



Database of FS legislation and other measures (UK and EU) for a Brexit 'no-deal' scenario

Last update: 4 March 2019

This document is a RegZone database of 'no deal' legislation (and other measures) in the financial services sector. It covers EU measures and those in the UK (but not in other Member States). It covers transitional measures and the extensive UK legislation (primary, secondary and at regulator level) to onshore EU regulation and adapt the regulatory regime for exit. Many measures are being impacted or driven to a greater or lesser extent by Brexit and by a 'no deal' factor but many of these fall outside the scope of this database.

Each identified measure is tracked and gives its current status from draft/proposal through to adoption (as at the date of the last update below). Links are provided to the legislation, to explanatory material from official sources and to RegZone analysis on each topic.

The first part deals with the EU and the second with the UK. In the first part, section 1 lists draft RTS and certain other publications relating to a 'no deal' scenario. Section 2 lists the EU transitional measures – 2 temporary equivalence decisions. Section 3 lists some key Brexit impacted/related legislation. Section 4 lists some earlier opinions and communications on Brexit.

In the second part, section 1 lists UK primary legislation, section 2 lists the temporary transitional regimes and the related legislation and section 3 lists the statutory instruments making modifications following onshoring of the EU acquis (NtA), section 4 lists publications from the UK regulators and the annexes contains the full list of draft instruments published by those regulators.

The third part deals with measures that cannot be fully attributed to either the UK nor the EU, such as memoranda of the understanding (MOUs).

EU Measures

1. Draft Regulatory Technical Standards (RTS) and other publications

EU Organisation	The measures taken	Status
European Commission	Implementation of “no deal” contingency action plan (link RegZone)	N/A
	Publication of questions and answers regarding the consequences of the UK leaving the EU without a ratified Withdrawal Agreement (link RegZone)	N/A
	Brexit preparedness notice: Statutory audit (link)	N/A
	Brexit preparedness notice: Credit rating agencies (link)	N/A
	Brexit preparedness notice: Asset Management (link)	N/A
	Brexit preparedness notice: Post trade services (link)	N/A
	Brexit preparedness notice: Financial Instruments (link)	N/A
	Brexit preparedness notice: Banking services (link)	N/A
	Brexit preparedness notice: Insurance (link)	N/A
	Brexit preparedness notice: Occupational retirement institutions (link)	N/A
	Exemption of the Bank of England and the United Kingdom Debt Management Office with regards to OTC Derivatives Transactions (link)	N/A
	Exemption of the Bank of England and the United Kingdom Debt Management Office (MAR) (link)	N/A
	Exemption of the Bank of England from the pre- and post-trade transparency requirements (MiFIR) (link)	N/A
	Exemption for the Bank of England and the United Kingdom Debt Management Office under the Securities Financing Transactions Regulation (link)	N/A
ESA	EMIR RTS on the novation of bilateral contracts not subject to bilateral margins (ESA EC RegZone)	To be endorsed by the European Commission and approved by the European Parliament

ESMA	EMIR RTS on the novation of contracts for which the clearing obligation has not yet taken effect (ESA EC RegZone)	To be endorsed by the European Commission and approved by the European Parliament
	Statement: ESMA is ready to review UK CCPs and CSDs recognition applications for a no-deal Brexit scenario (link)	N/A
	Q&A Clarifying Prospectus and Transparency rules in case of no-deal Brexit (link)	N/A

2. Temporary equivalence decisions

Equivalence Decision	Status
Commission Implementing Decision (EU) 2018/2030 of 9 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central securities depositories of the United Kingdom of Great Britain and Northern Ireland is equivalent in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (link RegZone)	Enacted
Commission Implementing Decision (EU) 2018/2031 of 19 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council (link RegZone)	Enacted

