

KEYFACTS LOGO INSTRUMENT 2006

Powers exercised

- A. The Financial Services Authority makes this instrument in the exercise of the powers and related provisions in the following sections of the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 138 (General rule-making powers);
 - (2) section 156 (General supplementary powers); and
 - (3) section 157(1) (Guidance); and
- B. The rule-making powers listed above are specified for the purpose of section 153(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 6 November 2006.

Amendments to the Handbook

- D. The modules of the FSA’s Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

General amendment to Handbook forms	Annex A
General Provisions (GEN)	Annex B
Conduct of Business sourcebook (COB)	Annex C
Insurance: Conduct of Business sourcebook (ICOB)	Annex D
Mortgages: Conduct of Business sourcebook (MCOB)	Annex E

Citation



- E. This instrument may be cited as the Keyfacts Logo Instrument 2006.

By order of the Board
28 September 2006

Annex A

General amendment to Handbook forms

All instances in the Handbook of the keyfacts logo in column (1) of the table below are replaced with the keyfacts logo and regulatory mark in column (2) of the table.

(1)	(2)
 The logo consists of the word "keyfacts" in a white, lowercase, sans-serif font, centered within a black speech bubble shape that points downwards and to the right.	 The logo is identical to the one in column (1), but includes a small registered trademark symbol (®) to the upper right of the speech bubble.

Annex B

Amendments to the General Provisions sourcebook

In this Annex underlining indicates new text and striking through indicates deleted text.

...

GEN 5 The FSA logo and the keyfacts logo

...

Purpose

5.1.2 G The FSA logo is a registered UK service mark, with number 2150560. The keyfacts logo is a registered Community trade mark, with the number 386688. ~~and is~~ Both are the property of the FSA. ~~It is~~ They are also subject to copyright and may be used or reproduced with permission of the FSA only. If the FSA or keyfacts logos are ~~is~~ reproduced or otherwise used by any person without such permission the FSA may seek to enforce its rights over its property through the Courts.

5.1.3 G *GEN 5 Annex 1 is a general licence, which sets out the circumstances in which the FSA permits firms and their appointed representatives to reproduce the FSA and keyfacts logos. A firm or an appointed representative need not apply for an individual licence if it uses or reproduces the ~~FSA logos~~ in accordance with the general licence.*

5.1.4 G The FSA has no policy to allow use of the ~~FSA logos~~ by a firm or appointed representative other than as set out in GEN 5 Annex 1. If, however, a firm or appointed representative wishes to use or reproduce either of the FSA logos other than in accordance with the general licence, it may apply to the FSA for an individual licence, giving full reasons why it considers the FSA should grant the licence.

...

The keyfacts logo

5.1.5 R A firm must not use the keyfacts logo other than as and when it is required or permitted to be used by the rules, and in accordance with the general licence in GEN 5 Annex 1G.

...

Annex 1 G Licence for use of the FSA and keyfacts logos by authorised firms and

appointed representatives

Application

- 1.1 The *FSA* grants this licence to *firms* and *appointed representatives*.

The FSA and keyfacts logos

- 2.1 The FSA logo is made up of two elements which together make up the registered UK service mark, with number 2150560:

...

- 2.2 ~~Together, these elements make up the registered UK service mark, with number 2150560.~~ The keyfacts logo is made up of two elements which together make up the registered Community trade mark, with number 3866688:

- (1) the symbol (the rectangular speech bubble); and

- (2) the word 'keyfacts'.

- 2.3 There are two versions of the FSA logo, version A and a smaller version B in which the scroll has been simplified. There are two versions of the keyfacts logo, a low resolution version and a high resolution version.

- 2.4 Copyright subsists in the FSA and keyfacts logos.

- 2.5 Copies of the FSA and keyfacts logos that are capable of being reproduced for printing can be found on the *FSA's* website at ~~http://www.fsa.gov.uk/pubs/other/copies_of_the_fsa_logo/index.html~~ http://www.fsa.gov.uk/Pages/Library/Other_publications/Logos_and_Photos/index.shtml.

Permission to use the FSA logo

...

Permission to use the keyfacts logo

- 3A.1 *A firm* and its *appointed representatives* are permitted to use the keyfacts logo as and when it is required or permitted to be used by the *rules*.

3A.2 The following are examples of places where the *rules* require or permit the keyfacts logo to be used:

(1) In *COB*:

- (a) in an initial disclosure document or combined initial disclosure document (*COB* 4.3.9R); and
- (b) in a fees and commission statement (*COB* 4.3.11R).

(2) In *ICOB*:

- (a) in an initial disclosure document or combined initial disclosure document (*ICOB* 4.2.4G to *ICOB* 4.2.7R);
- (b) in a *policy summary* (*ICOB* 5.5.5R); and
- (c) in a *key features* as an alternative to a *policy summary* (*ICOB* 5.5.4R).

(3) In *MCOB*:

- (a) in an initial disclosure document or combined initial disclosure document (*MCOB* 4.4.1R, *MCOB* 4.4.7R, *MCOB* 8.3.1R and *MCOB* 8.4.1R); and
- (b) in an *illustration* (*MCOB* 5.6.2R and *MCOB* 9.4.2R).

