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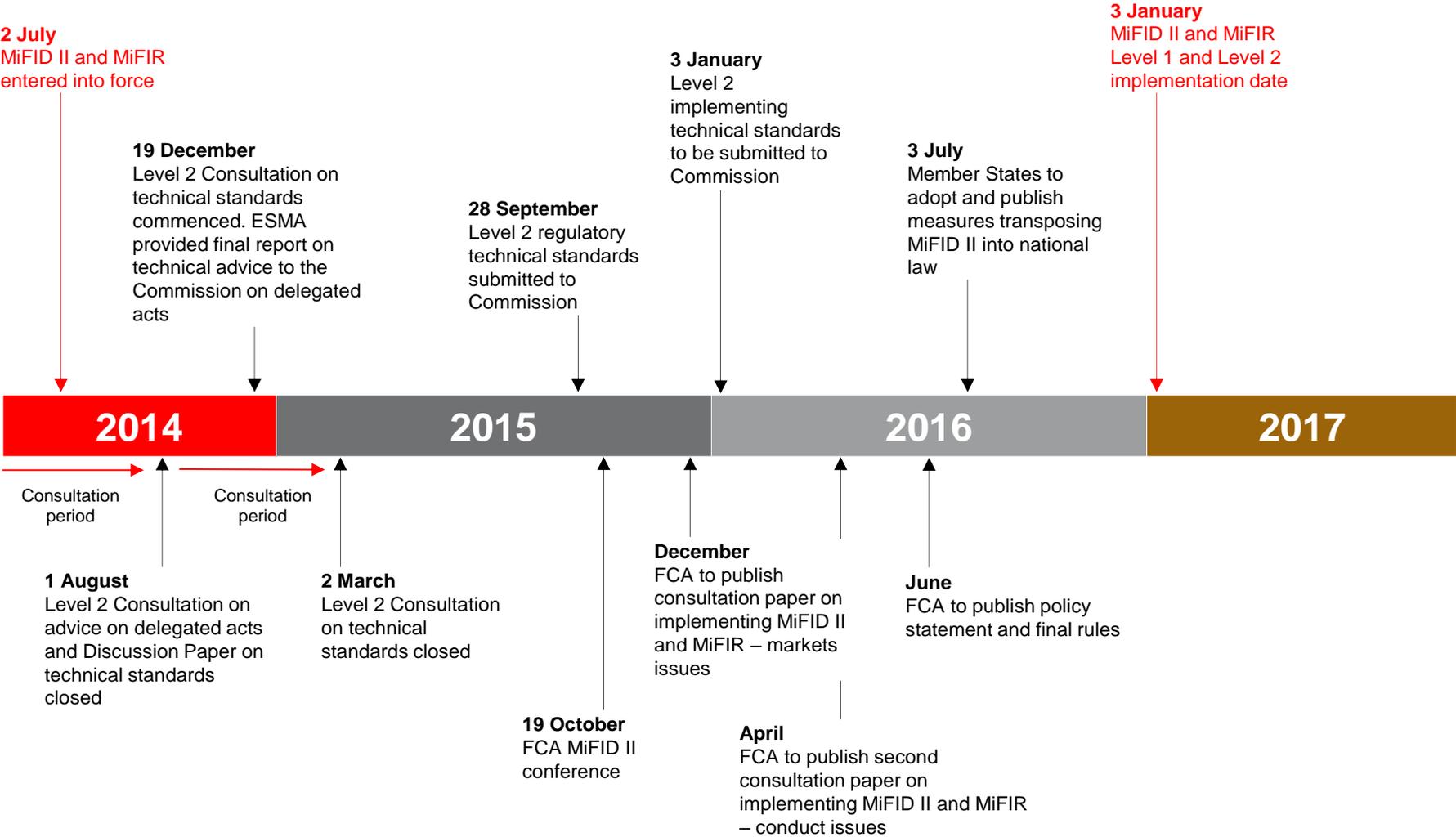
MiFID II Academy seminar: Update on the new trading environment

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9 November 2015



Timing: MiFID II / MiFIR



EU implementation

Delegated Acts

- The Commission will prepare the delegated acts on the basis of ESMA's technical advice – although it may elect to depart from it
- Required for:
 - Definitions and exemptions (HFT, DEA, Algorithmic trading)
 - Research
 - Investor protection
 - Reasonable Commercial Basis
 - MiFID 2 Annex 1 Section C
- Expected publication November or December 2015
- As soon as it adopts a delegated act the Commission will notify the EP and Council
- EP and Council will consider the delegated acts adopted by the Commission and have the power to object, provided they do so within 3 months (which can be extended by a further 3 months)
- Once a delegated act is adopted it is published as a Commission Delegated Regulation in the OJ

Technical standards

- ESMA submitted the draft RTS to the Commission for adoption on 28 September 2015
- ESMA must submit draft ITS to the Commission for adoption by 3 January 2016
- Required for:
 - RTS: most detailed MiFID II and MiFIR requirements
 - ITS: disclosure and reporting requirements
- Within three months of receiving the RTS the Commission must determine adoption:
 - If the Commission adopts the RTS without amendment the EP and Council may object within one month (extended by another month)
 - If the Commission adopts the RTS with amendment the EP and Council may object within three months (which can be extended by another three months)
- On receiving the ITS the Commission has three months to determine adoption (can be extended by one month)
- Once adopted the RTS and ITS are published in the OJ as an implementing Regulation or implementing Decision

UK transposition

MiFID II implementation

- Article 93 MiFID II: Member States shall adopt and publish, by 3 July 2016, the laws, regulations and administrative provisions necessary to implement this Directive
- FCA states that the biggest practical challenges will be around issues such as transaction reporting, commodities position reporting and the provision of information to ESMA for various purposes
- But a significant part of its work will be about communication so that firms can get to grips with the new legislation and deal with the various notifications, authorisations and variations of permissions
- How to keep informed: our technical resource *Pegasus* and our blog *Regulation tomorrow*

HM Treasury

- March 2015: Published consultation paper on transposition of MiFID II
- Consultation closed 18 June 2015. Government expects that the draft legislation will be made in 2016

FCA

- December 2015: Publication of the first consultation paper on implementing MiFID II – markets issues
- April 2016: Expected publication of second consultation paper on implementing MiFID II – conduct issues
- Q1 2016: New draft authorisation application forms to become available
- April 2016: FCA intends to start accepting draft authorisation applications
- June 2016: FCA feedback and policy statement confirming final changes to its Handbook
- July 2016: FCA authorisation applications can be submitted

Timetable

9:00	Opening remarks
9:10 – 10:10	The trading environment of the future
10:10 – 10:30	Refreshments
10:30 – 11:00	Algorithmic trading and direct electronic access
11:00 – 11:40	Panel session
11:40	Refreshments and networking

CPD accreditation

- This MiFID II Academy seminar attracts **2.00** accredited CPD points
- Course reference is: L151109F
- Norton Rose Fulbright's Law Society code is **080-NROS**
- Pass this code to your Training Department who will be able to credit your point bank

Safety notice

- Should you hear the fire alarm please listen for instructions and exit the building via the front entrance



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