3. Legislative Proposal Related to Brexit

Legislative Proposal	Status
RTS 11: European Commission Delegated Regulation amending Delegated Regulation 2017/588 with regard to regulatory technical standards on the tick size regime for shares, depositary receipts and exchange-traded funds (ESMA)	Submitted to the European Commission for endorsement
Regulation by the European Parliament and Council amending Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority) and amending Regulation (EU) No 648/2012 as regards the procedures and authorities involved for the authorisation of CCPs and requirements for the recognition of third-country CCPs.	Draft has passed the committee stage
Regulatory and supervisory framework for investment firms (Directive Regulation RegZone)	Draft is being negotiated between the European Council and the European Parliament

4. Historical Documents

Organisation	Document
EBA	Opinion of the EBA on preparations for the withdrawal of the United Kingdom from the European Union (link RegZone1 RegZone2 RegZone3) 25 June 2018
ESMA	Opinion to support supervisory convergence in the area of investment firms in the context of the United

	<p>Kingdom withdrawing from the European Union (link ReqZone1 ReqZone2) 13 July 2017</p> <p>Opinion to support supervisory convergence in the area of secondary markets in the context of the United Kingdom withdrawing from the European Union (link ReqZone1 ReqZone2) 13 July 2017</p> <p>Opinion to support supervisory convergence in the area of investment management in the context of the United Kingdom withdrawing from the European Union (link ReqZone1 ReqZone2) 13 July 2017</p>
EIOPA	<p>Opinion on the solvency position of insurance and reinsurance undertakings in light of the withdrawal of the United Kingdom from the European Union (link ReqZone) 18 May 2018</p> <p>Opinion on service continuity in insurance in light of the withdrawal of the United Kingdom from the European Union (link ReqZone1) 21 December 2017</p> <p>Opinion on supervisory convergence in light of the United Kingdom withdrawing from the European Union (link ReqZone1) 11 July 2017</p>
European Commission	<p>Communication of 13 November 2018 "Preparing for the withdrawal of the United Kingdom from the European Union on 30 March 2019: a Contingency Action Plan" (link ReqZone)</p> <p>Communication of 19 July 2018 "Preparing for the withdrawal of the United Kingdom from the European Union on 30 March 2019" (link ReqZone)</p>

UK Legislation

1. UK Primary Legislation

Legislation	Status
European Union (Withdrawal) Act 2018	Enacted
Financial Services (Implementation of Legislation) Bill	Laid before Parliament

2. UK Secondary Legislation

Temporary Permission/Recognition Regimes

Type of Temporary Permission Granted	Relevant Legislation
Temporary Permissions Regime for Financial Services Firms	EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)
Temporary Permissions Regime for AIF Funds	Alternative Investment Fund Managers (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)
Temporary Permissions Regime for Payment Firms	Electronic Money, Payment Services and Payment Systems (Amendment and Transitional Provisions) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)
Temporary Recognition Regime for Central Counterparties	Central Counterparties (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2018 (SI RegZone)
Temporary Recognition Regime for Central Securities Depositories	Central Securities Depositories (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)
Temporary Registration Regime for Trade Repositories	Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018 (SI Exp. Note)
Temporary Registration Regime for Credit Rating Agencies	Credit Rating Agencies (Amendments etc.) (EU Exit) Regulations 2018 (Exp. Note)
Temporary Designation Regime	Financial Markets and Insolvency (Amendment and Transitional Provision) (EU Exit) Regulations 2018 (SI Exp. Note)
Temporary Powers for Financial Service Regulators to deal with the Transition Regimes	Financial Regulators' Powers (Technical Standards etc.) (Amendment etc. and Transitional Provisions) (EU Exit) Regulations 2019 (link)

