) for insurance intermediaries to notify us in relation to commission-rebating. This was intended to give us greater insight into the extent of commission rebating in the market and monitor the pricing rules. We are now proposing to delete this notification requirement. The rules have been in place for several years and, while this data has been useful to inform our understanding of the market and how firms were complying with our rules, we consider that the benefits of obtaining this notification in future are limited and it is no longer a necessary step for us to monitor the market.

RIA Complaints

3.11 The RIA Complaints Return is completed by firms that provide retail investment advice. It captures information about complaints made against individual advisers, including the number of complaints received, the nature and cause of each complaint, the outcomes and any redress paid. This return is submitted every 6 months, and the requirement is listed under DISP 1.10 in the Handbook.

3.12 We introduced the adviser reporting requirements to give us visibility of advisers' complaint history. While it achieves this purpose, it requires adviser firms to report complaints which are also reported in the DISP 1 Annex 1 return. We want to remove the duplication of effort required from firms in reporting complaints data at both the individual adviser and firm level.

3.13 We have recently consulted more widely on complaints reporting in CP25/13 (Improving the complaints reporting process). This proposes improvements to the firm-level data we collect. The removal of the RIA return will not alter the requirements for firms to notify us of significant rule breaches or serious misconduct by employees.

REP009 – Consumer Buy-To-Let Mortgage Aggregated Data

3.14 Under Part 3 of the Mortgage Credit Directive Order 2015 (MCDO), we were given powers to supervise and – where appropriate – take action against firms carrying out consumer buy-to-let (CBTL) activity. In PS15/11, we set out how we would collect data from firms engaged in CBTL business in order to inform our supervisory approach. PS15/11 requires firms to report data on CBTL mortgage contracts on a quarterly basis, via REP009, including details of loan volumes, arrears, repossessions and complaints. Firms are given 30 business days to complete their REP009 submissions after the end of each calendar quarter.

3.15 Following a review of our data collection approach, we have determined that moving to an annual reporting cycle would still enable us to meet our statutory obligations of ensuring firm compliance with the MCDO. The proposed change would align REP009 submissions with the calendar year (January to December). This adjustment reflects our commitment to proportionate regulation and to ensure we collect only the information that is required.

3.16 We want to ensure that any changes we make are beneficial for firms. So, we are keen to understand whether firms think there is any advantage in moving to an annual reporting cycle for REP009. We believe that the cost savings outlined in our cost-benefit analysis (CBA) and the overall reduction in firm burden outweigh the adjustments to firm schedules.

3.17 We also propose to amend the layout of the data collection to reflect that it will be annual.

REP008 – Notification of Disciplinary Action relating to conduct rules staff (other than SMF managers)

3.18 The SM&CR introduced an annual reporting requirement, REP008. REP008 requires firms to report whether they have taken disciplinary action against employees who are not senior managers for breaches of the Conduct Rules and, if so, the details of the breaches. The obligation to report such breaches is outlined in section 64C of the Financial Services and Markets Act 2000 (FSMA).

3.19 Currently, firms must submit REP008 annually even if there have been no Conduct Rule breaches resulting in disciplinary action. Firms that fail to submit REP008 by the reporting deadline are charged a late submission administrative fee.

3.20 We have determined that nil return submissions do not provide additional regulatory value to our supervision of these firms. So, we are proposing a flexible approach to REP008 submissions. Under our proposals, firms in scope would continue to see REP008 in RegData. However, if the firm had no information to declare, they would not need to submit it. Instead, firms would submit the necessary information only when they had breaches to declare, or when they had follow-up notifications to previous submissions.

3.21 As we no longer expect to receive nil submissions, we propose to permanently cease applying the late return administrative fee to this return. This approach ensures that firms remain compliant with FSMA rules, while reducing administrative burden.

3.22 If our proposals are made final, we will communicate with firms ahead of the October reporting deadline via our usual channels to remind firms we would not be expecting them to submit a nil return.

3.23 If our nil returns proposal made final and firms fail to submit when they have information to declare, we may re-consider the 'nil returns' approach set out in this chapter. We will monitor this through comparison with historical submission rates. If successful, we will review other regulatory returns with nil return submissions.

3.24 We are also consulting on changing the reporting period for this data, for limited permission consumer credit firms. We would be interested in firm views on whether the reporting period should be based on a calendar year (in line with the proposal set out in Chapter 6 of this QCP (Amendments to SUP 16 on the scheduling of Consumer Credit data returns)) or remain aligned to their accounting reference date.

Our approach to these data collections while we consult

3.25 We want to ensure we take a fair and pragmatic approach to data collection while we consult on the changes set out in this chapter.

3.26 Firms will continue to see REP022, RIA Complaints and REP008 scheduled on RegData during the consultation period. However, we will not chase firms that fail to submit these, and firms can choose not to submit them. We will not expect firms to submit REP008 unless they have a breach to declare. We will also waive the associated late return administrative fee.

3.27 This approach only applies to the data collections identified in this QCP chapter while we consult and consider the responses to the consultation. Should we decide not to delete or amend any of the relevant returns, this approach will cease and we will communicate this to firms.

3.28 There will be no changes to the REP009 reporting schedule on RegData during the consultation period; we expect firms to continue to submit this return as usual.

Prudent valuation adjustment return

3.29 The requirement to submit this return was removed in 2022 when the Prudential sourcebook for MiFID Investment Firms was introduced. We now propose to remove the related form layout and instructions from SUP 16 Annex 31A and SUP 16 Annex 31B, respectively. This supports our aim to simplify the Handbook.

Impact of the proposals on consumers

3.30 The proposals will have no direct impact on consumers. These provisions relate solely to internal reporting processes and do not affect the products, services or protections provided by firms. The changes focus on eliminating outdated instructions that no longer serve a practical regulatory purpose, ensuring firms' reporting processes remain efficient and aligned with current requirements.

3.31 The proposals do not alter the standards or expectations for how firms operate in the marketplace. Removing these sections simply clarifies their reporting responsibilities.

Impact of the proposals on firms

3.32 We expect this to have a net benefit on firms. See the CBA for further detail.

Question 3.1: **Do you agree with the proposed decommission of REP022? If not, please explain why.**

Question 3.2: **Do you agree with the proposed decommission of RIA Complaints? If not, please explain why.**

Question 3.3: **Do you agree with changing the submission process for REP008 to no longer submit nil returns? If not, please explain why.**

Question 3.4: **Do you agree with removing the late administration fee for REP008? If not, please explain why.**

Question 3.5: **Do you agree with the reduction in frequency of REP009? If not, please explain why.**

Question 3.6: **Do you agree with removing the form layout and instructions for the Prudential Valuation return to reduce the length of the Handbook?**

Rule Review Framework

3.33 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

3.34 Our proposals do not add any regulatory reporting requirements. Rather, we are proposing firms complete fewer data submissions than they currently do. Therefore, we believe this intervention will not result in a material increase in firm costs for sending regulatory data. Instead, the firms will benefit from savings on the ongoing reporting costs.

3.35 We have produced the CBA by considering at a high-level the costs to a firm of submitting the returns in 2024. We consider that conducting a more detailed analysis would not be a proportionate use of our resources.

3.36 We have projected the cost savings for firms by relying on the annual cost of reporting for a single firm based on the information in the original consultation papers that introduced each return. These are:

- REP008 – Annex 2 of CP16/27
- REP009 – Annex 2 of CP15/03
- REP022 – Annex 2 of CP20/19
- RIA Complaints – Chapter 4 of CP11/08

3.37 These costs were adjusted to reflect the current population of firms and by using an inflation calculator.

3.38 Our estimate of the savings for industry is about £25 million per year.

3.39 We used broad assumptions to create a workable framework:

- The ongoing yearly costs of submitting a return are evenly spread for submissions more than once a year, such as quarterly or half-yearly.
- The ongoing cost does not depend on changes in firm size and structure over time.
- Changes to data collections over time, with minimal impact on the cost, were not considered.
- No allowance has been made for changes in technology.

Impact on mutual societies

3.40 Section 138K of FSMA requires us to state whether, in our opinion, our proposed rules have a significantly different impact on authorised persons who are mutual societies, compared to other authorised persons. We do not expect the proposals in this chapter to have a significantly different impact on mutual societies.

Compatibility statement

3.41 When consulting on new rules, we are required by section 138I(2) of FSMA to explain why we believe that making the proposed rules is consistent with our strategic objective and advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

3.42 We are satisfied that the proposed amendments are compatible with our objectives and other legal obligations. Our proposals are compatible with our secondary growth objective in that they seek to streamline and simplify our requirements on firms and ensure our approach to regulation is proportionate.

Equality and diversity

3.43 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

3.44 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Chapter 4

Lifting the ban on retail access to certain cryptoasset exchange traded notes (cETNs)

Introduction

4.1 On 6 January 2021, we prohibited the sale, marketing and distribution of derivatives and exchange traded notes (ETNs) referencing certain types of cryptoassets to retail consumers, in light of the risks posed by these products at the time.

4.2 Since then, cryptoasset markets have continued to evolve. We have also, so far as possible, strengthened our regulatory remit for cryptoassets, including under the Money Laundering Regulations (MLRs) and the financial promotions regime in January 2020 and October 2023 respectively. In light of these developments, we updated our position on 11 March 2024, stating that we would not object to requests from Recognised Investment Exchanges (RIEs) to create a UK-listed market segment for cryptoasset exchange traded notes (cETNs), available only to professional investors. This decision reflected increased insight and data due to a longer period of trading history, enabling exchanges and professional investors to better assess whether cETNs meet their risk appetite.

4.3 Long-term confidence in cryptoassets depends on clear regulation to promote market integrity and appropriate consumer protection. We have used our existing powers under the MLRs and the financial promotions regime to:

- keep firms unable to meet financial crime standards out of the UK;
- support consumers in protecting themselves against misleading or unfair marketing in relation to cryptoassets; and
- warn against cryptoasset scams and the risks of investing in cryptoassets.

4.4 Meanwhile, retail consumers' access to regulated cryptoasset-linked products such as listed cETNs has remained restricted. However, unregulated or higher-risk cryptoasset-linked products are increasingly available to retail consumers, including through spot cryptoasset markets, leveraged exchange traded products (ETPs) and crypto proxy investments. These products may not be subject to the same level of regulatory oversight or consumer protection as listed cETNs, such as the requirements of the UK Listing Regime and the UK Prospectus Regulation, and may expose retail consumers to greater risks.

4.5 We want to create the right environment for UK firms to grow and innovate, while ensuring consumers are adequately protected and markets function well. When we last consulted on retail access to cETNs, we made a commitment to continuously monitor and assess market and international regulatory developments.

4.6 Following a review of the ban on retail access to cETNs, to ensure greater consistency in the regulatory treatment across products and reflect the changing market landscape and regulatory framework, we believe it is now appropriate to consider lifting the ban. Similar to how cETNs traded on UK RIEs (UK RIE cETNs) are now available to professional investors, we are proposing to make these products available to retail consumers in the same way.

4.7 To ensure additional safeguards for UK retail consumers, we propose that these products should be subject to our Conduct of Business sourcebook (COBS) and related financial promotion rules (including marketing restrictions such as risk warning requirements). Specifically, UK RIE cETNs should be categorised as restricted mass market investments (RMMIs), and as a result be subject to equivalent financial promotions rules as the underlying cryptoassets. Firms offering cETNs to retail consumers would also need to comply with the Consumer Duty.

