

This week at the UK regulators

Thirty second guide: The week in overview

In a case illustrating the FCA's readiness to use the tools at its disposal to tackle market abuse flexibly and in combination with one another, it has fined an individual who received and traded on information received from another individual who has recently been prosecuted and imprisoned for insider dealing. It has also confirmed the imposition of substantial fines on two individuals and a public censure on a firm for conflict of interest failings relating to the distribution and administration of Arch Cru related products.

In policy developments, it has released its latest Market Watch guidance and the latest round of updates to its Knowledge Base on listing and sponsorship related issues. The PRA has released further consultation papers on the reorganisation of legacy FSA rulebook material.

FCA fines accountant for market abuse

Following the sentencing of Mr Ryan Wilmott on 27 March for insider dealing, the FCA has (on 30 March) imposed a financial penalty of £35,212 on Mr Kenneth Carver for market abuse. The FCA has stated that, had Mr Carver not provided verifiable evidence of serious financial hardship, it would have imposed a fine of £122,212. It has also confirmed that the level of the fine imposed was reduced to reflect significant co-operation by Mr Carver.

The FCA found that Mr Carver purchased 62,000 shares in Logica PLC on the basis of inside information provided to him by Mr Wilmott, leading to a profit of over £24,000.

<http://www.fca.org.uk/static/documents/final-notice/kenneth-george-carver.pdf>

<http://www.fca.org.uk/news/ryan-wilmott-sentenced-to-imprisonment-for-insider-dealing>

<https://onlineservices.cliffordchance.com/online/freeDownload.action?key=OBWlbfGqNhlNomwBI%2B33QzdFhRQAhp8D%2BxrlGRel2crGqLnALtlyZe6sHGxID9rSkjBRZdT7B6iHp%0D%0A5mt12P8Wnx03DzsaBGwsIB3EVF8XihbSpJa3xHNE7tFeHpEbaelf&attachmentsize=176981>

Other Final Notices

Following the Upper Tribunal's decisions in January to uphold the imposition of a public censure and fines of £200,000 and £650,000 respectively and prohibition orders, the FCA has (on 27 March) published Final Notices in respect of breaches of the Principles for Businesses and

the Statements of Principle for Approved Persons by Arch Financial Products LLP, Mr Robert Addison and Mr Robin Farrell. For full details of the infringements, see This week at the UK regulators, 26 January 2015.

<http://www.fca.org.uk/static/documents/final-notice/arch-financial-products.pdf>

<http://www.fca.org.uk/static/documents/final-notice/robert-addison.pdf>

<http://www.fca.org.uk/static/documents/final-notice/robin-farrell.pdf>

<https://onlineservices.cliffordchance.com/online/freeDownload.action?key=OBWlbfGqNhlNomwBI%2B33QzdFhRQAhp8D%2BxrlGRel2crGqLnALtlyZe6sHGxID9rSkjBRZdT7B6iHp%0D%0A5mt12P8Wnx03DzsaBGwsIB3EVF8XihbSpJa3xHNE7tFeHpEbaelf&attachmentsize=150412>

FCA publishes Market Watch guidance

The FCA has (on 30 March) published Market Watch 47, setting out more detail about how market oversight arrangements will work under the FCA's new structure, outlining new Suspicious Transaction Report data and reminding Multilateral Trading Facility operators of their market monitoring obligations.

<http://www.fca.org.uk/static/documents/newsletters/market-watch-47.pdf>

FCA warnings

Name of firm	Date of warning	Details
Sparrow Capital Partners	2 April 2015	Clone firm http://www.fca.org.uk/news/warnings/sparrow-capital-partners-clone
Oakwood Financial Services Limited Inc	1 April 2015	Not authorised http://www.fca.org.uk/news/warnings/oakwood-financial-services-limited-inc
Sparrow Capital Partners	1 April 2015	Not authorised http://www.fca.org.uk/news/warnings/sparrow-capital-partners
Andreas Geiger Financial	31 March 2015	Not authorised http://www.fca.org.uk/news/warnings/andreas-geiger-financial
Christian Muhr Investment Research	31 March 2015	Clone firm http://www.fca.org.uk/news/warnings/christian-muhr-investment-research-clone
Cooper Brennan	30 March 2015	Not authorised http://www.fca.org.uk/news/warnings/cooper-brennan

Policy developments

FCA		PRA	
Proposed developments			
		Deadline for responses	
Consultation papers		1 May 2015	The PRA has (on 1 April) published a consultation paper (CP 15/15) setting out further proposed amendments in relation to