3. Statutory Instruments

Statutory Instrument	Status
Accounts and Reports (Amendment) (EU Exit) Regulations 2019 (SI)	Enacted
Alternative Investment Fund Managers (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
Bank of England (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Bank Recovery and Resolution and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018 (SI RegZone)	Enacted
Benchmarks (Amendment and Transitional Provision) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Building Societies Legislation (Amendment) (EU Exit) Regulations 2018 (SI)	Enacted
Capital Requirements (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Central Counterparties (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2018 (SI RegZone)	Enacted
Central Securities Depositories (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Collective Investment Schemes (Amendment etc.)(EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Competition (Amendment etc.) (EU Exit) Regulations 2019 (SI)	Enacted
Consumer Credit (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Consumer Protection (Amendment etc.) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Consumer Protection (Enforcement) (Amendment etc.) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Credit Institutions and Insurance Undertakings Reorganisation and Winding Up (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
The Credit Rating Agencies (Amendment, etc.) (EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Credit Transfers and Direct Debits in Euro (Amendment) (EU Exit) Regulations 2018 (SI)	Enacted
Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Deposit Guarantee Scheme and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
Electricity and Gas (Powers to Make Subordinate Legislation) (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Electronic Money, Payment Services and Payment Systems (Amendment and Transitional Provisions) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted

European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (SI)	Laid before Parliament
Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Financial Conglomerates and Other Financial Groups (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
The Financial Markets and Insolvency (Amendment and Transitional Provision) (EU Exit) Regulations 2019 (SI)	Enacted
Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (SI RegZone)	Enacted
Financial Regulators' Powers (Technical Standards etc.) and Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2019 (SI RegZone)	Laid before Parliament
Financial Services (Distance Marketing)(Amendment and Savings Provisions)(EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Financial Services (Gibraltar)(Amendment)(EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Financial Services Contracts (Transitional and Saving Provision)(EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Financial Services Contracts (Transitional and Saving Provision)(EU Exit)(No. 2) Regulations 2019 (SI)	Draft published ahead of laying
Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Friendly Societies (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Insurance Distribution (amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Interchange Fee (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Investment Exchanges, Clearing Houses and Central Securities Depositories (Amendment) (EU Exit) Regulations 2019 (SI)	Laid before Parliament
The Law Applicable to Contractual Obligations and Non-Contractual Obligations (Amendments Etc.)(EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
The Law Applicable to Contractual Obligations and Non-Contractual Obligations (Amendment etc.) (EU Exit) Regulations 2019 (Draft) (SI)	Laid before Parliament
Long-Term Investment Funds (Amendment) (EU Exit) Regulations 2018 (SI)	Enacted
Market Abuse (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
Money Laundering and Transfer of Funds (Information) (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted

Money Laundering and Transfer of Funds (Information) (Amendment) (EU Exit) Regulations 2019 (2019/253) (SI)	Enacted
Money Market Funds (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Mortgage Credit (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Occupational and Personal Pension Schemes (Amendment etc.) (EU Exit) Regulations 2019 (SI)	Enacted
Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2018 (SI)	Enacted
Official Listing of Securities, Prospectus and Transparency (Amendment)(EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Over the Counter Derivatives, Central Counterparties and Trade Repositories (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Packaged Retail and Insurance-based Investment Products (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Enacted
Payment Accounts (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Laid before Parliament
The Protocol 1 To The EEA Agreement (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Public Record, Disclosure of Information and Co-Operation (Financial Services) (Amendment) (EU Exit) Regulations 2019 (SI)	Laid before Parliament
Ring-fenced Bodies (Amendment) (EU Exit) Regulations 2018 (Exp. Note)	SI has been announced
Sanctions (Amendment) (EU Exit) (No 2) Regulations 2019 (SI)	Enacted
Securitisation (Amendment)(EU Exit) Regulations 2019 2019 (SI Exp. Note)	Laid before Parliament
Short Selling (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
Social Entrepreneurship Funds (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Solvency 2 and Insurance (Amendment etc.) (EU Exit) Regulations 2018 (SI Exp. Note RegZone)	Enacted
Takeovers (Amendment) (EU Exit) Regulations 2019 (SI)	Enacted
Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted
Transparency of Securities Financing Transactions and of Reuse (Amendment) (EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Uncertificated Securities (amendment and EU Exit) Regulations 2019 (SI Exp. Note)	Laid before Parliament
Venture Capital Funds (Amendment) (EU Exit) Regulations 2018 (SI Exp. Note)	Enacted