4.8 In line with the principles for the compensation framework, we have considered the risk that compensation for consumers who have chosen to engage in higher risk services or products may lead to poor incentives among consumers and firms. We also note that there is uncertainty on the risk to the wider market and potential exposure that could result for the Financial Services Compensation Scheme (FSCS) from firm failures involved in the UK RIE cETN market. We therefore do not propose to extend FSCS cover for UK consumers when investing in UK RIE cETNs. Risk warnings will ensure that consumers can make informed decisions about the protections available to them.

4.9 This consultation forms part of our wider work on the cryptoasset regulatory regime, which we are developing in line with our published Crypto Roadmap. Under the Roadmap, we have invited feedback on the admissions and disclosures regime and the market abuse regime for cryptoassets (Discussion Paper (DP) 24/4) and on new regulated activities for cryptoassets (DP25/1). Recently, we consulted on our proposed rules for stablecoin issuance and custody of cryptoassets. Later this year, amongst other things, we will also consult on the proposed FSCS treatment under the new cryptoasset regime.

Summary of proposals

4.10 To achieve the policy intention outlined in paragraphs 4.6-4.8 above, we propose to:

- amend the prohibition on retail marketing of cETNs in COBS 22.6 to remove cETNs from the scope of our ban on marketing, sale or distribution to retail customers of certain products giving exposure to cryptoassets where these products are traded on UK RIE cETNs;
- include UK RIE cETNs within the category of RMMIs to ensure application of the financial promotion rules under COBS 4.12A; and
- include a new bespoke risk summary for UK RIE cETNs in COBS 4 Annex 1 and appropriate assessment considerations in COBS 10 to properly apply COBS 4.12A requirements on the promotion of RMMIs.

4.11 These changes seek to categorise all UK RIE cETNs as RMMIs, avoiding the scenario where some UK RIE cETNs may fall into a different category of product under our

financial promotions rules, thereby ensuring the rules apply consistently across UK RIE cETNs. We will seek to make these changes as soon as possible and implement the change from 8 weeks after the final rules are made. The proposed changes to our Handbook are outlined in Appendix 3.

4.12 After these changes, firms are able to offer UK RIE cETNs to retail consumers provided they have the appropriate Financial Services and Markets Act 2000 (FSMA) permissions and comply with applicable requirements including financial promotions rules.

Question 4.1: **Do you agree with our overall proposal (outlined above and in Appendix 3) to the lifting of the ban on retail access to cETNs which are admitted to UK RIEs, so that retail consumers may access UK RIE cETNs in the same way as professional investors? Please explain.**

Question 4.2: **Do you agree that UK RIE cETNs should be subject to broadly the same financial promotions rules as qualifying cryptoassets and classified as restricted mass market investments?**

Rule Review Framework

4.13 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

4.14 Section 138I(2)(a) of FSMA requires the FCA to publish a cost benefit analysis (CBA) when proposing draft rules. Section 138L(3) of FSMA provides that section 138I(2)(a) does not apply where we consider that there will be no increase in costs or that any increase will be of minimal significance. We believe the changes proposed in this chapter are not likely to result in cost increases or that any increases will be of minimal significance. Therefore, we believe that no CBA is required.

4.15 Our proposals would allow retail consumers access to UK RIE cETNs and enable certain distributors to sell these products subject to having appropriate FSMA permissions and complying with applicable requirements including the marketing restrictions noted above. There may be small changes or costs incurred by existing trading venue operators if they need to amend the rules of existing market segments to indicate they are no longer restricted to professional investors. Product providers with existing listed cETNs may also need to consider supplementing or submitting a new prospectus to the FCA for UK RIE cETNs to be distributed to retail consumers.

4.16 These products will pose risks for investors linked to the performance of underlying cryptoasset markets which remain, at present, largely unregulated, and are still prone to high volatility and financial crime risks. However, we consider that the marketing restrictions proposed should ensure retail consumers understand these risks. Also, given the existing retail access to alternative unregulated or higher-risk products providing exposure to cryptoassets, we do not think our proposals materially increase risks to retail consumers.

Impact on mutual societies

4.17 Section 138K of FSMA requires us to state whether, in our opinion, our proposed rules have a significantly different impact on authorised persons who are mutual societies, compared to other authorised persons. We do not expect the proposals in this chapter to have a significant impact on mutual societies.

Compatibility statement

4.18 When consulting on new rules, we are required by section 138I(2) of FSMA to explain why we believe that making the proposed rules is consistent with our strategic objective, advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

4.19 We are satisfied that the proposed amendments are compatible with our objectives and other legal obligations. The amendments advance our operational objectives of securing an appropriate degree of consumer protection and promoting effective competition in the interests of consumers. We consider that the requirements applicable to firms offering UK RIE cETNs to retail consumers, including under financial promotions rules and the Consumer Duty, will secure an appropriate degree of consumer protection. The proposals will promote effective competition in the interests of consumers by allowing firms to compete in retail markets offering cETNs and providing greater investor choice.

4.20 We are satisfied that any burdens or restrictions are proportionate to the expected benefits given that requirements will apply to a market which is currently prohibited, and the proposal would achieve benefits of greater investor choice and competition in the market. We are also satisfied that the proposed amendments are compatible with the FCA's secondary international competitiveness and growth objective, as the proposals align with regulatory and market developments in other jurisdictions and include regulatory safeguards to ensure growth is sustainable in the medium and long term.

4.21 Our proposals have taken into account the recommendations made by the Treasury in the November 2024 remit letter and approach to cryptoasset regulation. We have also considered the commitment in our January 2025 letter to the Prime Minister to ensure

future consultations on consumer protection ask if the Consumer Duty is sufficient rather than new rules. We have not included a question on the Consumer Duty in this paper as we are not imposing new requirements on firms, but rather allowing certain firms to offer products where this was previously prohibited.

Equality and diversity

4.22 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

4.23 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Chapter 5

Amendments to the UK EMIR Trade Repository reporting requirements

Introduction

5.1 Under Article 9 of the UK version of the European Market Infrastructure Regulation (UK EMIR), the FCA and the Bank of England (Bank) (together, 'the Authorities') share supervisory responsibilities for the derivatives reporting obligation. The FCA is responsible for the reporting framework for counterparties in addition to trade repositories (TRs). The Bank is responsible for the framework for derivatives reporting as it applies to central counterparties (CCPs). Any subsequent references to 'we', 'us' and 'our' in this chapter should be read in this context and based on this split of responsibilities.

5.2 Following the completion of the implementation of UK EMIR Refit in March 2025, in the light of feedback from industry, we are consulting on making minor changes to the UK EMIR reporting regime to make it work more smoothly.

5.3 This chapter sets out the specific details of the changes to be made by the FCA, as part of the joint proposals by the FCA and the Bank to amend our respective technical standards:

- FCA: EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023 and EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023
- Bank: The Technical Standards (EMIR Reporting and Data Quality and Miscellaneous Amendments) Instrument 2023

Who this applies to

5.4 The proposals in this chapter will apply to:

1. Counterparties in scope of the reporting requirements under UK EMIR.
2. TRs registered, or recognised, under UK EMIR.
3. Third party service providers who offer reporting services to counterparties subject to reporting under UK EMIR.

5.5 Our proposals may also be of interest to trade associations, law firms and consultancy firms.

Summary of proposals

5.6 In 2021, the Authorities published Consultation Paper (CP) 21/31, 'Changes to reporting requirements, procedures for data quality and registration of Trade Repositories under UK EMIR'. As part of the feedback to that consultation, respondents highlighted the benefits of introducing a new reportable field to permit the reporting of an 'Execution agent' where counterparties choose to make use of one.

5.7 As summarised in paragraph 1.36 in Policy Statement (PS) 23/2, we recognised these benefits, and included the new field in the final rules:

- EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023 – Annex Table 1 (Field 21)
- EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023 – Annex Table 1 (Field 21)

5.8 The 'Execution agent' field is an optional field which applies only to a certain segment of firms using an execution agent to execute trades on their behalf. As an example, buy-side firms delegating their reporting through a clearing broker.

5.9 Immediately prior to the implementation of UK EMIR Refit in September 2024, industry testing identified that the field should also have been included in Table 3 of the Annexes of the technical standards. As a result, reporters adopted interim solutions and workarounds to enable relevant parties to have sight of submissions. To address this oversight and simplify reporting processes, we propose adding the 'Execution agent' field to Table 3 of the Annexes of the technical standards and to make the consequential changes to the UK EMIR XML reporting schemas and UK EMIR Validation Rules. As with the pre-existing execution agent field, this new field will not need to be completed where such an execution agent is not used.

5.10 We are also taking this opportunity to correct a cross-referencing error regarding the Unique Transaction Identifier in Article 8(5)Article 8(5) of the EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023.

Amendments to the to the technical standards

5.11 **Proposal 1:** The addition of 'Execution agent' as a new field, Field 30, in Table 3 of the Annexes of the EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023 and EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023 and the consequential cross-referencing changes in each Technical Standard.

5.12 The proposed amendment will also be reflected in other technical documentation to ensure consistency. Specifically, as set out in the draft Validation Rules (applicable from 1 December 2025) and draft XML reporting schemas (applicable from 1 December 2025) (Incoming messages to TRs and Outgoing messages from TRs) which have been published on our webpage. We do not generally consult on Validation Rules. On this occasion however, and on an exceptional basis, we invite participants to provide any feedback.

5.13 This is to correct the oversight where the execution agent field was added to the trade reporting requirements, but not the margin reporting requirements.

5.14 **Proposal 2:** Amendment of article 8(5) (Unique Transaction Identifier) of the EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023 to correct a cross-referencing error.

5.15 This is set out on page 4 of the draft Standards Instrument.

5.16 Subject to consultation feedback, we plan to implement the amendments on 1 December 2025.

Timing

5.17 The proposed addition of the execution agent field will require changes to firms' reporting systems. However, it is a minor change to the reporting schema that will not impose a significant cost to implement. Additionally, firms that use execution agents are already collecting the data needed to report the information in the trade reporting files.

5.18 Consistent with the cadence of changes to the reporting regime the Authorities have previously discussed with industry, we propose an effective date of 1 December 2025 for these amendments. We note this aligns with the change arising from PS24/14: Improving transparency for bond and derivatives markets, facilitating a coordinated systems release.

Implementation

5.19 We are proposing to amend the EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023 and EMIR Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting 2023 using the FCA's powers under Articles 9(5) and 9(6) of UK EMIR and under Sections 137T, 138P, 138Q and 138S of the Financial Services and Markets Act 2000 (FSMA).

5.20 The FCA may make a standards instrument if it has been approved by HM Treasury. Before submitting a standards instrument to HM Treasury for approval, we are required to publish a draft of the proposed technical standards accompanied by an explanation of our reasons for believing that making the proposed technical standards is compatible with our objectives and a cost benefit analysis.

5.21 We have offered pre-consultation to the appropriate statutory panels in advance of this consultation and have been directly engaging with the industry bodies and firms most affected by the proposals.

5.22 We must also consult with both the Bank and the PRA pursuant to Section 138P(4) of FSMA ahead of making the standards instrument.

Question 5.1: **Do you agree with the proposed addition of Field 30 (Execution agent) to Table 3 of the Annexes of each technical standard? If not, please provide your rationale.**

Question 5.2: **Do you agree with the implementation date of 1 December 2025?**

Question 5.3: **Do you have any other comments on the proposals set out in this chapter?**

Feedback and next steps

5.23 We welcome feedback on the questions set out above, which are based on the proposals in this consultation by 30 June 2025.

