

# Global Financial Markets Regulatory Review

# Editorial note

Dentons is pleased to present the December 2020 edition of the Global Financial Markets Regulatory Review. This regularly published report provides key financial markets regulatory developments as well as other legal developments related to financial markets around the world. Reported items include proposed legislation, rule changes, disciplinary actions, litigation, and other news. The report combines insights from Dentons lawyers with extensive financial markets experience located in major global financial centers.

Because of our international footprint of more than 10,500 lawyers in 183 locations in 75 countries, Dentons can service most cross border legal issues faced by global companies, including financial markets litigation and regulatory matters in all major global financial market centers. We hope you will find this report useful, and we look forward to the opportunity to share our expertise with our clients around the world.

# Contents

- 04** ... Key regulatory Developments in Australia
- 08** ... Key regulatory Developments in Europe
  - 08 ... Regulatory Developments in the EU
  - 19 ... Regulatory Developments in Belgium
  - 20 ... Regulatory Developments in the Czech Republic
  - 28 ... Regulatory Developments in Germany
  - 31 ... Regulatory Developments in Italy
  - 41 ... Regulatory Developments in Luxembourg
  - 46 ... Regulatory Developments in Spain
  - 52 ... Regulatory Developments in the Netherlands
  - 59 ... Regulatory Developments in Romania
  - 61 ... Regulatory Developments in the UK
- 65** ... Key Regulatory Developments in Canada
- 71** ... Key Regulatory Developments in the United States
- 76** ... Key Regulatory Developments in Singapore
- 79** ... Key Regulatory Developments in Hong Kong

# Key regulatory Developments in Australia

Source/Date	Brief description
ASIC October 2020	<p><b>ASIC product intervention order strengthens CFD protections</b></p> <p>ASIC has made a product intervention order imposing conditions on the issue and distribution of contracts for difference (<b>CFDs</b>) to retail clients, which will take effect from 29 March 2021.</p> <p>ASIC's order strengthens consumer protections by:</p> <ul style="list-style-type: none"><li>• reducing CFD leverage available to retail clients; and</li><li>• targeting CFD product features and sales practices that amplify retail clients' CFD losses.</li></ul> <p>It also brings Australian practice into line with protections in force in comparable markets elsewhere.</p> <p>In summary, the product intervention order will:</p> <ul style="list-style-type: none"><li>• restrict CFD leverage offered to retail clients to a maximum ratio of:<ul style="list-style-type: none"><li>• 30:1 for CFDs referencing an exchange rate for a major currency pair;</li><li>• 20:1 for CFDs referencing an exchange rate for a minor currency pair, gold or a major stock market index;</li><li>• 10:1 for CFDs referencing a commodity (other than gold) or a minor stock market index;</li><li>• 2:1 for CFDs referencing crypto-assets; and</li><li>• 5:1 for CFDs referencing shares or other assets;</li></ul></li><li>• standardize CFD issuers' margin close-out arrangements that act as a circuit breaker to close-out one or more a retail client's CFD positions before all or most of the client's investment is lost;</li><li>• protect against negative account balances by limiting a retail client's CFD losses to the funds in their CFD trading account; and</li><li>• prohibit giving or offering certain inducements to retail clients (for example, offering trading credits and rebates or 'free' gifts like iPads).</li></ul>



---

Federal Court  
October 2020

### **ASIC and Volkswagen Financial Services Australia settle Federal Court proceeding in relation to responsible lending breaches**

ASIC has settled its claim against Volkswagen Financial Services Australia Pty Limited (**VWFSA**), discontinuing its Federal Court proceeding and accepting a court-enforceable undertaking (CEU) from the car financier. The CEU will see VWFSA implement a consumer remediation program, which will provide an estimated A\$4.7 million in redress to approximately 1,800 consumers including:

- A\$4.1 million in remediation payments;
- A\$600,000 in interest rate reductions on current contracts; and
- taking reasonable steps to remove default listings from credit bureau files.

---

Treasury  
October 2020

### **Responsible lending: The government has announced plans to overhaul responsible lending obligations**

On 25 September 2020, the government announced a suite of changes to Australia's consumer credit framework contained in the *National Consumer Credit Protection Act 2009* aimed at reducing the time it takes for individuals and small business to access credit while maintaining strong protections for vulnerable consumers. One aspect of the reforms amends the existing responsible lending obligations by replacing what has become a "one-size-fits-all" approach to lending with a risk-based regime that allows lenders the flexibility to make decisions based on the characteristics of the borrower and the type of credit.

The government has outlined its intention to ensure that authorized deposit-taking institutions (ADIs) continue to comply with Australian Prudential Regulation Authority lending standards that require sound credit assessment and approval processes; key principles from these standards will be adopted for non-ADIs and regulated by the Australian Securities and Investments Commission. Further information about the government's proposal can be accessed by reviewing its [factsheet](#).

The measures will commence on 1 March 2021, subject to the passing of legislation. This will ensure that barriers to accessing credit are removed so that consumers can continue to spend and businesses can invest and create jobs.

Feedback from stakeholders is currently being sought on the proposed reforms, which will be implemented through changes to the National Consumer Credit Protection Act 2009 and the National Consumer Credit Protection Regulations 2010, as well as the introduction of a new ministerial instrument.

---

AUSTRAC

September 2020

### **AUSTRAC and Westpac agree to proposed \$1.3bn penalty for breaches of the AML/CTF Act**

Westpac Banking Corporation (one of Australia's largest banking institutions) and AUSTRAC (the corporate AML/CTF regulator) have agreed to an A\$1.3 billion proposed penalty for Westpac's breaches of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act).

This penalty, which has been approved by the Federal Court, represents the largest ever civil penalty in Australian history.

In reaching this agreement, Westpac admitted to contravening the AML/CTF Act on over 23 million occasions, exposing Australia's financial system to criminal exploitation. In summary, Westpac admitted that it failed to:

- properly report over 19.5 million international funds transfer instructions (IFTIs) amounting to over \$11 billion dollars to AUSTRAC;
- pass on information relating to the origin of some of these international funds transfers, and to pass on information about the source of funds to other banks in the transfer chain, which these banks needed to manage their own ML/TF risks;
- keep records relating to the origin of some of these international funds transfers;
- appropriately assess and monitor the risks associated with the movement of money into and out of Australia through its correspondent banking relationships, including with known higher risk jurisdictions; and
- carry out appropriate customer due diligence in relation to suspicious transactions associated with possible child exploitation.

---

## Public Events & Conferences

Source/Date	Brief description
Dentons Australia November 2020	<b>10 years in the making: What you need to know about proposed changes to responsible lending</b>  Partner Elise Ivory and Special Counsel Jon Denovan presented on the highly anticipated proposed changes to responsible lending, in addition to an expanded discussion on the broker best interest duty.

### **30th Annual Credit Law Conference**

October 2020

This year, the 30th Annual Credit Law Conference, once again sponsored by Dentons, was presented via an online events and networking platform.

The conference brings together financial services institutions, regulators, professional service organizations, industry associations, and market disruptors to discuss the future of credit and lending in Australia.

A number of the sessions were presented by Partners of Dentons including:

- 'Design & Distribution Obligations – Credit industry implications,' presented by Amber Warren, Partner;
  - 'Is going digital going dangerous,' presented by Jon Denovan, Special Counsel;
  - 'Responsible Lending – going, going gone,' a roundtable presentation chaired by Elise Ivory, Partner;
  - 'Unfair Contract Terms,' presented by David Carter, Partner; and
  - 'In hindsight, what could we have done better during the pandemic crisis?', a roundtable presentation chaired by Rachel Walker, Managing Associate.
-

# Key regulatory Developments in Europe

## Regulatory Developments in the EU

Source/Date	Brief description
ESMA 25/11/2020	<b>ESMA sets out its final view on the derivatives trading obligation (DTO)</b> For further information, please <a href="#">click here</a> .
European Commission 25/11/2020	<b>European Commission issues third emission of EU SURE bonds</b> For further information, please <a href="#">click here</a> .
ESMA 23/11/2020	<b>ESAs propose to adapt the EMIR implementation timelines for intragroup transactions, equity options and novations to EU counterparties</b> For further information, please <a href="#">click here</a> .
ESMA 23/11/2020	<b>ESMA publishes translations for guidelines on enforcement of financial information</b> For further information, please <a href="#">click here</a> .
EBA 23/11/2020	<b>The EBA calls on the European Commission to harmonise the significant risk transfer assessment in securitisation</b> For further information, please <a href="#">click here</a> .
EBA 23/11/2020	<b>ESAs propose to adapt the EMIR implementation timelines for intragroup transactions, equity options and novations to EU counterparties</b> For further information, please <a href="#">click here</a> .
ESMA 20/11/2020	<b>ESMA consults on supervisory fees for data reporting services providers</b> For further information, please <a href="#">click here</a> .
ESMA 20/11/2020	<b>ESMA consults on derogation criteria for data reporting services providers</b> For further information, please <a href="#">click here</a> .
ESMA 18/11/2020	<b>ESMA publishes first overview of the size and structure of EU securities markets</b> For further information, please <a href="#">click here</a> .



EBA 18/11/2020	<b>EBA publishes Report on benchmarking of national insolvency frameworks across the EU</b>  For further information, please <a href="#">click here</a> .
EBA 13/11/2020	<b>EBA publishes the methodology for the 2021 EU-wide stress test</b>  For further information, please <a href="#">click here</a> .
ESMA 13/11/2020	<b>ESMA identifies costs and performance and data quality as new Union Strategic Supervisory Priorities</b>  For further information, please <a href="#">click here</a> .
ESMA 12/11/2020	<b>ESMA publishes first report on use of sanctions under the AIFMD</b>  For further information, please <a href="#">click here</a> .
ESMA 12/11/2020	<b>ESMA publishes third annual report on use of sanctions for UCITS</b>  For further information, please <a href="#">click here</a> .
EBA 11/11/2020	<b>EBA announces timing for publication of 2020 EU-wide transparency exercise and Risk Assessment Report</b>  For further information, please <a href="#">click here</a> .
ESMA 10/11/2020	<b>ESMA updates Brexit statements for the end of UK transition period</b>  For further information, please <a href="#">click here</a> .
ESMA 09/11/2020	<b>ESMA updates Q&amp;As for prospectus and transparency rules linked to Brexit</b>  For further information, please <a href="#">click here</a> .
EBA 09/11/2020	<b>The EBA reminds financial institutions of the need for readiness in view of the Brexit transition period ending on 31 December 2020</b>  For further information, please <a href="#">click here</a> .
ESMA 06/11/2020	<b>ESMA consults on MiFID II/ MiFIR obligations on market data</b>  For further information, please <a href="#">click here</a> .
ESMA 06/11/2020	<b>ESMA updates Q&amp;A on Benchmarks Regulation</b>  For further information, please <a href="#">click here</a> .
ESMA 05/11/2020	<b>ESMA publishes first Q&amp;As on SFTR Reporting</b>  For further information, please <a href="#">click here</a> .

EBA 04/11/2020	<p><b>EBA sets out how prudential supervisors should take money laundering and terrorist financing risks into account in the Supervisory Review and Evaluation Process</b></p> <p>For further information, please <a href="#">click here</a>.</p>
EBA 04/11/2020	<p><b>EBA publishes revised final draft technical standards and Guidelines on methodology and disclosure for global systemically important institutions</b></p> <p>For further information, please <a href="#">click here</a>.</p>
EBA 03/11/2020	<p><b>The EBA launches consultation to incorporate ESG risks into the governance, risk management and supervision of credit institutions and investment firms</b></p> <p>For further information, please <a href="#">click here</a>.</p>
ESMA 07/09/2020	<p><b>ESMA provides for the option to apply the annual transparency calculations for non-equity instruments from September 21</b></p> <p>ESMA has decided that trading venues and investment firms may postpone, for operational reasons, the application of the annual transparency calculations for non-equity instruments other than bonds to September 21, 2020. For further information, <a href="#">click here</a>.</p>
FSB 07/09/2020	<p><b>FSB extends implementation timelines for securities financing transactions</b></p> <p>The FSB announced extensions to the implementation timelines for minimum haircut standards for non-centrally cleared securities financing transactions (SFTs), to ease operational burdens on market participants and authorities, and thereby assist them in focusing on priorities from the impact of COVID-19.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 04/09/2020	<p><b>ESMA confirms Securitization Regulation requirements will enter into force on September 23, 2020</b></p> <p>ESMA confirmed that the different elements of the new regime under the Securitization Regulation will come into force on September 23, 2020.</p> <p>For further information, <a href="#">click here</a>.</p>
OJ of the EU 03/09/2020	<p><b>Delegated Regulation (EU) 2020/1230 supplementing Regulation (EU) 2017/2402 with regard to regulatory technical standards specifying the details of the application for registration of a securitization repository and the details of the simplified application for an extension of registration of a trade repository</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>

<p>OJ of the EU 03/09/2020</p>	<p><b>Delegated Regulation (EU) 2020/1229 supplementing Regulation (EU) 2017/2402 with regard to regulatory technical standards on securitization repository operational standards for data collection, aggregation, comparison, access and verification of completeness and consistency</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>OJ of the EU 03/09/2020</p>	<p><b>Implementing Regulation (EU) 2020/1228 laying down implementing technical standards with regard to the format of applications for registration as a securitization repository or for extension of a registration of a trade repository pursuant to Regulation (EU) 2017/2402</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>OJ of the EU 03/09/2020</p>	<p><b>Implementing Regulation (EU) 2020/1227 laying down implementing technical standards with regard to templates for the provision of information in accordance with the STS notification requirements</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>OJ of the EU 03/09/2020</p>	<p><b>Delegated Regulation (EU) 2020/1226 supplementing Regulation (EU) 2017/2402 and laying down regulatory technical standards specifying the information to be provided in accordance with the STS notification requirements</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>OJ of the EU 03/09/2020</p>	<p><b>Implementing Regulation (EU) 2020/1225 laying down implementing technical standards with regard to the format and standardized templates for making available the information and details of a securitization by the originator, sponsor and SSPE</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>OJ of the EU 03/09/2020</p>	<p><b>Delegated Regulation (EU) 2020/1224 supplementing Regulation (EU) 2017/2402 with regard to regulatory technical standards specifying the information and the details of a securitization to be made available by the originator, sponsor and SSPE</b> – published in OJ</p> <p>Entry into force: 23/09/2020.</p> <p>For further information, <a href="#">click here</a>.</p>

European Commission 01/09/2020	<p><b>Draft Delegated Regulation amending Delegated Regulation (EU) No 876/2013 supplementing Regulation (EU) No 648/2012 as regards changes to the composition, functioning and management of colleges for central counterparties</b></p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 01/09/2020	<p><b>ESMA publishes call for evidence in the context of the review of transparency requirements for equity and non-equity instruments</b></p> <p>ESMA has published a call for evidence (CfE) in the context of its intention to review Commission Delegated Regulation (EU) No 2017/587 (RTS 1) and Commission Delegated Regulation (EU) No 2017/583 (RTS 2) starting from Q4 2020-Q1 2021. RTS 1 and RTS 2 contain the main implementing measures in respect of the MiFID II/MiFIR transparency regime for equity and non-equity instruments.</p> <p>For further information, click <a href="#">here</a>.</p>
OJ of the EU 31/08/2020	<p><b>Corrigendum to Directive (EU) 2019/879 of the European Parliament and of the Council of May 20, 2019, amending Directive 2014/59/EU as regards the loss-absorbing and recapitalization capacity of credit institutions and investment firms and Directive 98/26/EC</b> – published in OJ</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/08/2020	<p><b>ESMA proposes to further postpone CSDR settlement discipline</b></p> <p>ESMA has published a final report on draft regulatory technical standards (RTS) definitively postponing the date of entry into force of the Commission Delegated Regulation (EU) 2018/1229 (RTS on settlement discipline) until February 1, 2022.</p> <p>For further information, <a href="#">click here</a>.</p>
OJ of the EU 25/08/2020	<p><b>Delegated Regulation (EU) 2020/1212 amending Delegated Regulation (EU) 2018/1229 supplementing Regulation (EU) No 909/2014 with regard to regulatory technical standards on settlement discipline</b> – published in OJ</p> <p>Entry into force: 27/08/2020.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 20/08/2020	<p><b>EBA updates data used for the identification of global systemically important institutions (G-SIIs)</b></p> <p>The EBA published 12 indicators and updated the underlying data from the 37 largest institutions in the EU whose leverage ratio exposure measure exceeds €200 bn.</p> <p>For further information, <a href="#">click here</a>.</p>

