

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 1 August 2025.

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
31 July 2025

Annex A

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

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

6B Home insurance and motor insurance pricing

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6B.2 Setting renewal prices

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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.

- (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*.
[deleted]

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

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15.11 Notification of COCON breaches and disciplinary action

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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 G ...
A

15.11.13 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.

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15.11.15 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.~~

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(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); [deleted]~~

...

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

...



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.

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~~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.~~

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16 **Reporting requirements**

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16.21 Reporting under the MCD Order for CBTL firms

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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.

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16.28 Home insurance and motor insurance pricing reporting

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Requirement to submit a pricing information report

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- 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 IC OBS 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 31AR (Prudent Valuation Return) and SUP 16 Annex 31BG (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 ~~Prudent Valuation Return~~ [deleted]
Annex
31AR

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

Amend the following as shown.

16 Consumer buy-to-let return
Annex
39AD

...

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

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

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

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.

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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

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1.10 Complaints reporting rules

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Information requirements

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- 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*.~~
- (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. [deleted]~~

...

- 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.]~~

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

Amend the following as shown.

TP 1 Transitional provisions

TP 1.1 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 <i>firm</i>, which has a reporting period ending on or before 30 June 2013 submits its report to the FCA in accordance with the <i>complaints reporting rule</i> at DISP 1.10.2AR the number of <i>complaints</i> must be calculated for the period from the 31 December 2012 to the end of the <i>firm's</i> relevant reporting period. [deleted]	31 December 2012 to 30 June 2013.	31 December 2012
...					