1. CCPs should submit their feedback to emirreporting@bankofengland.co.uk. Please also refer to the Bank's CP.
2. All other reporting counterparties and Trade Repositories should submit their feedback to the FCA in line with the 'How to respond' section as detailed in page 2 of this Quarterly Consultation [CP25/16].
3. Other respondents may submit responses to either the Bank or the FCA using either option (1) or (2).

5.24 All responses to this consultation will be shared between the Authorities.

5.25 Following consideration of responses, we will submit the amended technical standards to HM Treasury for approval, in accordance with section 138R of FSMA. Subject to approval by HM Treasury, we intend to publish the finalised technical standards on our respective websites on 1 August 2025.

Rule Review Framework

5.26 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

5.27 Section 138I(2)(a) of FSMA requires us to publish a cost benefit analysis (CBA) when proposing draft rules. Section 138L(3) of FSMA provides that section 138I(2)(a) does not apply where we consider that there will be no increase in costs or the increases will be of minimal significance. We set out in Appendix 7 of our Statement of Policy on Cost Benefit Analysis what we consider to be cost increases of 'minimal significance'.

5.28 Having assessed the individual changes proposed in this chapter, we believe that the proposals are not likely to result in cost increases or that any increases will be of minimal significance. As the addition of the execution agent reporting field in Table 3 of the Annexes of each technical standard will only have minimal cost to implement and thereafter reduce ongoing costs by removing the need for a workaround by reporting entities, we are utilising this exemption for the proposals in this chapter.

Impact on mutual societies

5.29 Sections 138K and 138S(2)(h) of FSMA requires us to state whether, in our opinion, our proposed technical standards have a significantly different impact on authorised persons who are mutual societies, compared to other authorised persons. We do not expect the proposals in this chapter to have a significant impact on mutual societies.

Compatibility statement

5.30 When consulting on new technical standards, we are required by section 138I(2) and 138S(2)(h) of FSMA to explain why we believe that making the proposed technical standards is consistent with our strategic objective, advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

5.31 We are satisfied that the proposed amendments are compatible with our objectives and other legal obligations. We have also had regard to the recommendations made by the Treasury in the November 2024 remit letter. The proposed changes will support firms in providing accurate data to us by enhancing the clarity of the reporting regimes. In turn, this will allow more effective and efficient firms' supervision by making it easier for the FCA to identify emerging potential risks. This will help us advance our strategic objective of ensuring relevant markets function well and our operational objective of enhancing the integrity of the UK financial system through increased transparency.

5.32 We are also satisfied that the proposed amendments are compatible with the FCA's secondary international competitiveness and growth objective. The changes are expected to impose minimal costs on firms and do not affect firms' incentives or ability to compete in the market.

5.33 We have considered the regulatory principle under s.3B FSMA that a burden or restriction which is imposed on a person, or on the carrying on of an activity, should be proportionate to the benefits, considered in general terms, which are expected to result from the imposition of that burden or restriction. The addition of the execution agent reporting field in Table 3 will remove the need for a workaround by reporting entities, thereby reducing the overall burden of reporting.

5.34 We consider that these proposals do not contradict our need to contribute towards achieving compliance by the Secretary of State with section 1 of the Climate Change Act 2008 (UK net zero emissions target) and section 5 of the Environment Act 2021 (Environmental targets).

Equality and diversity

5.35 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

5.36 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Chapter 6

Amendments to SUP 16 on the scheduling of Consumer Credit data returns

Introduction

6.1 At present, firms which conduct limited permission consumer credit activities are required to submit an annual data return (CCR007) in line with their Accounting Reference Date.

6.2 In Policy Statement (PS) 25/3, we confirmed the introduction of a new CCR009 return, which is expected to be provided on a calendar year basis. Limited permission firms in scope of CCR009 will be required to submit this return in addition to CCR007.

6.3 Limited permission firms are only permitted to carry out specific credit-related activities, so are subject to fewer threshold conditions (our minimum standards) than other firms.

6.4 In order to streamline reporting for limited permission firms going forward, we propose to amend the scheduling rules to align the submission of existing returns to calendar year, meaning affected firms will submit both returns at the same time. We believe this will reduce the burden on these firms from regulatory reporting requirements.

Summary of proposals

6.5 When designing and consulting on the new CCR009 return, the proposal for firms to provide data based on a calendar year received positive feedback. Not only does this provide significant benefits to the FCA, in terms of the value we are able to get from consistently reported data, but industry suggested it is better aligned with how they collect and report on these activities internally.

6.6 The new CCR009 return forms part of a wider review of consumer credit data and we anticipate introducing another return covering the remaining consumer credit activities of lending, consumer hire, debt collection and debt administration. We expect this phase to also align to calendar year reporting, and once completed, we will be able to turn off 4 of the remaining CCR returns.

- CCR002
- CCR003
- CCR006
- CCR007

6.7 These further changes would remove any dual reporting requirements on firms. However, we have decided to delay the introduction of any further returns in order to ensure any burden on firms is proportionate and to assess the value and impact of these changes.

6.8 This change in the timing of the work means that for an interim period, limited permission firms in scope of CCR009 will have to submit data to us on relevant activities across 2 returns; CCR007 and CCR009. While the information in both returns is important, the scheduling of these returns means that CCR007 is currently required to be submitted following a firm's accounting year end while CCR009 is required to be submitted following the calendar year end.

6.9 To minimise the impact of the changes to the returns, we are proposing to amend the scheduling of the CCR007 return to align with the new calendar year reporting, including the requirements for publishing complaints for limited permission firms as set out in the Dispute Resolution: Complaints sourcebook (DISP). This will mean that for those firms, the reporting period and due date of the submissions will be the same for both returns.

Firm population

6.10 This change would impact 16,500 limited permission firms who are currently scheduled CCR007. Of these firms, 900 are not in scope of CCR009.

6.11 There are an additional 10,100 firms in scope of CCR009 who are not limited permission firms and do not submit CCR007. This change will not affect these firms.

Timing of changes

6.12 This change would not impact any submissions due in 2025, which should continue to be reported as expected. For any submission that relates to an accounting year which ends in 2026 and any subsequent years going forward, the submission would be due following the end of the calendar year. The changes will come into force from 1 January 2026.

Reporting periods

6.13 While we propose that the reporting period for CCR007 is to be aligned with the calendar year, 2 of the data elements would continue to be reported in relation to a firm's accounting reference date:

- Question 2. 'Total revenue (including from activities other than credit-related regulated activities'; and
- Question 6. 'Total annual income as defined in Fees 4 Annex 11BR for the purposes of FCA fees reporting'.

6.14 The remaining 4 data elements relate to a firm's regulated activity and would be reported in relation to the calendar year reporting period.

Alternative options

6.15 We considered whether we should make this change for all firms in scope of CCR009 (including credit brokers and debt management firms which do not hold limited permission) or all consumer credit returns impacted by this and future changes (CCR002, CCR003 and CCR006).

6.16 While we anticipate the returns for these activities moving to calendar year in the future, the benefits of changing all the returns now are not clear and would only be short term until the returns are completely decommissioned.

6.17 Changing the schedule for CCR002 would potentially be beneficial for some firms but consumer credit firms which do not hold limited permission are already required to submit other CCR returns, including CCR001 which will continue to be based on a firm's accounting year. There are also a large number of consumer credit firms which do not hold limited permission and in addition hold permission for non-credit-related regulated activities, which are required to submit other returns due at various times throughout the year. For these reasons the benefits of any change would be diminished.

Question 6.1: **Do you agree with the proposal to amend the scheduling requirements for CCR007 to align with the calendar year?**

Question 6.2: **Do you agree that this change should only be for limited permission firms submitting CCR007? If not, what do you think the scope of the change should be?**

Question 6.3: **What do you expect the impact of these changes on your firm to be?**

Rule Review Framework

6.18 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

6.19 Section 138I of FSMA requires us to perform a cost benefit analysis (CBA) of our proposed requirements and to publish the results, unless an exemption applies.

6.20 We expect firms to incur no, or minimal, additional costs as a result of these proposals, as the reporting frequency will remain the same as under our current rules, and only the submission date is changing. As such, we have not conducted a CBA in accordance with the exemption under section 138L(3) of FSMA.

Impact on mutual societies

6.21 The FCA does not expect the proposals in this paper to have a significantly different impact on mutual societies. The extent to which our proposed rules will have an impact on mutual societies will depend on which credit-related regulated activities they carry on (if any).

Compatibility statement

6.22 When consulting on new rules, we are required by section 138I(2) of FSMA to explain why we believe that making the proposed rules is consistent with our strategic objective, advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

6.23 We are satisfied that the proposed amendments are compatible with our objectives and other legal obligations. Our proposed amendments will help us meet our strategic objective of ensuring that the relevant markets function well, by allowing us to more effectively monitor compliance with regulatory requirements and identify risks in the consumer credit market.

6.24 Our proposals will also advance our operational objectives. Receiving data based on a calendar year, supports us to protect and enhance market integrity by allowing us to make quicker and more effective decisions ensuring the market is functioning well while also promoting competition. It will also contribute to increased consumer protection from reliable and consistent data collection as we are better enabled to monitor the market.

6.25 Our proposals are also compatible with our secondary international competitiveness and growth objective in that they contribute to helping us promote confidence in this market and ensure our 'new data return' is implemented in an efficient and proportionate way for businesses.

6.26 We are making these amendments in a way that is transparent, accountable, proportionate, consistent and targeted. This complies with our obligations under the Legislative and Regulatory Reform Act 2006 including the framework under the Regulators' Compliance Code.

Equality and diversity

6.27 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

6.28 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Chapter 7

Assessment of Value Reporting Requirements

Introduction

7.1 In July 2024, we published a Call for Input to understand how we could simplify our requirements following the introduction of our outcomes-focused Consumer Duty (the Duty). We received 172 responses from a wide range of stakeholders and held a series of meetings, roundtables and events.

7.2 Several stakeholders pointed out that the assessment of value (AoV) rules in the Collective Investment Schemes sourcebook (COLL) go further than the requirements under the price and value outcome of the Duty. They suggested that this creates an unlevel playing field between firms that comply with the AoV and those that comply with the Duty's price and value requirements. In particular, respondents pointed to the prescriptive nature of the public reporting element of the AoV rules. They argued that the costs of the detailed annual public reporting requirements outweigh the benefits. They noted that there is low investor engagement with the public reports.

7.3 We also received feedback that the overall AoV process and the associated governance requirements have themselves driven change within the market and that there is value in maintaining them.

7.4 We therefore committed in Feedback Statement 25/2 that we would consult on proposals to streamline the AoV annual reporting requirement.

Background to the AoV rules

7.5 The AoV rules originated from a 2016/17 competition market study of the asset management sector that considered how asset managers compete to deliver value for both retail and institutional investors. We found that asset managers do not typically compete on price, particularly for retail active asset management services. We found that the pricing of segregated mandates which are typically sold to larger institutional investors tends to fall as the size of the mandate increases, potentially as a result of economies of scale. By contrast, retail funds did not reduce prices as the size of the fund increases, potentially indicating that fund managers did not pass on the benefits of economies of scale to retail investors.