4. Publications by UK Regulators:

Name of Regulator	Title of Publication
FCA	<p>PS 19/5 Brexit Policy Statement: Feedback on CP18/28, CP18/29, CP18/34, CP18/36 and CP/19/2 (link). The historic consultation papers can be accessed below:</p> <ul style="list-style-type: none"> • CP 18/28 Brexit: proposed changes to the Handbook and Binding Technical Standards - first consultation (link RegZone) • CP18/29 Temporary permissions regime for inbound firms and funds (link RegZone) • CP18/36 Brexit: Proposed changes to the Handbook and Binding Technical Standards – second consultation (link RegZone) • CP18/44: Brexit – Regulatory Technical Standards for Strong Customer Authentication and Common and Secure Open Standards of Communication (link) • CP19/2: Brexit and contractual continuity (link RegZone)
	CP19/1: Recurring the costs of regulating securitisation repositories after the UK leave the European Union (link)
	Press release: Notification window for the temporary permissions regime is open (link RegZone)
	Press release: Advance applications for credit rating agencies and trade repositories now open (link RegZone)
	Direction: Temporary permission notification (e-money) (link)
	Direction: Temporary permission notification (payments) (link)
	Direction: Temporary permission notification (link)
	Direction: Application for ROIE status (link)
	Direction: FCA Transitional Direction (link)
	Direction: FCA Prudential Transitional Direction (link)
	Press release: “What we expect firms and other regulated persons to do now” - the FCA’s approach to its temporary powers (link)
	Press release: Requirements for UK trade repositories and reporting counterparties (link)

<p>PRA</p>	<p>Joint PRA/BoE PS5/19 The Bank of England's amendments to financial services legislation under the European (Withdrawal) Act 2018 (link). The historic consultation papers can be accessed below:</p> <ul style="list-style-type: none"> • Consultation Paper CP25/18: The Bank of England's approach to amending financial services legislation under the European Union Withdrawal Act (link RegZone) • Consultation Paper CP26/18: UK withdrawal from the EU: Changes to PRA Rulebook and onshored Binding Technical Standards (link RegZone) • PRA/Bank of England Consultation Paper CP32/18: UK withdrawal from the EU: Further changes to – PRA Rulebook and Binding Technical Standards – Resolution Binding Technical Standards (link) • Consultation Paper: UK withdrawal from the EU: Changes to FMI rules and onshored Binding Technical Standards (link RegZone) • Consultation Paper: UK withdrawal from the EU: The Bank of England's approach to resolution statements of policy and onshored Binding Technical Standards (link RegZone) <p>Application of the Senior Managers and Certification Regime to firms in the temporary permissions regime: clarification of the PRA's and FCA's proposals (link)</p> <p>Direction: direction made by the PRA under Part 7 of the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulation 2019 (link)</p> <p>Joint BoE and PRA Statement of Policy: Interpretation of EUY Guidelines and Recommendations: Bank of England and PRA approach after the UK's withdrawal from the EU (link)</p> <p>Supervisory Statement SS2/19: PRA approach to interpreting reporting and disclosing requirements and regulatory transactions forms after the UK's withdrawal from the EU (link)</p> <p>Supervisory Statement SS18/15: Depositor and dormant account protection (link)</p> <p>Supervisory Statement SS1/19: Non-binding PRA materials: The PRA's approach after the UK's withdrawal from the EU (link)</p>
<p>Bank of England</p>	<p>Consultation Paper: UK withdrawal from the EU: Changes to FMI rules and onshored Binding Technical Standards (link RegZone) (historic)</p> <p>Consultation Paper: UK withdrawal from the EU: The Bank of England's approach to resolution statements of policy and onshored Binding Technical Standards (link RegZone) (historic)</p> <p>Direction: direction made by the Bank of England under Part 7 of the Financial Services and Markets</p>