<p>ESMA</p> <p>19/08/2020</p>	<p><b>ESMA provides updated XML schema and reporting instructions for securitization reporting</b></p> <p>ESMA has published updated reporting instructions and XML schema (version 1.2.0) for the templates set out in the technical standards on disclosure requirements. The updates address technical issues identified by stakeholders since December 2019.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>14/08/2020</p>	<p><b>EBA updates its work program for 2020 in light of the COVID-19 pandemic</b></p> <p>The EBA published its updated annual work program for 2020 to reflect all the changes brought in by the COVID-19 pandemic to its activities.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EIOPA</p> <p>14/08/2020</p>	<p><b>EIOPA finalizes the regulation of the Pan-European Personal Pension Product</b></p> <p>EIOPA delivered to the European Commission a set of draft regulatory and implementing technical standards and its advice on delegated Acts to implement the framework for the design and delivery of the Pan-European Personal Pension Product (PEPP).</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>12/08/2020</p>	<p><b>EBA consults on guidelines on criteria for the use of data inputs in the expected shortfall risk measure under the Internal Model Approach</b></p> <p>The EBA launched a consultation on draft guidelines on criteria for the use of data inputs in the risk-measurement model referred to in Article 325bc under the Internal Model Approach (IMA) for market risk.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>12/08/2020</p>	<p><b>EBA consults on the use of regtech solutions and ways to support the uptake of regtech across the EU</b></p> <p>The EBA launched a regtech industry survey to invite all relevant stakeholders, such as financial institutions and ICT third-party providers, to share their views and experience on the use of regtech solutions, on a best effort basis.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>11/08/2020</p>	<p><b>EBA publishes guidance on impact of CRR adjustments in response to the COVID 19 pandemic on supervisory reporting and disclosure</b></p> <p>The EBA published a revised version of its implementing technical standards on supervisory reporting v3.0 and two sets of guidelines on disclosures and supervisory reporting requirements.</p> <p>For further information, <a href="#">click here</a>.</p>

EBA 07/08/2020	<p><b>EBA provides clarity on the implementation of the reporting and disclosure framework in the context of COVID-19 measures</b></p> <p>The EBA published some frequently asked questions related to the implementation of its guidelines on reporting and disclosure of exposures subject to measures applied in response to the COVID-19 crisis.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 03/08/2020	<p><b>EBA releases an erratum of the technical package on reporting framework 2.10 phase 2</b></p> <p>The EBA published an erratum of the reporting framework 2.10 phase 2.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 03/08/2020	<p><b>EBA publishes final draft technical standards on disclosure and reporting on MREL and TLAC</b></p> <p>The EBA published its final draft Implementing technical standards on disclosure and reporting on the G-SII requirement for own funds and eligible liabilities (TLAC) and the minimum requirements for own funds and eligible liabilities (MREL).</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA/ EBA 31/07/2020	<p><b>EBA and ESMA launch consultation to revise joint guidelines for assessing the suitability of members of the management body and key function holders</b></p> <p>The EBA and ESMA launched a public consultation on its revised joint guidelines on the assessment of the suitability of members of the management body and key function holders.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 31/07/2020	<p><b>EBA launches consultation to revise its guidelines on internal governance</b></p> <p>The EBA launched a public consultation to revise its guidelines on internal governance This review takes into account the amendments introduced by the fifth Capital Requirements Directive (CRD V) and the Investment Firms Directive (IFD) in relation to credit institutions' sound and effective governance arrangements.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/07/2020	<p><b>ESMA updates transparency opinions for third-country venues</b></p> <p>ESMA has updated the list of third-country venues (TCTV) in the context of the opinion on post-trade transparency under MiFIR, following new requests from the industry.</p> <p>For further information, <a href="#">click here</a>.</p>



<p>ESMA</p> <p>28/07/2020</p>	<p><b>ESMA is preparing a new RTS to further postpone CSDR settlement discipline</b></p> <p>ESMA is working on a proposal to possibly delay the entry into force of the Central Securities Depositories Regulation (<b>CSDR</b>) settlement discipline regime until February 1, 2022.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>03/08/2020</p>	<p><b>EBA publishes final draft technical standards on disclosure and reporting on MREL and TLAC</b></p> <p>The EBA published its final draft Implementing technical standards on disclosure and reporting on the G-SII requirement for own funds and eligible liabilities (TLAC) and the minimum requirements for own funds and eligible liabilities (MREL).</p> <p>For further information, <a href="#">click here</a>.</p>
<p>ESMA/ EBA</p> <p>31/07/2020</p>	<p><b>EBA and ESMA launch consultation to revise joint guidelines for assessing the suitability of members of the management body and key function holders</b></p> <p>The EBA and ESMA launched a public consultation on its revised joint guidelines on the assessment of the suitability of members of the management body and key function holders.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>EBA</p> <p>31/07/2020</p>	<p><b>EBA launches consultation to revise its guidelines on internal governance</b></p> <p>The EBA launched a public consultation to revise its guidelines on internal governance This review takes into account the amendments introduced by the fifth Capital Requirements Directive (CRD V) and the Investment Firms Directive (IFD) in relation to credit institutions' sound and effective governance arrangements.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>ESMA</p> <p>28/07/2020</p>	<p><b>ESMA updates transparency opinions for third-country venues</b></p> <p>ESMA has updated the list of third-country venues (TCTV) in the context of the opinion on post-trade transparency under MiFIR, following new requests from the industry.</p> <p>For further information, <a href="#">click here</a>.</p>
<p>ESMA</p> <p>28/07/2020</p>	<p><b>ESMA is preparing a new RTS to further postpone CSDR settlement discipline</b></p> <p>ESMA is working on a proposal to possibly delay the entry into force of the Central Securities Depositories Regulation (<b>CSDR</b>) settlement discipline regime until February 1, 2022.</p> <p>For further information, <a href="#">click here</a>.</p>

EBA 03/08/2020	<p><b>EBA publishes final draft technical standards on disclosure and reporting on MREL and TLAC</b></p> <p>The EBA published its final draft Implementing technical standards on disclosure and reporting on the G-SII requirement for own funds and eligible liabilities (TLAC) and the minimum requirements for own funds and eligible liabilities (MREL).</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA/ EBA 31/07/2020	<p><b>EBA and ESMA launch consultation to revise joint guidelines for assessing the suitability of members of the management body and key function holders</b></p> <p>The EBA and ESMA launched a public consultation on its revised joint guidelines on the assessment of the suitability of members of the management body and key function holders.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 31/07/2020	<p><b>EBA launches consultation to revise its guidelines on internal governance</b></p> <p>The EBA launched a public consultation to revise its guidelines on internal governance This review takes into account the amendments introduced by the fifth Capital Requirements Directive (CRD V) and the Investment Firms Directive (IFD) in relation to credit institutions' sound and effective governance arrangements.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/07/2020	<p><b>ESMA updates transparency opinions for third-country venues</b></p> <p>ESMA has updated the list of third-country venues (TCTV) in the context of the opinion on post-trade transparency under MiFIR, following new requests from the industry.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/07/2020	<p><b>ESMA is preparing a new RTS to further postpone CSDR settlement discipline</b></p> <p>ESMA is working on a proposal to possibly delay the entry into force of the Central Securities Depositories Regulation (CSDR) settlement discipline regime until February 1, 2022.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 03/08/2020	<p><b>EBA publishes final draft technical standards on disclosure and reporting on MREL and TLAC</b></p> <p>The EBA published its final draft Implementing technical standards on disclosure and reporting on the G-SII requirement for own funds and eligible liabilities (TLAC) and the minimum requirements for own funds and eligible liabilities (MREL).</p> <p>For further information, <a href="#">click here</a>.</p>

ESMA/ EBA 31/07/2020	<p><b>EBA and ESMA launch consultation to revise joint guidelines for assessing the suitability of members of the management body and key function holders</b></p> <p>The EBA and ESMA launched a public consultation on its revised joint guidelines on the assessment of the suitability of members of the management body and key function holders.</p> <p>For further information, <a href="#">click here</a>.</p>
EBA 31/07/2020	<p><b>EBA launches consultation to revise its guidelines on internal governance</b></p> <p>The EBA launched a public consultation to revise its guidelines on internal governance This review takes into account the amendments introduced by the fifth Capital Requirements Directive (CRD V) and the Investment Firms Directive (IFD) in relation to credit institutions' sound and effective governance arrangements.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/07/2020	<p><b>ESMA updates transparency opinions for third-country venues</b></p> <p>ESMA has updated the list of third-country venues (TCTV) in the context of the opinion on post-trade transparency under MiFIR, following new requests from the industry.</p> <p>For further information, <a href="#">click here</a>.</p>
ESMA 28/07/2020	<p><b>ESMA is preparing a new RTS to further postpone CSDR settlement discipline</b></p> <p>ESMA is working on a proposal to possibly delay the entry into force of the Central Securities Depositories Regulation (CSDR) settlement discipline regime until February 1, 2022.</p> <p>For further information, <a href="#">click here</a>.</p>

## Clients Alerts & Briefings

Source/Date	Brief description
13/11/2020	<p><b>Meet MiCA – The EU pushes forward its proposal for its Markets in Crypto-Assets Regulation plus a pilot regime for DLT infrastructure</b></p> <p>Please <a href="#">click here</a> for full coverage.</p>
13/11/2020	<p><b>Blockchain has been transformative and MiCA marks the “Big Bang” in regulation in the EU</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>

13/11/2020	<p><b>The EBA's loan origination guidelines – taking a closer look at the road to June 2021 and beyond</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
12/11/2020	<p><b>DORA's debut – the EU's Digital Operational Resilience Act</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
12/10/2020	<p><b>BaFin's consultation on ORA – A Solvency 2 déjà-vu?</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
29/09/2020	<p><b>ECB-SSM publishes changes to delegated decision-making of supervisory powers</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
29/09/2020	<p><b>European Court of Justice annuls three 2017 ex ante contribution decisions by the SRB</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
28/09/2020	<p><b>The PEPP – the last mile towards a European finish line for product development?</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
13/08/2020	<p><b>What's next for the EU's Capital Markets Union project? Charting the path beyond 2020</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
07/08/2020	<p><b>EBA and ESMA publish consultations on new revised guidelines on internal governance as well as on suitability and appropriateness for management and key function holders</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>
04/08/2020	<p><b>Consultation on new Banking Union supervisory guidelines on the approach to consolidation in the European banking sector</b></p> <p>Please click <a href="#">here</a> for full coverage.</p>

## Regulatory Developments in Belgium

Source/Date	Brief description
Royal Decree 01/10/2020	<p><b>Royal Decree dated 23 September 2020 amending the Royal Decree of 30 July 2018 with regard to the operation functionalities of the UBO register</b></p> <p>The changes in particular relate to an expansion of the information obligations that must be provided regarding the direct and indirect beneficial owners and an expanded definition of control of a company by other means than simply ownership or voting rights on the shares.</p> <p>National UBO registers shall be linked for all the member states of the European Union.</p> <p>A maximum penalty between €250 and €50,000 is imposed in case of non-compliance.</p> <p>For further information <a href="#">click here</a>.</p>
Minister of Justice 14/05/2019, Law enters into force 01/11/2020	<p><b>Book VIII of the new Belgian Civil Code</b></p> <p>The aim of the new Law is to clarify and modernize the existing definitions and rules as interpreted over the years in case law and by scholars, as well as to make the rules more flexible.</p> <p>The principle, according to which evidence can be provided by all legal means, which currently already governs business-to-business relations, is extended more widely.</p> <p>The legal means that are accepted as evidence between enterprises shall also include digital evidence such as emails and text messages.</p> <p>The rule stating that an accepted invoice is considered evidence against the party that accepted it is broadened and not limited to professionals only.</p> <p>All bookkeeping will serve as evidence independently as to whether it is generally kept or not.</p> <p>With regard to the negative burden of proof, proof of probability of the fact can be deemed sufficient. Under certain circumstances the burden of proof can be reversed.</p> <p>For evidence between and against non-enterprises, the threshold below which free evidence is allowed has been increased to €3,500. Above €3,500, evidence in writing is mandatory.</p> <p>For further information <a href="#">click here</a>.</p>

## Regulatory Developments in the Czech Republic

Source/Date	Brief description
Czech National Bank (CNB) 12/11/2020	<p><b>CNB published Inflation Report for the fourth quarter of 2021</b></p> <p>The main points of the Report are the following:</p> <ul style="list-style-type: none"><li>• The economic outlook is severely affected by the Coronavirus pandemic.</li><li>• Inflation will fall to the tolerance band at the turn of the year, and it will approximate the CNB's 2% target on the monetary policy horizon.</li><li>• Gross domestic product will fall sharply due to the pandemic, its growth will resume next year.</li><li>• The gradual strengthening of the Czech crown exchange rate will resume next year.</li><li>• The market interest rates will gradually increase next year.</li><li>• The CNB Bank Board left interest rates at the current level.</li><li>• The prognosis is uncertain due to the future development of the pandemic.</li></ul> <p>To access the Inflation Report in Czech, <a href="#">click here</a>.</p>
Chamber of Deputies, Parliament of the Czech Republic 03/11/2020	<p><b>Bill amending the Act on Investment Incentives came into force on November 3, 2020</b></p> <p>The main objective of the submitted bill is the possibility of extending the deadline for meeting the general conditions in justified cases, as a measure that would mitigate the impact of the COVID-19 epidemic on the recipients of investment incentives.</p> <p>To access the history of the Bill in the Chamber of Deputies in Czech, <a href="#">click here</a>.</p> <p>To access the Bill published in the Collection of Laws in Czech, <a href="#">click here</a>.</p>
Government of the Czech Republic 19/10/2020	<p><b>Ministry of Industry and Trade submitted a bill amending the Act on Investment Incentives.</b></p> <p>The main objective of the submitted bill is the possibility of extending the deadline for meeting the general conditions in justified cases, as a measure that would mitigate the impact of the COVID-19 epidemic on the recipients of investment incentives.</p> <p>For further information and to access the draft of the bill and information on procedure <b>in Czech</b>, <a href="#">click here</a>.</p>



---

Ministry of Finance  
of the Czech  
Republic (MF)

05/10/2020

**On October 5, 2020, the government approved a draft of the material intent of the new Accounting Act.**

The draft from MF brings a modern and more systematic approach into accounting. The proposed amendment to the Accounting Act will respond to both international trends and the rapid development of information and communication technologies in the field of accounting, including the digitization of accounting and its processes.

The draft proposes a more broad use of International Financial Reporting Standards in the preparation of financial statements, which is expected to reduce the administrative burden. The plan provides for the possibility of accounting in the so-called functional currency. Currently, the financial statements or consolidated financial statements are prepared only in Czech crowns. It is now proposed to allow accounting in another currency. If a company accounts for most of its operations in euros, it will be able to keep accounts in that currency (i.e. the “functional currency”). Another significant change is the definition of basic accounting principles and important terms directly in the Accounting Act.

For further information and to access the draft of the material intent and information on procedure **in Czech**, [click here](#).

---

Czech National Bank

23/09/2020

**The CNB bank board issued a statement about the current interest rates.**

The CNB decided to keep interest rates unchanged. The two-week repo rate thus remains at 0.25%, the discount rate at 0.05% and the Lombard rate at 1%.

An English version of the document is available [here](#).

---

---

Chamber of  
Deputies, Parliament  
of the Czech  
Republic

15/09/2020

### **The Czech government submitted to the Chamber of Deputies a bill amending the Act on Banks**

The Chamber of Deputies will discuss the Bill on 29/9/2020.

The Bill implements Directive (EU) 2019/878 of the European Parliament and of the Council of May 20, 2019, amending Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures (CRD V).

The main goal of CRD V and of this Bill is to reduce risks in the banking sector, which will also affect consumer confidence in the banking sector.

In general, the Bill covers, among others:

- The application of supervisory requirements and capital guidance under Pillar 2;
- The adjustment of requirements applied to remuneration policies;
- The requirement of the establishment of intermediate parent undertakings; and
- An update of the governance requirements applied to firms.

The deadline for transposing CRD V into national law is December 28, 2020, with most of the changes to take effect from December 29, 2020.

For the Bill to be enacted, the approval of the Chamber of Deputies, the approval of the Senate and the signature of the president are necessary.

History of the Bill in the Chamber of Deputies is available [here](#) (*in Czech only*).

The Bill submitted to the Chamber of Deputies is available [here](#) (*in Czech only*).