7.6 We also found that there was considerable price clustering on the asset management charge for retail funds. Although price clustering and broadly stable prices do not necessarily mean that prices are above their competitive level, we also found high levels of profitability, with average profit margins of 36% for the firms we sampled. Taken together, these factors suggested that price competition may not have been working as effectively as it could be.

7.7 In response to our findings, we introduced a remedy package to increase price competition within the market and to improve the value for money that investors receive. As part of this package, we introduced rules requiring authorised fund managers (AFMs) to carry out an AoV at least annually and to report publicly on their conclusions. Rules in COLL 6.6.20R, COLL 8.5.17R and COLL 15.7.17R require an AFM to conduct an AoV for each scheme it manages at least annually. AFMs must consider at least:

- quality of service;
- performance;
- AFM costs;
- economies of scale;
- comparable market rates;
- comparable services; and
- classes of units.

7.8 COLL 4.5.7R, COLL 8.3.5AR and COLL 15.5.3R require AFMs to set out a detailed description of the assessment in the fund's annual report or in a separate AoV report covering multiple funds.

7.9 Overall, we consider that the AoV rules have had a positive impact for investors in authorised funds. Our supervisory work has found that our interventions have achieved their objective of improving governance and oversight around the value that UK authorised funds provide, leading to better outcomes for consumers. In our 2023 Multi-Firm Review, we found continuing maturity in AoV processes that resulted in many firms taking remedial action when poor value was identified, including some reductions in fund fees, typically by a few basis points. Overall, this amounted to savings for fund investors of millions of pounds.

7.10 Our rules require fund managers to publish an assessment of value report at least annually. The policy intention of annual reporting was to ensure that the value assessments would be transparent to market scrutiny. In particular, the public reporting requirement intended to provide a further check and balance to ensure the consideration of the value the fund offers is effective.

7.11 We have had feedback that the prescriptive nature of the reporting requirements creates costs for AFMs. Based on feedback around low levels of consumer engagement, we consider these costs may be disproportionate to the benefit of greater transparency. We also appreciate that, because the style of reporting varies widely, it is not always easy to compare the AoV reports of different AFMs.

Summary of proposals

7.12 We are now proposing reforms to reduce and simplify requirements for firms, while maintaining rigorous standards relating to value assessments.

7.13 We are proposing to remove many of the detailed reporting requirements in COLL 4.5.7R(8), COLL 8.3.5AR(5) and COLL 15.5.3R(5). We plan to replace them with a general requirement that AFMs must include in the annual report a summary of the AoV and the conclusion of the assessment as to whether the charges out of scheme property

are justified in the context of the overall value delivered by the scheme, and set out any remedial action they are taking in the face of poor value. We want to provide greater flexibility for firms over how they comply with our requirements, while maintaining high standards (including through the Duty) and reducing administrative costs.

7.14 We propose to maintain the rule allowing AFMs to publish the information required by COLL 4.5.7R(8), COLL 8.3.5AR(5) and COLL 15.5.3R(5) in a composite report. While we are paring back the requirements on what must be included, AFMs will have discretion to include other AoV-related matters in their annual report, or a composite report, if they wish to.

7.15 Based on our experience supervising the market, we consider that the procedure and governance requirements in COLL 6.6.20R, COLL 8.5.17AR and COLL 15.7.17R are sufficient in achieving the intended outcome of the AoV rules and ensuring that consumers are appropriately protected from poor value funds. We have found in our supervisory work that asset managers have embedded these processes. Our 2023 review of the processes AFMs use for AoVs for the funds they operate found that many firms have a good understanding of the rules and have significantly improved their AoV processes.

7.16 Other safeguards are also in place, including existing FCA rules requiring AFMs to act in the best interests of their investors and to prevent undue costs being charged to the scheme or unit holders. These obligations should be overseen by the board of the AFM – the senior committee made up of the directors of the AFM. It is their role to set the overall direction of the firm, and to do so in a way that complies with our rules and considers the best interests of investors in the funds.

7.17 We believe that there is merit in keeping some level of disclosure in the annual report. This will maintain accountability and provide information about the outcome of a fund's AoV to industry participants, including investors, distributors and trade press. We consider that the brief summary of the AoV which we propose to require will achieve the intended outcome of the original public reporting requirement. The price and value outcome of The Duty has added a level of scrutiny of the value provided by products throughout the distribution chain. We are also aware of market solutions for information sharing, such as the European MiFID Template, which lessen reliance on regulatory reporting requirements.

7.18 In line with our proposed consumer composite investment framework, we think it is proportionate to allow firms greater flexibility in terms of how to report. Beyond the prescribed disclosure, it will be for AFMs to decide how much information to include, providing scope for AFMs who may wish to include more information about the value the fund offers. We believe that this flexibility will also facilitate the effective flow of information between manufacturers and distributors as it pertains to the distributor's consumer duty price and value requirements. AFMs will be able to tailor their information sharing to the needs of distributors, if they so wish.

7.19 As firms will continue to be required to undertake the full AoV under the rules in COLL, and will continue to be required to produce an annual report, we consider that the cost of a requirement to include a brief disclosure relating to the AoV will be minimal as compared to the cost of no disclosure, and so it is proportionate considering the

benefits it achieves. We welcome feedback on this point in the consultation. We consider that removing the prescriptive requirements will lead to a significant cost saving for 149 firms with 3928 funds. We welcome feedback on these anticipated savings.

Question 7.1: **Do you agree with our proposal to replace COLL 4.5.7R(8), COLL 8.3.5A(5) and COLL 15.5.3R(5) with a requirement that AFMs must include in the annual report a summary of the AoV and a conclusion of the assessment as to whether the charges out of scheme property are justified in the context of the overall value delivered by the scheme, and set out any remedial actions being taken as a result of the conclusion of the assessment of value?**

Question 7.2: **Do you agree with our assumption that reducing the level of disclosure in this way will lead to a significant cost saving for AFMs?**

Question 7.3: **Do you agree that these proposals will facilitate the effective flow of information between manufacturers and distributors?**

Rule Review Framework

7.20 The FCA's Rule Review Framework states that while we will generally monitor key metrics of new rules, this is not a requirement where it would be disproportionate or where the new rule relates to a minor policy or rule change with minimal impact. Due to the nature of the changes proposed here, we are satisfied that the proposed amendments are exempt from the requirement to be monitored under the Framework.

Cost benefit analysis

7.21 Section 138I(2) of the Financial Services and Markets Act 2000 (FSMA) requires us to publish a cost benefit analysis unless, in accordance with section 138L, we consider that there will be no increase in costs from the proposed amendments or that the increase will be of minimal significance.

7.22 We are satisfied that the proposed amendments do not increase costs to firms or consumers, or that any increase will be of minimal significance, as the proposed amendments do not create any new obligations. They will have the general benefit of clarifying Handbook guidance and rules.

Impact on mutual societies

7.23 Section 138K(2) of FSMA requires us to provide an opinion on whether the impact of proposed rules on mutual societies is significantly different to the impact on other authorised persons. We are satisfied that the proposed changes in this chapter do

not have a significantly different impact on mutual societies compared with other authorised persons.

Compatibility statement

7.24 When consulting on new rules, we are required by section 138I(2) of FSMA to explain why we believe that making the proposed rules is consistent with our strategic objective and advances one or more of our operational objectives and (so far as reasonably possible) the secondary international competitiveness and growth objective. Further, we must promote effective competition when advancing our other operational objectives (section 1B(4) of FSMA), and have regard to the regulatory principles in section 3B of FSMA and the importance of taking action intended to minimise financial crime (section 1B(5)(b) of FSMA). We are also required to have regard to the principles in the Legislative and Regulatory Reform Act 2006, the Regulators' Compliance Code and the Treasury's recommendations on economic policy (section 1JA of FSMA).

7.25 We are satisfied that the proposed amendments are compatible with our strategic objective and other legal obligations. The amendments advance our operational objectives of securing an appropriate degree of consumer protection and promoting effective competition in the interests of consumers, as the proposals will reduce the costs for firms without impacting consumer outcomes. We are satisfied that any burdens or restrictions are proportionate to the expected benefits. We are also satisfied that the proposed amendments are compatible with the FCA's secondary international competitiveness and growth objective, as it will reduce costs for UK asset managers, making the UK more competitive. We have also considered the extent to which these amendments may be relevant to making a contribution to the Secretary of State's compliance with the UK net zero emissions target and environmental targets, as required under section 3B(1)(c) of FSMA; we have not identified a particular contribution that may be made.

Equality and diversity

7.26 We have considered the equality and diversity issues that may arise from the proposed amendments. We have not identified any adverse impact that the proposals in this chapter would have on any of the groups with protected characteristics under the Equality Act 2010 (ie, age, disability, sex, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sexual orientation and gender reassignment). In Northern Ireland, the Equality Act is not enacted but other anti-discrimination legislation applies.

7.27 We will continue to consider the equality and diversity implications of the proposals during the consultation period and will revisit them when publishing the final rules. In the meantime, we welcome comments on any equality and diversity considerations respondents believe may arise.

Annex 1

List of questions

Question 2.1: Do you agree with our changes proposed to SUP 6.4?

Question 3.1: Do you agree with the proposed decommission of REP022? If not, please explain why.

Question 3.2: Do you agree with the proposed decommission of RIA Complaints? If not, please explain why.

Question 3.3: Do you agree with changing the submission process for REP008 to no longer submit nil returns? If not, please explain why.

Question 3.4: Do you agree with removing the late administration fee for REP008? If not, please explain why.

Question 3.5: Do you agree with the reduction in frequency of REP009? If not, please explain why.

Question 3.6: Do you agree with removing the form layout and instructions for the Prudential Valuation return to reduce the length of the Handbook?

Question 4.1: Do you agree with our overall proposal (outlined above and in Appendix 3) to the lifting of the ban on retail access to cETNs which are admitted to UK RIEs, so that retail consumers may access UK RIE cETNs in the same way as professional investors? Please explain.

Question 4.2: Do you agree that UK RIE cETNs should be subject to broadly the same financial promotions rules as qualifying cryptoassets and classified as restricted mass market investments?

Question 5.1: Do you agree with the proposed addition of Field 30 (Execution agent) to Table 3 of the Annexes of each technical standard? If not, please provide your rationale.

Question 5.2: Do you agree with the implementation date of 1 December 2025?

Question 5.3: Do you have any other comments on the proposals set out in this chapter?

Question 6.1: Do you agree with the proposal to amend the scheduling requirements for CCR007 to align with the calendar year?

Question 6.2: Do you agree that this change should only be for limited permission firms submitting CCR007? If not, what do you think the scope of the change should be?

Question 6.3: What do you expect the impact of these changes on your firm to be?

Question 7.1: Do you agree with our proposal to replace COLL 4.5.7R(8), COLL 8.3.5A(5) and COLL 15.5.3R(5) with a requirement that AFMs must include in the annual report a summary of the AoV and a conclusion of the assessment as to whether the charges out of scheme property are justified in the context of the overall value delivered by the scheme, and set out any remedial actions being taken as a result of the conclusion of the assessment of value?

Question 7.2: Do you agree with our assumption that reducing the level of disclosure in this way will lead to a significant cost saving for AFMs?

Question 7.3: Do you agree that these proposals will facilitate the effective flow of information between manufacturers and distributors?

