

Annex D

Amendments to other time-related provisions: Handbook, Handbook Guides and Regulatory Guides

This Annex replaces the text in column 3 with the text in column 4 in the amendments to the provisions in column 2 to be made by the instruments in column 1.

Column 1		Column 2		Column 3	Column 4
<i>Instrument (a)</i>	<i>Annex (b)</i>	<i>(a) Sourcebook or Manual</i>	<i>(b) Provision</i>	<i>Original text</i>	<i>Amended text</i>
Exiting the European Union: High Level Standards (Amendments) Instrument 2019 (FCA 2019/20)	G	FEES	6.1.2G(1)	Firms which are not <i>participant firms</i> (such as certain types of <i>incoming EEA firms</i> , service companies, and ICVCs and, for the purposes of FEES 6, <i>pre-exit incoming EEA firms</i>) are not required to contribute towards the funding of the compensation scheme.	Firms which are not <i>participant firms</i> (such as certain types of <i>incoming EEA firms</i> , service companies, and ICVCs and, for the purposes of FEES 6, <i>pre-IP completion day incoming EEA firms</i>) are not required to contribute towards the funding of the compensation scheme.
			Heading to TP 21	Transitional provisions relating to FSCS levy arrangements from 1 April 2019 or, if later, from exit day as defined in the European Union (Withdrawal) Act 2018	Transitional provisions relating to FSCS levy arrangements from IP completion day
			TP 21.1 column (4)	The changes in column (2) apply to any levy made after 1 April 2019. This is even if: (1) the <i>claim</i> against the <i>relevant person</i> or <i>successor in default</i> arose or relates to circumstances	The changes in column (2) apply to any levy made after IP completion day. This is even if: (1) the <i>claim</i> against the <i>relevant person</i> or <i>successor in default</i> arose or relates to circumstances

				arising before that date; or (2) the <i>relevant person</i> or <i>successor</i> was <i>in default</i> before that date.	arising before that date; or (2) the <i>relevant person</i> or <i>successor</i> was <i>in default</i> before that date.
			TP 21.1 column (5)	From 1 April 2019, or, if later, on exit day as defined in the European Union (Withdrawal) Act 2018, indefinitely	From <i>IP completion day</i> , indefinitely
			TP 21.1 column (6)	1 April 2019	<i>IP completion day</i>
Exiting the European Union: Temporary Permission and Financial Services Contracts Instrument 2019 (FCA 2019/36)	B	GEN	2.2.36G(1)	The approach to what <i>rules</i> apply to <i>TP firms</i> is broadly to apply <i>rules</i> to <i>TP firms</i> which applied to them immediately prior to the <i>UK's</i> exit from the <i>EU</i> , whether those rules applied in the <i>United Kingdom</i> (as was the case for host state <i>rules</i>) or, where rules are directive-based, in the <i>firm's Home State</i> or, where relevant under an <i>EU</i> measure in relation to which the law of the country of origin applies, the state where the establishment is located and from which the <i>firm's</i> service is provided.	The approach to what rules apply to <i>TP firms</i> is broadly to apply <i>rules</i> to <i>TP firms</i> which applied to them immediately prior to <i>IP completion day</i> , whether those rules applied in the United Kingdom (as was the case for host state <i>rules</i>) or, where rules are directive-based, in the <i>firm's Home State</i> or, where relevant under an <i>EU</i> measure in relation to which the law of the country of origin applies, the state where the establishment is located and from which the <i>firm's</i> service is provided.
			TP 6.1 column(5)	From <i>exit day</i> as defined in the European Union (Withdrawal) Act 2018 up to and including 30 June 2019.	From <i>IP completion day</i> up to and including 31 March 2021.
			TP 6.1 column (6)	On <i>exit day</i> as defined in the	On <i>IP completion day</i>