---

---

Chamber of  
Deputies, Parliament  
of the Czech  
Republic

15/09/2020

### **The Czech government submitted to the Chamber of Deputies a bill amending the Act on Recovery and Resolution in the Financial Market**

The Chamber of Deputies will discuss the Bill on 29/9/2020.

The Bill implements the Directive (EU) 2019/879 of the European Parliament and of the Council of May 20, 2019, amending Directive 2014/59/EU as regards the loss-absorbing and recapitalization capacity of credit institutions and investment firms, and Directive 98/26/EC (BRRD II).

BRRD II responds in particular to the need to adapt the rules for setting a minimum requirement for own funds and eligible liabilities (MREL) to standards adopted at international level that relate to the requirement on total loss-absorbing capacity (TLAC).

The deadline for transposing BRRD II into national law is December 28, 2020, with the most of the changes to take effect from December 28, 2020.

For the Bill to be enacted, the approval of the Chamber of Deputies, the approval of the Senate and signature of the president are necessary.

History of the Bill in the Chamber of Deputies is available [here](#) (in Czech only).

The Bill submitted to the Chamber of Deputies is available [here](#) (in Czech only).

---

Czech National Bank  
(CNB)

11/09/2020

### **CNB issued a statement regarding the approval of transformation of an investment company “on behalf” of a mutual fund**

This statement addresses the issue of a transformation of an investment company (in Czech *investiční společnost*) in which the investment company, as a successor company, merges with a company which is a part of the property of the administrated mutual fund (in Czech *obhospodařovaný podílový fond*) and the investment company acts on behalf of the administrated fund.

This particular kind of transformation has severe legal risks, because the acquirer of the merged company is the successor company and it is not possible to act on someone else's behalf during a merger.

If it were a merger of an investment company which administers a mutual fund, the CNB would not approve the transformation.

In other cases, where the transformation concerns solely qualified investors funds and previous approval of the CNB is not required, the CNB can assess such a procedure as a procedure that is in contradiction with the Act of Investment Companies and Investment Funds from the perspective of the due care and risk management of the investment company, in particular if damage to the investors of such fund would arise.

The document is available [here](#) (in Czech only).

---

---

Chamber of  
Deputies, Parliament  
of the Czech  
Republic

02/09/2020

## **The Czech government submitted to the Chamber of Deputies a bill amending some acts in connection with development of the capital markets**

In order to increase market transparency and to level the information asymmetry between the issuers and the investors in below-threshold public offers, the information requirements that must be included in the terms and conditions of the bonds are newly expanded.

The terms and conditions of the bonds will contain information about the issuer so that the investor has the opportunity to sufficiently assess the riskiness of the investment.

Such information is, for example:

- A description of the purpose of the issue;
- The planned debt-to-equity ratio;
- The issuer's annual report and financial statements for the last two accounting periods;
- Information on how the repayment of the outstanding amount is secured, or information that repayment of the outstanding amount is not secured in any way.

The issuer will publish the terms and conditions of the bonds on its website and the CNB will make sure that the obligation is complied with.

Another key measure of the Bill is the introduction of a long-term investment account. This product should be tax-advantaged. A long-term investment account is an asset account that is used to create savings through which it is possible to invest in shares, bonds, investment funds or other investment instruments.

MREL-type of bonds will not be able to be repaid early if the meeting of bondholders adopts fundamental changes according to Article 23 (5) of the proposed Bill.

For the Bill to be enacted, the approval of the Chamber of Deputies, the approval of the Senate and signature of the president are necessary.

History of the Bill in the Chamber of Deputies is available [here](#) (in Czech only).

The Bill submitted to the Chamber of Deputies is available [here](#) (in Czech only).

---

---

CNB

31/08/2020

### **CNB proposed a decree on collection of data on the activities of financial services intermediaries**

The decree proposes that financial services intermediaries should regularly submit to the CNB an annual statement of their activities, always by March 31 of the given year with data for the previous calendar year. The first statements would thus be submitted for 2021, i.e. before March 31, 2022.

The information submitted would mainly represent data on production (i.e. number of brokered deals and volume of premiums / investments / consumer loans), financial situation and economic results, on the amount of remuneration for mediation or provision of a service, on the number of persons participating in the activities of an intermediary, on received complaints or the area of AML / CFT.

The proposal was submitted to an inter-ministerial comment procedure with a deadline of September 21, 2020.

For the decree to be enacted, it has to go through the comment procedure, working commissions of the Government Legislative Council and it has to be approved by the department minister.

The draft of the decree and information on the procedure are available [here](#) (in Czech only).

---

Chamber of Deputies, Parliament of the Czech Republic

11/08/2020

### **Bill number 559 amending the Act on Banks, Act on Credit Unions and Income Tax Act will come into force on October 1, 2020**

This Bill was published on August 11, 2020, and will come into force on October 1, 2020.

In general, the Bill covers, among others:

- Disclosing duties in connection with transformations and any changes of a bank's enterprise (in Czech *obchodní závod*) or its part, as well as a related settlement of deposit claims exceeding the guaranteed amount under the deposit guarantee scheme framework in cases when due to said transformation the CNB is no longer the supervisory authority;
- Judicial review of the CNB's decision on banking license revocation;
- Simplifying certain regulatory obligations (e.g. submitting a list of shareholders, approval of statutory and supervisory bodies, publications in the Commercial Bulletin (in Czech *Obchodní věstník*), appointment of liquidator);
- Cross-border offering of banking services under EU passport, provided that the conditions laid down by EU law and set out in the Bill are met; and
- New grounds for lifting of bank secrecy.

History of the Bill in the Chamber of Deputies is available [here](#) (in Czech only).

The Bill published in the Collection of Laws is available [here](#) (in Czech only).

---

---

CNB

### **CNB board makes statement about current interest rates**

06/08/2020

The CNB board issued a statement according to which the current interest rates remain unchanged.

The two-week repo rate remains at 0.25%, the discount rate at 0.05% and the Lombard rate at 1%. This decision is influenced by a new macroeconomic forecast based on the ongoing influence of the measures made in connection with the COVID-19 pandemic. The bank board took into account the risk of reintroduction of quarantine measures.

English version of the document is available [here](#).

---

CNB

### **CNB issued an official communication regarding interpretation of the concepts of credibility and professional competence.**

05/08/2020

Credibility and professional competence are considered to be vague legal concepts and the CNB thereby informs about its approach to these legal concepts on a non-binding basis.

These rules apply among others to the members of the executive or supervisory body, persons with a qualifying holding in a financial service provider, persons in the management of a branch, financial holding entities, insurance holding entities and mixed financial holding entities.

A person's credibility for the purposes of financial market assessment lies in particular in their professional and entrepreneurial integrity. Integrity shall be considered a part of credibility. To assess this credibility, the CNB bases its judgement on the absence of negative information (i.e. via excerpts from the criminal register).

In the opinion of the CNB, professional competence is a criterion taking into account:

- Knowledge;
- Sufficient experience in the financial market (i.e. professional experience);
- In case of managers also sufficient management experience (i.e. managerial practice); and
- Current operation on the financial market.

The document is available [here](#) (*in Czech only*).



---

Chamber of  
Deputies, Parliament  
of the Czech  
Republic

01/10/2020

**Bill number 559 amending the Act on Banks, Act on Credit Unions and  
Income Tax Act came into force on October 1, 2020.**

This Bill has been published on August 11, 2020 and came into force on  
October 1, 2020.

In general, the Bill covers, among others:

- Disclosing duties in connection with transformations and any changes of a bank's enterprise (in Czech *obchodní závod*) or its part, as well as related settlement of deposit claims exceeding the guaranteed amount under the deposit guarantee scheme framework in cases when due to the said transformation the Czech National Bank (CNB) is no longer the supervisory authority;
- Judicial review of the CNB's decisions on banking license revocations;
- Simplifying certain regulatory obligations (e.g. submitting a list of shareholders, approval of statutory and supervisory bodies, publications in the Commercial Bulletin (in Czech *Obchodní věstník*), appointment of liquidator);
- Cross-border offering of banking services under EU passport provided that the conditions laid down by EU law and set out in the Bill are met; and
- New grounds for lifting of bank secrecy.

For further information on the history of the Bill in the Chamber of Deputies, in Czech, [click here](#).

For further information on the Bill published in the Collection of Laws, in Czech, [click here](#).

---

## Regulatory Developments in Germany

Source/Date	Brief description
BaFin 25/11/2020	<b>BaFin publishes letter on liquidity requirements</b> For further information in German, please <a href="#">click here</a> .
BaFin 25/11/2020	<b>ECB sees an abrupt end to COVID-19 aid, rising debt and growing risk appetite as threats</b> For further information in German, please <a href="#">click here</a> .
BaFin 19/11/2020	<b>Marketing notifications for UK investment funds can already be submitted before expiry of the transition period</b> For further information in English, please <a href="#">click here</a> .
BaFin 08/09/2020	<b>Setting up crypto-ATM: permission from BaFin required</b> BaFin clarifies that the public installation of machines where crypto-currencies (e.g. Bitcoin, DASH, Litecoin, Ether) can be sold or purchased represents proprietary trading in accordance with § 1 paragraph 1 sentence 2 No. 4 lit. c of the German Banking Act (KWG) or, if applicable, financial commission business in accordance with § 1 paragraph 1 sentence 2 No. 4 KWG. For further information in German, <a href="#">click here</a> .
BaFin 07/09/2020	<b>Hearing on the planned general ruling on the order to store data in a file system pursuant to §24c (1) of the German Banking Act (KWG) by credit institutions when issuing international bank account numbers (IBAN) with the country code DE to payment service providers for forwarding to their end customers pursuant to § 6 (3) in conjunction with § 24c para. 1 KWG</b> For further information in German, <a href="#">click here</a> .
BaFin 01/09/2020	<b>Settlement planning: BaFin consults draft circular</b> BaFin has submitted for consultation a draft circular on the minimum requirements for information systems for the provision of information for valuations in the context of settlement (MaBewertung). For further information in German, <a href="#">click here</a> .
BaFin 01/09/2020	<b>CFD trading: BaFin publishes guidelines</b> On September 1, 2020, BaFin published guidelines for the general ruling of July 23, 2019, regarding contracts for difference (CFDs). For further information in German, <a href="#">click here</a> .

BaFin August 2020	<b>Publication of the Monthly Journal from the Federal Financial Supervisory Authority (BaFin)</b>
	Topics (selection): Cyber security of banks in coronavirus times / Credit risk mitigation technique: netting displays / Sustainability: EU taxonomy regulation. For further information in German, <a href="#">click here</a> .
German Ministry of Finance 17/08/2020	<b>Draft law implementing Directive (EU) 2019/2034 on the supervision of investment firms</b>
	The main purpose of the draft law is to implement Directive (EU) 2019/2034 of the EP and Council of November 27, 2019, on the supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU. Directive (EU) 2019/2034 must be implemented by June 26, 2021. The draft law regulates the prudential requirements for investment firms with regard to the risks they take on, the capital requirements, their business organization and the requirements for the management and supervisory bodies. For further information, <a href="#">click here</a> .
German Ministry of Finance 11/08/2020	<b>Draft law on the introduction of electronic securities</b>
	The draft law serves to modernize German securities law and the associated supervisory law. A central component is the introduction of the new law on electronic securities – eWpG. With the establishment of digital securities, one of the central components of the block chain strategy of the Federal Government and the joint key points paper of the Federal Ministry of Finance and the Federal Ministry of Justice on electronic securities is being implemented. For further information in German, <a href="#">click here</a> .
BaFin 11/08/2020	<b>Company pension scheme: BaFin consults the drafts of two circulars</b>
	BaFin consults the drafts of the circulars “Minimum Regulatory Requirements for the Business Organization of Institutions for Occupational Retirement Provision (MaGo for EbAV)” and “Minimum Regulatory Requirements for the Own Risk Assessment (ERB) of Institutions for Occupational Retirement Provision”. For further information in German, <a href="#">click here</a> .
BaFin 06/08/2020	<b>Shielding Act: BaFin publishes interpretation guide</b>
	BaFin has published an updated version of the interpretative guidance on Article 2 of the Act on the shielding of risks and the planning of the restructuring and liquidation of credit institutions and financial groups (Shielding Act). For further information in German, <a href="#">click here</a> .

---

German Federal  
Government

**Government bill: Act on Risk Reduction and Proportionality in the Banking Sector (Risk Reduction Act – RiG)**

29/07/2020

The Federal Cabinet has approved a draft law implementing Directives (EU) 2019/878 and (EU) 2019/879 on the reduction of risks and the strengthening of proportionality in the banking sector (Risk Reduction Act – RiG). For further information in German, [click here](#).

---

## Public Events & Conferences

Source/Date	Brief description
27/10/2020	Online panel discussion: The European perspective on a new blockchain regulatory framework  For further information in English, please <a href="#">click here</a> .

## Clients Alerts & Briefings

Source/Date	Brief description
18/11/2020	Germany implements the 6th Anti-Money Laundering  Please click <a href="#">here</a> for full coverage.
12/11/2020	German financial services supervisor amends supervisory requirements for IT in financial institutions  Please click <a href="#">here</a> for full coverage.
05/08/2020	Germany's priorities for the 2020 presidency of the Council of the EU  Please click <a href="#">here</a> for full coverage.

## Regulatory Developments in Italy

Source/Date	Brief description
Consob 12/11/2020	<p><b>Brexit – warning notice No. 10/20</b></p> <p>In view of the United Kingdom’s exit from the European Union at the end of the transition period (<i>i.e.</i> December 31, 2020), Consob published a warning notice informing Italian clients that UK-based investment firms and banks will be allowed to continue to provide investment services and activities in Italy from January 1, 2021, only if authorized, respectively, by Consob and by the Bank of Italy as third- country firms.</p> <p>For further information in English, click <a href="#">here</a>.</p>
Bank of Italy 10/11/2020	<p><b>Quickfix – Communication</b></p> <p>The Bank of Italy published a communication concerning the exclusion of certain central bank exposures from the calculation of the leverage ratio in light of the COVID-19 pandemic.</p> <p>For further information in Italian, click <a href="#">here</a>.</p>
IVASS 10/11/2020	<p><b>Brexit – press release</b></p> <p>In view of the United Kingdom’s exit from the European Union at the end of the transition period (<i>i.e.</i> December 31, 2020), IVASS published a press release inviting Italian customers of UK insurance operators to verify if they have received adequate and complete information on the effects of Brexit on existing insurance contracts and, if necessary, to contact the insurance company and/or their intermediary.</p> <p>For further information in English, click <a href="#">here</a>.</p>
Bank of Italy 09/11/2020	<p><b>Brexit – press release</b></p> <p>In view of the United Kingdom’s exit from the European Union at the end of the transition period (<i>i.e.</i> December 31, 2020), the Bank of Italy published a press release inviting clients of UK-based financial institutions operating in Italy to verify that they have received appropriate and comprehensive information on the effects of Brexit on their relationships and recommending those who intend to rescind their contracts (or to transfer them to another authorized operator) to act promptly and in compliance with the relevant contractual and legal provisions.</p> <p>For further information in English, click <a href="#">here</a>.</p>

<p>Italian Financial Intelligence Unit</p> <p>09/11/2020</p>	<p><b>AML – anomalous behavior patterns</b></p> <p>The Italian Financial Intelligence Unit published a communication providing for new and updated anomalous behaviour patterns relating to operations connected with tax offences in accordance with Article 6 of Legislative Decree no. 231/2007 (Italian anti-money laundering law).</p> <p>For further information click <a href="#">here</a>.</p>
<p>IVASS</p> <p>04/11/2020</p>	<p><b>Register of Companies and Insurance Groups – letter to the market</b></p> <p>IVASS published a letter to the market in which it drew the attention of the parties required to report to the Register of Companies and Insurance Groups to the need to provide timely and complete updating of information relating to key functions, contact details of contact persons and managers, as well as information on share capital, shareholding structure, main shareholders and significant shareholdings.</p> <p>For further information in Italian, click <a href="#">here</a>.</p>
<p>Bank of Italy</p> <p>26/10/2020</p>	<p><b>Quickfix – implementation of EBA Guidelines</b></p> <p>Bank of Italy published a communication announcing that it has implemented the EBA Guidelines providing clarifications and guidance on the compilation of supervisory reporting schemes and public disclosure, in light of the changes to the regulatory requirements introduced by Regulation (EU) no. 873/2020 in the context of the COVID-19 pandemic (so-called Quickfix), applicable to SIMs and groups of SIMs.</p> <p>For further information in Italian, click <a href="#">here</a>.</p>
<p>Bank of Italy</p> <p>15/10/2020</p>	<p><b>Clarification note on the application of the default definition</b></p> <p>Bank of Italy published a clarification note relating to the application of the definition of default pursuant to art. 178 (2)(d) of Regulation (EU) no. 575/2013 (CRR) and the adaptation of the definitions of impaired credit exposures.</p> <p>For further information click <a href="#">here</a>.</p>
<p>Consob</p> <p>15/10/2020</p>	<p><b>Amendments to the markets regulation</b></p> <p>Consob, with its Resolution no. 21536 of October 15 , 2020, amended the Markets Regulation (adopted with the Consob Resolution no. 20249 of December 28, 2017), with respect to the provisions concerning the participants to the share capital of the companies managing the regulated markets.</p> <p>For further information click <a href="#">here</a>.</p>