Annex 2

Abbreviations used in this paper

Abbreviation	Description
AFM	Authorised fund manager
AoV	Assessment of value
The Authorities	The FCA and the Bank
Bank	Bank of England
CBA	Cost benefit analysis
CBTL	Consumer buy-to-let
CCPs	Central counterparties
CCR	Consumer Credit Returns
cETN	Cryptoasset exchange traded note
COBS	Conduct of Business sourcebook
COLL	Collective Investment Schemes sourcebook
CP	Consultation Paper
DEPP	Decision Procedure and Penalties manual
DISP	Dispute Resolution: Complaints sourcebook
DP	Discussion Paper
ETN	Exchange traded note
ETP	Exchange traded product
FIN	Financial
FS	Feedback Statement
FSA	Financial Services Authority

Abbreviation	Description
FSCS	Financial Services Compensation Scheme
FSMA	Financial Services and Markets Act 2000
IPRU-INV	Interim Prudential sourcebook for Investment Business
MCDO	Mortgage Credit Directive Order 2015
MIF	Markets in Financial Instruments Directive
MiFID-PRU	Prudential sourcebook for Markets in Financial Instruments Directive Investment Firms
MLA	Mortgage Lenders and Administrators
MLRs	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
PRA	Prudential Regulation Authority
PS	Policy Statement
RAG	Regulated activity group
RIA	Retail investment advice
RIE	Recognised Investment Exchange
RMA	Retail Mediation Activities
RMMI	Restricted mass market investment
SM&CR	Senior Management and Certification Regime
SUP	Supervision manual
TDC	Transforming Data Collection
The Duty	The Consumer Duty
The Regulators	The FCA and the PRA
TRs	Trade Repositories
UK EMIR	The UK version of the European Market Infrastructure Regulation

Appendix 1

Consequential amendments to SUP as a result of legislative changes introduced in section 415AA of FSMA

SUPERVISION MANUAL (AMENDMENT) INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument under section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000 ("the Act").

Commencement

B. This instrument comes into force on [*date*].

Amendments to the Handbook

C. The Supervision manual (SUP) is amended in accordance with the Annex to this instrument.

Citation

D. This instrument may be cited as the Supervision Manual (Amendment) Instrument 2025.

By order of the Board
[*date*]

Annex

Amendments to the Supervision manual (SUP)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

6 Applications to vary and cancel Part 4A permission and to impose, vary or cancel requirements

…

6.4 Applications for cancellation of permission

…

When will the relevant regulator grant an application for cancellation of permission?

…

6.4.22 G In deciding whether to cancel a *firm's Part 4A permission*, the ~~relevant regulator~~ *FCA* will take into account all relevant factors in relation to business carried on under that *permission*, including whether:

(1) there are unresolved, unsatisfied or undischarged complaints against the *firm* from any of its *customers*;

(2) the *firm* has complied with *CASS* 5.5.80R and *CASS* 7.11.34R (Client money: discharge of fiduciary duty) and *CASS* 7.11.50R (Client money: allocated but unclaimed client money) if it has ceased to hold *client money*; these *rules* apply to both repayment and transfer to a third party;

(3) the *firm* has ceased to hold or control *custody assets* in accordance with instructions received from *clients* and *COBS* 6.1.7R or article 49 of the *MiFID Org Regulation* (see ~~*COBS* 6.1ZA.9EU~~ *COBS* 6.1ZA.9UK) (Information concerning safeguarding of designated investments belonging to clients and client money);

(4) the *firm* has repaid all *client deposits*, if it is ceasing to carry on *regulated activities* including *accepting deposits*;

(5) the relevant regulator or another regulator has commenced an investigation against the *firm* or continuing enforcement action against the *firm*;

(6) there are any matters affecting the *firm* which should be investigated before a decision on whether the *firm* should have its *Part 4A permission* cancelled by the relevant regulator or be disciplined;

(7) the *firm* has unsettled or unexpired liabilities to *consumers*, for example, outstanding contracts (such as *deposits* or insurance liabilities);

(8) the *firm* has settled all its debts to the *appropriate regulator*; and

(9) the factors set out in *SUP* 6.4.19G apply.

The FCA ~~and the PRA~~ enforcement and investigation powers against a former authorised person

6.4.23 G If an application for cancellation of a *firm's Part 4A permission* has been granted and a *firm's* status as an *authorised person* has been withdrawn (see *SUP* 6.5) it will remain subject to certain investigative and enforcement powers as a former *authorised person*. These include:

…

(4) powers in Part XXVII of the *Act* (Offences) to prosecute offences under the Act and other specified provisions (see *EG* 12 (Prosecution of criminal offences))~~.~~;

(5) powers to take disciplinary action against *firms* by publishing statements of misconduct under section 205(1) of the *Act* (Public censure) or imposing financial penalties under section 206(1) of the *Act* (Financial penalties) (see *DEPP* 6 (Penalties); and

(6) the power to require *firms* to make restitution under section 384 of the *Act* (Power of FCA or PRA to require restitution).

6.4.24 G ~~However, the following powers may not be used against former *authorised persons*:~~

~~(1) powers to take disciplinary action against *firms* by publishing statements of misconduct under section 205 of the *Act* (Public censure) or imposing financial penalties under section 206(1) of the *Act* (Financial penalties); and~~

~~(2) the power to require *firms* to make restitution under section 384 of the *Act* (Power of FCA or PRA to require restitution).~~ [deleted]

6.4.25 G ~~Consequently, the relevant regulator considers that it will have good reason not to grant a *firm's* application for cancellation of *permission* where:~~

~~(1) the *FCA* and/or the *PRA* proposes to exercise any of the powers described in *SUP* 6.4.24 G; or~~

~~(2) the *FCA* and/or the *PRA* has already begun disciplinary and/or restitution proceedings against the *firm* by exercising either or both of these powers against the *firm*.~~ [deleted]

6.4.26 G ~~The *FCA's* use of those powers is outlined in *DEPP* 6 (Penalties).~~ [deleted]

…

Appendix 2

Data Decommissioning

DATA DECOMMISSIONING (No 2) INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of the powers and related provisions in or under:

(1) the following sections of the Financial Services and Markets Act 2000 ("the Act"):

(a) section 137A (The FCA's general rules);
(b) section 137T (General supplementary powers);
(c) section 139A (Power of the FCA to give guidance); and
(d) paragraph 23 (Fees) of Part 3 (Penalties and fees) of Schedule 1ZA (The Financial Conduct Authority); and

(2) the following articles of the Mortgage Credit Directive Order 2015:

(a) article 18 (Obligations of registered consumer buy-to-let mortgage firms);
(b) article 21 (Monitoring and enforcement); and
(c) article 22 (Guidance).

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on [*date*].

Amendments to the Handbook

D. The modules of the FCA Handbook listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Insurance: Conduct of Business sourcebook (ICOBS)	Annex A
Supervision manual (SUP)	Annex B
Dispute Resolution: Complaints sourcebook (DISP)	Annex C

Citation

E. This instrument may be cited as the Data Decommissioning (No 2) Instrument 2025.

By order of the Board
[*date*]

Annex A

Amendments to the Insurance: Conduct of Business sourcebook (ICOBS)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

6B Home insurance and motor insurance pricing

…

6B.2 Setting renewal prices

…

~~Attestation requirements~~

6B.2.60 R ~~Every *firm* subject to the *rules* in this chapter must provide the attestation set out at (1) for the reporting period set out in (2) at the time set out in (3) by a person in (4) below.~~ [deleted]

~~(1) The attestation is that the *firm*:~~

~~(a) is and has been complying with the *rules* in this chapter throughout the reporting period; and~~

~~(b) is satisfied that the pricing of its *home insurance* and *motor insurance renewal* business and related sales practices are consistent with the objectives of the rules as set out in *ICOBS* 6B.1.4G and does not discriminate against *customers* of longer *tenure* as set out in *ICOBS* 6B.2.39R, *ICOBS* 6B.2.47R and *ICOBS* 6B.2.48R.~~

~~(2) The reporting period is the 12-*month* period beginning 1 January and ending 31 December.~~

~~(3) The attestation must be provided annually, on or before 31 March in the year following the end of the reporting period.~~

~~(4) The attestation must be provided by:~~

~~(a) a single person, who holds a *senior management function* in the *firm*; or~~

~~(b) where a *firm* is not an *SMCR firm*, by a *director* of the *firm*.~~

~~Format and method of submission of attestation~~

6B.2.61 R ~~The attestation must be submitted online through the appropriate systems accessible from the *FCA's* website.~~ [deleted]

6B.2.62 R ~~The attestation will not be considered as submitted to the *FCA* unless it has been accepted by the relevant *FCA* system.~~ [deleted]

6B.2.63 G ~~If the *FCA's* information technology systems fail and online submission is unavailable for 24 hours or more, the *FCA* will endeavour to publish a notice on its website confirming that online submission is unavailable and will confirm what methods of submission should be used instead.~~ [deleted]

Annex B

Amendments to the Supervision manual (SUP)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

15 Notifications to the FCA

…

15.11 Notification of COCON breaches and disciplinary action

…

Timing and form of notifications: conduct rules staff other than SMF managers

15.11.13	R	(1)	A *firm* must make any notifications required pursuant to section 64C of the *Act* relating to *conduct rules staff* other than *SMF managers* in accordance with *SUP* 15.11.13R to *SUP* 15.11.15R.
		…	
		(5)	~~If a *firm* (other than a *credit union*) has nothing to report under section 64C of the *Act* and nothing to report under *SUP* 15.11.13R(4) for a particular reporting period, it must notify the *FCA* of that fact in accordance with *SUP* 15.11.13R to *SUP* 15.11.14R.~~ [deleted]
15.11.13 A	G	…	
15.11.13 B	G	If a *firm* has nothing to report under section 64C of the *Act* or *SUP* 15.11.13R(4) for a particular reporting period, there is no requirement to make a nil return and so the *firm* should not send a notification for that period.	

…

15.11.15 A	R	~~(1)~~	~~If a *firm* to which *SUP* 15.11.14R applies fails to submit a completed notification under *SUP* 15.11.13R by the date on which it is due, in accordance with *SUP* 15.11.13R, the *firm* must pay an administrative fee of £250.~~ [deleted]
		~~(2)~~	~~The administrative fee in (1) does not apply if the *firm* is unable to submit a report in electronic format within the time required~~

~~because of a systems failure of the kind described in *SUP* 15.11.14R(3).~~

…

15 Annex 7R **Form H: Form for the notification of disciplinary action relating to conduct rules staff (other than SMF managers) in SMCR firms**

…

FCA FINANCIAL CONDUCT AUTHORITY

Application number (for *FCA* use only)

Form H - Notification of Disciplinary Action relating to *conduct rules staff* (other than *SMF managers*) in *SMCR firms*

…

Fitness and Propriety - Notifications under section 64C of the Financial Services and Markets Act 2000 **Section 3**

This section should be completed by a *firm* to:

(a) …
(b) make a follow up notification to update a notification that has been previously made by the *firm* in relation to (a)~~; or~~.
~~**(c)** confirm that there is nothing to be reported under (a) or (b)~~

~~Is the *firm* making a nil return (see paragraph (c) of the introduction to this section)?~~

~~YES~~ ☐ ~~NO~~ ☐

~~If the *firm* has answered "Yes", please go straight to Section 5. If the *firm* has answered "No", please go to Section 4.~~

…

~~A *credit union* is not required to make a nil return (see *SUP* 15.11).~~ If a ~~*credit union*~~ *firm* has nothing to notify for a particular reporting period, it should not send a Form H to the *FCA* for that period.

