

Chapter 15A

Operational resilience



15A.1 Application

Application

15A.1.1	R	<p>This chapter applies to:</p> <ul style="list-style-type: none">(1) a <i>firm</i> that is:<ul style="list-style-type: none">(a) an <i>enhanced scope SMCR firm</i>;(b) a <i>bank</i>;(c) a <i>designated investment firm</i>;(d) a <i>building society</i>;(e) a <i>Solvency II firm</i>,(2) a <i>UK RIE</i>; and(3) an <i>electronic money institution</i>, a <i>payment institution</i> or a <i>registered account information service provider</i>.
15A.1.2	R	<p>In this chapter, a reference to a <i>firm</i> includes a <i>UK RIE</i>, an <i>electronic money institution</i>, a <i>payment institution</i> and a <i>registered account information service provider</i>.</p>
15A.1.3	R	<p>This chapter does not apply to a <i>TP firm</i>, a <i>TA PI firm</i>, <i>TA RAISP firm</i> or a <i>TA EMI firm</i>.</p>
15A.1.4	R	<p>This chapter does not apply to a <i>firm</i> which has its registered office (or, if it has no registered office, its head office) outside the <i>United Kingdom</i>.</p>
15A.1.5	R	<p>In this chapter, a reference to a <i>client</i> in relation to a <i>UK RIE</i> includes a <i>person</i> who is entitled, under an arrangement or agreement between them and that <i>UK RIE</i>, to use the <i>UK RIE's facilities</i>.</p>
15A.1.6	R	<p>In this chapter, a reference to a <i>client</i> in relation to a <i>firm</i> carrying on the activity of <i>managing a UK UCITS</i> or <i>managing an AIF</i> includes:</p> <ul style="list-style-type: none">(1) a <i>unitholder</i>; and(2) an investor in an <i>AIF</i>.

- 15A.1.7** **R** The requirements in this chapter apply with respect to:
- (1) *regulated activities*;
 - (2) activities that constitute *dealing in investments as principal*, disregarding the exclusion in article 15 of the *Regulated Activities Order* (Absence of holding out etc.);
 - (3) *ancillary activities*;
 - (4) in relation to *MiFID or equivalent third country business, ancillary services*;
 - (5) *collective portfolio management*;
 - (6) the provision of *payment services* and the issuance of *electronic money*, and activities connected to the provision of *payment services* and to the issuing of *electronic money* (whether or not the activity of issuing *electronic money* is specified in article 9B of the *Regulated Activities Order*); and
 - (7) any other *unregulated activities*, but only in a *prudential context*.
- 15A.1.8** **R** Notwithstanding ■ SYSC 15A.1.7R, where the requirements in this chapter apply to a *firm* only as a result of ■ SYSC 15A.1.1R(3), the requirements only apply to the provision of *payment services* and the issuance of *electronic money* by the *firm*, and activities connected to the provision of *payment services* and to the issuing of *electronic money* (whether or not the activity of issuing *electronic money* is specified in article 9B of the *Regulated Activities Order*).
- 15A.1.9** **R** There is no territorial limitation on the application of this chapter.