Bank of Italy 14/10/2020	<p><b>Loans pursuant to the Liquidity Decree and the Cura Italia Decree: clarifications of the calculation of the TEGM</b></p> <p>The Bank of Italy published its replies to the queries raised in respect of the method for the calculation of the TEGM (i.e. the annual percentage rate of charge) on the “mini-loans” provided by the Legislative Decree no. 23 of 8 April 2020 (the so-called “Liquidity Decree”) and the loans that benefit of the moratorium pursuant to article 56 of the Legislative Decree no. 18 of 17 March 2020 (the so-called “Cura Italia Decree”).</p> <p>For further information click <a href="#">here</a>.</p>
IVASS 13/10/2020	<p><b>Dormant insurance policies: IVASS letter to the market</b></p> <p>IVASS published a letter to the market concerning dormant deposits and insurance policies, confirming that IVASS intends to continue to offer, also for the financial year 2020, the reconciliation service between the fiscal codes of the insured and the tax register.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy 13/10/2020	<p><b>Financial statements of banks and supervised financial intermediaries: proposed amendments to the regulations</b></p> <p>The Bank of Italy opened a consultation procedure in respect of certain proposed amendments to the Circular no. 262 “The banking financial statements: compiling schemas and rules” and the decision of the Bank of Italy “The financial statements of the IFRS financial intermediaries that are not banks”.</p> <p>For further information click <a href="#">here</a>.</p>
Borsa Italiana 09/10/2020	<p><b>Amendments to the market regulation and the related instructions</b></p> <p>Borsa Italiana, with Notice no. 26288, confirmed the positive outcome of the tests carried out on the RFQ functionalities for the ETFplus Market, with the consequent entry into force of the amendments to the Regulations of the Markets organized and managed by Borsa Italiana, the Instructions and the Guide to the Trading Parameters relating to the segment ETFplus market on October 12, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
Consob 09/10/2020	<p><b>Transparency communications: extension of strengthened obligations</b></p> <p>In light of the persistent uncertainty generated by the COVID-19 epidemic, Consob published Resolution no. 21525, with which it further extended for a period of three months – from October 13, 2020, until January 13, 2021 – the forecasts referred to in Resolutions no. 21326 and 21327 of April 9, 2020.</p> <p>For further information click <a href="#">here</a>.</p>

IVASS	<b>Professional update – COVID-19</b>
01/10/2020	<p>IVASS published a notice announcing the extension to March 31, 2021, of the deadline for insurance intermediaries to complete professional updates for the year 2020 (originally scheduled for December 31, 2020).</p> <p>For further information in English click <a href="#">here</a>.</p>
Borsa Italiana	<b>Amendments to the guide to the parameters for trading</b>
25/09/2020	<p>Borsa Italiana, with Notice no. 24737, published the amendments to the “Guide to the parameters for trading” concerning in particular the ETFplus Market and the IDEM Market.</p> <p>For further information click <a href="#">here</a>.</p>
Borsa Italiana	<b>Amendments to the market regulation and the related instructions</b>
25/09/2020	<p>Borsa Italiana, with Notice no. 24727, published the amendments to the Regulation of the markets organized and managed by Borsa Italiana and related Instructions for the ETFplus market segment.</p> <p>For further information click <a href="#">here</a>.</p>
Banca d’Italia	<b>Supervisory provisions for banks update</b>
22/09/2020	<p>Bank of Italy published the 34th update to Circular no. 285 of 17 December 2013 on supervisory provisions for banks to implement the EBA Guidelines on outsourcing arrangements of February 25, 2019 (EBA/GL/2019/02).</p> <p>For further information click <a href="#">here</a>.</p>
Consob	<b>Amendments to the Issuers’ Regulation</b>
22/09/2020	<p>Consob published:</p> <ol style="list-style-type: none"> <li>i. Resolution no. 21508 of 22 September 2020 amending Consob Regulation no. 11971/1999 (Issuers’ Regulation) on the admission to trading of reserved open-ended AIFs (alternative investment funds), as well as further interventions on the marketing of AIFs and marketing activities; and</li> <li>ii. Resolution no. 21507 on the determination for the year 2020 of the parameters representing the risk for the correctness of financial information provided for by Article 89-quarter of the Issuers’ Regulation, specifically concerning financial information disseminated to the public by listed issuers and by listed issuers that have Italy as their member state of origin.</li> </ol> <p>For further information click <a href="#">here</a> and <a href="#">here</a>.</p>



Borsa Italiana	<b>Amendments to the Instructions to the Market Rules</b>
16/09/2020	<p>Borsa Italiana, with notice no. 23867, published some amendments to the Instructions to the Market Rules / Market IDEM.</p> <p>The amendments will enter into force on October 19, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Supervisory benchmarking portfolio</b>
16/09/2020	<p>The Bank of Italy published an update of the Q&amp;A on the technical-operational modalities of the EBA-ITS supervisory benchmarking portfolio reports.</p> <p>For further information click <a href="#">here</a>.</p>
IVASS	<b>Insurance intermediaries – supervisory fee</b>
07/09/2020	<p>IVASS published Order No. 98 of September 7, 2020, which sets out the amount, terms and methods of payment of the supervisory fee for the year 2020 to be paid by intermediaries enrolled in the Register of Insurance, Reinsurance and Ancillary Insurance Intermediaries.</p> <p>For further information click <a href="#">here</a>.</p>
Consob	<b>MIFIR – transaction reporting</b>
06/09/2020	<p>Consob published an operational guide on transaction reporting providing investment firms, trading venue managers and Authorized Reporting Mechanisms (ARMs), as defined by Directive (EU) No 65/2014 (MiFID II), with instructions on the exact fulfillment of transaction reporting requirements under Regulation (EU) No. 600/2014 (MiFIR).</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Money market funds reporting – ESMA guidelines</b>
03/09/2020	<p>Bank of Italy published a communication implementing the ESMA guidelines on disclosure to competent authorities pursuant to Article 37 of Regulation (EU) No. 2017/1131 on money market funds (MMFs), published by ESMA on June 22, 2020.</p> <p>The guidelines provide instructions and technical standards for the reports to be submitted by the managers of MMFs to the competent national authority.</p> <p>For further information click <a href="#">here</a>.</p>

Bank of Italy	<b>BRRD – recovery plans</b>
01/09/2020	<p>The Bank of Italy published the Provisions on Recovery Plans, in order to implement Delegated Regulation No. 2019/348, supplementing Directive 2014/59/EU (BRRD), with regard to regulatory technical standards specifying the criteria for assessing the impact of an entity’s failure on financial markets, other entities and funding conditions.</p> <p>For further information click <a href="#">here</a>.</p>
UIF	<b>AML – new implementing provisions for sending aggregate reports</b>
25/08/2020	<p>The Financial Intelligence Unit (UIF) published a measure concerning the production and transmission of Anti-Money Laundering Reporting (SARA) via the Infostat-UIF portal. The measure will be applied starting from the reports related to the operations concerning the month of January 2021 (to be sent by April 2, 2021).</p> <p>For further information click <a href="#">here</a>.</p>
Italian government	<b>COVID-19 – August Decree</b>
14/08/2020	<p>Law Decree 14 August 2020, No. 104, on urgent measures for the support and revitalization of the economy (the so-called August Decree) has been published in the Official Gazette of the Republic of Italy.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Provisions on sanctions and sanctions procedure</b>
13/08/2020	<p>Bank of Italy published a measure amending the “Provisions on Sanctions and Sanctions Procedure” (the “Provisions”). The amendments set out in the measure are aimed at aligning the Provisions with the new organizational and procedural structure of the Bank of Italy resulting from the establishment of the new Directorate General for Consumer Protection and Financial Education.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Banking and financial ombudsman – alternative dispute resolution</b>
12/08/2020	<p>The Bank of Italy published a measure containing the new “Provisions on extrajudicial dispute-settlement systems for banking and financial transactions and services”, amending the previous regulation, in order to comply with the provisions of Directive 2013/11/EU on alternative dispute resolution for consumer disputes (ADR Directive). The provisions will apply from October 1, 2020.</p> <p>For further information click <a href="#">here</a>.</p>

IVASS	<b>Product governance – IVASS Regulation</b>
04/08/2020	<p>IVASS published Regulation No. 45/2020 laying down provisions on insurance product oversight and governance requirements (POG). The Regulation will enter into force from March 31, 2021.</p> <p>For further information click <a href="#">here</a>.</p>
IVASS	<b>IDD – IVASS Regulation</b>
04/08/2020	<p>IVASS published Regulation No. 97/2020 aimed at completing the Italian regulatory framework for the distribution of insurance-based investment products (IBIPs).</p> <p>For further information click <a href="#">here</a>.</p>
CONSOB	<b>Insurance distribution – amendments to the intermediaries regulation</b>
04/08/2020	<p>Consob published Resolution No. 21466 of July 29, 2020, making changes to the Intermediaries Regulation (adopted by Consob resolution No. 20307 of February 15, 2018). In particular, the new regulatory text is aimed at completing the transposition, at the secondary standardization level, of Directive (EU) 2016/97 on insurance distribution (IDD), and was prepared in compliance with the new division of competences on subjects supervised by Consob and IVASS.</p> <p>For further information click <a href="#">here</a>.</p>
Consob/Bank of Italy	<b>SHRD II – public consultation</b>
03/08/2020	<p>Consob and the Bank of Italy published a consultation concerning some amendments to the Consob/Bank of Italy Provisions on post-trading of August 13, 2018, governing central counterparties, central depositories and centralized management activities.</p> <p>The amendments are aimed at completing the process of implementation of Directive (EU) 2017/828 on the encouragement of long-term shareholder engagement (SHRD II). The deadline for sending comments and observations is September 25, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Sim and Sim groups – Bank of Italy communication</b>
03/08/2020	<p>The Bank of Italy published a communication concerning the application of the CRDIV/CRR rules to SIMs and groups of SIMs, announcing that the application of the prudential default rules for SIMs (contained in the previous communication of the supervisory authority of July 29, 2019) is postponed to January 1, 2021.</p> <p>For further information click <a href="#">here</a>.</p>

Borsa Italiana	<b>Italian Stock Exchange – amendments to the market regulations</b>
03/08/2020	<p>Borsa Italiana published Notice No. 20386, with which it informed market operators that Consob, with resolution no. 21474 of July 30, 2020, approved the amendments to the regulations of the markets organized and managed by Borsa Italiana and the related instructions approved by Borsa Italiana on March 26, 2020. The amendments to the regulations and related Instructions will enter into force on August 10, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Anti-Mafia Code – Bank of Italy communication</b>
31/07/2020	<p>The Bank of Italy published a communication in which it provided clarifications to credit intermediaries regarding the correct classification by credit quality of the loans granted to the companies subject to the provisions pursuant to Legislative Decree 6 September 2011, No. 1591 and subsequent amendments (the so-called Anti-Mafia Code).</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>Asset management – changes to the regulations of the Bank of Italy</b>
30/07/2020	<p>The Bank of Italy proposed several amendments to the regulations on collective asset management. The amendments aim to clarify a possible application method of the manager’s right to suspend, in exceptional market circumstances, the investors’ redemption right in open-end Italian undertakings for collective investments (<b>UCIs</b>). In particular, the managers will have the right to suspend the execution of redemptions for a specific period (which cannot exceed 15 days) in the event that redemption or switch requests cumulatively exceed 5% of the fund’s total net value. The Bank of Italy’s deadline for sending comments and observations is September 28, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
CONSOB	<b>Disclosure of information</b>
30/07/2020	<p>Consob published Call for Attention No. 9/20, concerning the disclosure of information prepared by the issuers of financial instruments widely distributed among the public to a significant extent pursuant to Article 116 of the Italian Financial Act, and by the issuers of financial instruments traded on multilateral trading systems that adopt the provisions of the Italian Civil Code and national accounting standards.</p> <p>For further information click <a href="#">here</a>.</p>

CONSOB	<b>PRIIPS KID – amendments to the Issuers’ Regulation</b>
30/07/2020	<p>Consob published a consultation concerning some amendments to the Issuers’ Regulation (Consob Regulation No. 11971/1999) with respect to the definition of new methods of access to documents containing key information (KID) relating to retail investment products and pre-assembled insurance policies (PRIIPs).</p> <p>For further information click <a href="#">here</a>.</p>
Italian parliament	<b>SHRD II Legislative Decree</b>
30/07/2020	<p>The Legislative Decree No. 190, implementing art. 7 of the Law n. 117 of 4 October 2019, implementing Directive (EU) 2017/828 on encouraging long-term shareholders engagement (SHRD II), was published in the Official Gazette of the Republic of Italy.</p> <p>For further information click <a href="#">here</a>.</p>
IVASS	<b>COVID-19 – IVASS recommendation published on dividend distribution and buy-back</b>
30/07/2020	<p>IVASS published an update of its recommendations on March 30, 2020, acknowledging the requests referred to in the recommendation of the European Systemic Risk Board (ESRB) of May 27, 2020. In particular, IVASS asked insurance companies not to distribute dividends, not to repurchase ordinary shares, and nor to undertake to pay the variable component of remuneration to corporate officers at least until January 1, 2021.</p> <p>For further information click <a href="#">here</a>.</p>
Bank of Italy	<b>COVID-19 – extension of term</b>
28/07/2020	<p>The Bank of Italy published a communication providing a 50-day extension of the term for the submission of the report on compliance with the obligations concerning the deposit and sub-deposit of clients’ financial instruments. Accordingly, auditors will be required to submit the report to the Bank of Italy by October 28, 2020.</p> <p>For further information click <a href="#">here</a>.</p>
Consob	<b>Brexit – Consob communication</b>
23/07/2020	<p>Consob, with Communication No. 8/2020, provided certain clarifications concerning the rules applicable to investment firms that wish to continue to provide investment services in Italy, following the end of the transitional period provided for in the agreement defining the procedures for the withdrawal of the United Kingdom from the European Union (<i>i.e.</i> December 31, 2020). Specifically, Consob has made reference and confirmed the procedures and the formalities set out under the warning notice No. 3/2020.</p> <p>For further information click <a href="#">here</a>.</p>

---

Consob **Knowledge and competences of personnel Intermediaries Regulation**

23/07/2020

Consob published a consultation concerning certain amendments to the Intermediaries Regulation (Regulation No. 20307 of February 15, 2020), regarding knowledge and competences of intermediaries' personnel.

Specifically, the proposed amendments are aimed at overcoming certain rigidities of the national regulation and enhancing the decisional autonomy of the authorized entities (*i.e.* a principle-based approach), without prejudice to the protection of investors. Comments may be sent until September 21, 2020.

For further information click [here](#).

---

CICR

**ADR CICR Decree**

20/07/2020

The decree adopted by the Comitato Interministeriale per il Credito e il Risparmio (**CIRC**) of July 10, 2020, was published in the Official Gazette of the Republic of Italy. The decree amends CICR resolution No. 275 of July 29, 2008, on the alternative dispute resolution. Specifically, the amendments are aimed at ensuring that the regulation concerning the Italian banking and financial ombudsman are aligned to the provisions of Directive 2013/11/EU (ADR Directive) and at implementing instruments for a more efficient management of disputes submitted to the banking and financial ombudsman.

The decree will enter into force following the adoption by the Bank of Italy of the related implementing provisions.

For further information click [here](#).

