

## 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**

...

##### **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.~~

(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

...

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.

...

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.~~

A

(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  
Annex  
7R

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

...



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 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**

...

#### **Arrears, repossession and receivers**

...

CBTL repossession

**In the reporting  
period year**

**In the reporting  
year to date**

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

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#### 1.10 Complaints reporting rules

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##### 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.~~

(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*.]

...

*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 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
...					