	Act 2000 (Amendment) (EU Exit) Regulation 2019 (link)
	Supervisory Statement: Non-binding Bank materials relating to Financial Market Infrastructure Supervision: The Bank's approach after the UK's withdrawal from the EU (link)
Payment Systems Regulator	Consultation Paper: Onshoring EU Regulatory Technical Standards under the Interchange Fee Regulation (link)

Other measures

Memoranda of Understanding (MOUs)

Regulators Applicable	Content of the MOU
ESMA and FCA	Memorandum of Understanding with FCA for Credit Rating Agencies and Trade Repositories (link)
ESMA and FCA	Memorandum of Understanding with FCA for supervisory cooperation, enforcement and information exchange (link)
ESMA and the Bank of England	Memorandum of Understanding with the Bank of England for the recognition of UK central counterparties (link)
ESMA and the Bank of England	Memorandum of Understanding with the Bank of England for the recognition of UK central securities depository (link)

International Agreements

Parties	Content
Bank of England, FCA and the US Commodity Futures Trading Commission (CFTC)	Joint statements by UK and US authorities on continuity of derivate trading and clearing post-Brexit (link)
Switzerland and the UK	Insurance Agreement replicating the Swiss-EU Direct Insurance Agreement (link)
United States and UK	Agreement between the United Kingdom and the United States of America on Prudential Measures regarding Insurance and Reinsurance (link)

Annex: Statutory Instruments published by UK regulators

FCA Draft Instruments:

Title of Consultation Paper (CP)	Statutory Instruments under the CP
<p>PS 19/5 Brexit Policy Statement: Feedback on CP18/28, CP18/29, CP18/34, CP18/36 and CP/19/2 (link)</p>	<ul style="list-style-type: none"> • Exiting the European Union: High Level Standards (Amendments) Instrument 201[X] (<i>FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Prudential Sourcebooks (Amendments) Instrument 201[X] (<i>FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Business Standards Sourcebooks (Amendments) Instrument 201[X] (<i>FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Specialist Sourcebooks (Amendments) Instrument 201[X] (<i>FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Miscellaneous (Amendments) Instrument 201[X] (<i>FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Temporary Permission (General Rules) Instrument 2019 (<i>FCA instrument in the exercise of section 137A, 137B, 137R, 137SA, 137T, 139A, 266, 333T and paragraph 23 in Part 3 of Schedule 1ZA of the Financial Services and Markets Act 2000</i>) (link) • Exiting the European Union: Glossary (amendments) Instrument 201[X] (<i>FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; section 137A (the FCA's general rules) of the Financial Services and Markets Act 2000; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets 2000</i>) (link) • Exiting the European Union: High Level Standards (amendments) Instrument 201[X] (<i>FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018; and section 139A (Power of the FCA to give guidance) of the Financial Services and Markets 2000</i>) (link)

- Exiting the European Union: Miscellaneous (Amendments) Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; and section 139A (*Power of the FCA to give guidance*) of the *Financial Services and Markets 2000*) ([link](#))
- Exiting the European Union: Business Standards Sourcebooks (Amendments) (Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; and section 139A (*Power of the FCA to give guidance*) of the *Financial Services and Markets 2000*) ([link](#))
- Exiting the European Union: Regulatory Processes Sourcebook (Amendments) Instrument 201[X] (Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; section 139A (*Power of the FCA to give guidance*) of the *Financial Services and Markets 2000*); section 395 (*The [FCA's and PRA's] Procedures*) of the *Financial Services and Markets Act 2000*; and regulation 120 (*guidance*) of the *Payment Services and Regulations 2017*) ([link](#))
- Exiting the European Union: Specialist Sourcebooks (Amendments) Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; and section 139A (*Power of the FCA to give guidance*) of the *Financial Services and Markets 2000*) ([link](#))
- Exiting the European Union: Listing, Prospectus and Disclosure Sourcebook (Amendments) Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; and section 139A (*Power of the FCA to give guidance*) of the *Financial Services and Markets 2000*) ([link](#))
- Exiting the European Union: Regulatory Guides (amendments) Instrument 201[X] (*The Financial Conduct Authority makes this instrument in the exercise of section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000*) ([link](#))
- Exiting the European Union: SMCR and APR (amendments) Instrument 201[X] (*The Financial Conduct Authority makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000*) ([link](#))
- Exiting the European Union: Temporary Permission (Financial Services Compensation Scheme and Status Disclosure) Instrument 201[X] (*The Financial Conduct Authority makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000*) ([link](#))
- Exiting the European Union: Fees and Dispute Resolution: Complaints (Amendments) Instrument 201[X] (*FCA instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*; and the powers under the *Financial Services and Markets 2000* generally; it also consents to and approves the rules and guidance and standard terms made and amended and