---

## Regulatory Developments in Luxembourg

Source/Date	Brief description
Government 30/11/2020	<p><b>Corporate governance – COVID-19</b></p> <p><b>Draft law n° 7692, amending among others the law of 23 September 2020, which laid down measures concerning the holding of meetings in companies and other legal persons, published</b></p> <p>The draft law intends to extend until June 30, 2021 the possibility for companies to hold general meetings of shareholders and meetings of management bodies without a physical presence despite any statutory provisions to the contrary.</p> <p>To access the French text of the draft law please click <a href="#">here</a>.</p>
CSSF 13/11/2020	<p><b>Issuers – COVID-19</b></p> <p><b>Thematic review on the reporting of issuers regarding the impacts of the COVID-19 pandemic published by the CSSF</b></p> <p>In the review, the CSSF noted that the information provided in the interim financial reports had been generally sufficiently entity-specific and detailed. On the other hand, the CSSF expressed its concern about inadequate disclosure of the impairment of non-financial assets, as well as about the measurement and disclosure of expected credit losses.</p> <p>To access the text of the review, please click <a href="#">here</a>.</p>
CSSF 02/11/2020	<p><b>Issuers</b></p> <p><b>New Final Terms submission form made available by the CSSF</b></p> <p>To comply with the Prospectus Regulation<sup>1</sup>, which requires national competent authorities to provide ESMA<sup>2</sup> with an increased quantity of data on the approved prospectuses and supplements, as well as the related final terms, the CSSF has made available a new version of the Final Terms submission form. The CSSF has accompanied the new submission form with a user guide.</p> <p>To access the Final Terms submission form and the user guide, please click <a href="#">here</a>.</p>
Government 14/10/2020	<p><b>Draft law N°7666 for the 2021 budget introduced into legislative procedure</b></p> <p>Among other things, this draft law introduces new anti-abuse tax measures, such as an annual levy of 20% without the possibility of deduction on investment vehicles for income derived from Luxembourg real estate, as of January 1, 2021. This levy will apply to undertakings for collective investment within the meaning of Part II of the Law of 17 December 2010, specialized investment funds and reserved alternative investment funds.</p> <p>To access the French text of this draft law, please click <a href="#">here</a>.</p>

<sup>1</sup> Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market.

<sup>2</sup> European Securities and Markets Authority.

CSSF <sup>3</sup>	<b>Banks</b>
09/10/2020	<p><b>Updated Question and Answers (“Q&amp;A”) related to the CSSF Circular 20/747</b></p> <p>This Q&amp;A details the requirements for professionals set out under circular 20/747 regarding technical and IT-related issues of the central electronic data retrieval system related to IBAN accounts and safe deposit boxes held by credit institutions in Luxembourg.</p> <p>To access the text of the Q&amp;A, please click <a href="#">here</a>.</p>
CSSF	<b>Banks</b>
06/10/2020	<p>Circular CSSF-CPDI 20/23 survey on the amount of covered deposits held on 30/09/2020</p> <p>This circular requires inter alia credit institutions incorporated under Luxembourg law and Luxembourg branches of credit institutions having their head office in a third country to participate in a survey on deposits, and more particularly on covered deposits as at 30 September 30, 2020. The data should be provided by 30 October 30, 2020, to the CSSF.</p> <p>To access the text of the Circular, please click <a href="#">here</a>.</p>
CSSF	<b>Payment services institutions</b>
05/10/2020	<p><b>Communiqué on the notification obligation of the limited network exclusion of the Law on Payment Services<sup>4</sup></b></p> <p>Under the Law on Payment Services, certain activities are excluded from an authorization, but are subject to reporting obligations to the CSSF. To facilitate the compliance with these obligations and to check whether the concerned service providers still fall under the exemption, the CSSF has made available a notification form on its website.</p> <p>To access the text of the Communiqué and the notification, please click <a href="#">here</a>.</p>
Parliament	<b>Corporate governance – COVID-19</b>
23/09/2020	<p><b>Law of 23 September 2020 laying down measures concerning the holding of meetings in companies and other legal persons published</b></p> <p>The Law extends the effects of the Grand-Ducal Regulation of 20 March 2020 and the Law of 20 June 2020, which allowed the holding of general meetings of shareholders and board meetings of management bodies without a physical presence despite any statutory provisions to the contrary. The extension applies until 31 December 2020.</p> <p>To access the French text of the law please click <a href="#">here</a>.</p>

<sup>3</sup> Commission de Surveillance du Secteur Financier, the Luxembourg financial supervisory authority.

<sup>4</sup> Law on Payment Services of 10 November 2009.



<p>CSSF<sup>5</sup> 07/09/2020</p>	<p><b>Update of Circular 20/747 on technical modalities relating to the application of the Law of 25 March 2020 establishing a central electronic data retrieval system related to payment accounts and bank accounts identified by IBAN, and safe deposit boxes held by credit institutions in Luxembourg</b></p> <p>The circular amends the provisions on the enrolment procedure and on the CSSF's authentication to the professional interface, as well as provides: (i) additional information on file storage and the frequency of file sending, (ii) additional information on the production and testing environments made available by the CSSF, and (iii) additional information to be provided for the managed file transfer account creation request.</p> <p>To access the text of the circular, please click <a href="#">here</a>.</p>
<p>CSSF 04/09/2020</p>	<p><b>Annual report for 2019 published</b></p> <p>The annual report outlines the CSSF's activities in 2019 and sets out its regulatory and supervisory priorities for the future.</p> <p>To access the text of the report (currently only available in French), please click <a href="#">here</a>.</p>
<p>CSSF 25/08/2020</p>	<p><b>Circular 20/750 on requirements regarding information and communication technology (ICT) and security risk management for banks and payment institutions</b></p> <p>The circular implements the EBA<sup>6</sup> guidelines on ICT and security risk management<sup>7</sup> among others by (i) repealing circular 19/713, which implemented EBA guidelines on the security measures for operational and security risks of payment services under PSD2<sup>8</sup> and (ii) amending circular 12/552 on central administration, internal governance and risk management. The circular also provides additional clarification regarding certain guidelines. It entered into force on August 25, 2020.</p> <p>To access the French text of the circular, please click <a href="#">here</a>.</p>
<p>Parliament 14/08/2020</p>	<p><b>Draft Law N°7650 introducing a collective action in consumer law into legislative procedure</b></p> <p>The draft law introduces the first collective action for consumers against professionals. Professionals of the financial sector would be excluded from collective consumer actions, except for actions relating to (i) consumer credit agreements, (ii) mortgage credit agreements, and (iii) distance contracts regarding financial services.</p> <p>To access the French text of the draft law please click <a href="#">here</a>.</p>

5 *Commission de Surveillance du Secteur Financier*, the Luxembourg financial supervisory authority.

6 European Banking Authority.

7 EBA/GL/2019/04.

8 Directive (EU) 2015/2366 on payment services in the internal market; EBA/GL/2017/17.

<p>Government 14/08/2020</p>	<p><b>Grand-ducal Regulation of 14 August 2020 (the “Amendment Regulation”), amending Grand-ducal Regulation of 1 February 2010 providing details on certain provisions of the AML/CTF Law of 12 November 2004 (the “AML GDR”), published</b></p> <p>The Amendment Regulation updates the AML GDR following the implementation of the 5th AML Directive<sup>9</sup>.</p> <p>To access the consolidated AML GDR please click <a href="#">here</a>.</p>
<p>CSSF 14/08/2020</p>	<p><b>CSSF Regulation 20-05 of 14 August 2020 on AML (the “CSSF Amendment Regulation”) and modifying CSSF regulation N°12-02 of 14 December 2012 (the “CSSF AML Regulation”) published</b></p> <p>This CSSF Amendment Regulation <i>inter alia</i> takes into account the new simplified due diligence applied to some clients and specifies the additional measures to be taken by professionals in the case of non-face-to-face business relationships. It also details the obligations of professionals in case of outsourcing contracts and agency relations and points out the missions of the AML compliance officer and the person controlling AML compliance.</p> <p>To access the consolidated version of the amended CSSF AML Regulation, please click <a href="#">here</a>.</p>
<p>CSSF 07/08/2020</p>	<p><b>Guidelines of the CSSF on reporting requirements for credit institutions updated</b></p> <p>The update reflects among others EBA reporting framework 2.10.</p> <p>To access a comparison version of the new guidelines against the previous version, please click <a href="#">here</a>.</p>
<p>CAA<sup>10</sup> 30/07/2020</p>	<p><b>AML Regulation of the CAA No. 20/03 of 30 July 2020 published</b></p> <p>This regulation replaces the CAA regulation n°13-01 of 23 December 2013 on AML. This regulation <i>inter alia</i> clarifies the scope of applicable AML obligations within the insurance sector and makes it mandatory for insurance professionals to appoint a person responsible for compliance with AML requirements at the management level.</p> <p>To access the text of the regulation please click <a href="#">here</a>.</p>

<sup>9</sup> Directive (EU) 2018/843 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.

<sup>10</sup> *Commissariat aux Assurances*, the Luxembourg insurance supervisory authority.

---

Parliament  
27/07/2020

**Draft Law N°7637, amending the law of 5 April 1993 on the financial sector and the law of 6 April 2013 on dematerialized securities, published**

The draft law aims to allow the use of secure electronic recording systems, including distributed ledger technology (DLT) such as blockchain, for the issuance of dematerialized securities. It seeks to upgrade the law of 1 March 2019, amending the law of 1 August 2001, on the circulation of securities, which allowed the transfer and registration of securities via DLT.

To access the French text of this draft law, please click [here](#).

---

CSSF  
23/07/2020

**Circular 20/747 published**

The goal of this circular is to give professionals a detailed overview of the technical and IT-related requirements of the central electronic data retrieval system related to IBAN accounts and safe deposit boxes, established by the law of 25 March 2020, in order to allow them to update their own systems accordingly and to ensure compliance with the specific requirements of the retrieval system created and operated by the CSSF.

To access the text of this circular, please click [here](#).

---

CSSF  
20/07/2020

**Money laundering risk assessment for the sub-sector of trust and company services provider activities published**

To access the text of the risk assessment, please click [here](#).

---

## Regulatory Developments in Spain

Source/Date	Brief description
Bank of Spain 18/11/2020	<b>Deputy Governor of the Bank of Spain. XXVII Meeting of the Financial Sector</b> To access the reference to the full speech, <a href="#">click here</a> .
CNMV 18/11/2020	<b>The CNMV warns of new IT strategies of the “financial chiringuitos”</b> To access the press release, <a href="#">click here</a> .
Official State Gazette 18/11/2020	<b>Royal Decree Law 34/2020 of November 17 on urgent measures to support business solvency and the energy sector, and in tax matters</b> To access the full text of the law, <a href="#">click here</a> .
Bank of Spain 17/11/2020	<b>The recent evolution of European bank capital cost</b> To access the Bank of Spain analytical articles, <a href="#">click here</a> .
Ministry of Economic Affairs and Digital Transformation 17/11/2020	<b>The government promotes the development of the Charter of Digital Rights and submits to public consultation the proposals of the group of experts on the matter</b> The government has promoted the development of a Charter of Digital Rights of Spain, one of the fundamental commitments of the Digital Spain 2025 plan. To access the text, <a href="#">click here</a> .
Bank of Spain 16/11/2020	<b>Relevant investigations carried out by the Bank of Spain</b> To access the fall 2020 compilation, <a href="#">click here</a> .
Bank of Spain 16/11/2020	<b>Governor of the Bank of Spain. Annual Financial Convention 2020</b> To access the full speech at the Association of Financial Markets, <a href="#">click here</a> .
Official State Gazette 14/11/2020	<b>Law 7/2020 of November 13 for the digital transformation of the financial system</b> To access the full text of the law, <a href="#">click here</a> .
Bank of Spain 13/11/2020	<b>Eurosystem financing (October 2020)</b> To access the statistical information note, <a href="#">click here</a> .
CNMV 13/11/2020	<b>The Official State Bulletin publishes the CNMV Circular on advertising investment products and services</b> To access the press release, <a href="#">click here</a> .

Bank of Spain 12/11/2020	<p><b>The Bank of Spain and the Central Bank of the Argentine Republic sign a cooperation agreement</b></p> <p>To access the press release, <a href="#">click here</a>.</p>
Official State Gazette 12/11/2020	<p><b>Law 6/2020, of November 11, regulating certain aspects of trusted electronic services</b></p> <p>To access the full text of the law, <a href="#">click here</a>.</p>
CNMV 11/11/2020	<p><b>The CNMV publishes its new series of guides for investors</b></p> <p>To access the press release, <a href="#">click here</a>.</p>
Bank of Spain 04/11/2020	<p><b>Governor of the Bank of Spain. Appearance before the Congressional Budget Committee</b></p> <p>To access the full text of the appearance, <a href="#">click here</a>.</p>
Bank of Spain 30/10/2020	<p><b>The financing capacity of the Spanish economy was €1.5 billion in August 2020, lower than the €3.8 billion recorded a year earlier</b></p> <p>To access the text of the progress of the balance of payments (August 2020), <a href="#">click here</a>.</p>
Bank of Spain 29/10/2020	<p><b>Financial Stability Report (Fall 2020)</b></p> <p>For a full reference to the report, <a href="#">click here</a>.</p>
Spanish Parliament 29/10/2020	<p><b>The Plenary of Congress approves the draft law regulating certain aspects of trusted electronic services</b></p> <p>The bill to regulate certain aspects of trusted electronic services has been approved once the changes made during its passage in the Senate were voted on and ratified. To access the text, <a href="#">click here</a>.</p>
Bank of Spain 27/10/2020	<p><b>Survey on bank loans in Spain: October 2020</b></p> <p>To access the analytical article of the Bank of Spain, <a href="#">click here</a>.</p>
Spanish Parliament 27/10/2020	<p><b>The government delivers the draft general state budgets for 2021</b></p> <p>The president of the Spanish Parliament, Meritxell Batet, received the Draft Law of General State Budgets for 2021 from the hands of the Minister of Finance, María Jesús Montero.</p> <p>To access the text, <a href="#">click here</a>.</p>
CNMV 26/10/2020	<p><b>CNMV Bulletin</b></p> <p>To access the press release, <a href="#">click here</a>.</p>

Bank of Spain 26/10/2020	<b>Governor of the Bank of Spain. III Banking Forum: present and future of the financial system</b>  To access the complete text of the speech, <a href="#">click here</a> .
Bank of Spain 22/10/2020	<b>Deputy Governor. CNMV Conference on Sustainable Finance</b>  To access the text of the closing speech of the CNMV Conference on Financial Sustainability, <a href="#">click here</a> .
CNMV 22/10/2020	<b>Questions and answers about the application of the MiFID II Directive</b>  To access the full updated content of the document, <a href="#">click here</a> .
Bank of Spain 22/10/2020	<b>Deputy Governor. CNMV Conference on Sustainable Finance</b>  Information on the closing of the CNMV Conference on Financial Sustainability can be found <a href="#">here</a> .
Bank of Spain 20/10/2020	<b>Governor. XI Meeting of the Financial Sector</b>  Further information on the pandemic challenges and policies for financial stability can be found <a href="#">here</a> .
Bank of Spain 19/10/2020	<b>Governor. COVID-19 and banking supervision: where do we go from here?</b>  The speech of the Governor of the Bank of Spain at the 21st International Conference of Banking Supervisors can be found <a href="#">here</a> .
Official State Gazette 16/10/2020	<b>The Official State Gazette publishes the tax law on certain digital services</b>  The full text of the law can be found <a href="#">here</a> .
Official State Gazette 16/10/2020	<b>The Official State Gazette publishes the financial transaction tax law</b>  The full text of the law can be found <a href="#">here</a> .
Bank of Spain 14/10/2020	<b>The financing of Spanish companies in the COVID-19 crisis: evolution, perspectives and challenges</b>  The complete presentation of Óscar Arce, General Director of Economics and Statistics, can be found <a href="#">here</a> .
International Monetary Fund 13/10/2020	<b>World Economic Outlook 2020</b>  The full report issued by the IMF can be found <a href="#">here</a> .
Bank of Spain 13/10/2020	<b>The Bank of Spain publishes the supervisory statistics of credit institutions for the second quarter of 2020</b>  The press release can be found <a href="#">here</a> .

