Proskauer

# Regulation Round Up

**Regulatory & Compliance** on **July 2024**

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

Key developments in July 2024:

**31 July**

**Consumer Duty:** The FCA published a speech by Sheldon Mills, FCA Executive Director of Consumers and Competition, on the Consumer Duty, which is now in force across all of retail financial services.

**International Competitiveness:** The Bank of England published a report from the Independent Evaluation Office evaluating the PRA's approach to its secondary competitiveness and growth objective.

**30 July**

**Payments:** The Bank of England published a discussion paper setting out its proposed approach to innovation in money and payments.

**29 July**

**Consumer Duty:** The FCA published a call for input on a review of its retail conduct requirements.

**ESG:** The European Commission published the final report by the Climate Resilience Dialogue.

**International Competitiveness:** The FCA published its 2023/24 report on its secondary international competitiveness and growth objective.

**Trading Practices:** The Financial Markets Standards Board published a spotlight review on pre-hedging.

**26 July**

**FCA Handbook:** The FCA published Handbook Notice 121, which sets out various changes to the FCA Handbook.

**Investment Research Bundling:** The FCA published policy statement (PS24/9) on payment optionality for investment research.

**ESG:** The Joint Committee of the European Supervisory Authorities ("**ESAs**") published an updated version of its consolidated Q&As (JC 2023 18) on the Sustainable Finance Disclosure Regulation ((EU) 2019/2088) ("**SFDR**"). Please refer to our dedicated article on this topic here.

### 24 July

**ESG:** ESMA published an opinion (ESMA36-1079078717-2587) on the functioning of the EU sustainable finance framework, which sets out a holistic long-term vision. Please refer to our dedicated article on this topic here.

**CRR:** The European Commission adopted a Delegated Regulation (C(2024) 5139 final) amending the Capital Requirements Regulation (575/2013) ("**CRR**") regarding the date of application of the own funds requirements for market risk.

### 22 July

**Non-bank financial intermediation:** The Financial Stability Board published a progress report to the G20 on enhancing the resilience of non-bank financial intermediation ("**NBFI**").

**ESG:** The Financial Reporting Council announced interim changes to reporting requirements for existing signatories to the Stewardship Code ahead of consultation on the implementation of a new Code in 2026. Please refer to our dedicated article on this topic here.

**MiFIR:** ESMA published a statement (ESMA74-2134169708-7345) on the transition to the new regime for post-trade transparency of OTC-transactions in the light of MiFIR II ((EU) 2024/791).

### 19 July

**ELTIF 2.0:** The European Commission adopted Delegated Regulation (C(2024) 4991 final) containing the final regulatory standards ("**RTS**") supplementing the Regulation on European Long-Term Investment Funds ((EU) 2015/760) ("**ELTIF 2.0**"). Please refer to our dedicated article on this topic here.

**18 July**

**ESG:** The Financial Stability Board published a stocktake report on nature-related risks.

**17 July**

**Overseas Funds Regime:** The FCA published a policy statement on implementing the overseas funds regime (PS24/7), setting out the final rules and guidance necessary to implement the regime, which will allow investment funds domiciled overseas to be sold to UK retail investors.

**AML:** the Financial Markets Law Committee ("**FMLC**") published a letter sent to HM Treasury highlighting areas of legal uncertainty relating to the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (SI 2017/692).

**16 July**

**Artificial Intelligence:** The Bank for International Settlements published a speech (dated 11 July 2024) given by Klaas Knot, Financial Stability Board Chair, on how artificial intelligence may shape the economy and the financial system.

**MiFID II:** ESMA published a consultation paper (ESMA35-335435667-5891) on RTS supplementing the MiFID II Directive (2014/65/EU) specifying the criteria for establishing and assessing the effectiveness of investment firms' order execution policies.

**15 July**

**Digital Wallets:** The FCA and the Payment Systems Regulator published a call for information (CP24/9) on big technology firms and digital wallets. Please refer to our dedicated article on this topic here.

**12 July**

**Artificial Intelligence:** Regulation (EU) 2024/1689 of the European Parliament and of the European Council on harmonised rules on artificial intelligence ("AI Act") was published in the Official Journal of the European Union.

**UK EMIR:** The Bank of England published a webpage setting out Q&As on the revised reporting requirements under Article 9 of UK EMIR (648/2012) that have been developed jointly with the FCA.

**Cryptoassets:** ESAs published a consultation paper (ESA 2024 12) on draft guidelines on explanations and opinions, and the standardised test for cryptoassets, under Article 97(1) of the Regulation on markets in cryptoassets ((EU) 2023/1114) ("MiCA").

### 11 July

**UK Listing Rules:** The FCA has published its final rules (PS24/6) for a new, simplified and more competitive UK listing regime. Please refer to our dedicated article on this topic here.

### 9 July

**FCA Handbook:** The FCA published its quarterly consultation paper (CP24/11) on proposed change to the FCA Handbook.

### 8 July

**AIFMD II:** ESMA published for consultation (here and here), draft guidelines and technical standards relating to liquidity management under the Directive amending the Alternative Investment Fund Managers Directive (2011/61/EU) and the UCITS Directive (2009/65/EC) ((EU) 2024/927) ("**AIFMD II**").

### 5 July

**Corporate Sustainability:** The Corporate Sustainability Due Diligence Directive ((EU) 2024/1760) was published in the Official Journal of the European Union, following its adoption by the European Parliament and the Council of the EU earlier this year.

### 4 July

**Cryptoassets:** ESMA published a final report (ESMA75-453128700-1229) (dated 3 July 2024) on its second set of RTS and implementing technical standards ("**ITS**") under MiCA.

### 2 July

**ESG:** The Network for Greening the Financial System published the final version of a conceptual framework for nature-related financial risks.

### 1 July

**ESG:** The FCA updated its webpage on its sustainability disclosure requirements and investment labelling regime.

View original.

#### Related Professionals

- **John Verwey**
  Partner
- **Andrew Wingfield**
  Partner
- **Richard Bull**
  Partner
- **Oliver R. Howley**
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