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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

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

PART 4

Amendment of EU Regulations

CHAPTER 2

Commission Delegated Regulation 2017/565

**Eligible counterparties**

**49.** In Article 71—

- (a) omit the sub-heading in brackets;
- (b) in paragraph 1—
  - (i) for “Article 30(2) of [Directive 2014/65/EU](#)” substitute “rule 3.6.2 of the Conduct of Business sourcebook”;
  - (ii) for “Member States” substitute “the FCA”;
  - (iii) omit “, in accordance with Article 30(3) of that Directive,”;
  - (iv) for “paragraphs 1, 2 and 3 of Section 1 of Annex II to that Directive” substitute “paragraph 3(a), (b) and (c) of Schedule 1 to Regulation (EU) No 600/2014”;
- (c) in paragraph 2—
  - (i) for “the second subparagraph of Article 30(2) of [Directive 2014/65/EU](#)” substitute “rule 3.7.1 of the Conduct of Business sourcebook”;
  - (ii) for “Articles 24, 25, 27 and 28 of that Directive” substitute “rules in the Conduct of Business; Market Conduct; Senior Management Arrangements, Systems and Controls and the Product Intervention and Product Governance sourcebooks which were relied on by the United Kingdom immediately before exit day to implement Articles 24, 25, 27 and 28 of [Directive 2014/65/EU](#) (“the relevant rules”)”;
- (d) in paragraph 3, in the first sub-paragraph, for “Articles 24, 25, 27 and 28 of [Directive 2014/65/EU](#)” substitute “the relevant rules”;
- (e) in paragraph 4, for “the second, third and fourth sub-paragraphs of Section 1 of Annex II to [Directive 2014/65/EU](#)” substitute “paragraph 3(b), (c), (d) and 4 of Schedule 1 to Regulation (EU) No 600/2014”;
- (f) in paragraph 5, for “Article 30(3) of [Directive 2014/65/EU](#)” substitute “rule 3.6.4A of the Conduct of Business sourcebook”.