fixed and varied by the Financial Ombudsman Service Limited) ([link](#))

- Exiting the European Union: Financial Services Contracts Instrument 2019 (*FCA instrument in the exercise of the powers under the Financial Services and Markets Act 2000, the FCA Handbook, the Payment Services Regulations and the Electronic Money Regulations 2011*) ([link](#))
- Trade Repositories (Guidance) Instrument 201[X] (*The Financial Conduct Authority makes this instrument in the exercise of section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000; and the powers of direction, guidance and related provisions in or under the provisions of the Over the Counter Derivatives, Central Counterparties and Trade Repositories (amendments etc. and Transitional Provision) (EU Exit) Regulations 2018*) ([link](#))
- Credit Rating Agencies (Guidance) Instrument 201[X] (*The Financial Conduct Authority makes this instrument in the exercise of section 139A (Power of the FCA to give guidance) of the Financial Services and Markets Act 2000 and the powers of direction, guidance and related provisions in or under the provisions of the Credit Rating Agencies (Amendments etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Credit Ratings Agencies Regulation) (EU Exit) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Alternative Investment Funds Management Directive) (EU Exit) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Undertakings for Collective Investment in Transferable Securities) (EU Exit) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (European Market Infrastructure Regulation) (EU Exit) (No 1) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Markets in Financial Instruments Directive) (EU Exit) (No 1) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Markets in Financial Instruments Regulation) (EU Exit) (No 1) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Markets in Financial Instruments Directive) (EU Exit) (No 2) Instrument 2019 (*FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018*) ([link](#))
- Technical Standards (Markets in Financial Instruments Regulation) (EU Exit) (No 2) Instrument 2019 (*FCA*

	<p><i>instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i></p> <ul style="list-style-type: none"> • <i>Technical Standards (Short Selling Regulation) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Markets In Financial Instruments Directive) (EU Exit) (no 1) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (MiFIR Transparency) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Packaged Retail and Insurance Based Investment Products) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Payment Accounts Directive) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Payment Services Directive) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (European Market Infrastructure Regulation) (EU Exit) Instrument 2019 (No 1) (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (European Market Infrastructure Regulation) (EU Exit) Instrument 2019 (No 2) (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Insurance Distribution Directive) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Market Abuse Regulation) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Benchmark Regulation) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • <i>Technical Standards (Money Market Funds) (EU Exit) Instrument 2019 (FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers</i>
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	<p><i>(Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i></p> <ul style="list-style-type: none"> • Technical Standards (Transparency Directive) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Technical Standards (Prospectus Directive)(EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Technical Standards (Long-Term Investment Fund Regulation) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Technical Standards (European Social entrepreneurship Fund Regulation) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Technical Standards (European Venture Capital Funds Regulation) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Financial Conduct Authority Technical Standards (Bank Recovery and Resolution Directive) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Financial Conduct Authority Technical Standards (Capital Requirements Directive) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i> • Financial Conduct Authority Technical Standards (Financial Conglomerates Directive) (EU Exit) Instrument 2019 <i>(FCA instrument in the exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018) (link)</i>
<p>FCA Consultation Paper CP19/1: Recurring the costs of regulating securitisation repositories after the UK leave the European Union (link)</p>	<ul style="list-style-type: none"> • Fees (Securitisation Repositories) Instrument 2019 <i>(FCA Instrument in the exercise of the powers under the Financial Services and Markets Act 2000 and paragraph 7(2)(b) of the The Financial Regulator's Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018)</i>

