

Step 1: Obtain the necessary information to calculate redress

- Types of information are specified in CONRED 4 Annex 2(a)
- Information will be collected by reviewing share files, contacting the consumer, contacting pension providers and contacting Financial Ombudsman
- ask a copywriter if they would like the firm to calculate redress by engagement and if they want to claim for any other losses

Redress value: CONRED 4 Annex 138 £1,000 = £1,000

Step 2: Identify the comparator scheme and the retirement date

- Determine the comparator scheme according to CONRED Annex 134 (3.4.2) - 13.2%
- Determine retirement date using the reliable presumption at DISP App 4.3.126, noting the month when the firm entered in CONRED 4.4.38 - distance on consumption is provided in DISP App 4.3.176, noting the month when the firm entered in CONRED 4.4.38

Redress value: CONRED 4 Annex 138 £1,100 = £1,100

Step 3: Carry out lump sum redress calculation

- Using the GMP calculation, follow the instructions set out in CONRED 4 Annex 139
- Calculate according to the rules and guidance in DISP App 4 and DISP App 4 Annex 1, as modified by CONRED 4

Redress value: CONRED 4 Annex 138 £1,100 = £1,100

Step 4: Work out the lump sum redress offer for the redress determination

- A firm must provide a redress offer that, as far as possible, puts the consumer into the position they would have been in if they had received compliant pension transfer advice
- Follow the requirements at DISP App 4.2.26 to DISP 4.266 and CONRED 4.4.26 to CONRED 4.4.28

Redress value: CONRED 4 Annex 138 £1,100

Step 5: Lump sum offer redress determination

- The output of the GMP calculation must be sent in an Excel spreadsheet and PDF format. The subjects include a summary of inputs and the lump sum redress payable

Redress value: CONRED 4 Annex 138 £1,100

Send redress determination letter to consumer (CONRED 4.4.2R)

- If consumer requested full or partial supplementation offer, work out supplementable offer according to DISP App 4 and DISP App 4 Annex 1
- Send a redress offer to the consumer in the form of the letter set out in CONRED 4 Annex 138, and in accordance with the instructions at CONRED 4.4.2R, 4.4.2R and 4.4.2G

Pay the redress to the consumer (CONRED 4.4.3R)

- Once offer accepted by consumer, firm to access calculator to calculate the additional compensation sum
- Pay the consumer the updated compensation sum within 28 days in accordance to selected method of payment
- Send the consumer a payment confirmation in the form of the letter set out in CONRED 4 Annex 138 enclosing the detailed calculator report showing the updated compensation amount

Chapter 4 Enforcement Powers Fca Handbook

Rosina Ehmann



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Consumer Credit Law and Practice - A Guide Dennis Rosenthal, 2018-01-26 A new edition of Dennis Rosenthal's *Consumer Credit Law and Practice A Guide* is always an event to be welcomed by the busy practitioner. In all this welter of regulation there is a great need for a work which reduces the mass of case law and regulation covered in encyclopaedic works into a clear, concise and readable form which steers a way through the labyrinth. This is just such a book. It is to be warmly welcomed. From the Foreword by Roy Goode. The most useful and comprehensive single volume work on the subject of consumer credit. *Consumer Credit Law and Practice A Guide Fifth Edition* is an easily accessible guide covering all aspects of consumer credit: consumer hire and ancillary credit businesses. Written in a clear and penetrating style, the new fifth edition has been extensively updated and rewritten to take account of all relevant case law, legislative changes and developments, including coverage of EU Directives relating to alternative dispute resolution, supervision of credit institutions and consumer credit agreements for residential immovable property, the transfer of licensing from the OFT under CCA 1974 to authorisation and permission by the FCA under FSMA, the substitution of substantial parts of CCA 1974 and regulations under that Act by FSMA regulations under FSMA, including RAO and the FCA Handbook, in particular the Consumer Credit sourcebook CONC and the Mortgages and Home Finance Conduct of Business sourcebook MCOB, new chapters on FCA requirements and procedures relating to authorisation and permission, treating customers fairly, supervision and reporting and alternative dispute resolution, developments in related areas such as data protection, fraud prevention and anti money laundering. *Consumer Credit Law and Practice A Guide Fifth Edition* is essential reading for banking and commercial law practitioners, in-house lawyers, companies operating in consumer credit related industries including banks and building societies, credit card companies, finance and leasing companies, compliance personnel and consumer advisers.

Regulation and Regulators after Global Financial Crises Aleksandra Jordanoska, 2024-12-31 This book provides an original, theoretically and empirically grounded analysis of regulatory enforcement activism in post-crisis periods and the ensuing regulatory interactions. It critically addresses the more regulation enforcement agenda relating to financial misconduct in the aftermath of the 2008 financial crisis, showing how misconduct was constructed through the enforcement policies and practices of the powerful UK financial conduct regulator and its interactions with the subjects of enforcement proceedings and their legal representatives during a tumultuous time in the financial markets. Drawing from interviews with regulators, professional intermediaries and markets participants, documentary analysis of enforcement decisions and speeches and observations, the volume adopts an interdisciplinary approach grounded in social constructivist perspectives on compliance and deviance, regulation theory and socio-legal research. Through a multi-dimensional analytical framework of regulatory enforcement activism that links shifts in regulatory policymaking, experimentations with legal powers in information gathering, legal and extra-legal penalties and individual accountability and the use of enforcement tools in micro-level interactions, the book

documents a more interventionist and punitive post crisis enforcement agenda The findings challenge current thinking in the scandal and reform literature The work argues that despite the increased focus on enforcement it is not necessarily the case that the power has tilted more towards the regulator This fine grained socio legal enquiry makes innovative and timely theoretical contributions to our understanding of the limitations of regulatory activism and regulatory control regulatory relationships the governance of financial markets and broader thinking on regulating corporations and the individuals within them It will appeal to academics researchers regulators and policymakers working in regulation across law criminology sociology and politics

International Banking Law and Regulation Matteo Zambelli, 2025-11-05 *International Banking Law and Regulation* offers a critical exploration of the legal and regulatory frameworks that govern the global banking sector Tracing the development of banking from its mediaeval origins to today's complex cross border financial structures this book examines how law and regulation underpin financial stability guide corporate lending and respond to technological and geopolitical change From foundational concepts such as money and payment systems to prudential supervision and corporate governance to the intricacies of syndicated lending ESG finance securitisation and Islamic finance each chapter considers the evolving interaction between legal norms financial innovation and regulatory oversight Special attention is paid to cross border lending crisis management anti financial crime frameworks and creditor hierarchies with comparative insights from major jurisdictions including the UK EU US China India and Japan Written for students of law of banking and finance early career practitioners and policymakers this volume combines legal analysis with a practical international outlook It explains how banking law operates across jurisdictions enabling financial institutions to manage risk meet regulatory obligations and support global economic activity In a rapidly evolving financial landscape this book provides a timely and authoritative guide to the legal principles shaping the future of international banking

Corporate Governance Marc Moore, Martin Petrin, 2017-09-15 This textbook on corporate governance is written for advanced undergraduate and graduate law students as well as scholars working in the field It offers clear insight into this fascinating area of financial law from the analysis of the legal and regulatory framework of corporate governance in the UK to the core laws and regulatory principles that determine the allocation of decision making power in UK public companies This book also highlights how prevailing corporate governance norms operate within their broader market and societal context In doing so it seeks to encourage readers to develop their own critical opinions on the topic by reference to leading strands of theoretical and inter disciplinary literature along with relevant comparative and historical insights

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