



*Association of Mortgage Intermediaries' response to FCA CP17/42:
The Duty of Responsibility for insurers and FCA solo-regulated firms*

This response is submitted on behalf of the Association of Mortgage Intermediaries (AMI). AMI is the trade association representing over 80% of UK mortgage intermediaries.

Intermediaries active in this market act on behalf of the consumer in selecting an appropriate lender and product to meet the individual consumer's mortgage requirements. Our members also provide access to associated protection products.

Our members are authorised and regulated by the Financial Conduct Authority (FCA) to carry out mortgage and insurance mediation activities. Firms range from sole traders through to national firms and networks, with thousands of advisers.

Questions

Q1. Do you agree that no changes need to be made to our Handbook, beyond those already proposed in our July CPs, to reflect the extension of the Duty of Responsibility to Senior Managers of insurers and FCA solo-regulated firms? If not, what changes do you believe should be made and why?

We agree with the FCA's approach.

For firms that read this paper in isolation however, it would be helpful if the FCA could clarify that Senior Managers are subject to both the Individual Conduct Rules and the Senior Manager Conduct Rules. Therefore when the FCA considers whether a Senior Manager has complied with the Duty of Responsibility, it will look at whether the Senior Manager acted in accordance with their obligations, including both sets of Conduct Rules.