…

16 Reporting requirements

…

16.21 Reporting under the MCD Order for CBTL firms

…

Reporting requirement

16.21.4 D (1) A *CBTL firm* must submit a duly completed consumer buy-to-let return to the *FCA*.

(2) The return referred to in (1) must be submitted:

(a) in the format set out in *SUP* 16 Annex 39AD; guidance notes for the completion of the return are set out in *SUP* 16 Annex 39BG;

(b) online through the appropriate systems accessible from the *FCA's* website; and

(c) within 30 *business days* following the end of the reporting period.

(3) The reporting period is the ~~four calendar quarters~~ 12-*month* period beginning on 1 ~~April~~ January.

…

16.28 Home insurance and motor insurance pricing reporting

…

Requirement to submit a pricing information report

…

16.28.9 R *Firms* must comply with the following in relation to the table in *SUP* 16.28.8R.

…

(5) ~~An *insurance intermediary* must notify the *FCA* if the *firm* forgoes commission or gives a cash or cash-equivalent incentive (within the meaning of *ICOBS* 6B.2.12R) on the *gross price* set by the *insurer* on either or both of more than 25% of the *home insurance policies* or more than 25% of the *motor insurance policies* sold by the *firm* in a reporting period.~~ [deleted]

…

SUP 16 Annex 31A (Prudent Valuation Return) and SUP 16 Annex 31B (Guidance notes for data items in SUP 16 Annex 31AR) are deleted in their entirety. The deleted text is not shown but the annexes are marked 'deleted', as shown below.

16 Annex 31AR	~~**Prudent Valuation Return**~~ **[deleted]**
16 Annex 31BG	~~**Guidance notes for data items in SUP 16 Annex 31AR**~~ **[deleted]**

Amend the following as shown.

…

16 Annex 39AD	**Consumer buy-to-let return**

…

SUP 16 Annex 39AD Consumer buy-to-let return

CONSUMER BUY-TO-LET (CBTL) MORTGAGE AGGREGATED DATA RETURN

…

Arrears, repossessions and receivers

…

	In the reporting ~~period~~ year	**~~In the reporting year to date~~**
CBTL repossessions		
Number of Receiver appointments on CBTL		
Number of CBTL properties under the control of a Receiver		

Complaints

	In the reporting ~~period~~ year	**~~In the reporting year to date~~**
Total CBTL complaints outstanding at reporting period start date		
CBTL complaints received		
CBTL complaints closed		
CBTL complaints upheld by firm		
Total redress paid on CBTL complaints (£)		

16 Annex 39BG Guidance notes for completion of consumer buy-to-let return in SUP 16 Annex 39AD

Outline guidance for firms completing the aggregated 'consumer buy-to-let' (CBTL) mortgage return

We expect firms registered by us to carry out CBTL lending to report aggregated data to us ~~on a quarterly basis, with reports scheduled in line with each calendar quarter~~ annually, with each reporting period beginning on 1 January. We expect firms to report loans, and aspects relating to those loans, that meet the definition of a "consumer buy-to-let mortgage contract", as defined in article 4 of the Mortgage Credit Directive Order (*CBTL credit agreement* in the Handbook). We expect firms to submit a nil return if they have no data to report.

…

Annex C

Amendments to the Dispute Resolution: Complaints sourcebook (DISP)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

1 Treating complainants fairly

…

1.10 Complaints reporting rules

…

Information requirements

…

1.10.2A R ~~(1) Twice a year a *firm* must provide the *FCA* with a complete report concerning *complaints* received from *eligible complainants* about matters relating to activities carried out by its *employees* when acting as *retail investment advisers*. The report must be set out in the format in *DISP* 1 Annex 1CR.~~ [deleted]

~~(2) *DISP* 1 Annex 1CR requires (for the relevant reporting period) information about:~~

~~(a) the total number of *complaints* received by the *firm* about matters relating to activities carried out by its *employees* when acting as *retail investment advisers*;~~

~~(b) the total number of *complaints* closed by the *firm* about matters relating to activities carried out by its *employees* when acting as *retail investment advisers*;~~

~~(c) the total number of *complaints* upheld by the *firm* about matters relating to activities carried out by its *employees* when acting as *retail investment advisers*; and~~

~~(d) the total amount of redress paid in respect of *complaints* upheld during the reporting period about matters relating to activities carried out by its *employees* when acting as *retail investment advisers*.~~

~~(3) For the purposes of *DISP* 1 Annex 1CR *retail investment adviser* information must be reported by:~~

~~(a) the *employee's* Individual Reference Number (IRN); or~~

~~(b) in the case of an *employee* of an *SMCR firm* who is performing an *FCA certification function* and has no IRN:~~

~~(i) the *employee's* National Insurance (NI) number and date of birth; or~~

~~(ii) if the *employee* has no NI number, the *employee's* date of birth, current passport number and nationality.~~

…

1.10.3 G For the purposes of *DISP* 1.10.2R, *DISP* 1.10.2-AR, ~~*DISP* 1.10.2AR,~~ *DISP* 1.10.2BR and *DISP* 1.10.2CR, when completing the return, the *firm* should take into account the following matters.

…

(3) If a *firm* reports on the amount of redress paid under *DISP* 1.10.2R(1)(b)(ii), *DISP* 1.10.2R(2)(b)(ii), *DISP* 1.10.2-AR(4), ~~*DISP* 1.10.2AR,~~ *DISP* 1.10.2BR(2)(b) or *DISP* 1.10.2CR(2)(b), redress should be interpreted to include an amount paid, or cost borne, by the *firm*, where a cash value can be readily identified, and should include:

…

(4) If a *firm* reports on the amount of redress paid under *DISP* 1.10.2R(1)(b)(ii), *DISP* 1.10.2R(2)(b)(ii), *DISP* 1.10.2-AR(4)~~,~~ ~~*DISP* 1.10.2AR~~ or *DISP* 1.10.2CR(2)(b), the redress should not, however, include repayments or refunds of premiums which had been taken in error (for example where a *firm* had been taking, by direct debit, twice the actual premium amount due under a policy). The refund of the overcharge would not count as redress.

~~[**Note**: See *SUP* 10A.14.24R for the ongoing duty to notify *complaints* about matters relating to activities carried out by an *employee* when acting as a *retail investment adviser*.]~~

…

DISP 1 Annex 1C (Illustration of the online reporting requirements, referred to in DISP 1.10.2AR) is deleted in its entirety. The deleted text is not shown but the annex is marked 'deleted' as shown below.

1 Annex 1CR **~~Illustration of the online reporting requirements, referred to in DISP 1.10.2AR~~ [deleted]**

Amend the following as shown.

…

TP 1 Transitional provisions

TP1.1 Transitional provisions table

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
…					
30	*DISP* 1.10.2AR	R	~~Where a *firm*, which has a reporting period ending on or before 30 June 2013 submits its report to the *FCA* in accordance with the *complaints reporting rule* at *DISP* 1.10.2AR the number of *complaints* must be calculated for the period from the 31 December 2012 to the end of the *firm's* relevant reporting period.~~ [deleted]	~~31 December 2012 to 30 June 2013.~~	~~31 December 2012~~
…					

Appendix 3

Lifting the ban on retail access to certain cryptoasset exchange traded notes (cETNs)

CONDUCT OF BUSINESS (CRYPTOASSET PRODUCTS) INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 ("the Act"):

(1) section 137A (The FCA's general rules);
(2) section 137D (FCA general rules: product intervention);
(3) section 137R (Financial promotion rules);
(4) section 137T (General supplementary powers);
(5) section 139A (Power of the FCA to give guidance);
(6) section 213 (The compensation scheme); and
(7) section 214 (General).

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on [*date*].

Amendments to the Handbook

D. The modules of the FCA's Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Glossary of definitions	Annex A
Conduct of Business sourcebook (COBS)	Annex B
Compensation sourcebook (COMP)	Annex C

Notes

E. In the Annexes to this instrument, the notes (indicated by "*Editor's note*:") are included for the convenience of readers but do not form part of the legislative text.

Citation

F. This instrument may be cited as the Conduct of Business (Cryptoasset Products) Instrument 2025.

By order of the Board
[*date*]

Annex A

Amendments to the Glossary of Definitions

In this Annex, underlining indicates new text and striking through indicates deleted text, unless stated otherwise.

Insert the following new definitions in the appropriate alphabetical position. The text is not underlined.

UK RIE cryptoasset exchange traded note	a *cryptoasset exchange traded note* which is traded on a *UK RIE*.
non-UK RIE cryptoasset exchange traded note	a *cryptoasset exchange traded note* which is traded on: (a) a *trading venue* which is not a *UK RIE*; or (b) a market operated by an *ROIE*.

Amend the following definitions as shown.

restricted mass market investment	any of the following:	
	…	
	(e)	a *qualifying cryptoasset*~~.~~;
	(f)	a *UK RIE cryptoasset exchange traded note*.
non-mass market investment	(1)	(except in *COBS* 4, *COBS* 10 and *COBS* 10A) either of the following:
		(a) a *non-mainstream pooled investment*;
		(b) a *speculative illiquid security*.
	(2)	(in *COBS* 4, *COBS* 10 and *COBS* 10A) either of the following, provided it is not a *UK RIE cryptoasset exchange traded note*:
		(a) a *non-mainstream pooled investment*;
		(b) a *speculative illiquid security*.
non-readily realisable security	(1)	(except in *COBS* 4, *COBS* 10 and *COBS* 10A) a *security* which is not any of the following:
		…

(2) (in *COBS* 4, *COBS* 10 and *COBS* 10A) a *security* which is not any of the following:

(a) a *readily realisable security*;

(b) a packaged product;

(c) non-mass market investment;

(d) a mutual society share;

(e) a deferred share issued by a credit union;

(f) credit union subordinated debt; or

(g) *a UK RIE cryptoasset exchange traded note*.

Annex B

Amendments to the Conduct of Business sourcebook (COBS)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless stated otherwise.

4 Communicating with clients, including financial promotions

…

4.7 Direct offer financial promotions

…

Warrants and derivatives

…

4.7.6B G *Firms* are reminded of the prohibitions in relation to the marketing, distribution and sale of *cryptoasset derivatives* and ~~*cryptoasset exchange traded notes*~~ *non-UK RIE cryptoasset exchange traded notes* in *COBS* 22.6.

…

4.8 Cold calls and other promotions that are not in writing

…

Restriction on cold calling

4.8.2 R A *firm* must not make a *cold call* unless:

…

(3) the *cold call* relates to a *controlled activity* to be carried on by an *authorised person* or *exempt person* and the only *controlled investments* involved or which reasonably could be involved are:

(a) *readily realisable securities* (other than warrants or *UK RIE cryptoasset exchange traded notes*); and

(b) generally marketable non-geared *packaged products*.

…

4.12A Promotion of restricted mass market investments

…

Risk warning

…

4.12A.11	R	(1)	For the purposes of *COBS* 4.12A.10R, the *financial promotion* must contain:
			…
			(d) the following risk warning if the *financial promotion* relates to one or more *qualifying cryptoassets* or *UK RIE cryptoasset exchange traded notes*:
			…
		(2)	Where the number of characters contained in the risk warning in (1) exceeds the number of characters permitted by a third-party marketing provider:
			(a) the following risk warning must be used if the *financial promotion* relates to one or more *non-readily realisable securities* ~~or,~~ *qualifying cryptoassets* or *UK RIE cryptoasset exchange traded notes*:
			…
		…	

…

Fourth condition: appropriateness

…

4.12A.28	R	(1)	The fourth condition applies where the *firm* itself or the *person* who will:
			…
			(d) transact in a *qualifying cryptoasset*~~,~~; or
			(e) *arrange* or *deal* in relation to a *UK RIE cryptoasset exchange traded note*,
			…
		…	

…

4 Annex 1R **Risk summaries**

…

[*Editor's note*: The words 'here' and 'high-risk investments' are to appear as underlined wherever they are used in section 9 of COBS 4 Annex 1R.]