				European Union (Withdrawal) Act 2018	
			TP 6.2 column (5)	From <i>exit day</i> as defined in the European Union (Withdrawal) Act 2018 up to and including 30 June 2019.	From <i>IP completion day</i> up to and including 31 March 2021.
			TP 6.2 column (6)	On <i>exit day</i> as defined in the European Union (Withdrawal) Act 2018	On <i>IP completion day</i>
			TP 6.3 column (5)	From <i>exit day</i> as defined in the European Union (Withdrawal) Act 2018 up to and including 30 June 2019.	From <i>IP completion day</i> up to and including 31 March 2021.
			TP 6.3 column (6)	On <i>exit day</i> as defined in the European Union (Withdrawal) Act 2018	On <i>IP completion day</i>
C	FEES	Title to TP22		Transitional provisions relating to FSCS levy arrangements for TP firms from 1 April 2019 or, if later, <i>exit day</i>	Transitional provisions relating to FSCS levy arrangements for TP firms from <i>IP completion day</i>
		TP 22.1 column (5)		From 1 April 2019, or, if later, <i>exit day</i> , indefinitely	From <i>IP completion day</i> , indefinitely
		TP 22.1 column (6)		1 April 2019 or, if later, <i>exit day</i>	<i>IP completion day</i>
		TP 22.3 column (4)		The changes in (2) apply to any levy made after 1 April 2019 or, if later, <i>exit day</i> . This is so even if: ...	The changes in (2) apply to any levy made after <i>IP completion day</i> . This is so even if: ...
		TP 22.3 column (5)		From 1 April 2019, or, if later, <i>exit day</i> , indefinitely	From <i>IP completion day</i> , indefinitely

			TP 22.3 column (6)	1 April 2019 or, if later, exit day	<i>IP completion day</i>
D	CASS	14.3.3R(1) (a)	for <i>CASS small TP firms</i> , the initial nine-month period from 1 April 2019 to 31 December 2019, and each subsequent 12-month period; or	for <i>CASS small TP firms</i> , the initial twelve-month period from 1 January 2021 to 31 December 2021, and each subsequent 12-month period; or	
		14.3.3R(1) (b)	for <i>CASS medium TP firms</i> and <i>CASS large TP firms</i> , the initial one-month period from 1 April 2019 to 30 April 2019, and each subsequent one-month period; and	for <i>CASS medium TP firms</i> and <i>CASS large TP firms</i> , the initial one-month period from 1 January 2021 to 31 January 2021, and each subsequent one-month period; and	
		14.3.3R(2) (a)(i)	(i) the shorter of: (A) the initial period from 1 April 2019 to the <i>firm's accounting reference date</i> , and (B) the initial period from 1 April 2019 to the last day of the six-month period after the <i>firm's accounting reference date</i> ; and	(i) the shorter of: (A) the initial period from 1 January 2021 to the <i>firm's accounting reference date</i> , and (B) the initial period from 1 January 2021 to the last day of the six-month period after the <i>firm's accounting reference date</i> ; and	
		14.3.3R(2) (b)(i)	(i) the shorter of: (A) the initial period from 1 April 2019 to the <i>firm's accounting reference date</i> , and (B) the initial period from 1 April 2019 to the last day of the three-month period after the <i>firm's accounting reference date</i> ; and	(i) the shorter of: (A) the initial period from 1 January 2021 to the <i>firm's accounting reference date</i> , and (B) the initial period from 1 January 2021 to the last day of the three-month period after the <i>firm's accounting reference date</i> ; and	
		14 Annex 2G Part 1 Section 1.1	The reporting period is a calendar period for which the <i>TPCAR</i> is required	The reporting period is a calendar period for which the <i>TPCAR</i> is required	

