



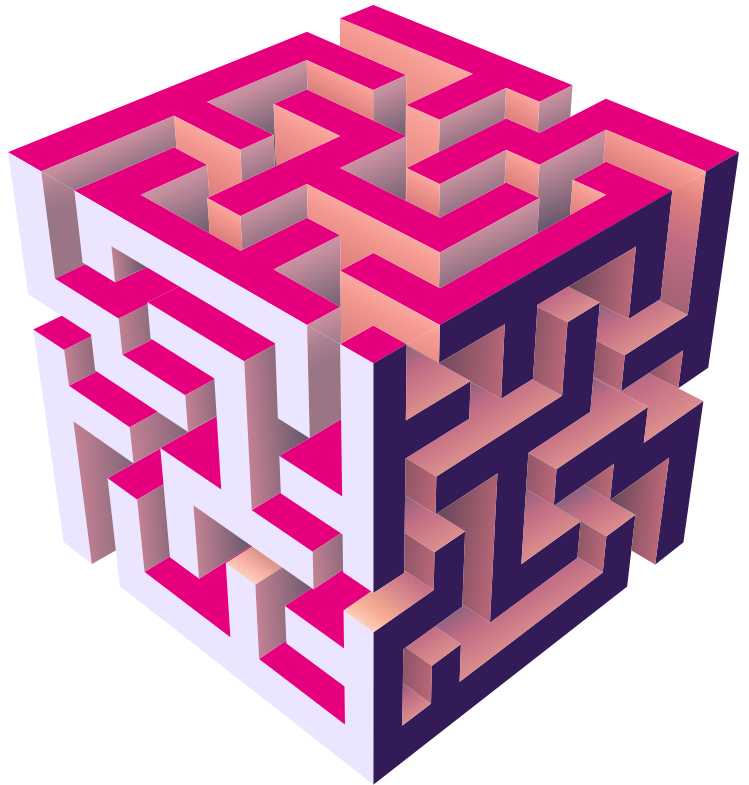
Regulatory update

March 2023

Welcome to the latest edition of the **Regulatory update**, which pulls together recent developments from across the UK's regulators – to help you navigate the regulatory maze.

In this edition updates we take a look at FCA's delays in change of control notifications, changes to the Appointed Representatives regime, FTX collapse, failure to prevent, ICO's guidance on international data transfer requirements, the latest developments from the SRA on SLAPP and much more!

Please do not hesitate to contact me, or your normal RPC contact, if you would like to discuss any of the topics highlighted or have any suggestions for areas you would like to see in future updates.



A handwritten signature in black ink, appearing to read 'Gavin Reese'.

Gavin Reese
Partner, Head of Regulatory

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FINANCIAL SERVICES

Jonathan Cary and Matthew Griffith

Change of control notifications: FCA delays

Individuals or companies that wish to acquire or increase control in a firm that the Financial Conduct Authority (FCA) regulate must seek their prior approval. The FCA have advised that they are experiencing delays in allocating notifications to case officers. Recently, it's typically taking between 2 and 4 weeks to allocate notifications.

The FCA allocate the notification as soon as a case officer becomes available, and then confirm whether it's complete as soon as possible. It is a criminal offence to proceed with acquiring or increasing a control in an authorised firm or its parent undertaking

before requesting – and receiving – approval for the transaction (or before the statutory assessment period has expired).

Many notifications the FCA receive are incomplete, which takes longer to process them. To avoid any delays, the FCA suggests ensuring that all relevant information and documents are included in the initial submission.

Click [here](#) to read more.

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Changes incoming - improving the Appointed Representatives regime

The Financial Conduct Authority's (FCA) changes to improve the appointed representatives regime took effect on 8 December 2022. The changes are aimed at enhancing consumer protection and placing more responsibility on authorised financial services firms ("Principals") for their appointed representatives ("ARs").