Conditions on appearance of the FSA logo

...

Conditions on appearance of the keyfacts logo

4A.1 The permission in paragraph 3A.1 is subject to the following conditions:

- (1) the regulatory mark (®) is attached to the keyfacts logo;
- (2) the keyfacts logo and regulatory mark appear:
 - (a) in black type;

- (b) reversed out white on a coloured background; or
- (c) in colour provided that this does not diminish their prominence;
- (3) the two elements of the keyfacts logo appear together in the same way, and in the same proportion, as in the Community trade mark;
- (4) the keyfacts logo is not redrawn in any way, or matched by a typesetter;
- (5) the low resolution version of the keyfacts logo is used only in documents intended to be read on a computer, television or other screen; and
- (6) if the keyfacts logo is reproduced electronically, no hyperlink is incorporated.

Further conditions on the use of the FSA and keyfacts logos

5.1 The permissions in paragraphs 3.1 and 3A.1 are ~~is~~ also subject to the conditions that any material, whether produced on paper or electronically, on which the FSA or keyfacts logos are ~~is~~ displayed does not:

- (1) in any way imply that the *FSA* is endorsing the *firm* or its *appointed representatives* or products, services or communications (see also *GEN 1.2.2R(1)*); or
- (2) misrepresent the *firm's* or its *appointed representative's* relationship with the *FSA* or present false information about the *FSA*; or
- (3) contain content that could be construed as distasteful, offensive or controversial; or
- (4) infringe any intellectual property or other rights of any *person* or otherwise not comply with any relevant law or regulation.

Commencement and duration

7.1 This licence comes into effect on 1 May 2003 except that in relation to the keyfacts logo it comes into effect on 6 November 2006.

7.2 The *FSA* may alter or revoke this licence at any time, by giving at least two months' notice on the *FSA's* website.

Interpretation

8.1 This licence is to be interpreted in accordance with chapter 2 of the General provisions (Interpreting the Handbook) of the *FSA's* Handbook of Rules and Guidance. In particular, expressions in italics are defined in the Handbook Glossary.

Governing law and jurisdiction

9.1 This licence is governed by and interpreted in line with English law. The courts of any jurisdiction in the United Kingdom have the exclusive jurisdiction to settle any dispute in connection with this licence.

...

GEN TP 1 Transitional provisions

...

(3) Transitional Provisions applying to GEN only

(1)	(2)	(3)	(4)	(5)	(6)
	Material to which the transitional provision applies		Transitional provision	Transitional provision: dates in force	Handbook provision: coming into force
...
<u>9</u>	<u>GEN 5 Ann 1G</u>	<u>G</u>	<u>A firm may continue to use a keyfacts logo which is not accompanied by a regulatory mark (®).</u>	<u>From 6 November 2006 to 6 November 2007</u>	<u>6 November 2006</u>

Annex C

Amendments to the Conduct of Business sourcebook

In this Annex underlining indicates new text and striking through indicates deleted text.

...

4.3.10 G ~~Firms can obtain from the FSA website <http://www.fsa.gov.uk> a specimen of the initial disclosure document.~~ Further requirements regarding the use of the logo and the location of specimens are set out in GEN 5.1 and GEN 5 Annex 1G. ...

...

COB 4 Annex 4R: Initial disclosure document required by COB 4.3.9R(1) ("IDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in GEN 5.1 and GEN 5 Annex 1G. ~~A specimen of the keyfacts logo can be obtained from the FSA website http://www.fsa.gov.uk/pubs/other/keyfacts_logo.~~

...

COB 4 Annex 5R: Combined initial disclosure document required by COB 4.3.9R(2) ("CIDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in GEN 5.1 and GEN 5 Annex 1G. ~~A specimen of the keyfacts logo can be obtained from the FSA website http://www.fsa.gov.uk/pubs/other/keyfacts_logo.~~

...

COB TP 4 Miscellaneous transitional provisions applying to all firms

TP 4.4

(1)	(2)	(3)	(4)	(5)	(6)
	Material to which the transitional provision applies		Transitional provision	Transitional provision: dates in force	Handbook provision: coming into force
...
<u>18</u>	<u>COB 4 Annex 4R, COB 4 Annex 5R and COB 4</u>	<u>R</u>	<u>Key facts logo</u> <u>A firm may continue to use a keyfacts logo</u>	<u>From 6 November 2006 to 6</u>	<u>6 November 2006</u>

	<u>Annex 6R</u>		<u>which is not accompanied by a regulatory mark (®).</u>	<u>November 2007</u>	
--	-----------------	--	---	----------------------	--

Annex D

Amendments to the Insurance: Conduct of Business sourcebook

In this Annex underlining indicates new text and striking through indicates deleted text.

...

'Key facts' logo

2.2.2 R ~~A firm must not use the key facts logo unless it is required by a rule.~~[deleted]

...

