#### DRAFT STATUTORY INSTRUMENTS

# 2018 No.

# EXITING THE EUROPEAN UNION FINANCIAL SERVICES

The Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018

Made - - - - \*\*\*
Coming into force in accordance with regulation 1(2) and (3)

# THE MARKETS IN FINANCIAL INSTRUMENTS (AMENDMENT) (EU EXIT) REGULATIONS 2018

#### PART 1

General

1. Citation and commencement

#### PART 2

Amendment of secondary legislation: European Communities Act 1972

- 2. The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017
- 3. The Data Reporting Services Regulations 2017

# PART 3

Amendment of secondary legislation: European Union (Withdrawal) Act 2018

#### CHAPTER 1

### The Regulated Activities Order

 Amendments to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

#### CHAPTER 2

# The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017

- 5. The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017
- 6. Introductory provisions
- 7. Interpretation
- 8. Exempt and third country investment firms
- 9. Algorithmic trading
- 10. Direct electronic access
- 11. Acting as a general clearing member
- 12. Synchronisation of business clocks
- 13. Interpretation of Part 4
- 14. Removal of persons from the management board
- 15. Miscellaneous FCA functions
- 16. Administration and Enforcement of Parts 3, 4 and 5

#### CHAPTER 3

#### The Data Reporting Services Regulations 2017

- 17. The Data Reporting Services Regulations 2017
- 18. Introductory provisions
- 19. Authorisation of data reporting services
- 20. Temporary authorisation
- 21. Operating requirements
- 22. Administration and enforcement
- 23. Miscellaneous

#### PART 4

#### Amendment of EU Regulations

#### CHAPTER 1

# Amendment of Markets in Financial Instruments Regulation

- 24. Markets in Financial Instruments Regulation
- 25. Subject matter and scope
- 26. Definitions
- 27. Transparency for trading venues
- 28. Transparency for systematic internalisers and investment firms trading OTC
- 29. Transaction reporting
- 30. Derivatives
- 31. Non-discriminatory clearing access for financial instruments
- 32. Supervisory measures on product intervention and positions
- 33. Provision of services and performance of activities by third-country firms following an equivalence decision
- 34. Delegated and implementing acts
- 35. Final provisions
- 36. Professional clients
- 37. Transfer of Functions

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018 No. 1403

#### **CHAPTER 2**

# Commission Delegated Regulation 2017/565

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- 51. SME growth market
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- 53. Position reporting in commodity derivatives
- 54. Data provision obligations for data reporting service providers
- 55. Final provisions
- 56. Annexes

#### CHAPTER 3

### Commission Delegated Regulation 2017/567

- 57. Commission Delegated Regulation 2017/567
- 58. Interpretation
- 59. Determining liquid markets for equity instruments
- 60. Data publication obligations for systematic internalisers
- 61. Supervisory measures on product intervention and position management Signature
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