The new rules see a tightening of supervision and controls of ARs, as principal firms will be required to:

- increase the level of oversight of their ARs, including ensuring ARs have adequate systems, controls and resources
- carry out annual reviews of their ARs and an annual self-assessment of the Principal's own compliance
- assess and monitor the risk that ARs pose to consumers
- provide additional information to the FCA on their existing and new ARs

- notify the FCA of any future appointments at least 30 calendar days prior to its effect and
- annually provide to the FCA data relating to complaints and revenue.

As part of the FCA's enhanced reporting requirements, Principals should have received a Section 165 request for data about their current ARs at some point in December 2022. Firms will then have until 28 February 2023 to respond.

Click [here](#) to read more.

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FTX's collapse and what it means for the regulatory landscape

The collapse of FTX, whose value stood at \$32 billion as recently as January 2022, has shocked the crypto market. FTX filed for bankruptcy protection in the USA on 17 November 2022, following a liquidity crisis after customers tried to withdraw \$5 billion.

In the UK, the current regulatory guidance is set out in the Financial Conduct Authority's Guidance on Cryptoassets, which was published in 2019. This guidance outlines which tokens are regulated and which are unregulated. Bitcoin and Ethereum, the two largest cryptocurrencies, are only regulated in the UK for money laundering purposes. This means that individuals or organisations who buy these types of cryptoassets do not have access to the protections offered for other assets that are regulated, such as the Financial Ombudsman Service or the Financial Services Compensation Scheme.

Parliament recently voted in favour of an amendment to the Financial Services and Markets Act 2000 to include stablecoins and cryptoassets within its scope. The Financial Services and Markets Bill (which contains the proposed amendments) passed through the Committee Stage but there is no indication of when it will be finalised or enter into law. Assuming the proposed amendments are enacted, businesses which promote or sell cryptoassets will have to conduct their affairs in the same way as businesses which sell more traditional investment assets.

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Number of fines issued by the FCA more than doubled in 2022

The number of fines issued by the Financial Conduct Authority (FCA) more than doubled in 2022 rising from 10 in 2021 to 26. The FCA is sending a clear message: misconduct will not be tolerated.

Jonathan Cary, Partner at RPC, says the jump in the number of fines is in part, a response to the Treasury Select Committee 2021 report on the mini-bond scandal recommending that the FCA be more "decisive" and "proactive" to protect retail investors.

Fines relating to the mistreatment of retail customers in 2022 covered a number of areas, including offering poor advice regarding pension transfers, investing in inappropriately risky assets within a self-invested personal pension (SIPP) and poor treatment of customers in guarantor loans.

"Alongside its enforcement activities and levying of fines and other penalties, we have also seen the FCA taking a more proactive and assertive approach to supervision with what it has termed 'interventions'. This includes wide-ranging powers to impose requirements or variation of permissions, often on an urgent basis"

Click [here](#) to read more.

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Consumer Duty implementation plans

The Financial Conduct Authority (FCA) has published the results of its investigation into how businesses planned to implement the Consumer Duty, which intends to raise and clarify the bar for consumer protection throughout the financial services industry. Many businesses, according to the report, have recognised and welcomed the move toward a consumer-centred emphasis, built substantial work plans to embed the Duty, and are interacting with the substantive requirements, such as the four outcome areas.

In preparation for the July 2023 deadline for the adoption of new and existing products and services, it outlines the next steps in supporting firms' activities for implementation.

Click [here](#) to read more.

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Implementing the Future Regulatory Framework (FRF) Review: FCA Approach Document

The Financial Conduct Authority (FCA) has published a document on its strategy for implementing the recommendations of the Future Regulatory Framework (FRF) Review.

The FCA describes in the document the specific provisions that were taken into consideration for the FRF Review and will be implemented through the Financial Services and Markets Bill 2022–2023. The FCA summarises each measure's present approach as well as its proposed future approach.

