
DRAFT STATUTORY INSTRUMENTS

2019 No.

**EXITING THE EUROPEAN UNION
FINANCIAL SERVICES**

The Over the Counter Derivatives, Central Counterparties
and Trade Repositories (Amendment, etc., and Transitional
Provision) (EU Exit) (No. 2) Regulations 2019

Made - - - - *****

Coming into force in accordance with regulation 1

**THE OVER THE COUNTER DERIVATIVES, CENTRAL
COUNTERPARTIES AND TRADE REPOSITORIES
(AMENDMENT, ETC., AND TRANSITIONAL
PROVISION) (EU EXIT) (NO. 2) REGULATIONS 2019**

PART 1

1. Citation and commencement

PART 2

AMENDMENT OF PRIMARY LEGISLATION

2. Amendment of the Financial Services and Markets Act 2000

PART 3

AMENDMENT OF SUBORDINATE LEGISLATION

3. Amendment of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001
4. Amendment of the Financial Services and Markets Act 2000 (Qualifying EU Provisions) Order 2013
5. Amendment of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018
6. Amendment of the Central Counterparties (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2018

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Over the Counter Derivatives, Central Counterparties and Trade Repositories (Amendment, etc., and Transitional Provision) (EU Exit) (No. 2) Regulations 2019 No. 1416*

7. Amendment of the Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018
8. In regulation 3 (amendment of provision in respect of the...
9. In regulation 4 (interpretation), at the end insert “as amended...
10. Amendment of the Over the Counter Derivatives, Central Counterparties and Trade Repositories (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2019
11. In regulation 1 (citation, commencement and interpretation), in paragraph (2)...
12. In regulation 11(definitions)— (a) in paragraph (7), in the new...
13. In regulation 13 (intragroup transactions)— (a) in paragraph (2)(b), in...
14. In regulation 14(2) (clearing obligation)— (a) for sub-paragraph (a) substitute—...
15. In regulation 15(3) (clearing obligation procedure), in the substituted paragraph...
16. In regulation 19 (reporting obligation), omit paragraph (5).
17. In regulation 20 (non-financial counterparties)— (a) for paragraph (2) substitute—...
18. In regulation 21(12) (risk-mitigation techniques for OTC derivative contracts not...
19. Amendment of the Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc.) (EU Exit) Regulations 2019
20. Amendment of the Benchmarks (Amendment and Transitional Provision) (EU Exit) Regulations 2019
21. Amendment of the Securitisation (Amendment) (EU Exit) Regulations 2019
22. Amendment of the Public Record, Disclosure of Information and Co-operation (Financial Services) (Amendment) (EU Exit) Regulations 2019
23. Amendment of the International Accounting Standards and European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2019
24. Amendment of the Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019

PART 4

AMENDMENT OF RETAINED DIRECT EU LEGISLATION

25. Amendment of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories
26. In Article 2, for point (10) substitute—
27. In Article 4a— (a) in paragraph 1, in the second...
28. For Article 6a, substitute— Article 6a Suspension of the clearing...
29. (1) Article 9 is amended as follows.
30. In Article 10, in paragraph 2a, after “shall” insert “seek...
31. In Article 76a— (a) in paragraph 1—
32. In Article 80, in paragraph 5a, omit “counterparties that are...
33. In Article 81— (a) in paragraph 3, at the end...
34. In Article 89— (a) in paragraph 1, in the first...
Signature
Explanatory Note