CNMV 13/10/2020	<b>The Official State Gazette has published the circular that modifies the annual report models on corporate governance</b>  The press release can be found <a href="#">here</a> .
CNMV 09/10/2020	<b>Proposal for the modification of the Technical Guide 4/2017 for the evaluation of the knowledge and competencies of staff that inform and advise</b>  The public communication of the CNMV can be found <a href="#">here</a> .
CNMV 08/10/2020	<b>The CNMV publishes criteria regarding the use of social networks to disseminate privileged information</b>  The press release can be found <a href="#">here</a> .
Bank of Spain 05/10/2020	<b>The Bank of Spain determines that there are exceptional circumstances for the temporary exclusion of certain exposures in the leverage ratio</b>  The informative note can be found <a href="#">here</a> .
Bank of Spain 01/10/2020	<b>Governor: the role of the ECB's monetary policy in the face of the COVID-19 crisis (<i>Business Deusto Alumni Meeting</i>)</b>  The full intervention can be found <a href="#">here</a> .
Bank of Spain 30/09/2020	<b>The financing capacity of the Spanish economy in July 2020 was €1.7 billion, lower than the €4 billion registered a year earlier</b>  The press release can be found <a href="#">here</a> .
CNMV 28/09/2020	<b>The CNMV approves the technical guide on currency derivatives used as means of payment that are not considered a financial instrument</b>  The press release can be found <a href="#">here</a> .
Bank of Spain 23/09/2020	<b>Recent evolution of bank financing and credit to the non-financial private sector</b>  The economic bulletin of the Bank of Spain can be found <a href="#">here</a> .
Bank of Spain 23/09/2020	<b>Spain's net international investment position stood at -77.5% of GDP in the 2nd quarter of 2020 compared to -71% in the previous quarter</b>  The press release can be found <a href="#">here</a> .
CNMV 22/09/2020	<b>The CNMV submits to public consultation a technical guide proposal on the appointment of unregistered persons or entities as advisers to the IIC</b>  The press release can be found <a href="#">here</a> .

Bank of Spain 21/09/2020	<p><b>D.G. Economics and Statistics. “COVID-19: economic outlook, aging and pensions”</b></p> <p>The article by Oscar Arce, Director General of Economics and Statistics, can be found <a href="#">here</a>.</p>
Bank of Spain 18/09/2020	<p><b>The Bank of Spain publishes the primary public financial statements of credit institutions</b></p> <p>The press release can be found <a href="#">here</a>.</p>
Economic Affairs Commission of the Congress of Deputies 17/09/2020	<p><b>The Committee on Economic Affairs and Digital Transformation sends the Bill for the digital transformation of the financial system to the Senate</b></p> <p>This Bill, approved by the government on February 18, enables the creation of a “sandbox”, or a controlled testing space, to accompany the digital transformation of the financial system. This will allow the implementation of innovative technological projects in the financial system, by adapting the legal and supervisory framework.</p> <p>For further information on the bill, <a href="#">click here</a>.</p>
Bank of Spain 16/09/2020	<p><b>Macroeconomic projections for the Spanish economy (2020-2022)</b></p> <p>The informative note can be found <a href="#">here</a>.</p>
CNMV 16/09/2020	<p><b>The CNMV publishes a series of podcasts with the title “life-giving accounts” with financial education content</b></p> <p>The press release can be found <a href="#">here</a>.</p>
Bank of Spain 15/09/2020	<p><b>Governor Hernández de Cos receives Luis Carranza, President of the CAF – Development Bank of Latin America</b></p> <p>The press release can be found <a href="#">here</a>.</p>
Bank of Spain 15/09/2020	<p><b>The review of the Federal Reserve’s monetary policy strategy: main aspects and impact on financial markets</b></p> <p>The article of the quarterly report on macroeconomic projections can be found <a href="#">here</a>.</p>
Bank of Spain 11/09/2020	<p><b>Governor’s article: Europe should commit to global financial cooperation for its own recovery (The EUROFI Magazine)</b></p> <p>The content of the article by Governor Pablo Hernández de Cos can be found <a href="#">here</a>.</p>
CNMV 10/09/2020	<p><b>Newsletter CNMV N° 92</b></p> <p>The content of the monthly CNMV bulletin can be found <a href="#">here</a>.</p>



Bank of Spain 08/09/2020	<b>Evolution of the COVID-19 pandemic in Latin America and its economic effects</b>  The Economic Bulletin of the Bank of Spain can be found <a href="#">here</a> .
CNMV 27/07/2020	<b>The CNMV publishes the second report on non-bank financial intermediation (IFNB) in Spain</b>  To access the press release in Spanish, <a href="#">click here</a> .
CNMV 27/07/2020	<b>Public consultation on the draft technical guide on currency derivatives used as means of payment that are not considered a financial instrument</b>  To access the reference to the information note in Spanish, <a href="#">click here</a> .
CNMV 23/07/2020	<b>Analysis of the effect of restrictions on short trading on Spanish stocks between March and May 2020</b>  To access the press release in Spanish, <a href="#">click here</a> .
Bank of Spain 21/07/2020	<b>Evolution of consumption in Spain during the validity of the state of alarm: an analysis based on spending with payment cards</b>  To access the Bank of Spain analytical article, <a href="#">click here</a> .
CNMV 20/07/2020	<b>Launch of public consultation of the circular project on advertising of investment products and services</b>  To access the reference to the information note in Spanish, <a href="#">click here</a> .

## Clients Alerts & Briefings

Source/Date	Brief description
27/11/2020	<b>CNMV releases a public statement on certain malpractices in connection with cross-border commercialization of investment services by entities based in other EU member states</b>  Please click <a href="#">here</a> for full coverage.
27/11/2020	<b>The CNMV increases surveillance over advertising of investment products and services</b>  Please click <a href="#">here</a> for full coverage.
23/11/2020	<b>Spain extends measures to promote solvency and liquidity for companies affected by COVID-19</b>  Please click <a href="#">here</a> for full coverage.

## Regulatory Developments in the Netherlands

Source/Date	Brief description
Ministry of Finance 19/11/2020	<p><b>Registration of cryptocurrency service providers</b></p> <p>Parliamentary questions were asked regarding the process of registration of cryptocurrency service providers in the Netherlands. An association representing a number of these providers claimed that the strict interpretations by DNB of the Dutch sanctions regulations hinder the registration and effectively push providers out of the Dutch market. The Ministry of Finance disputes the allegations and refers to the independent position of DNB as supervisor.</p> <p>For further information in Dutch, click <a href="#">here</a>.</p>
Ministry of Finance 06/11/2020	<p><b>Financial Markets Amendment 2022</b></p> <p>The Ministry of Finance submitted the 'Financial Markets Amendment Act 2022' for consultation on November 6, 2020. Among other things, the purported changes make it possible for (i) settlement agents, payment institutions, electronic money institutions and investment firms to use an account with separated assets (<i>geldrekening met afgescheiden vermogen</i>) to segregate client funds from their own assets (rather than a customer accounts foundation or a depositary, and (ii) non-Dutch light alternative investment fund managers to enter the Dutch market under the Dutch AIFM light regime.</p> <p>For further information in Dutch, click <a href="#">here</a>.</p>
AFM 03/11/2020	<p><b>The AFM lists trends and risks for the financial sector</b></p> <p>The AFM published its 'Trend Monitor'. This is the annual analysis of trends that affect the financial sector and the supervision thereof in the Netherlands. According to this analysis, the most influential issues are the low level of interest rates, ever evolving digitalization and increasing attention to sustainability in the financial sector. The COVID-19 pandemic was not foreseen in this last edition.</p> <p>For further information in Dutch, click <a href="#">here</a>.</p>

---

AFM & DNB

### **The AFM and DNB update enforcement policy**

02/11/2020

The AFM and DNB updated their enforcement policy, aligning it with current supervisory practice.

The main changes to the updated enforcement policy are:

- extension of the regular supervision described, including coherence with European supervision;
- a clearer distinction between the principles of the supervisors and factors that “co-determine” the use of enforcement instruments in a specific case;
- an addition about the choice between informal and formal measures and fining institutions and actual managers;
- the addition of a section on disclosure, due to the expansion of the disclosure regime in various supervisory laws.

For further information in Dutch, click [here](#).

---

AFM

### **The AFM publishes guidelines for insurance information document**

27/10/2020

Among other things, insurers must provide consumers information about the insurance cover and the exact obligations of the consumers under the insurance. This is the so-called ‘*Insurance Product Information Documents (IPID)*’. According to the Dutch Authority for the Financial Markets (*Autoriteit Financiële Market* (the **AFM**)), the IPID often misses important information. As a result, consumers are at risk of being misinformed while making their choices. For this reason, the AFM provides guidance to the authors of the IPIDs.

For further information in Dutch, click [here](#).

---

DNB

### **DNB and participation in public-private partnerships**

27/10/2020

To actively counter financial and economic crime, including money laundering, corruption, fraud and terrorist financing, the number of public-private partnerships (PPPs) with DNB as the integrity supervisor is increasing. To provide insight to other public and private parties on its considerations as to when DNB finds a PPP appropriate, it published an assessment framework.

For further information in Dutch, click [here](#).

---

DNB

### **Brexit update for Dutch insurers**

27/10/2020

The United Kingdom (UK) left the European Union (EU) on January 31, 2020. A transitional period applies until December 31, 2020. Because the transition period is almost at its end, DNB calls on Dutch insurers to enter into discussions with British investment service providers to initiate the necessary actions to prevent issues in service provision. Even with an agreement between the UK and the EU, it is expected that many British service providers will no longer be able to serve their EU customers on a cross-border basis in the way they are used to do.

For further information in Dutch, click [here](#).

---

---

DNB

27/10/2020

### **DNB opts for proportional implementation of Regular Supervisory Report 2021**

Each year, the Dutch National Bank (*de Nederlandsche Bank N.V.* (**DNB**)) determines how insurers should comply with the legal requirement to provide the Regular Supervisory Report (**RSR**). This year DNB opts for a proportional implementation of the RSR.

For further information in Dutch, click [here](#).

---

Ministry of Economic Affairs and Climate and Ministry of Justice

23/10/2020

### **Implementation act on the modernization of the consumer protection directive**

This implementation act implements directive (EU) 2019/2161 (the Modernization Directive Consumer Protection). That directive is essentially aimed at two goals: better enforcement of European consumer protection laws and amending these laws with a view to making them a better fit for new (specifically digital) developments. The AFM is the competent supervisory authority where it concerns financial services or activities.

For further information in Dutch, click [here](#).

---

DNB

19/10/2020

### **DNB consultation of Q&A on Solvency II**

DNB opened a consultation on a Q&A regarding the treatment under Solvency II of mortgage loans that can be redeemed with a savings account connected thereto.

For further information in Dutch, click [here](#).

---

AFM

20/10/2020

### **AFM publishes adapted version of Guideline Wwft and Sanctions Act**

The AFM has amended its Guideline on the Money Laundering and Terrorist Financing (Prevention) Act (Wwft) and the Sanctions Act. An amendment to the Guideline was necessary due to new regulations, such as the establishment of the Ultimate Beneficial Owners (UBO) register. In addition, companies needed more clarification. In the new Guideline, the AFM deals with questions such as these:

- What requirements must a Wwft risk assessment and policy meet?
- To what extent must companies carry out research into the UBO at listed companies?
- What does the AFM understand by a risk-based continuous monitoring of clients and transactions?
- What qualifies as an "education" as referred to in the Wwft?
- Which sanction lists should companies check and how often?

For further information in Dutch, click [here](#).

---

---

Ministry of Finance

### **Entry into force of Financial Markets Recovery Act 2020**

15/10/2020

On October 15, 2020, the **Financial Markets Recovery Act 2020** entered into force. This act amends inter alia the Dutch Financial Supervision Act and the Wwft, providing for the correction of deficiencies and omissions that have occurred in the implementation of European regulations in the field of financial markets.

Most importantly, the Act prescribes that the reliability of the ultimate stakeholder of a so-called 'exchange institution' must be beyond doubt and has to be officially established by the local supervisor. Also the Act creates an obligation for shareholders to report the exceeding or underwriting of certain thresholds (in voting rights or capital) with the authorities when obtaining or selling their shares. Mainly the Act only provides linguistic and layout corrections (not substantive ones) of the Dutch Financial Supervision Act and the Wwft.

---

DNB

### **DNB maintains the adjusted buffer requirements for banks**

13/10/2020

According to the Dutch National Bank (*De Nederlandsche Bank N.V. (DNB)*), the Dutch financial sector has so far proved to be resilient to the impact of the coronavirus (**COVID-19**) crisis. The DNB's Financial Stability Report (FSR) states that banks are sufficiently shock-resistant and can continue to fulfil their lending role. The second wave of infections, however, is leading to renewed uncertainty. They indicate that this also increases the potential impact on financial institutions and it remains of the utmost importance to prevent the economic crisis from spreading to the financial sector. DNB therefore maintains the adjusted buffer requirements for banks, so that lending to firms and households remains intact and damage to the economy is kept to a minimum.

For further information in English, [click here](#).

---

DNB

### **DNB publishes draft Regulation on Sound Remuneration Policies 2017 for consultation**

08/10/2020

In the draft Regulation on Sound Remuneration Policies 2017 (Rbb 2017), the DNB laid down further and amended rules on remuneration policy. The reason for the adaptation is the entry into force of the fifth capital requirements directive (EU directive 2019/878, CRD V) on December 29, 2020.

The amendments concern in particular the category of employees to which the remuneration provisions apply, the broadening of the type of financial instruments in which variable remuneration can be paid, the extension of the period of deferment of payment, and the introduction of an exemption from certain remuneration provisions. Interested parties are now invited to respond to the proposed changes. The consultation closes on November 6, 2020.

For further information in English, click [here](#).

---

Ministry of Finance

### **Draft Implementation Decree Capital Requirements 2020**

08/10/2020

On October 6, 2020, the Dutch Ministry of Finance published the Draft Implementation Decree Capital Requirements 2020 for public consultation. This draft decree contains amendments to certain Dutch prudential rules, as implementation of Directive (EU) 2019/878 (CRDV) on capital requirements for banks and investment firms.

CRDV will be implemented in the Netherlands via both this decree and the Dutch Capital Requirements 2020 Implementation Act. The Capital Requirements Amendment Regulation will require from January 1, 2023, that globally systemically important (groups of) banks (G-SIIs) maintain a leverage ratio buffer. CRDV contains a restriction on the maximum distributable amount if this leverage ratio buffer is not met. This restriction will be implemented via the Dutch Capital Requirements Implementation Act 2020, and will be elaborated and further detailed in this decree.

Market parties are invited to respond to the draft decree. Deadline for the consultation is November 3, 2020.

For more information in Dutch, click [here](#).

---

Dutch National Bank

### **DNB replicates temporary ECB relief measure on banks' leverage ratio after confirming exceptional circumstances in view of COVID-19**

17/09/2020

Acting in line with the European Central Bank (ECB), the Dutch National Bank (*De Nederlandsche Bank N.V.* (DNB)) confirmed today that there are exceptional circumstances due to the COVID-19 pandemic. In doing so, DNB announced with respect to the smaller banks under its direct supervision what the ECB announced for larger European banks. Declaring exceptional circumstances automatically results in relief with regard to calculating, reporting and disclosing the leverage ratio.

For further information in English, [click here](#).

---

Authority for the  
Financial Markets  
(AFM)

### **Attention of financial service providers for diploma requirement slackens**

01/09/2020

According to the Dutch Authority for the Financial Markets (*Autoriteit financiële markten* (AFM)), attention regarding the diploma requirement for financial services providers threatens to slacken. This has emerged from AFM research among more than 200 financial service providers. According to this research, 57 out of 200 financial services providers did not or have not completely passed the required diplomas, according to the AFM in a news flash. These parties handed in the relevant licenses.

For further information in Dutch, [click here](#)

---

AFM	<b>Transparent price formation in the fixed-income and derivatives market still leaves room for improvement</b>
28/08/2020	<p>According to a study by the AFM on the effectiveness of the MiFID II regulatory framework for fixed-income and derivatives markets, price formation needs to be more transparent.</p> <p>For further information in English, <a href="#">click here</a>.</p>
AFM	<b>AFM starts follow-up investigation into transaction monitoring of investment firms and funds</b>
26/08/2020	<p>The AFM has launched a follow-up investigation into the monitoring of transactions and the reporting of unusual transactions by investment funds and investment firms. According to the AFM, earlier research in 2019 showed that several companies did not comply with requirements in this area. Investment funds and investment firms that have not set up transaction monitoring at all will have to put this in order before the end of the year.</p> <p>For further information in Dutch, <a href="#">click here</a>.</p>
DNB	<b>DNB says supporting the economy substantially increases central bank balance sheets</b>
03/08/2020	<p>In its bulletin, DNB mentions that central banks across the world have significantly stepped up their monetary operations to keep economies afloat. While such operations serve to stabilize financial markets and provide firms, governments and banks with funding, they also sharply increase central bank balance sheets. In times of crisis, central banks are of crucial importance in safeguarding the continued funding of the economy. The operations are, however, being conducted in exceptional circumstances and should therefore be temporary.</p> <p>For further information in English, <a href="#">click here</a>.</p>
DNB	<b>DNB says cooperation essential in the fight against cybercrime</b>
27/07/2020	<p>Cooperation between financial institutions is essential to deal with cyber threats. Exchanging information about digital attacks and ways to detect them can help resist threats more effectively and make the sector more resilient, according to the DNB in its recently released <a href="#">Information Security Monitor</a>. (Dutch)</p> <p>For further information in Dutch, <a href="#">click here</a>.</p>
AFM	<b>Consistency in supervision of COVID-19 related lease concessions in financial reporting</b>
22/07/2020	<p>The AFM indicates that it complies with a request of the European Securities and Markets Authority (ESMA) by not giving priority in its supervision to the application of the current IFRS 16 rules on rental concessions. It concerns COVID-19 related rental concessions that are covered by the proposed amendment to IFRS 16 leases’.</p> <p>For further information in Dutch, <a href="#">click here</a>.</p>

## Clients Alerts & Briefings

Source/Date	Brief description
18/09/2020	<b>Drastic changes to AIFMD and UCITS Directive?</b>  Please click <a href="#">here</a> for full coverage.

