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STATUTORY INSTRUMENTS

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**1996 No. 1669**

**The Financial Institutions (Prudential  
Supervision) Regulations 1996**

**PART IV**

**FINANCIAL SERVICES**

**Communication by auditor with supervisory bodies**

**10.**—(1) Section 109 of the Financial Services Act (communication by auditor with supervisory bodies) shall have effect as if—

- (a) the reference in subsection (1) to an auditor of an authorised person included—
  - (i) a reference to an auditor of a body with which a qualifying person is closely linked by control who is also an auditor of that person; and
  - (ii) a reference to an auditor of a qualifying undertaking;
- (b) the second reference in that subsection to the authorised person, and the reference in subsection (3) to that person, included a reference to such a body or undertaking.

(2) In this regulation—

“qualifying person” means a UK investment firm, or a trustee or manager of a qualifying undertaking;

“qualifying undertaking” means an undertaking to which the UCITS Directive applies and which is, within the meaning of that Directive, situated in the United Kingdom;

“trustee&” mdash;

- (a) in relation to a qualifying undertaking which is a unit trust scheme, means the person holding the property in question on trust for the participants;
- (b) in relation to any other qualifying undertaking, means any person who (whether or not under a trust) is entrusted with the custody of the property in question;

“the UCITS Directive” means the Council Directive of 20th December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (No.85/611/EEC);

“UK investment firm” has the same meaning as in the Investment Services Regulations 1995;

and other expressions which are also used in the Financial Services Act have the same meanings as in that Act.