Clear, fair and not misleading: comparisons ~~and restrictions on the use of the~~ key facts logo

3.8.1 R ...

(3) ~~A non-investment financial promotion must not contain the key facts logo unless it is required by a rule.~~[deleted]

...

5.5.11 R ... The logo may be a different size from that in *ICOB* 4 Annex 1 ~~but its proportions must not be distorted.~~

5.5.12 G The *FSA* has developed a common 'key facts' keyfacts logo to be used on significant pieces of information directed to *customers*. Further requirements regarding the use of the logo and the location of specimens are set out in *GEN* 5.1 and *GEN* 5 Annex 1G. ~~When reproducing the logo, insurers and insurance intermediaries may use colour, providing this does not diminish the prominence of the logo. A specimen of the 'key facts' logo can be obtained from the *FSA* website:~~
http://www.fsa.gov.uk/pubs/other/keyfacts_logo.

...

ICOB 4 Annex 1G: Initial disclosure document ("IDD")

...

Note 2 – ... *ICOB* 4.2.6R sets out requirements on the use of the ~~key facts~~ keyfacts logo. Further requirements are set out in *GEN* 5.1 and *GEN* 5 Annex 1G. ~~A specimen of the key facts~~keyfacts logo can be obtained from the *FSA* website
http://www.fsa.gov.uk/pubs/other/keyfacts_logo.

...

ICOB 4 Annex 2R: Combined initial disclosure document ("CIDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in *GEN 5.1* and *GEN 5 Annex 1G*. ~~A specimen of the keyfacts logo can be obtained from the FSA website http://www.fsa.gov.uk/pubs/other/keyfacts_logo.~~

...

ICOB TP 1 Transitional provisions

TP 1.1

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
...
<u>11</u>	<u>ICOB 4 Annex 1G and ICOB 4 Annex 2R</u>	<u>G</u>	<u>Key facts logo</u> <u>A firm may continue to use a keyfacts logo which is not accompanied by a regulatory mark (®).</u>	<u>From 6 November 2006 to 6 November 2007</u>	<u>6 November 2006</u>

Annex E

Amendments to the Mortgages: Conduct of Business sourcebook

In this Annex underlining indicates new text and striking through indicates deleted text.

...

'Key facts' logo

2.2.4 R ~~In MCOB, a firm must only use the 'key facts' logo where it is required by a rule.~~[deleted]

...

5.6.2 R An illustration provided to a customer must:

(1) ...

(2) follow the layout of the template in MCOB 5 Annex 1 with:

...

(a) prominent use of the ~~'key facts'~~ keyfacts logo followed by the text 'about this mortgage' ~~(if a firm resizes the logo it must ensure that the proportions remain consistent with the original design, so as not to distort it in any way);~~

...

...

5.6.4 G (1) ~~Firms can obtain from the FSA website <http://www.fsa.gov.uk> a specimen of the 'key facts' logo. When reproducing the logo firms may use colour providing this does not diminish the prominence of the logo. Further requirements regarding the use of the keyfacts logo and the location of specimens are set out in GEN 5.1 and GEN 5 Annex 1G.~~

...

9.4.2 R An illustration provided to a customer must:

(1) ...

(2) follow the format of the template in MCOB 9 Annex 1 with:

(a) prominent use of the ~~'key facts'~~ keyfacts logo followed by the text 'about this lifetime mortgage' ~~(if a firm resizes the logo it must ensure that the proportions remain consistent with the original design, so as not to distort it in any way);~~

...

9.4.3 G (1) ~~Firms can obtain from the FSA website <http://www.fsa.gov.uk> a specimen of the 'key facts' logo. When reproducing the logo firms may use colour providing this does not diminish the prominence of the logo. Further requirements regarding the use of the keyfacts logo and the location of specimens are set out in GEN 5.1 and GEN 5 Annex 1G.~~

...

MCOB 4 Annex 1R: Initial disclosure document ("IDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in GEN 5.1 and GEN 5 Annex 1G.

...

MCOB 4 Annex 2R: Combined initial disclosure document ("CIDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in GEN 5.1 and GEN 5 Annex 1G. A specimen of the keyfacts logo can be obtained from the FSA website http://www.fsa.gov.uk/pubs/other/keyfacts_logo.

...

MCOB 8 Annex 1R: Initial disclosure document ("IDD")

...

Note 2 – ... Further requirements regarding the use of the keyfacts logo are set out in GEN 5.1 and GEN 5 Annex 1G.

...

MCOB TP 1 Transitional provisions

MCOB TP 1.1 Transitional provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
...
<u>10</u>	<u>MCOB 4 Annex 1R, MCOB 4 Annex 2R,</u>	<u>R</u>	<u>Key facts logo</u> <u>A firm may continue to</u>	<u>From 6 November 2006 to 6</u>	<u>6 November 2006</u>

	<u>MCOB 5 Annex 1R, MCOB 8 Annex 1R and MCOB 9 Annex 1R</u>		<u>use a keyfacts logo which is not accompanied by a regulatory mark (®).</u>	<u>November 2007</u>	
--	---	--	---	----------------------	--