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This publication is a service to our clients and friends. It is designed only to give general information on the developments actually covered. It is not intended to be a comprehensive summary of recent developments in the law, treat exhaustively the subjects covered, provide legal advice, or render a legal opinion.

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Welcome to the Regulation Round Up, a regular bulletin highlighting the latest developments in UK and EU financial services regulation.

Key developments in September 2017:

1 September

The Prudential Regulation Authority (PRA) updated its April 2017 public disclosure with [Template A](#) (Disclosure of Aggregate Statistical Data with regard to Insurance and Reinsurance Undertakings) and [Template B](#) (Disclosure of Aggregate Statistical Data with regard to Insurance Groups), as required under Article 31(2)(c) of the EU Solvency II Directive. The public disclosure is designed to foster a uniform level of transparency and accountability between supervisory authorities.

The FCA published its [Quarterly Consultation](#) (CP 17/32) in which the FCA set out proposed changes to a number of different parts of the FCA Handbook and invited comments on these. The changes proposed include: (a) changes to fees for varying permission under the revised Payment Services Directive (PSD2); (b) the FCA's enforcement approach to breaches of the Regulation on key information documents (or KIDs) for packaged retail and insurance-based investment products (PRIIPs); and (c) changes to the Conduct of Business sourcebook (COBS) relating to the PRIIPs KID and personal projections.

8 September

UK Finance and AFME published a [paper](#) highlighting both the need for post-Brexit contractual certainty on cross-border financial services contracts and the consequences if this certainty is not established.

12 September

FCA issued a [statement](#) on its website on initial coin offerings (ICOs) in which the FCA made clear its view that ICOs are "very high-risk, speculative investments" and whether an ICO falls within the FCA's regulatory boundaries or not can only be decided case by case.

14 September

The FCA published its [Final Decision](#) to make an ordinary market investigation reference to the Competition and Markets Authority, in relation to the supply and acquisition of investment consultancy services and fiduciary management services to and by institutional investors and employers in the UK.

The European Parliament published the [text](#) of the adopted legislative resolution on the proposed Regulation amending the European Venture Capital Funds Regulation (Regulation 345/2013) (EuVECA Regulation) and the European Social Entrepreneurship Funds Regulation (Regulation 346/2013) (EuSEF Regulation). One of the key objectives of the amendments is to encourage more funds to be registered under the EuVECA Regulation or EuSEF Regulation. The next step in the legislative process is for the Regulation to be formally adopted by the EU Council.

18 September

The FCA published [MarketWatch No.53](#) in which it was again emphasised that from 3 January 2018, all firms subject to MiFID II transaction reporting obligations must have a Legal Entity Identifier (LEI). Clients of these firms who are a legal entity or structure, including a company charity or trust, will also need to make arrangements to obtain an LEI code if they want these firms to continue to act on their instructions or make a decision to trade on their behalf from 3 January 2018 onwards.

19 September

The FCA published its [Policy Statement](#): Implementation of the revised Payment Services Directive (PSD2): Approach Document and final Handbook changes (PS17/19). EU member states must implement PSD2 by 13 January 2018.

The Payment Systems Regulator published an [approach document](#), which sets out how it will monitor and enforce PSD2.

21 September

The Competition and Markets Authority (CMA) published a [press release](#) setting out its issues statement to set out the scope of the market investigation into the supply and acquisition of investment consultancy services and fiduciary management services to and by institutional investors and employers in the UK. The market investigation reference to the CMA was made by the FCA on 14 September 2017.

25 September

FCA published its [Policy Statement](#) (PS17/21) on Insurance Distribution Directive implementation. It also published [Consultation Paper No.3](#) on the Insurance Distribution Directive implementation (CP17/33).

28 September

Megan Butler, Executive Director of Supervision - Investment, Wholesale and Specialists at the FCA, gave a [speech](#) entitled "Where next for investment and asset management regulation?" In the speech, Ms Butler reiterated that: (a) the FCA will take a sensible and proportionate approach to MiFID II's application in the UK; and (b) the FCA has no intention of taking enforcement action against firms for not meeting all MiFID II requirements straight away, if there is evidence such firms have taken sufficient steps to meet the new obligations by the start date, and that there are plans in place to complete the process.

29 September

An update to ESMA's [Questions and Answers](#) on the Market Abuse Regulation was published with a further Q&A on delayed inside information that has lost the feature of price sensitivity.

ESMA published a [consultation paper](#) on draft guidelines for non-significant benchmarks under the Regulation on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds (Regulation (EU) 2016/1011) (the Benchmarks Regulation).