

Chapter 22

Regulatory references

22.4 Drafting the reference: detailed requirements

Drafting the reference: detailed requirements for SMCR firms

22.4.1

G

■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) has two purposes:

- (1) to set out what information a *firm* should disclose under ■ SYSC 22.2.2R(4); and
- (2) to provide a template that a *firm* should use when giving a reference under this chapter.

How to draft the reference

22.4.2

R

- (1) A *firm* must use the template in Part One of ■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) when giving a reference under this chapter to another *firm* (A).
- (2) A *firm* may make minor changes to the format of the template in Part One of ■ SYSC 22 Annex 1R when giving a reference under this chapter, provided that the reference includes all the information required by ■ SYSC 22 Annex 1R.
- (3) This *rule* applies even if A is not an *SMCR firm*.

22.4.3

G

- (1) [deleted] [*Editor's note*: The text of this provision has been moved to ■ SYSC 22.4.6G(1)]
- (2) [deleted] [*Editor's note*: The text of this provision has been moved to ■ SYSC 22.4.6G(2)]
- (3) [deleted] [*Editor's note*: The text of this provision has been moved to ■ SYSC 22.4.6G(3)]

22.4.4

G

A *firm* should use the template in ■ SYSC 22 Annex 1R (Template for regulatory references given by SMCR firms and disclosure requirements) even if the *firm* asking for the reference does not specifically ask it to.

22.4.5	R	PRA requirements B may combine in a single reference what the <i>PRA's rules</i> require and what this chapter requires.
22.4.6	G	Inclusion of additional material (-1) This chapter sets out minimum requirements for a reference. It does not prevent a <i>firm</i> from including more than is required by this chapter. (1) Therefore ■SYSC 22.4.2R does not stop a <i>firm</i> including matters in the reference not required by the template in ■SYSC 22 Annex 1R. (2) A <i>firm</i> may include the material required by the template and additional material in the same document. (3) Any additional material should not alter the scope of any of the questions in the templates.
22.4.7	G	If a <i>firm</i> does disclose more than is required by this chapter the reference should still meet its duties under general law to its former <i>employee</i> and the recipient (see ■SYSC 22.5.3G to ■SYSC 22.5.5G).
22.4.8	G	Time limits Nothing in this chapter prevents a <i>firm</i> from disclosing material outside the time limits under this chapter.