



New European Commission

On 10 September, incoming European Commission President Ursula von der Leyen unveiled the composition of the new European Commission for the next mandate (2019 –2024). The candidates need to be approved by the European Parliament, and hearings with Commissioner nominees will take place between 30 September and 8 October. A final vote on the entire College composition is expected in the European Parliament on 23 October.

The Financial Services portfolio remains with Vice-President Valdis Dombrovskis. From his [Mission Letter](#) and [allocation](#) of supporting Commission Services, his role seems broadly similar to the one he has had in the Juncker Commission. CMU, Sustainable Finance, Banking Union, FinTech and cryptocurrencies, as well as AML, are all part of his brief, which seems to a continuity from the current European Commission mandate. In this mandate, DG FISMA will gain the responsibility for dealing with anti-money laundering. Interestingly, this seems to suggest that the DG JUST unit in charge of remuneration policies in financial services legislation will remain with DG JUST.

I. ACTIVE PRIORITIES

Brexit	
<i>CMCE priorities: Ancillary activity test, access to UK and EU trading venues, CCPs and TRs</i>	
Latest developments & CMCE action	Next steps
<p>On 4 September, the European Commission published its 6th Brexit preparedness Communication, which calls all stakeholders to prepare for a no-deal scenario, in view of the continuously uncertain situation in the UK. This was published together with a timeline of its contingency measures.</p> <p>Also on 4 September, the bill requiring the UK Prime Minister to seek and accept a 3-month extension with the EU27 was passed by a majority in the House of Commons. On the contrary, the government’s motion to have a general election – which requires a 2/3 majority under the Fixed Term Parliaments Act – failed to pass.</p> <p>On 10 September, the suspension of the UK Parliament kicked in – British MPs are set to return to Parliament on 14 October.</p>	<p>17/18 October – European Council</p> <p>31 October – Deadline for UK to adopt Withdrawal Agreement, subject to a further extension</p>

MiFID II

CMCE priorities: AA exemption, position limits, reporting, physical forwards

Latest developments & CMCE action

According to our intel, DG FISMA has set up an internal project team to look into the upcoming MiFID II review. We understand that it doesn't plan a major overhaul of the legislative framework.

In addition, we heard that a task force has been formed within ESMA to coordinate with the NCAs and to start working on the MiFID/MiFID workstream. We also heard that a consultation should be launched in H2 2020. We think that in case there is not be so much pressure from the political level at DG FISMA, it may be the case that the future MiFID/MiFIR legislative initiative might be much more influenced by ESMA.

CMCE action

A CMCE response to the ESMA [call for evidence](#) on position limits and position management in commodity derivatives was submitted on 5 July, and was published by ESMA on 12 July with all the [responses](#) it received to the call for evidence.

Samina Anwar will meet Tilman Lueder, Head of the Securities Markets Unit at DG FISMA, on 2 October to discuss position limits. A prep call with the MiFID WG will be organised in the second half of September.

Next steps

January 2020 – Deadline for ESMA to provide input to the European Commission on MiFID II/MiFIR review report on C6 energy derivatives contracts

March 2020 – Deadline for ESMA to provide input to the European Commission on MiFID II/MiFIR review report on position limits and reporting

EMIR

CMCE priorities: reporting, risk mitigation for uncleared trades, calculation of NFC's positions

Latest developments

There were no significant developments in the last 2 weeks.

Next steps

Benchmarks

CMCE priorities: commodity benchmarks, critical benchmarks, third-country equivalence

Latest developments & CMCE action

There were no significant developments in the last 2 weeks.

Next steps

September – Final TEG report on climate friendly benchmarks to be published

<p>CMCE action CMCE submitted in July a response focussing on commodity benchmarks to the TEG's call for feedback on the interim report on ESG disclosure for benchmarks. The European Commission contacted CMCE end of August to request a call with the members. The call was held on 4 September to clarify CMCE position and explain the members' concerns to the European Commission and the TEG.</p> <p>The FCA has given CMCE the opportunity to provide comments on the Senior Managers and Certification Regime (SM&CR) that will apply from 7 December 2020 to UK authorised BM administrators, prior to its formal consultation process on draft rules. The call with the FCA took place on 29 August. It was an informal exchange of views to understand each other's starting point ahead of the publication a formal consultation process. CMCE will follow-up to that call this week by sending to the FCA a written contribution. The FCA assured that there will be further opportunities to engage with this work when the FCA consults formally.</p>	<p>7 December 2020 – Application of the SM&CR regime to benchmark administrators</p> <p>ESAs review & low-carbon benchmarks: October plenaries – Plenary vote in new Parliament (TBC)</p> <p>21 October - Signature of Council President and EP President (earliest possible date)</p> <p>Mid-November - Publication in the EU Official Journal (tentative timeline)</p> <p>December - Entry into force (20 days after publication)</p>
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II. WATCHING BRIEF

<p>IFR</p>	
<p><i>CMCE priorities: commodity dealer IF regime, scope of class I, changes to MiFID III/MiFIR third-country regime</i></p>	
<p>Latest developments & CMCE action</p>	<p>Next steps</p>
<p>There were no significant developments in the past two weeks.</p>	<p>October plenaries – Plenary vote in new Parliament (TBC)</p> <p>21 October - Signature of Council President and EP President (earliest possible date)</p> <p>Mid-November - Publication in the EU Official Journal (tentative timeline)</p> <p>December - Entry into force (20 days after publication)</p>
<p>MAR</p>	
<p><i>CMCE priorities: Insider dealing, MM indicators</i></p>	
<p>Latest developments & CMCE action</p>	<p>Next steps</p>
<p>There were no significant developments in the past two weeks.</p>	<p>31 December 2019 – Deadline for ESMA to provide technical advice to the Commission on the MAR review</p>

<p>CMCE action</p> <p>A discussion took place at the Geneva members' meeting on 28 June on market abuse enforcement trends and the recent ACER guidance on REMIT implementation and layering and spoofing in wholesale energy markets. It was concluded that it would be useful for members to have a forum in which to exchange experiences and learnings in this area. In the first instance, a CMCE members' only information sharing forum will be set up. A MAR working group could be set up in due course if the need for that emerges from these discussions.</p>		
<p>SFTR</p>		
<p><i>CMCE priorities: reporting obligations</i></p>		
<p>Latest developments & CMCE action</p>		<p>Next steps</p>
<p>There were no significant developments in the past two weeks.</p>		<p>Q4 2019 - ESMA to publish a final report on the guidelines on reporting under SFTR</p>
<p>Other relevant developments</p>		
<p>International role of the euro</p>	<p>There were no significant developments in the past 2 weeks.</p>	<p>Autumn 2019 – European Commission to report on the results of the consultation on the international role of the euro</p>
<p>REMIT</p>	<p>There were no significant developments in the past 2 weeks.</p>	<p>16 September 2019 – ACER public consultation on the definition of inside information closes</p>