

Regulation Round Up

April 2017

Key developments in April 2017:

3 April

The FCA published its [Consultation Paper](#) on persistent debt and earlier intervention remedies, “Reforming the availability of information in the UK equity IPO process” (CP17/10). The CP proposes a package of amendments to the FCA’s CONC Sourcebook to help customers who are in persistent credit card debt.

4 April

ESMA published an updated version of its [questions and answers](#) (Q&As) on investor protection topics under the MiFID II Directive and the Markets In Financial Instruments Regulation (MiFIR). The focus of the updates was on: Best execution and Inducements (research).

6 April

The FCA updated its AIFMD Updates [website](#) to provide clarifications on the new reporting requirements for master AIFs that will apply to AIFMs that market feeder AIFs into the UK. Interestingly, the FCA stated that it will be contacting non-EEA AIFMs in relation to the new requirements during Q2 2017. Non-EEA AIFMs should still be taking appropriate measures to meet the new requirements.

New law introducing the concept of private fund limited partnership into UK law. The Government provided a number of announcements on the new regime, including a [press release](#), as well as a [specific webpage](#) on the companies house form to be completed to have a new limited partnership designated a private fund limited partnership (Form LP7) and a [specific webpage](#) on the companies house form to be completed to re-designate an existing limited partnership as a private fund limited partnership (Form LP8).

7 April

The FCA issued a [press release](#) stating that it had banned and imposed financial penalties on two former Worldspreads Limited (WSL) employees. WSL, which operated a spread betting business, collapsed in March 2012.

10 April

The FCA published a [discussion paper](#) on distributed ledger technology (“DLT”). The paper discusses the potential for development of DLT in markets regulated by the FCA and invites discussion on various issues relating to DLT, including what new risks and opportunities DLT presents to the statutory objectives of market integrity, consumer protection, and competition. The FCA is also inviting discussion on DLT’s compatibility with the existing regulatory framework and the FCA’s traditional approach of ‘technology neutrality’.

12 April

[Commission Delegated Regulation \(EU\) 2017/653](#) supplementing the Regulation on key information documents (KIDs) for packaged retail and insurance-based investment products (PRIIPs) (Regulation 1286/2014)), laying down regulatory technical standards (RTS) regarding the presentation, content, review and revision of key information documents (KIDs) and the conditions for fulfilling the requirement to provide KIDs. This Delegated Regulation will come into force on 2 May 2017 (that is, 20 days after publication in the OJ). It will apply from 1 January 2018 when the PRIIPS Regulation will come into force.

13 April

The FCA published its [consultation paper](#) “Implementation of the revised Payment Services Directive (PSD2): draft Approach Document and draft Handbook changes” (CP17/11). On the same day, the Payment Services Regulator (PSR) published the [consultation paper](#) “The PSR’s proposed approach to monitoring and enforcing the revised Payment Services Directive” (PSD2) (dated April 2017).

The Brexit Competition Law Working Group (BCLWG) in the UK published a [report](#) on the implications of Brexit for UK competition law and policy. The report found, among other things, that the UK’s split from the EU will pose transitional, cooperation and workload issues for competition law. The BCLWG has asked for comments on the report.

18 April

The FCA published its 2017/18 [business plan](#). The areas of focus across the financial services sector for 2017/18 include: firms' culture and governance; financial crime and anti-money laundering; promoting competition and innovation; technological change and resilience; treatment of existing customers; consumer vulnerability and access to financial services.

24 April

The FCA published a [speech](#) "Expect the unexpected" by Nausicaa Delfas, FCA Executive Director, on the steps firms can take to manage cyber-security threats. This included a summary of the most prominent cyber-security threats affecting the financial services sector, including distributed denial-of-service attacks and the installation of "ransomware" software on firms' networks.

26 April

The PRA issued a [policy statement](#) (PS 8/17) on whistleblowing in UK branches of PRA-regulated banks and insurers.

[Related Professionals](#)

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- **Andrew Wingfield**
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