5. PRA Draft Instruments:

Title of Consultation Paper (CP)	Statutory Instruments under the CP
<p>Joint PRA/BoE PS5/19 The Bank of England's amendments to financial services legislation under the European (Withdrawal) Act 2018 (link).</p>	<ul style="list-style-type: none"> • Technical Standards (Capital Requirements) (EU Exit) (No. 1) Instrument 2019 <i>(PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations</i>

required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 and 4 of the Regulations.) ([link](#))

- Technical Standards (Capital Requirements) (EU Exit) (No. 2) Instrument [Year] (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) ([link](#))
- Technical Standards (Capital Requirements) (EU Exit) (No. 3) Instrument 2019] (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) ([link](#))
- Technical Standards (Central Securities Depositories Offering Ancillary Banking Services) (EU Exit) Instrument 2019 (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) ([link](#))
- Technical Standards (European Market Infrastructure) (EU Exit) Instrument 2019 (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) ([link](#))
- Technical Standards (Bank Resolution and Recovery Directive) (EU Exit) (No. 2) Instrument 2019 (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 and 4 of the Regulations.) ([link](#))
- The Technical Standards (Solvency II Directive & Institutions for Occupational Retirement Provision Directive) (Amendment Etc.) (EU Exit) Instrument 2019 (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) ([link](#))
- PRA Rulebook: (EU Exit) Instrument [Year] (PRA instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations"), having carried out the consultations required by regulation 5 of

	<p><i>the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.)</i> (link)</p>
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6. Bank of England Draft Instruments:

Title of Consultation Paper (CP)	Statutory Instruments under the CP
<p>Joint PRA/BoE PS5/19 The Bank of England's amendments to financial services legislation under the European (Withdrawal) Act 2018 (link).</p>	<ul style="list-style-type: none"> • Recognised Clearing House Rules (EU Exit) Instrument 2019 (<i>BoE instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations")</i>), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) (link) • The Technical Standards (European Market Infrastructure) (Amendment Etc.) (EU Exit) (No. 1) Instrument [Year] (<i>BoE instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations")</i>), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) (link) • The Technical Standards (European Market Infrastructure) (Amendment Etc.) (EU Exit) (No. 2) Instrument [Year] (<i>BoE instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations")</i>), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) (link) • The Technical Standards (Central Securities Depositories) (Amendment Etc.) (EU Exit) Instrument [Year] (<i>BoE instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations")</i>), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) (link) • The Technical Standards (Bank Resolution and Recovery) (amendment Etc.) (EU Exit) (No. 1) Instrument [Year] (<i>BoE instrument in exercise of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (the "Regulations")</i>), having carried out the consultations required by regulation 5 of the Regulations and with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulations 3 of the Regulations.) (link)

7. Payment Systems Regulator Draft Instruments:

Title of Consultation Paper (CP)	Statutory Instruments under the CP
Consultation Paper: Onshoring EU Regulatory Technical Standards under the Interchange Fee Regulation (link)	<ul style="list-style-type: none">• Technical Standards (interchange Fee Regulations) (EU Exit) Instrument 2019 (<i>PSR instrument in exercise of regulation 3 of the Financial Regulators' Powers (Technical Standards) (Amendment etc.) (EU Exit) Regulations 2018;</i>)

[CMS RegZone](#) publishes weekly updates (available via email, on-line and via Twitter) on Brexit developments for financial services firms. These provide analysis and commentary on significant developments during the week in question. A daily digest of Brexit news (without analysis or commentary) is also available by email [here](#) and online via the RZ news wizard [here](#) (both of these can be filtered using the Brexit topic). Links to publications are contained in each update; publications released before the updates commenced in April 2018 can be found in a bibliography [here](#). CMS RegZone publication 'Where we stand' provides an overview of the current position in a single report; this is updated regularly to take account of the key developments from the weekly updates.

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8 March 2019

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