The FCA groups these measures into the following categories:

- FCA objectives and regulatory principles
- Accountability, scrutiny and stakeholder engagement
- Transfer of responsibility for firm-facing requirements

The FCA is seeking feedback on its plans for implementing the FRF Review.

Click [here](#) to read more.

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WHITE COLLAR CRIME

Sam Tate and Davina Given

Economic Crime and Corporate Bill introduces failure to prevent offence aimed at commercial organisations

On 25 January 2023, the Government published amendments to the Economic Crime and Corporate Transparency Bill. Among the amendments, it is introducing an “Offence of failure to prevent fraud, false accounting or money laundering” directly aimed “relevant commercial organisations” which includes independent legal professionals, accountants and auditors.

The failure to prevent offence will be introduced as a criminal corporate offence.

Click [here](#) to read more.

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New powers proposed to enable law enforcement agencies to seize crypto assets

On 22 September, the UK government introduced The Economic Crime Bill. The Bill contains provisions to make it quicker and easier for law enforcement agencies, such as the National Crime Agency, to seize, freeze and recover cryptoassets used by criminals to launder the proceeds of crime.

The power to search for, seize or freeze, detain and recover assets will be expanded by amendments to the Proceeds of Crime Act 2002 (‘PCA’).

Click [here](#) to read more.

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The Bill contains a number of provisions which, if enacted, will extend considerably the powers of law enforcement agencies.

DATA PROTECTION

Jon Bartley

ICO publishes updated guidance on international data transfer requirements

The UK General Data Protection Regulation contains rules on the transfer of personal data to receivers located outside the UK. Last year the Information Commissioner's Office (ICO) published the International Data Transfer Agreement (IDTA) and the Addendum to the European Union Standard Contractual Clauses (SCCs). They have now published an update to their guidance on international transfers. This includes a new section on transfer risk assessments (TRAs) and a TRA tool.

The ICO is currently drafting instructions for using the IDTA and the Addendum to the SCCs (including clause by clause guidance). In order to demonstrate how the TRA tool may be used in practice, they are also thinking about expanding the TRA guidance to include worked examples.

Click [here](#) to read more.

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ICO announces a new approach to public sector enforcement

On 22 September 2022, the Retained EU Law (Revocation and Reform) Bill (REUL Bill) was introduced to Parliament. The REUL Bill sunsets the majority of REUL automatically on 31 December 2023, unless otherwise preserved. Government ministers can take steps to preserve laws by exempting them from the sunset clause, or they can extend the sunset clause up to 23 June 2026.

The REUL Bill will have a significant impact on UK data protection law – the key parts of which are derived from EU law. The UK GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, SI 2003/2426 (PECR) for example are derived from EU law and fall within the scope of the sunset provisions.

If the UK GDPR and PECR were to lapse without adequate replacement, the effect would be extremely disruptive on the data protection landscape in the UK. However, it is unlikely that

the government will allow this to happen. A more likely scenario involves this legislation being “assimilated” and becoming domestic law.

The reality of the 31 December 2023 deadline imposed by the REUL Bill is that it does not leave much time to create the desired bespoke British data protection system which would still meet EU requirements on adequacy. Assimilating the legislation would require changes pushed through at speed. The massive impact of the REUL Bill on a multitude of areas also means that Government resources may be stretched.

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DATA & PRIVACY

Jon Bartley

The NIS Regulations to expand to bring outsourced IT providers and managed service providers into scope

The UK's Network and Information Systems (NIS) Regulations came into force in May 2018 to boost the level of security of network and information systems for the provision of essential services, such as transport, energy, water, health and digital infrastructure (operators of essential services (OES)). These Regulations also applied to digital services, such as online marketplaces, online search engines and cloud computing services ("relevant digital service providers (RDSPs)"). The NIS Regulations were introduced as a response to the security threat, resulting from essential industries becoming more reliant on technology.