…	
8	Risk summary for *qualifying cryptoassets*
	…
9	Risk summary for *UK RIE cryptoasset exchange traded notes*
	Estimated reading time: 2 min Due to the potential for losses, the Financial Conduct Authority (FCA) considers this investment to be high risk. **What are the key risks?** **1. You could lose all the money you invest** • The performance of most cryptoassets can be highly volatile, with their value dropping as quickly as it can rise. You should be prepared to lose all the money you invest in cryptoasset exchange traded notes. • The cryptoasset market is largely unregulated. There is a risk of losing money due to risks such as cyber-attacks, financial crime and firm failure. **2. You should not expect to be protected if something goes wrong** • The Financial Services Compensation Scheme (FSCS) doesn't protect this type of investment because it's not a type of investment that the FSCS can protect. Learn more by using the FSCS investment protection checker here. [https://www.fscs.org.uk/check/investment-protection-checker/] • Protection from the Financial Ombudsman Service (FOS) does not cover poor investment performance. If you have a complaint against an FCA-regulated firm, FOS may be able to consider it. Learn more about FOS protection here. [https://www.financial-ombudsman.org.uk/consumers] **3. Cryptoasset investments can be complex** • Investments in cryptoasset-linked products can be complex, making it difficult to understand the risks associated with the investment. • You should do your own research before investing. If something sounds too good to be true, it probably is. **5. Don't put all your eggs in one basket** • Putting all your money into a single type of investment is risky. Spreading your money across different investments makes you less dependent on any one to do well.

	• A good rule of thumb is not to invest more than 10% of your money in high-risk investments. [https://www.fca.org.uk/investsmart/5-questions-ask-you-invest] **If you are interested in learning more about how to protect yourself, visit the FCA's website here. [https://www.fca.org.uk/investsmart]** **For further information about cryptoassets, visit the FCA's website here. [https://www.fca.org.uk/investsmart/crypto-basics]**

…

4 Annex 5R Restricted investor statement

This Annex belongs to COBS 4.12A.22R.

RESTRICTED INVESTOR STATEMENT
Putting all your money into a single business or type of investment is risky. Spreading your money across different investments makes you less dependent on any one to do well. You should not invest more than 10% of your net assets in high-risk investments. Doing so could expose you to significant losses. For the purposes of this statement, **net assets do NOT include**: your home (primary residence), your pension (or any pension withdrawals) or any rights under qualifying contracts of insurance. For the purposes of this statement **high-risk investments are**: peer-to-peer (P2P) loans; investment based crowdfunding; units in a long-term asset fund; cryptoassets (such as bitcoin); cryptoasset exchange traded notes; and unlisted debt and equity (such as in companies not listed on an exchange like the London Stock Exchange).
…

…

10 Appropriateness (for non-advised services) (non-MiFID and non-insurance based investment products provisions)

10.1 Application

…

10.1.2 R (1) This chapter applies to a *firm* which:

(a) arranges or deals in relation to a:

…

(iv) *warrant*; ~~or~~

(v) *unit* in a *long-term asset fund*~~.~~; or

(vi) a *UK RIE cryptoasset exchange traded note*,

…

…

…

…

10.2 Assessing appropriateness: the obligations

…

Restricted mass market investments

10.2.9 G (1) When determining whether a *client* has the necessary knowledge to understand the risks involved in relation to a *restricted mass market investment*, a *firm* should consider asking the *client* questions that cover, at least, the matters in:

…

(m) *COBS* 10 Annex 3G in relation to *units* in a *long-term asset fund*; ~~or~~

(n) *COBS* 10 Annex 4G in relation to *qualifying cryptoassets*~~.~~; or

(o) *COBS* 10 Annex 5G in relation to *UK RIE cryptoasset exchange traded notes*.

…

Insert the following new Annex, COBS 10 Annex 5G, after COBS 10 Annex 4 (Assessing appropriateness: qualifying cryptoassets). The text is all new and is not underlined.

10 Annex 5 Assessing appropriateness: UK RIE cryptoasset exchange traded notes

10 Annex 5.1 G This Annex belongs to *COBS* 10.2.9G(1)(o).

10 Annex 5.2 G When determining whether a *retail client* has the necessary knowledge to understand the risks involved in relation to a *UK RIE cryptoasset exchange traded note*, a *firm* should consider asking the *client* questions that cover, at least, the matters in *COBS* 10 Annex 5.3G(1) to (12).

10 Annex 5.3 G *Firms* may need to ask additional or alternative questions to ensure that the retail client has the necessary knowledge to understand the risks involved in relation to the specific type of *UK RIE cryptoasset exchange traded note* offered.

The matters are:

(1) the role of the business offering or marketing the *UK RIE cryptoasset exchange traded note* (the business) and the scope of its services, including what the business does and does not do on behalf of *clients*, such as what due diligence is and is not undertaken by the business on any underlying investments;

(2) the nature of the *client's* contractual relationship with the *issuer* and any underlying beneficiaries of the investment;

(3) the role of the *issuer* (including its role in assessing and making underlying investments);

(4) that the *client* can lose all of the money that they invest in *UK RIE cryptoasset exchange traded notes*;

(5) the potential complexity of investments in *UK RIE cryptoasset exchange traded notes* and the associated difficulty of understanding the risks of the investment;

(6) that the performance of many *UK RIE cryptoasset exchange traded notes* can be highly volatile and that the value of an investment linked to cryptoassets can fall as quickly as it can rise;

(7) the risk of losing money as a result of operational risks (such as through cyber-attacks, loss of private keys, comingling of funds) or financial crime;

(8) the risk to any management and administration of the *client's* investment in the event of the business becoming insolvent or otherwise failing;

(9) the extent to which the protection of the *Financial Ombudsman Service* or *FSCS* applies to the investment activity (including the fact that these services might not be available and do not protect investors against poor investment performance);

(10) the benefits of diversification and that *retail clients* should not generally invest more than 10% of their net assets *in restricted mass market investments*;

(11) in respect of the *UK RIE cryptoasset exchange traded note*:

(a) the *client's* exposure to the credit risk of the *issuer*;

(b) that returns may vary over time; and

(12) where an investment in a *UK RIE cryptoasset exchange traded note* is, or is to be, *arranged* by a *firm*:

(a) the nature of the *client's* contractual relationships with the *firm*;

(b) the role of the *firm* and the scope of the service it provides to *clients* (including the extent of the due diligence that the *firm* undertakes in relation to the securities that it distributes); and

(c) the risk to any management and administration of the *client's* investment in the event of the *firm* becoming insolvent or otherwise failing.

Amend the following as shown.

10A Appropriateness (for non advised services) (MiFID and insurance-based investment products provisions)

…

10A.2 Assessing appropriateness: the obligations

…

Restricted mass market investments

10A.2.11 G When determining whether a *client* has the necessary knowledge to understand the risks involved in relation to a *restricted mass market investment*, a *firm* should consider asking the *client* questions that cover, at least, the matters in *COBS* 10 Annex 1G in relation to *non-readily realisable securities* or *COBS* 10 Annex 5G in relation to *UK RIE cryptoasset exchange traded notes*.

…

22 Restrictions on the distribution of certain complex investment products

Application

22.6.1 R This section applies to:

(1) *MiFID investment firms*, with the exception of *collective portfolio management investment firms*;

(2) *branches* of *third country investment firms*;

(3) *MiFID optional exemption firms*; and

(4) *TP firms* which are *EEA MiFID investment firms* with the exception of *collective portfolio management investment firms*,

in relation to the marketing, distribution or sale of *cryptoasset derivatives* and ~~*cryptoasset exchange traded notes*~~ *non-UK RIE cryptoasset exchange traded notes* in or from the *United Kingdom* to a *retail client*.

…

Prohibitions

22.6.5 R (1) A *firm* or *TP firm* must not:

(a) sell a *cryptoasset derivative* or a ~~*cryptoasset exchange traded note*~~ *non-UK RIE cryptoasset exchange traded note* to a *retail client*; or

(b) distribute a *cryptoasset derivative* or a ~~*cryptoasset exchange traded note*~~ *non-UK RIE cryptoasset exchange traded note* to a *retail client*; or

(c) market a *cryptoasset derivative* or a ~~*cryptoasset exchange traded note*~~ *non-UK RIE cryptoasset exchange traded note* if the marketing is addressed to or disseminated in such a way that it is likely to be received by a *retail client*.

(2) "Marketing" includes, but is not limited to, *communicating* and/or *approving financial promotions*.

Annex C

Amendments to the Compensation sourcebook (COMP)

In this Annex, underlining indicates new text.

5 Protected claims

…

5.5 Protected investment business

…

Advising without a personal recommendation

5.5.4	R	…

Claims relating to cryptoasset exchange traded notes

5.5.5	R	This section does not apply in respect of a claim relating to *protected investment business* to the extent that it involves any assets or products backed by or secured by cryptoassets, including *cryptoasset exchange traded notes*.

Appendix 4

Amendments to the UK EMIR Trade Repository reporting requirements

TECHNICAL STANDARDS (EMIR REPORTING AND DATA QUALITY AND MISCELLANEOUS AMENDMENTS) INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of the following powers and related provisions in or under:

(1) articles 9(5) and 9(6) (Reporting obligation) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories; and

(2) the following sections of the Financial Services and Markets Act 2000 ("the Act"):

(a) section 138P (Technical Standards);
(b) section 138Q (Standards instruments);
(c) section 138S (Application of Chapters 1 and 2); and
(d) section 137T (General supplementary powers).

B. The rule-making powers listed above are specified for the purpose of section 138Q(2) (Standards Instruments) of the Act.

Pre-conditions to making

C. The FCA has consulted the Bank of England and the Prudential Regulation Authority as appropriate in accordance with section 138P of the Act.

D. A draft of this instrument has been approved by the Treasury in accordance with section 138R of the Act.

Modifications

E. The technical standards listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories	Annex A
Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting	Annex B

Commencement

F. This instrument comes into force on [*date*].

Citation

G. This instrument may be cited as the Technical Standards (EMIR Reporting and Data Quality and Miscellaneous Amendments) Instrument 2025.

By order of the Board
[*date*]

In this Annex, underlining indicates new text and striking through indicates deleted text.

Annex A

Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories

…

Article 6

Reporting of exposures

1. The data on collateral for both cleared and non-cleared derivatives shall include all posted and received collateral in accordance with fields 1 to ~~29~~ 30 in Table 3 of the Annex.

2. Where a counterparty 1 collateralises on a portfolio basis, the counterparty 1 or the entity responsible for reporting shall report to a trade repository collateral posted and received on a portfolio basis in accordance with fields 1 to ~~29~~ 30 in Table 3 of the Annex and specify a code identifying the portfolio in accordance with field 9 in Table 3 of the Annex.

…

…

ANNEX

…

Table 3

Item	Section	Field	Details to be reported
…			
29	Collateral	Event date	Date on which the reportable event relating to the derivative contract and captured by the report took place. In the case of collateral update - the date for which the information contained in the report is provided.
30	Parties to the derivative	Execution agent	LEI identifying the entity that executed the transaction on behalf of the counterparty, and binds the counterparty to the terms of the transaction, but is not a broker.

