

PROPOSED PROGRAMME ON FINANCIAL PROMOTIONS - UK

2 half days with case study examples

1: Introduction

Rules, principles and ideas applicable to financial promotions

Promotions beyond the FCA rules – Codes of Advertising Practice, law, good taste

What is a promotion and the extent to which it matters?

Some exemptions from parts of the rulebook in the Financial Promotions Order

The regulatory framework for promotions: Principle 7, BCOBS, MCOB, ICOBS, CONC, COBS, FOS

Context of financial promotions as part of product development and governance

The effect of rule breaches – punishments in FSMA for breaching the rules

2: THE RULEBOOK

The Principles PRIN 2

What do the conduct of business rules apply to?

Non-promotional communications and image Adverts

Clear, fair and not misleading in the conduct of business sourcebooks

Disclosure of the security for loans & risk disclosure generally

Prominence & font-size rule

ESMA measures on contracts for differences (where relevant)

Rule against unfair comparisons

BSA/BBA Guidelines – bank accounts (where relevant)

Direct offer rules for savings accounts (where relevant)

Rules and guidance on specified expressions

Tax

Making promotions identifiable as such

Giving the name of the firm

Naming the regulator and compensation scheme

Past, simulated and future performance – only for investments

3. Mainstream issues in Digital media and promotions

Social media

Sponsored links

Websites

Unsolicited e-mails

4. Systems and controls

Risk Management
Approval of promotions for others
The Competent Employee Rule
The Compliance function
Record-keeping