---



## Regulatory Developments in Romania

Source/Date	Brief description
Regulation no. 9/2020 issued by the National Bank of Romania (NBR) 18/09/2020	<p><b>NBR published a regulation on the management of settlement risk and the granting by the NBR of credit facilities in the ReGIS system (i.e. the national real-time gross settlement system of payments in domestic currency provided by the NBR).</b></p> <p>The Regulation sets out:</p> <p><b>A. Rules for managing settlement risk</b></p> <p>A credit institution participating in the ReGIS system, whose net position, following a net basis settlement, is cleared in the account opened with ReGIS and which does not have its own rules for managing the clearing risk in ReGIS, must put in place financial guarantees in RON for the benefit of the NBR.</p> <p>The financial guarantees can be cash collateral or certain eligible assets blocked in SaFIR (the financial instruments depository and settlement system, acting as Central Securities Depository for the government securities issued on the interbank market, the certificates of deposit issued by the NBR and other fixed- income financial instruments set by NBR's board).</p> <p><b>B. Rules on the granting by the NBR of credit facilities for the streamlining of settlement in the ReGIS system</b></p> <p><i>Intraday credit</i></p> <ul style="list-style-type: none"><li>• Offered on an interest-free basis to eligible participants via repo transactions with settlement on the same day.</li><li>• Eligible participants are credit institutions that:<ul style="list-style-type: none"><li>• Are participants in the ReGIS and SaFIR systems</li><li>• Comply with the criteria for operations undertaken by NBR on the currency market and for monetary facilities offered by NBR and abide by the same risk management rules.</li></ul></li><li>• If the assets from the repo transactions are not recovered, the participant can request the NBR to transform the intraday credit into a credit facility.</li></ul> <p><i>Credit facilities for card payment systems</i> – with an interest rate equal to the interest rate of the Lombard credit established by the NBR, plus 3%.</p>
ESMA Guidelines 23/09/2020	<p><b>Guidelines on liquidity stress testing in UCITS and AIFs</b></p> <p>For more information, <a href="#">click here</a>.</p>

## Clients Alerts & Briefings

Source/Date	Brief description
08/10/2020	<b>ESMA issues final report on MAR</b> Please click <a href="#">here</a> for full coverage.
27/07/2020	<b>Implementation in Romania of the Shareholder Rights Directive II</b> Please click <a href="#">here</a> for full coverage.

## Regulatory Developments in the UK

Source/Date	Brief description
HM Treasury 09/11/2020	<p><b>HM Treasury financial services equivalence decisions for the EEA states</b></p> <p>HM Treasury published a policy paper laying out a package of equivalence decisions for the EEA states. Each decision will come into effect at the end of the Brexit transition period. HM Treasury stated that it was announcing as many decisions as it could in advance of the end of the transition period in order to provide clarity and stability to industry and reflect the UK government's commitment to be as open as possible.</p> <p>The nine pieces of legislation set out frameworks and standards in respect of European legislation including CRR, Solvency II, EMIR and CSDR. These will, to pick out a few examples: enable UK firms to continue using EEA central counterparties, give EEA credit rating agencies and benchmark administrators pathways to certification in the UK, and ensure that UK firms will not be subject to increased capital requirements as a result of their EEA state exposures.</p> <p>For more information, click <a href="#">here</a>.</p>
UK government 21/10/2020	<p><b>Financial Services Bill</b></p> <p>On October 21, 2020, the Financial Services Bill was introduced to parliament. It has now had its second reading. This Bill will start to create a post-Brexit UK legislative and regulatory framework for financial services.</p> <p>The main areas covered are:</p> <ul style="list-style-type: none"><li>• Prudential regulation of credit institutions and investment firms: the Bill enables the implementation of the remaining Basel III standards and a new prudential regime for investment firms.</li><li>• Amendments to the UK Benchmarks Regulation, giving the FCA the powers needed to oversee an orderly transition away from a critical benchmark such as LIBOR.</li><li>• Access to financial services markets: the bill will amend FSMA to establish:<ul style="list-style-type: none"><li>• a new permanent market access regime for financial services firms in Gibraltar, the Gibraltar Authorization Regime; and</li><li>• a new Overseas Funds Regime, which will allow overseas collective investment schemes to be marketed to all investors in the UK market.</li></ul></li><li>• Amendments to the UK Markets in Financial Instruments Regulation relating to the equivalence regime for third-country investment firms.</li><li>• Amending FSMA to provide an additional streamlined process for the FCA to vary or cancel permission to carry on a regulated activity in specific cases.</li><li>• Measures to improve the functioning of the Packaged Retail and Insurance-based Investment Products Regulation</li><li>• Measures to clarify the UK MAR insider list obligation and to increase penalties for market abuse.</li></ul> <p>For more information, click <a href="#">here</a>.</p>

---

FCA

01/10/2020

## **FCA updates Handbook to reflect Brexit amendments and publishes instruments applying at end of Brexit transition period**

The FCA published an updated version of its Handbook to show the rules and instruments that will apply at the end of the transition period. It also set out details on how it intends to use the Temporary Transitional Power (TTP). The FCA intends to apply the TTP on a broad basis from the end of the transition period until March 31, 2022. This means firms and other regulated persons do not generally need to prepare now to meet the changes to their UK regulatory obligations brought about by onshoring.

Areas where the FCA does expect regulated firms to be preparing to comply with changed obligations from January 1, 2021 include:

- MIFID II transaction reporting
- EMIR reporting obligations
- SFTR reporting obligations
- Certain requirements under MAR
- Issuer rules
- Contractual recognition of bail-in
- Client Assets Sourcebook requirements (CASS)
- Market-making exemption under the Short Selling Regulation
- Use of credit ratings for regulatory purposes
- Securitization
- Electronic commerce EEA firms
- Mortgage lending after the transition period against land in the EEA
- Payment services – strong customer authentication and secure communication

To see the FCA press release, click [here](#). To read the FCA's *Guide to the FCA Handbook for Post-Brexit Transition*, click [here](#).

---

---

FCA

### **FCA consultation on approach to international firms**

23/09/2020

The FCA anticipates an increase in the number of international firms looking to be authorized in the UK, after the end of the EU withdrawal transition period means that EEA firms will no longer be able to operate in the UK under the passporting regime.

In this context, the FCA published a consultation paper in which it set out its general approach to international firms providing or seeking to provide financial services that require authorization in the UK, explained how it assesses them against minimum standards and laying out circumstances where international firms could present higher risks of harm.

The FCA believes that its approach to the authorization and supervision of international firms to date has been appropriate and proportionate. However, it sought views from respondents on these matters.

The aim is to ensure that international firms considering applying for authorization were aware of the FCA's approach, and to give firms an opportunity to provide feedback ahead of publication of a guidance document.

For more information, click [here](#).

---

FCA

### **FCA calls for input on consumer investments market**

15/09/2020

The FCA expressed concern that the consumer investment market was not working as well as it should. It picked out in particular consumers receiving lower returns than they should because of unsuitable products with high fees, scams and scandals in this market leading to consumer loss, and consumers leaving their savings in cash due to a lack of confidence in the alternatives.

The FCA sought input on a list of questions, with the aim of using this feedback to shape its work over the next three years. The core questions were:

- What more can we do to help the market offer a range of products and services that meet straightforward investment needs?
- How can we better ensure that those who have the financial resources to accept higher investment risk can do so if they choose, but in a way that ensures they understand the risk they are taking?
- How can we make it easier for people to understand the risks of investment and the level of regulatory protection afforded to them when they invest?
- What more can we do to ensure that when people lose money because of an act or omission of a regulated firm, they are appropriately compensated and that it is paid for fairly by those who cause the loss?
- How can people be better protected from scams?
- What more can we do to facilitate effective competition and encourage firms to develop innovative products and services that help consumers to invest?

For more information, click [here](#).

## **HM Treasury consultation on proposed reforms to the regulatory framework for financial promotion approvals**

Under the current UK regulatory framework, financial promotions can only be communicated by an unauthorized firm if an authorized firm approves the content of the communication.

HM Treasury announced that its experience in recent years suggests that the regime needs additional safeguards. These should ensure that approval by an authorized person is a genuinely effective means of ensuring that consumers are protected from deficient or potentially harmful financial promotions. It flagged that the current system has no specific suitability assessment to check whether authorized firms approving promotions have the correct expertise and processes to do so.

The government proposes to remove the general ability of any authorized firm to approve the financial promotions of unauthorized firms. Instead, there would be a regulatory 'gateway', with authorized firms requiring specific FCA consent before they could provide such approvals. This gateway could be imposing either by amending FSMA itself or adding "approval of financial promotions of unauthorized persons" as a regulated activity under the RAO.

For more information, click [here](#).

---

# Key Regulatory Developments in Canada

Source/ Date	Brief description
Payments Canada 12/11/2020	<p><b>Payments Canada selects Mastercard’s Vocalink as the clearing and settlement solution provider for Canada’s new real-time payments system, the Real-Time Rail</b></p> <p>The partnership will draw on Mastercard’s expertise, and its next-generation real-time payments technology to provide the infrastructure and services to support clearing and settlement for the RTR. The clearing and settlement solution will meet all Payments Canada requirements, including support for the ISO 20022 messaging standard, and will comply with the Bank of Canada’s risk management standards for prominent payment systems.</p> <p>For further information, <a href="#">click here</a>.</p>
Canadian Securities Administrators (CSA) 29/10/2020	<p><b>Canadian securities regulators provide guidance to issuers on reporting impact of COVID-19</b></p> <p>The Canadian Securities Administrators (CSA) published their biennial report on their continuous disclosure review program. Due to the ongoing impact of the COVID-19 pandemic, the report also includes guidance for issuers on reporting the impact of COVID-19. The report outlines common deficiencies and provides examples of how to improve disclosure on select topics, including: forward-looking information; non-GAAP financial measures; overly promotional disclosure; insider reporting; and mineral project disclosure.</p> <p>For further information, <a href="#">click here</a>.</p>
The Office of the Superintendent of Financial Services (OSFI) 27/10/2020	<p><b>Draft Guideline E-4</b></p> <p>OSFI posted to its website a draft guideline entitled “Foreign Entities Operating in Canada on a Branch Basis” (E-4), which will replace existing guidelines E-4A Role of the Chief Agent and Record Keeping Requirements and E-4B Role of the Principal Officer and Record Keeping Requirements.</p> <p>The deadline to submit comments on the draft guideline is 18 December 2020.</p> <p>For further information, <a href="#">click here</a>.</p>

---

CSA

18/09/2020

### **Canadian securities regulators publish liquidity risk management guidance for investment fund managers**

The Canadian Securities Administrators (CSA) published guidance to help investment fund managers develop and maintain effective liquidity risk management frameworks for investment funds. The guidance contemplates normal and stressed market conditions, such as the global financial crisis in 2008 or the COVID-19 pandemic, and is based on existing regulatory requirements. It also recognizes that liquidity risk management is not “one-size-fits-all”. Investment funds vary in size, structure, investor base and other fund characteristics, and what may be considered a material risk for one fund may not be material for another. While the guidance is intended for investment funds that are subject to National Instrument 81-102 Investment Funds, many of the practices and examples outlined may be relevant to other investment funds.

For further information, [click here](#).

---

CSA

17/09/2020

### **Canadian securities regulators adopt ban on trailing commissions for order-execution-only dealers**

The Canadian Securities Administrators (CSA) adopted final rules that implement a trailing commission ban (OEO trailer ban) to prohibit the payment of trailing commissions by fund organizations to dealers who do not make a suitability determination, such as order-execution-only (OEO) dealers.

The OEO trailer ban takes effect on 1 June 2022, the same time as rules adopted by all provinces and territories except Ontario that implement a ban on deferred sales charges (DSC) on mutual funds.

For further information, [click here](#).

---

Payments Canada

11/09/2020

### **Payments Canada seeks feedback on policy proposals for Canada’s Real-Time Rail**

As a step forward to introducing Canada’s new real-time payments system, the Real-Time Rail (RTR) in 2022, Payments Canada is seeking feedback on policy proposals, outlined in the following [Canada’s New Real-Time Payments System Policy Framework consultation paper](#).

For further information, [click here](#).

---



---

CSA

03/09/2020

### **Canadian securities regulators provide comments on the Ontario Capital Markets Modernization Taskforce Consultation Report**

The securities regulatory authorities of British Columbia, Alberta, Saskatchewan, Manitoba, Québec, Nova Scotia, Prince Edward Island, New Brunswick, Newfoundland and Labrador, Nunavut, Northwest Territories and Yukon (CSA members) published an **assessment** of the Ontario Capital Markets Modernization Taskforce Consultation Report (“**Taskforce Report**”) issued on 9 July 2020.

In the CSA’s view, the Taskforce should set aside **three** particular proposals from its final recommendations, as CSA members have either previously considered and rejected the proposal following detailed policy analysis or the proposal appears to lack broad investor and/or market benefit. Finally, the CSA urges caution if the Taskforce decides to pursue **six** proposals that aim to change enforcement mechanisms, as those proposals risk reducing the efficacy of the Canadian securities’ regulatory regime and undermining investor protection.

For further information, [click here](#).

---

Bank of Canada

10/08/2020

### **Bank of Canada designates Interac eTransfer as a prominent payment system**

Bank of Canada Governor Tiff Macklem has designated Interac eTransfer as a prominent payment system under the Payment Clearing and Settlement Act, effective 10 August 2020. This brings Bank oversight to this payment system and ensures it remains a safe, viable and effective method of payment for Canadians.

The Bank regularly monitors the evolution of new and existing payment systems to determine whether they warrant oversight because of their potential to cause systemic or payment system risk. Designating Interac eTransfer as a prominent payment system means it must adhere to the Bank’s risk management standards, including having risk controls in place to ensure continued resilience.

For further information, [click here](#).

---

CSA

06/08/2020

### **Canadian securities administrators publish final amendments to syndicated mortgage regime**

The Canadian Securities Administrators (CSA) published final amendments that substantially harmonize the regulatory framework for syndicated mortgages in Canada.

These final amendments will:

- remove the prospectus and registration exemptions that currently apply to syndicated mortgages in certain jurisdictions in order to substantially harmonize the regulatory framework for distributions of syndicated mortgages in Canada;
- enhance investor disclosure through revisions to the offering memorandum prospectus exemption for offerings of syndicated mortgages under that exemption; and
- exclude syndicated mortgages from the private issuer exemption, ensuring they are offered under an exemption more appropriate for this type of security.

Due to the effects of the COVID-19 pandemic, to allow time for stakeholders to implement the changes, the final amendments will come into effect on 1 March 2021.

For further information, [click here](#).

---

CSA

05/08/2020

### **Canadian securities administrators publish IIROC Oversight Review Report**

The Canadian Securities Administrators (CSA) released its [Oversight Review Report of the Investment Industry Regulatory Organization of Canada \(IIROC\)](#), which evaluates whether the IIROC has complied with the terms and conditions of its Recognition Orders, and whether specific regulatory processes are effective, efficient and applied consistently and fairly.

While no findings were identified as part of the review, CSA staff set out two expectations for the IIROC. CSA staff have asked the IIROC to complete a comprehensive review of user access to the ICM system and make improvements where appropriate. CSA staff have also asked the IIROC to enhance training for hearing panel members and update its policies and procedures for determining when it is appropriate to hold disciplinary hearings that are closed to the public.

For further information, [click here](#).