In this Annex, underlining indicates new text and striking through indicates deleted text.

Annex B

Technical Standards on the Standards, Formats, Frequency and Methods and Arrangements for Reporting

…

Article 3

Frequency of reports

…

2. A CCP, a financial counterparty or a non-financial counterparty referred to in Article 10 of Regulation (EU) No 648/2012, which is a counterparty to the derivative, or the entity responsible for reporting, shall report any modification of the details relating to the collateral data in fields 1 to ~~29~~ 30 in Table 3 of the Annex to the EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023 with action type 'Margin update', as those details stand at the end of each day, for that derivative when:

   (a) the derivative has not matured and has not been the subject of a report with the action type 'Terminate', 'Error' or 'Position component' as referred to in field 151 in Table 2 of the Annex; or

   (b) the derivative was subject to a report with action type 'Revive' not followed by another report with the action type 'Terminate' or 'Error' as referred to in field 151 in Table 2 of the Annex.

…

…

Article 8

Unique Transaction Identifier

…

5. Notwithstanding paragraph ~~2~~ 3, the generation of the UTI may be delegated to an entity different from that determined in accordance with paragraph ~~2~~ 3. The entity generating the UTI shall comply with the requirements set out in paragraphs ~~1~~ 2 and ~~3~~ 4.

…

ANNEX

…

Table 3

Item	Section	Field	Format
…			
29	Collateral	Event date	ISO 8601 date in the UTC format YYYY-MM-DD.
30	Parties to the derivative	Execution agent	ISO 17442 LEI, 20 alphanumeric character code that is included in the LEI data as published by the Global LEI Foundation.

…

Appendix 5

Amendments to SUP 16 on the scheduling of Consumer Credit data returns

CONSUMER CREDIT (REGULATORY REPORTING) (AMENDMENT) (No 3) INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 ("the Act"):

(1) section 137A (The FCA's general rules);
(2) section 137T (General supplementary powers); and
(3) section 139A (Power of the FCA to give guidance).

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on [*date*].

Amendments to the Handbook

D. The Supervision manual (SUP) is amended in accordance with Annex A to this instrument.

E. The Dispute Resolution: Complaints sourcebook (DISP) is amended in accordance with Annex B to this instrument.

Citation

F. This instrument may be cited as the Consumer Credit (Regulatory Reporting) (Amendment) (No 3) Instrument 2025.

By order of the Board
[*date*]

Annex A

Amendments to the Supervision manual (SUP)

In this Annex, underlining indicates new text and striking through indicates deleted text.

16 Reporting requirements

…

16.12 Integrated Regulatory Reporting

…

Regulated Activity Group 12

…

16.12.29 C R The applicable *data items*, reporting frequencies and submission deadlines referred to in *SUP* 16.12.4R are set out in the table below. Reporting frequencies are calculated from a *firm's accounting reference date*, unless indicated otherwise. The due dates are the last day of the periods given in the table below following the relevant reporting frequency period.

Description of *data item*	*Data item* (note 1)	Frequency		Submission deadline
		Annual revenue from *credit-related regulated activities* up to and including £5 million (note 2)	Annual revenue from *credit-related regulated activities* over £5 million	
…				
Note 9	… (c) This *data item* does not apply to a *not-for-profit debt advice body* that at any point in the last 12 *months* has held £1 million or more in *client money* or, as the case may be, projects that it will hold £1 million or more in *client* money in the next 12 *months*. Such a *not-for-profit debt advice*			

	body is instead required to submit *data items* CCR001, CCR002 and CCR009. (d) Reporting frequencies and reporting periods for this *data item* are calculated on a calendar year basis.
…	

…

16 Annex 38B **Notes for completion of Data Items relating to Consumer Credit activities**

…

CCR007 - Consumer credit data: Key data for credit firms with limited permission

82. The purpose of this *data item* is so that the *FCA* can collect a small, proportionate amount of data from the large population of *firms* with *limited permission* undertaking *credit-related regulated activities*, to enable monitoring of the market with a risk-based approach.

Guide for the completion of individual fields

…

…	…	…
2A	Total revenue (including from activities other than credit-related regulated activities)	A *firm* should report all income (before expenses) received for all its business, both regulated and unregulated. For example, if a *firm* has sold a product for £1,000 and received £50 commission for referring the *customer* for credit, for data field 2A, the *firm* should report the total amount of money received, £1,050. This *data element* should be completed in respect of business within the annual period ending on the *firm's accounting reference date* which occurred during the reporting period. If the *firm* had more than one *accounting reference date* during the reporting period, then this should be the most recent of these *accounting reference dates* which occurred before the end of the reporting period.

…		

Annex B

Amendments to the Dispute Resolution: Complaints sourcebook (DISP)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless stated otherwise.

1 Treating complainants fairly

…

1.10A Complaints data publication rules

…

Time limits for publication

1.10A.3 R …

(3) ~~Where the *firm* is a *firm* with only a *limited permission* and its *accounting reference date* falls between 1 January and 30 June, the *firm* must publish the total number of *complaints* received no later than 31 August of the same year.~~ [deleted]

(4) ~~Where the *firm* is a *firm* with only a *limited permission* and its *accounting reference date* falls between 1 July and 31 December, the *firm* must publish the total number of *complaints* received no later than 28 February of the following year.~~ [deleted]

(5) Where the *firm* is a *firm* with only a *limited permission*, the *firm* must publish the total number of *complaints* received no later than 28 February of the following year.

…

Appendix 6

Assessment of Value Reporting Requirements

COLLECTIVE INVESTMENT SCHEMES SOURCEBOOK (REPORTS AND ACCOUNTS) AMENDMENT INSTRUMENT 2025

Powers exercised

A. The Financial Conduct Authority ("the FCA") makes this instrument in the exercise of the powers and related provisions in or under:

(1) the following sections of the Financial Services and Markets Act 2000 ("the Act"):

(a) section 137A (The FCA's general rules);
(b) section 137T (General supplementary powers);
(c) section 247 (Trust scheme rules); and
(d) section 261I (Contractual scheme rules);

(2) regulation 6(1) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228); and

(3) the other rule and guidance making powers listed in Schedule 4 (Powers exercised) to the General Provisions of the FCA's Handbook.

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on [*date*].

Amendments to the Handbook

D. The Collective Investment Schemes sourcebook (COLL) is amended in accordance with the Annex to this instrument.

Citation

E. This instrument may be cited as the Collective Investment Schemes Sourcebook (Reports and Accounts) Amendment Instrument 2025.

By order of the Board
[*date*]

Annex

Amendments to the Collective Investment Schemes sourcebook (COLL)

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

4 Investor Relations

…

4.5 Reports and accounts

…

Contents of the annual long report

4.5.7 R …

(8) An annual long report of an *authorised fund* must also contain ~~a statement setting out a description of~~ information about the assessment of value required by *COLL* 6.6.20R including at least (subject to any other information the *authorised fund manager* may choose to include):

(a) ~~a separate discussion and conclusion for the matters covered in each paragraph of *COLL* 6.6.21R, and for each other matter that formed part of the assessment, covering the considerations taken into account in the assessment, a summary of its findings and the steps undertaken as part of or as a consequence of the assessment;~~ [deleted]

(b) ~~an explanation for any case in which benefits from economies of scale that were identified in the assessment have not been passed on to *unitholders*;~~ [deleted]

(c) ~~an explanation for any case in which *unitholders* hold *units* in a *class* that is subject to higher charges than those applying to other *classes* of the same *scheme* with substantially similar rights;~~ [deleted]

(d) ~~the conclusion~~ a summary of the *authorised fund manager's* assessment of whether the charges that apply to *units* in each *class* of the *scheme* are justified in the context of the overall value delivered to the *unitholders* in the *scheme*; and

(e) ~~if the assessment has identified that the charges are not justified in the context of the overall value delivered to the *unitholders*, a clear explanation of what action has been or will be taken to address the situation~~ a summary of the remedial action (if any) that the *authorised fund manager* has taken, or will take, as a result of that assessment.

(9) An *AFM* need not include the ~~statement~~ information required by (8) in its annual long report if it makes the ~~statement~~ information available to *unitholders* annually in a composite report covering two or more of the *authorised funds* it manages, published in the same manner as the annual long report.

…

…

8 Qualified investor schemes

…

8.3 Investor relations

…

Contents of the annual report

8.3.5A R …

(5) An annual report of an *authorised fund* must also contain a ~~statement setting out a description of~~ information about the assessment of value required by *COLL* 8.5.17R including at least (subject to any other information the *authorised fund manager* may choose to include):

(a) ~~a separate discussion and conclusion for the matters covered in each paragraph of *COLL* 6.6.21R, and for each other matter that formed part of the assessment, covering the considerations taken into account in the assessment, a summary of its findings and the steps undertaken as part of or as a consequence of the assessment;~~ [deleted]

(b) ~~an explanation for any case in which benefits from economies of scale that were identified in the assessment have not been passed on to *unitholders*;~~ [deleted]

(c) ~~an explanation for any case in which *unitholders* hold *units* in a *class* for which the payments out of *scheme property* in relation to that *class* as set out in the *prospectus* (in this rule, "charges") are higher than those applying to other *classes* of the same *scheme* with substantially similar rights;~~ [deleted]

(d) ~~the conclusion~~ a summary of the *authorised fund manager's* assessment of whether the charges that apply to *units* in each *class* of the *scheme* are justified in the context of the overall value delivered to the *unitholders* in the *scheme*; and

(e) ~~if the assessment has identified that the charges are not justified in the context of the overall value delivered to the *unitholders*, a~~

~~clear explanation of what action has been or will be taken to address the situation~~ a summary of the remedial action (if any) that the *authorised fund manager* has taken or will take, as a result of that assessment.

…

…

15 Long-term asset funds

…

15.5 Annual report and investor relations

…

Contents of the annual report

15.5.3 R …

(5) An annual report of a *long-term asset fund* must also contain ~~a statement setting out a description of~~ information about the assessment of value required by *COLL* 15.7.17R including at least (subject to any other information the *authorised fund manager* may choose to include):

(a) ~~a separate discussion and conclusion for the matters covered in each paragraph of *COLL* 6.6.21R, and for each other matter that formed part of the assessment, covering the considerations taken into account in the assessment, a summary of its findings and the steps undertaken as part of or as a consequence of the assessment;~~ [deleted]

(b) ~~an explanation for any case in which benefits from economies of scale that were identified in the assessment have not been passed on to *unitholders*;~~ [deleted]

(c) ~~an explanation for any case in which *unitholders* hold *units* in a *class* for which the payments out of *scheme property* in relation to that *class* as set out in the *prospectus* (in this rule, "charges") are higher than those applying to other *classes* of the same *scheme* with substantially similar rights;~~ [deleted]

(d) ~~the conclusion~~ a summary of the *authorised fund manager's* assessment of whether the charges that apply to *units* in each *class* of the *scheme* are justified in the context of the overall value delivered to the *unitholders* in the *scheme*; and

(e) ~~if the assessment has identified that the charges are not justified in the context of the overall value delivered to the *unitholders*, a clear explanation of what action has been or will be taken to address the situation~~ a summary of the remedial action (if any)

that the *authorised fund manager* has taken or will take, as a result of that assessment.

…

…

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