

# FCA Senior Managers and Certification Regime – CP 19/4

---

January 2019

**Authors:** [Stuart Willey](#), [Julia Smithers Excell](#)

General counsels at FCA regulated firms will no doubt be relieved to see that in its latest Consultative Paper published yesterday the FCA has rowed back from its previous suggestion that “Head of Legal” should be a senior manager role within SMCR. As the FCA notes, so much of the Head of Legal’s work relates to legal advice, the laws of legal privilege prevent it from using its powers over senior managers. If you would like to discuss this or any other changes being proposed by the FCA do please contact either [Stuart Willey](#) or [Julia Smithers Excell](#).

[Optimising the Senior Managers & Certification Regime and feedback to DP16/4 – Overall responsibility and the legal function](#)

White & Case LLP  
5 Old Broad Street  
London EC2N 1DW  
United Kingdom

**T** +44 20 7532 1000

In this publication, White & Case means the international legal practice comprising White & Case LLP, a New York State registered limited liability partnership, White & Case LLP, a limited liability partnership incorporated under English law and all other affiliated partnerships, companies and entities.

This publication is prepared for the general information of our clients and other interested persons. It is not, and does not attempt to be, comprehensive in nature. Due to the general nature of its content, it should not be regarded as legal advice.