The new proposals bring outsourced IT providers and managed service providers (MSPs) within scope of the regulatory framework to ensure that these entities have appropriate cyber security measures in place and can be regulated effectively. The measures are due to be implemented as soon as parliamentary time will allow.

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HEALTH, SAFETY & ENVIRONMENTAL

Gavin Reese

Mental health related illnesses make up half of all work-related illnesses

On 23 November 2022, the Health and Safety Executive (HSE) published their annual figures on work-related illnesses. According to the statistics, in 2021/2022, out of a total of 1.8 million workers reported to be suffering from a work-related illness, 914,000 cases were made up of work-related stress, depression and anxiety, amounting to 51% of total work-related ill health cases.

As a result, mental health related illnesses amounted to 17 million working days to be lost, out of a total of 36.8 million working days lost to work-related illnesses.

The figures were higher than average in the public admin/defence, human health/social work and education industries.

Click [here](#) to read more.

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HSE announce 10-year strategy – Protecting people and places

The HSE have published a strategy plan, which sets out the HSE's plan to tackle new and traditional risks over the next 10 years. The document highlights the changing landscape of regulation with the increase in the HSE's responsibilities certain industries, including the building safety sector and chemicals regulation. The strategy highlights key themes in the strategy including a focus on people ensuring the HSE stays relevant and operates in a fair and just way. The strategic objectives identified include the intention

to reduce work related ill health with a focus on mental health and stress and to maintain Great Britain's record as one of the safest countries to work in

A copy of the strategy can be accessed from [here](#).

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PRODUCT REGULATION

Gavin Reese and Dorothy Flower

OPSS Product Regulation Strategy 2022 to 2025

The Office for Product Safety and Standards (OPSS) has published a strategy that sets out how they are taking a focused, risk-based approach to regulating the products that are an everyday part of lives.

This document discusses the role of product regulation in building a strong, green economy, as well as OPSS delivery priorities and governance.

Click [here](#) to read more.

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FSA publishes its response to a consultation on proposed changes to edible insect legislation

The proposal entails making necessary legal changes to retained EU law so that edible insects that were allowed to remain on the EU market following changes to the novel food regulations in 2018 can remain on the market in Great Britain (GB) while they go through the novel food authorisation process.

When the UK left the EU, the transitional measures relating to novel foods, including edible insects, set out in 2018 were not amended to require businesses to submit authorisation applications to GB regulators, as is required for insects to be approved for the GB market.

The purpose of the consultation was to provide clarity to businesses affected by the uncertainty surrounding insects for human consumption since the end of December 2020.

The Food Standards Agency (FSA) has commissioned an external review of the novel food legislation to ensure that it is best suited to the UK market. This review is consistent with the objectives of the recently enacted Retained EU Law (Reform and Revocation) Bill. The review will inform future regulatory proposals for novel foods, with consumer interest at the forefront..

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PENSIONS

Rachel Healey

Recent developments on pensions dashboards

The Pensions Dashboards Regulations 2022 came into force on 12 December 2022. The Regulations are aimed at trustees and pension scheme managers whereby they are obliged to enable the dashboards. For these purposes, they will have to fulfil a series of obligations including registering with the Money and Pension Service (MaPS). The Pensions Regulator (TPR) is also given new powers in order to regulate the duties included in the Regulations.

The TPR has opened a consultation on the draft compliance and enforcement of the dashboards, until 24 February 2023.

Pension providers regulated by the Financial Conduct Authority (FCA) will have to follow separate rules and obligations put in place by the FCA in relation to dashboards.

Click [here](#) to read more.

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TAX

Adam Craggs

HMRC updates its guidance on umbrella company engagement

HMRC has updated its guidance on the engagement of workers through umbrella companies. The guidance has been updated to include detailed sections on how umbrella companies operate in practice, umbrella workers' employment rights, the process for payments, and pay calculations. This is a valuable source of reference for all those who are either currently employed through an umbrella company or are contemplating entering into such an arrangement.

