



Credit Reference Designation Pre-submission Engagement Q&A – 2015 and 2016

Respondents were invited to direct questions in advance of submitting a response to CreditReferenceAgencies@british-business-bank.co.uk

Questions (posted anonymously) and answers in relation to the policy, objectives or information schedules were made available to all respondents to ensure that all respondents had access to the same information about the process.

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1.0	08.09.17

Credit Reference designation Q&A

Will the CRA designation application window will be opened again after this round? And If so when?

It is up to HMT if and when they open future designation windows.

Is the CRA Designation Window open to entities based within the European Union or just the UK?

To qualify for designation a CRA must have procedures in place to give effect to the requirements of provisions of certain UK legislation, including being regulated by the FCA. The Treasury may also have regard to a CRA's existing role as a CRA in the United Kingdom and the ability of the FCA to take enforcement against it.

Does the legal entity applying for CRA Designation need to be ISO27001 certified or is it sufficient for a related legal entity that is responsible for the data processing to be ISO27001 certified?

The regulations state that "The Treasury may designate a credit reference agency only if the agency carries on activities which consist primarily of the furnishing of persons with information relevant to the financial standing of persons or businesses and the collection of information for that purpose." As such, HM Treasury and the British Business Bank would expect the legal entity applying for CRA Designation to be ISO27001 certified.

Is there a definitive list of what data the banks will release to CRAs?

Please see the schedule at the end of The Small and Medium Sized Business (Credit Information) Regulations 2015.

With regards to section 3.3 (a): *Demonstrate satisfactory ability to receive and/or send data by Secure Electronic Transfer, including details of the intended format and system by which this requirement is met.*

a) By Secure Electronic Transfer does it mean the protocol currently in place at HMRC (<https://www.gov.uk/government/collections/secure-electronic-transfer>), or are other means of secure data transfer acceptable (e.g. SFTP, HTTPS)?

The Secure Electronic Transfer refers to the mechanism rather than a particular product so it does not have to be as per the gov.uk link above but must be acceptable to all parties involved.

If a required system is not currently in place, what would constitute an acceptable demonstration of a CRA's ability to put this system in place?

How a CRA demonstrates its ability to carry out any required changes is up to the CRA, they simply must prove this ability credibly to the British Business Bank's satisfaction.

Is the requirement for bulk data transfer or for on-demand data requests?

The regulation - 12(e) - states that the CRA "has systems in place which are capable of processing information in bulk". The way this is achieved is up to the CRA but must be acceptable to all parties involved.

Will the British Business Bank accept responses where all the required evidence or accreditations are not yet in place?

If there is a specific piece of evidence or accreditation that is not in place at the submission deadline (May 15th) then the British Business Bank will be happy to receive responses, but will expect the company to provide evidence that they will have fulfilled requirements in good time for the British Business Bank to submit advice to HMT. The British Business Bank will not commit to delaying the designation process, and responses are submitted at a company's own risk.

When exactly will the British Business Bank supply advice to HMT on the designation of Credit Reference Agencies?

Unfortunately it is not possible to give definitive timings on when HMT will receive advice from the Business Bank. This is the first time the process has been run so the timetable has been built to reflect some uncertainty on timings to reflect this. However, it is HMT's current intention to take a flexible approach to the process within the parameters set out in the Call For Information in order to fulfil policy objectives.

When will the designation process be re-opening following the initial round that was set out in the Call for Information?

HMT has not reached a final decision on the future designation process and may wish to consult with new Ministers in due course. However, our understanding is that HMT's current intention is to take a sensible approach to how and when the designation process will be managed going forward, which is likely involve a dialogue with those who have not been designated via the first designation round but who wish to become designated in the future, to agree the most sensible way forward.
