

Financial Services Authority

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17 January 2005

Tim Toulmin
Director
Press Complaints Commission
1 Salisbury Square
LONDON
EC4Y 8JB

Dear Mr Toulmin

Financial promotions and the Press Complaints Commission code

Thank you for your letter of 13 January.

As requested, and as referred to in my previous letter, I attach printouts of section 21 of the Financial Services and Markets Act 2000 ("the Act") and article 20 of the Financial Promotion Order ("FPO")*.

Section 21 sets out the financial promotion restriction, and as you can see, article 20 of the FPO sets out criteria where the financial promotion restriction does not apply. (The FPO is the order mentioned in section 21(5) of the Act).

I am afraid I do not have any examples to hand of the actual product guides that are sometimes produced in conjunction with newspapers, but I do enclose (as an example) a copy of an article from the Sunday Times in September 2004 "advertising" such a guide.

Hopefully this helps to explain the context of my previous query.

I look forward to hearing from you about what disclosures the PCC would expect to see in this type of scenario, particularly where payments were made from the "sponsoring" firm involved to the newspaper.

* The full text of these pieces of legislation can be found at <http://www.legislation.hmso.gov.uk/acts/acts2000/20000008.htm> and http://www.hm-treasury.gov.uk/media/5F7/19/consol_finprom.pdf respectively.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Everett', with a stylized, cursive script.

John Everett

Review & Remediation Team
Financial Promotions Department