HMRC appears to be increasingly focussing on umbrella companies. This update follows the publication of Spotlight 60 which discusses HMRC's view of certain tax avoidance arrangements used by umbrella companies..

Click [here](#) to read more.

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Public Accounts Committee calls for evidence on UK's Digital Services Tax

The UK's Public Accounts Committee (PAC) has issued a call for evidence on the Digital Services Tax (DST). The tax was introduced in April 2020 and imposes a 2% tax on the revenues of large digital businesses that do business in the UK, such as search engines, social media companies and digital marketplaces.

The government is planning to replace the tax when the OECD's digital tax reforms have been agreed. As a result, the PAC is gathering evidence from senior officials at HMRC and the Treasury on the original purpose of DST and HMRC's approach to its implementation.

Click [here](#) to read more.

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COMPETITION

Melanie Musgrave

The UK competition watchdog plans to relax regulations related to climate change

Sarah Cardell, the chief executive of the Competition and Markets Authority (CMA), announced during a speech at the Scottish Competition Forum that the organisation will consult on changes to its strategy in February 2023 to facilitate business collaboration on projects that would increase climate adaptation across the economy or reduce emissions.

As the UK moves toward its legally binding 2050 net-zero target and as many businesses work to shorter timeframes, she said the

measures will “ensure that competition law is not an unjustified obstacle for enterprises trying to implement environmental sustainability projects.”

Click [here](#) to read more.

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The CMA’s Road Fuel Market Study Update

The CMA has [published](#) its initial update report and emerging analysis from its road fuel market study (the “Market Study”) which was launched in July 2022 following the request from the Secretary of State for BEIS (“SoS”) to conduct a study into whether the retail fuel market has adversely affected consumer interests as well as an urgent review (the latter was completed in July 2022 and considered in particular whether the March 2022 fuel duty cut had been passed on to consumers).

The CMA is conducting further analysis and submissions on its published emerging analysis were invited by 6 January 2023. The statutory deadline for the CMA’s final report is 7 July 2023. The CMA has confirmed its [decision](#) not to make a market investigation reference at this time. This does not preclude the possibility of a reference in the future if the CMA considers it appropriate based on further evidence and analysis going forward.

The CMA’s emerging analysis covering a five-year period showed that:

- 2022 was the most volatile year for fuel prices (since reliable records began);
- 2022 has also seen the largest gap between diesel and petrol prices (largely due to Western Europe’s reliance on imports of diesel from Russia);
- Refining margins have risen and remain volatile leading to higher prices at the pump. However, UK refiners’ profits over the medium term have not been at levels giving the CMA cause for concern;
- Pump prices vary widely between local areas and this will be the subject of further investigation of the CMA (higher prices

are likely where there are few/no other fuel stations nearby, particularly in the absence of a local supermarket forecourt - supermarkets continue to price below other fuel stations);

- Retailers’ fuel margins have increased annually over the last five years and this will be investigated further to understand whether this reflects higher operating costs (not included within fuel margins), the temporary volatility in the global market or a longer-term weakening of competition (supermarket fuel margins have also increased and whilst still below other retailers, the gap has narrowed; the CMA will be investigating this as part of the role played by supermarkets); and
- There was no evidence of ‘rocket and feather’ pricing prior to 2022, where there was some evidence of this, particularly for diesel; i.e. pump prices increasing quickly when the wholesale prices went up, but going down more slowly when wholesale prices decreased.

Following the publication of the CMA’s emerging analysis, the SoS has [written](#) to fuel retailers drawing their attention to the CMA’s initial update report, reiterating that:

“This Government will not hesitate to act to ensure competition is healthy and consumers get a fair deal on their fuel.”

Click [here](#) to read more.