			<p>Paragraph 1.1.2</p>	<p>to be completed in accordance with CASS 14.3.1R, including the first <i>day</i> and the last <i>day</i> of the relevant period applicable to the <i>firm</i>. The first reporting period starts from 1 April 2019.</p> <p>For example:</p> <ul style="list-style-type: none"> • For a <i>firm</i> conducting <i>investment services or activities</i> under their <i>temporary permission</i> which is subject to monthly reporting under CASS 14.3.3R, the first reporting period will be 1 April 2019 to 30 April 2019, regardless of whether or not any <i>day</i> in April is a <i>business day</i>. • For a <i>firm</i> conducting <i>insurance distribution activities</i> under their <i>temporary permission</i> which is subject to half-yearly reporting under CASS 14.3.3R and has an accounting reference date of 31 December, the first reporting period will be 1 April 2019 to 30 June 2019, regardless of whether or not any <i>day</i> in this period is 	<p>to be completed in accordance with CASS 14.3.1R, including the first <i>day</i> and the last <i>day</i> of the relevant period applicable to the <i>firm</i>. The first reporting period starts from 1 January 2021.</p> <p>For example:</p> <ul style="list-style-type: none"> • For a <i>firm</i> conducting <i>investment services or activities</i> under their <i>temporary permission</i> which is subject to monthly reporting under CASS 14.3.3R, the first reporting period will be 1 January 2021 to 31 January 2021, regardless of whether or not any <i>day</i> in January is a <i>business day</i>. • For a <i>firm</i> conducting <i>insurance distribution activities</i> under their <i>temporary permission</i> which is subject to half-yearly reporting under CASS 14.3.3R and has an accounting reference date of 31 March, the first reporting period will be 1 January 2021 to 31 March 2021, regardless of whether or not any
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				a <i>business day</i> . The next reporting period for such a <i>firm</i> will be 1 July 2019 to 31 December 2019.	<i>day</i> in this period is a <i>business day</i> . The next reporting period for such a <i>firm</i> will be 1 April 2021 to 30 September 2021.
E	COMP	6.2.4G	<p>A <i>TP firm</i> that under section 213(9A) or section 213(9A) [bis] of the <i>Act</i> is not to be regarded as a <i>relevant person</i> is not a <i>participant firm</i>. For the purposes of the <i>FCA's compensation rules</i>, this means that most (but not all) <i>TP firms</i> operating in the <i>UK</i> without an <i>establishment</i> are not <i>participant firms</i>.</p>	<p>A <i>TP firm</i> to which regulation 8 or 11 of the <i>EU Exit Passport Regulations</i> applies, that is not to be regarded as a <i>relevant person</i> under section 213(9A) of the <i>Act</i> (as inserted by regulation 24 of the <i>EU Exit Passport Regulations</i>) is not a <i>participant firm</i>. A <i>TP firm</i> to which regulation 28 or 34 of the <i>EU Exit Passport Regulations</i> applies, that is not to be regarded as a <i>relevant person</i> under section 213(9A) of the <i>Act</i> (as inserted by regulation 70 of the <i>EU Exit Passport Regulations</i>) is not a <i>participant firm</i>. For the purposes of the <i>FCA's compensation rules</i>, this means that most (but not all) <i>TP firms</i> operating in the <i>UK</i> without an <i>establishment</i> are not <i>participant firms</i>.</p>	

Exiting the European Union: Glossary (Amendments) Instrument 2019 (FCA 2019/19)	Anne x	Glossary	pre-exit incoming EEA firm	<i>pre-exit incoming EEA firm</i>	<i>pre-IP completion day incoming EEA firm</i>
Exiting the European Union: Redress Sourcebooks (Amendments) Instrument 2019 (FCA 2019/28)	B	COMP	6.2.3G	A <i>pre-exit incoming EEA firm</i> may be a <i>participant firm</i> in respect of acts or omissions...	A <i>pre-IP completion day incoming EEA firm</i> may be a <i>participant firm</i> in respect of acts or omissions...
			10.2.5G	COMP 12.4.4R includes further limits relating to <u>certain ICD claims against certain incoming EEA firms pre-exit incoming EEA firms</u> , where the act or omission...	COMP 12.4.4R includes further limits relating to <u>certain ICD claims against certain incoming EEA firms pre-IP completion day incoming EEA firms</u> , where the act or omission...
			10.2.5G	...under which compensation may be payable by the <u>incoming EEA firm's pre-exit incoming EEA firm's Home State compensation scheme EEA State compensation scheme</u>under which compensation may be payable by the <u>incoming EEA firm's pre-IP completion day incoming EEA firm's Home State compensation scheme EEA State compensation scheme</u> .
			12.4.4R	If the claimant has an <i>ICD claim</i> against an <u>incoming EEA firm a pre-exit incoming EEA firm</u> which is a <i>MiFID investment firm</i> or, where applicable, a <i>successor</i> of such a <i>firm</i> .	If the claimant has an <i>ICD claim</i> against an <u>incoming EEA firm a pre-IP completion day incoming EEA firm</u> which is a <i>MiFID investment firm</i> or, where applicable, a <i>successor</i> of such a <i>firm</i> .

			TP 1.1 row 45	...(4) determining the <i>quantification date</i> in respect of, a <i>pre-exit incoming firm</i> , or the <i>successor</i> of such a firm.	...(4) determining the <i>quantification date</i> in respect of, a <i>pre-IP completion day incoming EEA firm</i> , or the <i>successor</i> of such a firm.
			TP 1.1 row 46	The amendments and deletions referred to in column (2) are disapplied, in relation to a <i>claim</i> against a <i>pre-exit incoming EEA firm</i> in respect of any act or omission...	The amendments and deletions referred to in column (2) are disapplied, in relation to a <i>claim</i> against a <i>pre-IP completion day incoming EEA firm</i> in respect of any act or omission...