



## I. ACTIVE PRIORITIES

Brexit			
CMCE priorities	Status / latest developments	Next steps	CMCE action
<b>Transitional arrangements</b>	<p>On 23 August, the UK Government published the first in a series of notices to prepare industry and citizens for a no-deal Brexit scenario, including for <a href="#">financial services</a>. The notice on financial services largely reiterates previous statements made by the Government and FCA on preparedness for a no-deal scenario and aggregates them into a single document. In such a scenario, the UK confirms that it has committed to introduce a Temporary Permissions Regime (TPR) that will allow EEA firms currently passporting into the UK to continue operating in the UK for up to three years after exit, while they apply for full authorisation from UK regulators.</p> <p>During the summer break, Brexit negotiations continued between the Commission and the UK, but the discussions have not covered financial services. The only exception to this is the outcome of the negotiations in July, when it was decided that granting any equivalence decision will be done unilaterally on both sides. The UK has indicated that they want to formally codify the process of granting and withdrawing equivalence. The Commission stands ready to discuss this but has rejected the idea that such a mechanism would be part of the agreement on the future relationship as it would have to then be subject to arbitration mechanism which is not an acceptable outcome.</p>	<p><b>September</b> – Further UK Statutory Instruments expected to be published as part of contingency planning in case of no deal</p> <p><b>10 September</b> – Vote in the European Parliament plenary on the resolution of Brian Hayes</p> <p><b>November</b> – Deadline for finding a compromise on the Withdrawal Agreement</p>	<p>Following the call of the CMCE Brexit WG which took place on 13 August an update was provided on recent UK statutory instruments (SI). It was concluded that another discussion of the CMCE Brexit WG will be scheduled once members will have had some time to reflect, in order to (1) agree whether CMCE should reach out to the FCA to provide input into the drafting of relevant SI's and (2) to discuss CMCE activity on the EU side. A follow-up discussion on possible CMCE engagement with UK and EU policy-makers / regulators will take place at the CMCE Members meeting in Geneva on 12 September.</p>
MiFID II			

CMCE priorities	Status / latest developments	CMCE action	
<b>AA exemption</b> <b>Position limits</b> <b>Reporting</b> <b>Physical forwards</b>	There were no significant developments in the past two weeks.	Following the first call of the subgroup created under the CMCE MiFID Working Group during which members discussed the classification of certain physical forward contracts under MiFID II, several members have sent the advisory team sample notification emails of bookout agreements. The advisory team will consolidate the texts provided and circulate a suggested draft notification text for comments. Another call will be scheduled for this group.	
EMIR REFIT			
CMCE priorities	Status / latest developments	Next steps	CMCE action
<b>Reporting</b> <b>Risk mitigation for uncleared trades</b> <b>Calculation of NFCs positions</b>	There were no significant developments in the last two weeks.	<b>27 September</b> – Trilogue on EMIR Refit	
Benchmarks			
CMCE priorities	Status / latest developments	Next steps	CMCE action
<b>Commodity benchmarks</b> <b>Critical benchmarks</b> <b>Third country equivalence</b>	<p>As Burkhard Balz (EPP, DE), one of the co-rapporteurs in the European Parliament on the ESAs review, has left to join the Deutsche Bundesbank, he has been replaced by Othmar Karas (EPP, AT). Negotiations between the EPP and S&amp;D co-rapporteurs are expected to continue to be difficult.</p> <p>The scrutiny period of the RTS under the BMR is currently ongoing for the RTS on the code of conduct, the RTS on governance, systems and controls, and policies supervised contributors and on Criteria exemptions from specific requirements for significant benchmarks. For these RTS, The</p>	<p><b>26 September</b> – Council Working Party on the ESAs review</p> <p><b>1 October</b> – Consideration of amendments in the ECON Committee on the ESAs review</p> <p><b>13 October</b> – End of the scrutiny period for certain RTS under the BMR</p>	Following the circulation of the draft letter to the CMCE Benchmarks Working Group, feedback is being processed and a new version will be circulated next week.

	<p>Council made a decision to extend their objection period by 1+1 months meaning it will last until 13 October 2018. The delegated acts on Calculation method thresholds critical benchmarks and the Calculation method threshold significant benchmarks are expected to be adopted by the Commission in November 2018. They will then undergo the same scrutiny by the co-legislators.</p>	<p><b>5 November</b> – Vote in the ECON Committee on the ESAs review</p> <p><b>November</b> - Adoption of delegated acts under the BMR by the European Commission</p>	
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## II. WATCHING BRIEF

IFR		
CMCE priorities	Status / latest developments	Next steps
<p><b>Commodity dealer IF regime</b></p>	<p>During the meeting of the Council Working Party on the IFR which will take place on 3 September, member states will discuss data analysis on possible class 1 firms, as well as the points in the proposal on Client Money Held (CMH) and the market risk framework based on a non-paper from the Netherlands and the Czech Republic. The documents for the working party meeting are available upon request.</p>	<p><b>Council of the EU:</b>  <b>3 September</b> – Meeting of the Council Working Party on the IFR  <b>21 September</b> – Meeting of the Council Working Party on the IFR</p> <p><b>European Parliament:</b>  <b>4 September</b> – Meeting of the Shadow Rapporteurs  <b>24 September</b> – Vote in ECON (tentative, subject to the progress of the negotiating team)</p>
MAR		
CMCE priorities	Status / latest developments	Next steps
<p><b>Insider dealing</b></p> <p><b>MM indicators</b></p>	<p>There were no significant developments in the last two weeks.</p>	

**SFTR**

**CMCE priorities**

**Status / latest developments**

**Next steps**

**Reporting  
Obligations**

There were no significant developments in the last two weeks.

**September** – Adoption of the SFTR Level 2 measures by the Commission