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Investigations into Suspected Anti-Competitive Conduct in Connection with Procurement Processes

In March 2022, the CMA began an investigation into suspected anti-competitive conduct in connection with PAE's withdrawal from the Home Office's procurement processes for contracts to supply services at the immigration removal centres at Heathrow and of there being no grounds for action. The balance of the evidence obtained during its extensive investigation indicated that PAE's decision to withdraw was a unilateral one rather than as a result of an anti-competitive agreement or concerted practice with Mitie. The Home Office (as well as the two parties under investigation) now have an opportunity to respond before a final decision is taken by the CMA.

However, in another competition investigation in connection with a different procurement process, Ofcom, as a concurrent competition regulator, has recently [issued](#) an infringement decision.

The procurement exercise was run by the Police ICT Company, now the Police Digital Service, for the supply of specialist equipment and related services required for continuing to use the Airwave Network for longer than had been anticipated due to delays to the replacement for the emergency services' communications network. Sepura and Motorola were found to have breached UK competition law through exchanging commercially sensitive information. Sepura has been fined £1.5 million, whilst Motorola had been granted immunity under the CMA's leniency policy (any leniency application must be made to the CMA).

Click [here](#) to read more.

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CMA Investigation into End-of-Life Vehicles

In March 2022, the CMA launched an investigation into suspected Infringements of UK competition law in relation to the take-back, dismantling and recycling of end-of-life vehicles or ELVs (i.e. those categorised as waste due to being written off due to age or accident) and involving vehicle manufacturers and some industry bodies. Manufacturers are subject to regulations regarding the disposal of ELVs in a sustainable way and requiring them to offer a free recycling service to their customers. This investigation is in parallel to one launched on the same day by the European Commission, with whom the CMA is 'working closely' and, thus, an example of parallel investigations post-Brexit. The CMA has made clear that it has reason to suspect that important aspects of the suspected anti-competitive arrangements were agreed outside the UK and then implemented in the UK. The CMA's investigation is ongoing with an updated expected in July 2023.

In the meantime, the CMA has announced the [imposition of a penalty](#) on BMW AG (the BMW Group is one of the manufacturers under investigation) for failing, without reasonable excuse, to comply fully with a s26 Notice, a formal request for the provision

of documents and information by a specified deadline. Currently, such failure to comply is subject to a maximum fixed penalty of £30,000 and a daily rate of £15,000 which the CMA has decided to impose in this case (new penalties are expected under the anticipated Digital Markets, Competition and Consumer Bill). BMW AG had contended that the CMA was acting ultra vires in seeking the document production under the s26 Notice as it is a company incorporated and situated outside of the UK and the relevant information and documents are located outside of the UK. Thus, its position has been that it had a reasonable excuse for not responding and that the CMA was also acting ultra vires in seeking to impose a penalty on a non-UK domiciled company.

BMW AG is appealing the CMA's fining decision in the Competition Appeal Tribunal.

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DIGITAL & MEDIA

Rupert Cowper-Coles and Richard Breavington

UK Intellectual Property Office sets out new guidelines for patent applications related to Artificial Intelligence

UK patent law comprises legislation, such as the UK Patents Act 1977 (the Act), as well as case law. A key tenet of patent law is that inventions related only to a scientific discovery, mathematical method, computer program, or business method are not patentable.

Technology has rapidly evolved since the Act and the Intellectual Property Office (IPO) has recognised that many types of computer-based inventions, while rooted in mathematical methods and computer programs, ought to be patentable. It has thus used various “Signposts” (originating in case law) to determine whether software is patentable. The IPO will apply these

Signposts to the substance, rather than the form, of the invention and consider whether it makes a technical contribution to the known art.

The new guidance fits into the UK’s wider “National AI Strategy” and seeks to incentivise growth in the AI industry by providing clarity for those applying for AI-related patents and strengthening the relevant IP protections.

