



BUILDING SOCIETIES ACT 1986

Building Societies (Civil penalties) Regulations 2006

Approved by Tynwald 17th October 2006

Coming into operation 1st November 2006

In exercise of the powers conferred on the Financial Supervision Commission by section 4C of the Building Societies Act 1986^(a), and of all other enabling powers, and after consulting with such persons as it thinks appropriate, the following Regulations are hereby made:-

Citation and commencement

1. These Regulations may be cited as the Building Societies (Civil Penalties) Regulations 2006 and shall come into operation on 1st November 2006.

Interpretation

2. In these Regulations:
 - (1) "the Commission" means the Financial Supervision Commission;
 - (2) "building society" means a society authorised under section 7(5) of the Industrial and Building Societies Act 1892^(b), or section 2 of the Building Societies Act 1986 (including that section as applied by section 4A);
 - (3) "return" means:
 - (a) form BSR; and
 - (b) annual compliance certificate; and
 - (c) any document required to be submitted under a licence condition imposed by the Commission in respect of an authorisation; or
 - (d) any document required to be submitted under section 3(1) Building Societies Act 1986;
 - (4) "specified period" means the period during which a return is required to be submitted or otherwise provided to the Commission;
 - (5) a return is treated as "submitted" or "provided" once it is received by the Commission duly completed;
 - (6) "business day" means a day other than a Saturday or Sunday or a day which is a bank holiday under the Bank Holidays Act 1989^(c).

^(a) 1986 c.7

^(b) VI p.405

^(c) 1989 c.5

Application

3. These Regulations apply to all building societies.

Penalties

4. The Commission will require a building society to pay a penalty for each contravention of a requirement to submit or otherwise provide a return within a specified period, unless it appears to the Commission that there are exceptional circumstances.
5. The penalty payable shall be as follows:

PENALTY	Preceding return submitted on time	Preceding return submitted late	Both preceding two returns submitted late
Return submitted/ provided 1 to 20 business days after specified period	£100	£200	£300
Return submitted/ provided more than 20 business days after specified period	£1000	£1000	£1000

6. In the event of exceptional circumstances the Commission may require a building society to pay a lesser penalty or may not require a building society to pay a penalty.
7. Any penalty due shall be paid to the Commission within 21 business days of the penalty being imposed.

Made this 13th day of September 2006.

A. Barber Commissioner

J R Aspden Chief Executive

EXPLANATORY NOTE *(This note is not part of the Regulations)*

These Regulations specify the penalty to be paid by an authorised building society that has not submitted a return within the specified period.