				<p>depositor and dormant account protection.</p> <p>http://www.bankofengland.co.uk/prd/Documents/publications/cp/2015/cp1515.pdf</p>
<p>Guidance consultation</p>	<p>The FCA has (on 30 March) issued Primary Market Bulletin No. 11(GC 15/3). The paper contains proposed amendments to the existing procedural note on block listings and existing technical notes on related party transactions (modified requirements for smaller transactions and content of RIS announcements) and conflicts of interest for sponsors.</p> <p>It proposes the addition of six new technical notes on investment management agreements and the independence of the board, infrastructure funds, closed-ended investment funds with multiple share classes, eligibility of closed-ended investment funds, master-feeder funds and the definition of "investment manager".</p> <p>It also proposes the deletion of existing procedural notes on approval of circulars and circulars not requiring approval.</p> <p>http://www.fca.org.uk/static/documents/ukla/pri</p>	<p>11 May 2015</p>		

<p>mary-market-bulletin-11.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/pn-907-2-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-308-2-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-309-2-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-701-2-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-405-1-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-406-1-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-407-1-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-408-1-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-409-1-consultation.pdf</p> <p>http://www.fca.org.uk/static/documents/ukla/knowledge-base/tn-410-1-consultation.pdf</p>				
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Finalised Policy and Guidance				
		Implementation /effective date		
Policy statements	<p>Further to a consultation paper (CP 14/28) released in December 2014, the FCA has (on 30 March) published a policy statement (PS 15/10) on MIPRU Chapter 4 simplification.</p> <p>http://www.fca.org.uk/static/documents/consultation-papers/cp14-28.pdf</p> <p>http://www.fca.org.uk/static/documents/policy-statements/ps15-10.pdf</p>	26 April 2015	2 April 2015	<p>The PRA has (on 2 April) published a policy statement (PS 7/15) setting out amendments to the PRA Rulebook to progress the process of re-organising material previously found in the FSA Handbook and to add supervisory statements on internal governance, the exercise of certain functions under the Building Societies Act 1986 and supervising building societies' treasury and lending activities and a statement of policy on the PRA's approach to insurance transfers of business.</p> <p>The PRA has confirmed that it expects that the current website used to access the PRA Rulebook, shared with the FCA, will be replaced by a dedicated website in Summer 2015.</p> <p>http://www.bankofengland.co.uk/pradocuments/publications/ps/2015/ps715.pdf</p> <p>http://www.bankofengland.co.uk/pra/Pages/publications/ss/2015/ss1915.aspx</p> <p>http://www.bankofengland.co.uk/pra/Pages/publications/ss/2015/ss2015.aspx</p> <p>http://www.bankofengland.co.uk/pra/Pages/publications/ss/2015/ss2115.aspx</p> <p>http://www.bankofengland.co.uk/pra/Pages/publications/sop/2015/ibt.aspx</p>
Finalised guidance	<p>Further to Primary Market Bulletins 8 and 9 (GC 14/5 and GC 14/8) published in August and November 2014, which contained proposed additions and amendments to technical and procedural notes contained in the Knowledge Base, the FCA has (on 30 March)</p>	30 March 2015		

	<p>published finalised guidance in Primary Market Bulletin 11 (FG 15/5). It adds six new technical notes and amends 11 existing technical notes. It has also confirmed the deletion of one existing technical note on the creation and maintenance of records by sponsors.</p> <p>http://www.fca.org.uk/news/guidance-consultations/gc14-5-primary-market-bulletin-no-8</p> <p>http://www.fca.org.uk/news/guidance-consultations/gc14-8-primary-market-bulletin-no-9</p>			
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Contacts

Roger Best
Partner

E: roger.best
@cliffordchance.com

Helen Carty
Partner

E: helen.carty
@cliffordchance.com

Carlos Conceicao
Partner

E: carlos.conceicao
@cliffordchance.com

Dorian Drew
Partner

E: dorian.drew
@cliffordchance.com

Jeremy Kosky
Partner

E: jeremy.kosky
@cliffordchance.com

Rae Lindsay
Partner

E: rae.lindsay
@cliffordchance.com

Kelwin Nicholls
Partner

E: kelwin.nicholls
@cliffordchance.com

Martin Saunders
Partner

E: martin.saunders
@cliffordchance.com

Judith Seddon
Partner

E: judith.seddon
@cliffordchance.com

Luke Tolaini
Partner

E: luke.tolaini
@cliffordchance.com

Editor

Chris Stott
Lawyer

E: chris.stott
@cliffordchance.com

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www.cliffordchance.com

Clifford Chance, 10 Upper Bank Street, London, E14 5JJ

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