

SCHEDULE 2

Regulation 3

Cooperation arrangements before IP completion day

Cooperation arrangements for the purposes of Article 30(4) of the Benchmarks Regulation

1. For the purposes of Article 30(4) of the Benchmarks Regulation, cooperation arrangements must specify, at least, the following—

- (a) a mechanism for the exchange of information between the FCA and the EEA regulator for an EEA state, including access to all relevant information regarding the administrator authorised in that EEA state that is requested by the FCA;
- (b) a mechanism for prompt notification to the FCA where the EEA regulator deems that the administrator authorised in that EEA state that it is supervising is in breach of the conditions of its authorisation or other national legislation in that EEA state; and
- (c) procedures concerning the coordination of supervisory activities, including on-site inspections.

Commencement Information

I1 Sch. 2 para. 1 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 5(7) of CRAR

2. For the purposes of Article 5(7) of CRAR, cooperation arrangements must specify, at least, the following—

- (a) a mechanism for the exchange of information between the FCA and the EEA regulator for an EEA state; and
- (b) procedures concerning the coordination of supervisory activities.

Commencement Information

I2 Sch. 2 para. 2 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 25(10) of CSDR

3.—(1) For the purposes of Article 25(10) of CSDR, cooperation arrangements must specify, at least, the following—

- (a) a mechanism for the exchange of information between the Bank and the EEA regulator for an EEA state, including access to all information regarding EEA CSDs authorised in that EEA state that is requested by the Bank and access to information relating to the matters referred to in sub-paragraph (2);
- (b) a mechanism for prompt notification of the Bank where the EEA regulator for that EEA state considers an EEA CSD authorised in that EEA state has infringed or is infringing the conditions of its authorisation or of other applicable law; and
- (c) procedures concerning the coordination of supervisory activities including, where appropriate, on-site inspections.

(2) The matters referred to in sub-paragraph (1)(a) are requests by the Bank that the EEA regulator—

Changes to legislation: The Equivalence Determinations for Financial Services (Amendment etc.) (EU Exit) Regulations 2020, SCHEDULE 2 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) report on the activities in the United Kingdom of an EEA CSD authorised in that EEA state, including for the purpose of collecting statistics; or
- (b) communicate, within an appropriate timeframe, the identity of the issuers and participants in the securities settlement systems operated by an EEA CSD authorised in that EEA state which provide services in the United Kingdom and any other relevant information concerning the activities of that EEA CSD in the United Kingdom.

Commencement Information

I3 Sch. 2 para. 3 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 75(3) of EMIR

- 4.** For the purposes of Article 75(3) of EMIR, cooperation arrangements must specify, at least, the following—
- (a) a mechanism for the exchange of information between the FCA and the EEA regulator for an EEA state; and
 - (b) procedures concerning the coordination of supervisory activities.

Commencement Information

I4 Sch. 2 para. 4 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 47(2) of MiFIR

- 5.** For the purposes of Article 47(2) of MiFIR, cooperation arrangements must specify, at least, the following—
- (a) a mechanism for the exchange of information between the FCA and the EEA regulator for an EEA state, including access to all information regarding the non-United Kingdom firms authorised in that EEA state that is requested by the FCA;
 - (b) a mechanism for prompt notification to the FCA where the EEA regulator considers that a firm that it is supervising, and that the FCA has registered in the register provided for in Article 48 of MiFIR, has infringed or is infringing the conditions of its authorisation or any other law to which it is obliged to adhere; and
 - (c) procedures concerning the coordination of supervisory activities including, where appropriate, on-site inspections.

Commencement Information

I5 Sch. 2 para. 5 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 30(1) of the Prospectus Regulation

- 6.** For the purposes of Article 30(1) of the Prospectus Regulation, cooperation arrangements must, at least—
- (a) concern the exchange of information between the FCA and the EEA regulator for an EEA state and the enforcement of obligations arising under the Prospectus Regulation; and

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- (b) ensure an efficient exchange of information that allows the FCA to carry out its duties under the Prospectus Regulation.

Commencement Information

I6 Sch. 2 para. 6 in force at 30.9.2020, see [reg. 1\(2\)](#)

Cooperation arrangements for the purposes of Article 19(5)(b) of SFTR

7. For the purposes of Article 19(5)(b) of SFTR, cooperation arrangements must specify, at least, the following—

- (a) a mechanism for the exchange of information between the FCA and the EEA regulator for an EEA state; and
- (b) procedures concerning the coordination of supervisory activities.

Commencement Information

I7 Sch. 2 para. 7 in force at 30.9.2020, see [reg. 1\(2\)](#)

Changes to legislation:

The Equivalence Determinations for Financial Services (Amendment etc.) (EU Exit) Regulations 2020, SCHEDULE 2 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)