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UK Government recommends proactive approach to user safety by video sharing platforms

A report published in October 2022 by the Department for Digital, Culture, Media and Sport (DCMS) (Insights into the Video Sharing Platform (VSP) sector by Oliver Wyman) examined the VSP industry and the regulatory framework surrounding it.

The report found that VSPs should take a more systemic approach by embedding user safety into product development and being proactive rather than reactive to the risks of harmful content. It outlines an iterative process that can be implemented by VSPs to reduce the risk of user exposure comprising: (i) identifying risks; (ii) implementing user safety measures; (iii) reviewing and reporting on those measures; and (iv) building the infrastructure to support this process.

The report is a useful reminder of the importance of user safety and that failure to police content appropriately could lead to damaging, highly-publicised events. In addition, whilst the Online Safety Bill is subject to yet further debate in Parliament, platforms must be alive to the fact that online safety is very much on the legislative agenda in the UK.

Click [here](#) to read more.

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Government publishes guide to the Online Safety Bill

What it covers.

- How the online safety bill will protect children
- How the online safety bill will protect adults
- Types of content that will be tackled
- Underage children will be kept off social media platforms
- Adults will have more control over the content they see
- The Bill will tackle repeat offenders
- How the Bill will be enforced
- How these UK laws impact international companies
- The next steps for the Bill

The Department for Science, Innovation and Technology and Department for Digital, Culture, Media & Sport have appointed Ofcom as the regulator in charge of ensuring that platforms are safeguarding their users. Platforms will need to demonstrate

that they have procedures in place to comply with the Bill's specifications. Ofcom will evaluate how well those procedures work to safeguard internet users. Ofcom will have the authority to impose sanctions on businesses that fail to uphold their new obligations. The maximum penalty for a company will be £18 million, or 10% of its annual global turnover, whichever is higher. Senior managers who ignore Ofcom's requests for information will face criminal charges. In the most extreme circumstances, Ofcom will be able to order payment providers, advertisers, and internet service providers to stop dealing with a site, stopping it from making money or being accessed from the UK. This will only be possible with the court's approval.

Click [here](#) to read more.

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ADVERTISING

Oliver Bray

CMA issues guidance on influencer marketing, including #ad for gifts

The Competition and Markets Authority (CMA) has published guidance designed to assist social media platforms, content creators, and brands in complying with consumer protection law, with a view to ensuring that consumers are protected from hidden advertising. This includes advising on the use of #ad for gifts (i.e. moving beyond the classic 2-step ad disclosure test of payment and editorial control).

At present, the CMA has to go to court to establish and enforce a breach of consumer law. The acceptance of undertakings from businesses who are suspected to be in breach is the most common form of enforcement action in relation to consumer protection

laws. However, the Government has now proposed to give the CMA enhanced consumer law enforcement powers to match its competition law powers through the Digital Markets, Competition and Consumer Bill. The Bill's first reading is expected to take place in Spring 2023. Once this piece of legislation comes into effect, the CMA will be able to take direct enforcement action and will be able to impose fines of up to 10% of worldwide annual turnover for breaches of consumer protection legislation.

Click [here](#) to read more.

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HSBC finds itself in hot water over climate change claims

The Advertising Standards Authority (ASA) has ruled that HSBC must withdraw two posters that make claims as to its commitment to combatting climate change, on the grounds that the average consumer would be misled into believing that it intended to make, and was making, a positive environmental contribution overall as an organisation.

This ruling represents the first instance of the ASA ordering the withdrawal of advertising in the financial sector on the grounds of

greenwashing. It is a sector that is now receiving far more scrutiny in respect of its green claims. The FCA has also recently proposed a package of new measures to tackle greenwashing but further details have yet to be released.

Click [here](#) to read more.

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PROFESSIONAL SERVICES

Robert Morris, Graham Reid and Davina Given

SLAPPs – a round up of the latest developments for the SRA

The last week or so has seen a burst of activity on SLAPPs, alongside criticism of the Solicitors Regulation Authority (SRA). This will be of interest to lawyers and their insurers. The acronym SLAPP refers to strategic litigation against public participation. They involve the use of threats of legal action to silence, intimidate or harass critics. The topic has been on the SRA's radar since Russia's invasion of Ukraine. In recent months, activity has stepped

up a gear. This article covers the SRA before a House of Lords Committee, Bob Seely's Private Members Bill and the Wagner Group revelations.

Click [here](#) to read more.

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FRC to publish Audit Firm Specific Reports for Tier 2 and Tier 3 audit firms

The Financial Reporting Council (FRC) will publish a separate report on its inspection and supervision work at the Tier 2 and Tier 3 audit firms for the first time.

For over 10 years, the FRC has published individual reports on the audit quality examinations and supervision of each Tier 1 business. They have not published a Tier 2 and Tier 3 report historically, with the overall results reported anonymously in previous years within their Developments in Audit publications.

This new Tier 2 and Tier 3 report provides more detail than published previously. They intend to publish a Tier 2 and Tier 3 audit firm report annually.

Click [here](#) to read more.

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NAVIGATING THE MAZE

From the world's largest financial, corporate and professional services firms, to highly successful entrepreneurs and individuals, many turn to our specialist Regulatory team to navigate the maze. They do this because they know we don't sit on the fence, we work with our clients to ask the tough questions and challenge conventions; ensuring they continue to thrive in a rapidly evolving regulatory world.

From helping to implement robust compliance strategies to conducting investigations and defending against enforcement proceedings, our multidisciplinary team can be relied on to add value, provide ideas and deliver a complete regulatory service whatever challenges you face, now and in the future.

- **White collar crime and investigations:** The burden of facing a regulatory or criminal investigation can be significant. We defend clients under investigation for regulatory breaches, corruption including; breaches of financial sanctions, false accounting, insider dealing and market misconduct.
- **Anti-bribery and corruption:** Our team works closely with clients to implement robust, cost effective anti-bribery programmes in line with international standards, and to manage risks and responses when things go wrong.
- **Anti-money laundering:** AML continues to be one of the most significant regulatory risks to firms. We help clients from implementing effective AML processes and controls to defending clients under investigation of breaches.
- **Data protection:** Protecting the data you hold has never before been so essential to your business. We regularly advise on data regulations, including GDPR, relating to subject access requests, data handling, sharing and processing, breaches, and training strategies.
- **Product liability and compliance:** Our Products team have the expertise you needed if you are faced with product recall or class actions.
- **Health, safety and environmental:** our expert team can support you whether you are shoring up your health, safety and environmental protocols, or facing an investigation in respect of an incident.
- **Tax investigations and dispute resolution:** Our dedicated tax dispute lawyers provide a comprehensive service covering pre-emptive advice on a wide range of risk issues, tax investigations and litigation before the tax tribunals and higher courts.
- **Insurance and financial services:** Our specialist lawyers advise on regulation, business and financial crime and compliance, including both contentious and non-contentious matters to ensure our clients avoid the pitfalls.
- **Competition and anti-trust:** No business can afford to ignore competition law. We help clients through all issues including; compliance, investigations, merger control, cartels and litigation.
- **Dawn raids:** A dawn raid situation can be extremely stressful – and if you get it wrong, the repercussions can be severe. Our experienced team can provide an immediate response to help you on the ground, as well as in the all-important preparation for the possibility of a dawn raid.
- **Professional practices:** Our team combines sector knowledge with regulatory expertise to provide comprehensive support and advice for professional services firms, covering all aspects of their regulated business.
- **Advertising and marketing:** Some of the world's largest corporates rely on us to keep their brand communications above board, from advertising standards to consumer regulation we help clients to simplify the complex.



RPC is a modern, progressive and commercially focused City law firm. We have 114 partners and over 900 employees based in London, Hong Kong, Singapore and Bristol. We put our clients and our people at the heart of what we do.

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