---

---

CSA

30/07/2020

### **Ontario introduces interim registration and prospectus exemptions to facilitate start-up securities crowdfunding**

The Canadian Securities Administrators (CSA) announced that in light of COVID-19 and the challenges it presents to small businesses seeking to raise capital, the Ontario Securities Commission (OSC) has made an interim local order that adopts the start-up crowdfunding regime currently in place in certain other Canadian jurisdictions (the Interim Order).

The Interim Order, which takes effect in Ontario on 30 July 2020, provides registration and prospectus exemptions for start-up crowdfunding that are substantially similar to the local exemptions in British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, New Brunswick and Nova Scotia.

For further information, [click here](#).

---

CSA

23/06/2020

### **Canadian securities regulators collaborate to protect investors and enforce securities law: CSA Fiscal Year 2019/20 Enforcement Report**

The Canadian Securities Administrators (CSA) released their Fiscal Year 2019/20 [Enforcement Report](#), which outlines how securities regulators are protecting investors and the integrity of Canada's capital markets.

Highlights from the Fiscal Year 2019/20 Enforcement Report include:

- 66 investor alerts were issued to warn the public about possible investment scams;
- 65 individuals were banned from participating in the capital markets;
- 95 interim cease-trade and asset-freeze orders were issued;
- Four individuals received a combined total of 18 years and 11 months years of jail time through regulators' support of Criminal Code case investigations;
- 23 fraud cases were concluded, resulting in over C\$3 million in penalties; and
- 291 whistleblower tips were received.

For further information, [click here](#).

---

Bank of Canada

15/06/2020

### **Bank of Canada becomes administrator of Canadian Overnight Repo Rate Average**

The Bank of Canada is now the administrator of the Canadian Overnight Repo Rate Average (CORRA) and has posted the first rate calculated using an improved methodology. The Bank publishes this important Canadian interest rate benchmark on its [website at no cost and as a public good](#). **The Bank is also committed to ensuring that CORRA is:**

- a robust, reliable and representative measure of the secured overnight funding rate,
- readily available for use globally as a key Canadian interest rate benchmark, and
- **aligned with the Principles for Financial Benchmarks set out by the International Organization of Securities Commissions.**

For further information, [click here](#).

---

CSA

11/06/2020

### **Canadian securities regulators sign fintech co-operation agreement with the Financial Supervisory Commission of Taiwan**

The agreement extends the work of the [CSA Regulatory Sandbox Initiative](#) and the [FSC FinTech Regulatory Sandbox](#). Notably, it includes a referral mechanism for innovative businesses, and will enhance and clearly define information sharing between these jurisdictions.

For further information, [click here](#).

---

OSFI

11/03/2020

### **Updates to Margin Requirements for Non-Centrally Cleared Derivatives (Guideline E-22)**

OSFI is issuing a revised version of Guideline E-22, which is effective immediately. The revisions consist of two changes: (1) a clarification on the treatment of securities issued by entities that receive capital support from the US government, and (2) the extension of the final implementation of the initial margin requirements by one year.

The extension of the final implementation of the initial margin requirements is in line with the internationally agreed upon one-year extension. With this extension, the final implementation phase will take place on 1 September 2021.

For further information, [click here](#).

---

Autorité des  
marchés financiers  
(AMF)

03/03/2020

### **AMF is now supervising mortgage brokerage**

The provisions of 'An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions pertaining to the transfer of supervision of the mortgage brokerage sector to the Autorité des marchés financiers' (the "AMF") came into force. This is therefore also the day on which the related regulations made by the AMF come into effect.

Up until 30 April 2020, mortgage brokerage was supervised by the *Organisme d'autoréglementation du courtage immobilier du Québec* (OACIQ), which will continue to be responsible for protecting the public in the real estate brokerage sector.

For further information, [click here](#).

---

# Key Regulatory Developments in the United States

Source/Date	Brief description
01/12/2020	<p><b>CFTC Division of Enforcement issues annual report</b></p> <p>The Commodity Futures Trading Commission’s Division of Enforcement issued its annual report for fiscal year 2020 (FY 2020). The report catalogues the agency’s efforts to protect the public and preserve market integrity over that period, which yielded historic results despite the impact of the COVID-19 pandemic.</p> <p>The report finds that CFTC enforcement actions during FY 2020 resulted in \$1.328 billion in ordered monetary relief, the fourth highest total on record and the third straight year-on-year increase. Additional milestones featured in the report include a record number of enforcement actions brought (113), the largest spoofing penalties ever assessed, and the most retail fraud actions brought in a fiscal year (56).</p> <p>The Division of Enforcement began publishing an annual report in FY 2018. The first report outlined four priorities that continue to guide the division’s enforcement efforts: (i) preserve market integrity; (ii) protect customers; (iii) promote individual accountability; and (iv) increase coordination with other regulators and criminal authorities.</p> <p>The full report can be found <a href="#">here</a>.</p>
24/11/2020	<p><b>SEC proposes amendments to modernize rules for securities offerings and sales to workers</b></p> <p>The Securities and Exchange Commission voted to propose amendments to Securities Act Rule 701, which provides an exemption from registration for the issuance of compensatory securities by non-reporting issuers, and Form S-8, the Securities Act registration statement for compensatory offerings by reporting issuers.</p> <p>Additionally, in a companion release, the Commission also proposed rules to permit, on a temporary basis and subject to certain conditions, an issuer to provide equity compensation to certain “platform workers” who provide services available through the issuer’s technology-based marketplace platform.</p> <p>According to the SEC, the amendments seek to “modernize” requirements for including company securities in worker-company compensation arrangements.</p> <p>Further information can be found <a href="#">here</a>.</p>

---

24/11/2020

### **CFTC staff extend existing Brexit-related relief to provide market certainty**

The CFTC's Market Participants Division (MPD) and Division of Market Oversight (DMO) announced that they are extending previously granted temporary no-action relief to provide greater certainty to the global marketplace in connection with the withdrawal of the United Kingdom from the European Union.

In anticipation of the expiration of the Brexit transition period on December 31, 2020, MPD and DMO are issuing two no-action letters to extend regulatory relief provided in April 2019. One letter ensures the omnibus relief provided by the Division of Swap Dealer and Intermediary Oversight (now reorganized as MPD) to EU entities in certain staff letters continues to be available for UK entities following the end of the transition period. The other letter stipulates that MPD and DMO will provide temporary relief to ensure the continued availability of substituted compliance and regulatory relief under CFTC comparability determinations and exemptive orders that the CFTC originally issued for EU entities.

The relief will become effective upon the expiration of the Brexit transition period.

Further information can be found [here](#).

---

23/11/2020

### **SEC issues statement on European central counterparties seeking to register or request exemptions from the SEC**

The SEC issued a Policy Statement and Guidance focused on central counterparties (CCPs) authorized under the European Markets Infrastructure Regulation (EMIR) that may seek to access and operate in the U.S. securities markets. The Statement provides transparency into the Commission's processes and highlights efficient ways that CCPs based in the European Union (EU) can register as a clearing agency or request exemptions from certain requirements under the Securities Exchange Act of 1934.

First, the Statement provides guidance regarding the process for registration as a clearing agency, explaining that EU CCPs can use preexisting materials, including any self-assessments, in their applications to demonstrate compliance with EMIR and consistency with Commission requirements for CCPs. Such materials and self-assessments could facilitate both the EU CCP's efficient preparation of the application and the Commission's review of an application for registration. Second, the Statement provides guidance regarding the process for and considerations undertaken by the Commission regarding requests for exemptions. In particular, the Statement identifies specific factors that the Commission will consider where such a factor is relevant to a particular future request for an exemption by an EU CCP.

Further information can be found [here](#).

---

28/10/2020

### **SEC adopts modernized regulatory framework for derivatives use by registered funds and business development companies**

The SEC voted to enhance the regulatory framework for derivatives use by registered investment companies, including mutual funds (other than money market funds), exchange-traded funds (ETFs) and closed-end funds, as well as business development companies. The new rule and rule amendments will provide a modernized, comprehensive approach to the regulation of these funds' derivatives use that addresses investor protection concerns and reflects developments over the past decades.

According to SEC Chairman Jay Clayton, "Derivatives have come to play an important role for many funds in portfolio strategy and risk management, but the regulatory approach for derivatives use has been inconsistent and outdated. Today's action provides for a comprehensive framework for funds' derivatives use that provides both meaningful protections for investors and regulatory certainty for funds and their advisers. Importantly, the new comprehensive limits on risk will prohibit derivatives use that is inconsistent with the leverage limits imposed by the Investment Company Act, but will allow virtually all funds to continue to serve their investors using the most efficient instruments."

Further information can be found [here](#).

---

21/10/2020

### **CFTC staff issue advisory on virtual currency for futures commission merchants**

The Division of Swap Dealer and Intermediary Oversight (DSIO) of the CFTC issued an advisory to futures commission merchants (FCMs) regarding the holding of virtual currency in segregated accounts. The advisory provides guidance to FCMs on how to hold and report certain deposited virtual currency from customers in connection with physically-delivered futures contracts or swaps. The advisory also provides guidance that FCMs should follow when designing and maintaining risk-management programs concerning the acceptance of virtual currencies as customer funds.

According to DSIO Director Joshua B. Sterling, "The CFTC is committed to fostering responsible fintech innovation and improving the regulatory experience of registered firms where doing so is consistent with our rules. This advisory furthers these critical goals and will provide additional certainty on these issues as the Commission works to establish a holistic framework for digital asset derivatives."

Further information can be found [here](#).

## **SEC proposes rules to extend regulations ATS and SCI to Treasuries and other government securities markets**

The SEC announced a proposal to enhance the operational transparency, systemic integrity, and regulatory oversight for alternative trading systems (ATSs) that trade government securities as well as repurchase and reverse repurchase agreements on government securities (Government Securities ATSs), and issued a concept release soliciting public comment on the regulatory framework for electronic platforms that trade corporate debt and municipal securities.

The U.S. government securities markets are among the most liquid and significant securities markets in the world. Government securities, including U.S. Treasury securities and agency securities, make up more than half of the outstanding debt issuances in the U.S. bond market and play a critical role in the U.S. and global economies. Over the last six months of 2019, the average daily trading volume in government securities was approximately \$835 billion.

Over the years, ATSs have become increasingly important to government securities trading. Under the proposal, all Government Securities ATSs would be required to comply with Regulation ATS. The proposal would apply the investor protections Regulation ATS provides to such entities, such as the requirement to adopt written safeguards and written procedures to protect confidential subscriber information, and enable Commission oversight, including surveillance and examination, of these ATSs. The proposal would also require an ATS with significant market share for U.S. Treasury securities or agency securities to provide fair access to trading on such an ATS.

The proposal is also designed to increase transparency in the government securities markets by requiring Government Securities ATSs to file comprehensive public disclosures on new Form ATS-G. Among other things, Form ATS-G would inform market participants about potential conflicts of interests arising from trading activity of the ATS's broker-dealer operator or its affiliates, and the ATS's manner of operations, such as order types, use of market data offered and used by the ATS, and fees. The Commission would review Form ATS-G filings and have the ability to, after notice and opportunity for hearing, declare a Government Securities ATS's Form ATS-G ineffective.

The Commission is also proposing to amend Regulation SCI to apply its provisions to ATSs that meet certain trading volume thresholds in U.S. Treasury securities or agency securities. Regulation SCI requires SCI entities to have policies and procedures that are reasonably designed to ensure that their automated systems have adequate levels of security, including regular reviews and testing of systems to identify vulnerabilities. The proposed amendments are intended to help to address technological vulnerabilities, and improve the Commission's oversight of the core technology of key entities in the markets for government securities.

Further information can be found [here](#).



---

## **SEC adopts amendments to enhance retail investor protections and modernize the rule governing quotations for over-the-counter securities**

The SEC adopted amendments to Exchange Act Rule 15c2-11, an important component of the over-the-counter (OTC) market regulatory structure. The amendments are designed to modernize the rule, which was last substantively amended nearly 30 years ago, including to recognize advances in communications technologies. The amended rule enhances disclosure and investor protection in the OTC market by ensuring that broker-dealers, in their role as professional gatekeepers to this market, do not publish quotations for an issuer's security when current issuer information is not publicly available, subject to certain exceptions.

Securities that trade on the OTC market are primarily owned by retail investors. Because broker-dealers play an integral role in facilitating access to OTC securities and serve an important gatekeeper function, Rule 15c2-11 requires broker-dealers to review key, basic issuer information before initiating or resuming quotations for the issuer's security in the OTC market.

Prior to these amendments, certain of the rule's previous exceptions permitted broker-dealers to maintain a quoted market for an issuer's security in perpetuity, in the absence of current and publicly available information about the issuer, and even when the issuer no longer exists. Recognizing the ease with which information sharing takes place today, the amendments generally prohibit broker-dealers from publishing quotations for an issuer's security when issuer information is not current and publicly available, subject to certain exceptions. Investors who have access to current and publicly available issuer information are better equipped to make informed decisions about how to allocate their capital and to counteract misinformation that can proliferate through promotions and other channels.

The amendments also are designed to enhance the efficiency of the OTC market and facilitate capital formation for issuers for which information is current and publicly available. Specifically, the amendments add new exceptions for certain OTC securities that may be less susceptible to fraud or manipulation, such as actively traded securities of well-capitalized issuers, and expand the scope of market participants that may comply with the rule's required review of issuer information

Further information can be found [here](#).

# Key Regulatory Developments in Singapore

Source/Date	Brief description
MAS 10/11/2020	<p><b>Financial institutions need to review security controls amidst COVID-19: MAS' Cyber Security Advisory Panel</b></p> <p>MAS' Cyber Security Advisory Panel stressed the need for financial institutions to review their security controls given the elevated technology-related risks arising from remote working and safe management measures due to the COVID-19 pandemic. At its fourth annual meeting with MAS management on November 5, 2020, the Panel shared its insights on cyber risks in the new operating environment and made several recommendations.</p> <p>More information can be found <a href="#">here</a>.</p>
MAS 10/11/2020	<p><b>MAS consults on requirements to strengthen financial institutions' identity verification process</b></p> <p>MAS issued a consultation paper on the types of information required for non-face-to-face verification of an individual's identity. These proposed requirements come against the backdrop of rising impersonation scam cases, and seek to address the risks arising from theft and misuse of an individual's personal particulars.</p> <p>More information can be found <a href="#">here</a>.</p>
MAS 04/11/2020	<p><b>MAS steps up enforcement actions against market abuse and financial misconduct</b></p> <p>MAS published its Enforcement Report, covering the period January 2019 to June 2020. The report detailed various enforcement actions taken against financial institutions and individuals for breaches of MAS regulations and requirements, including market abuse, financial misconduct, and control breaches related to money laundering.</p> <p>More information can be found <a href="#">here</a>.</p>
MAS 29/09/2020	<p><b>Electronic dissemination of rights issue and takeover documents extended to June 30, 2021</b></p> <p>The Monetary Authority of Singapore (MAS), the Securities Industry Council (SIC) and the Singapore Exchange Regulation (SGX RegCo) announced that listed issuers and parties involved in rights issues and takeover or merger transactions will continue to have the option to electronically disseminate offer documents through publication on SGXNET and their corporate websites for another nine months, until June 30, 2021.</p> <p>More information can be found <a href="#">here</a>.</p>

MAS 03/09/2020	<p><b>MAS enhances access to liquidity facilities to strengthen banking sector resilience</b></p> <p>MAS announced measures to enhance the banking system's access to Singapore dollar (SGD) and US dollar (USD) funding. The new measures will strengthen banking sector resilience, promote more stable SGD and USD funding conditions, and support credit intermediation amid continued economic headwinds from the COVID-19 pandemic.</p> <p>More information can be found <a href="#">here</a>.</p>
MAS 07/08/2020	<p><b>MAS calls on finance companies to moderate FY2020 dividends</b></p> <p>MAS has urged finance companies incorporated in Singapore to cap their total dividends per share ("DPS") for FY2020 at 60% of FY2019's level. The finance companies are also encouraged to offer shareholders the option of receiving the dividends to be paid for FY2020 in scrip in lieu of cash.</p> <p>More information can be found <a href="#">here</a>.</p>

## Public Events & Conferences

Source/Date	Brief description
Singapore Fintech Festival 9-13/11/2020	<p><b>Singapore Fintech Festival</b></p> <p>Organised by MAS in partnership with The Association of Banks in Singapore and in collaboration with SingEx Holdings, the Singapore FinTech Festival (SFF) is the world's largest fintech festival and global platform for the fintech community to connect, collaborate, and co-create with one another.</p> <p>More information can be found <a href="#">here</a>.</p>
Regulation Asia 2-3/09/2020	<p><b>RegTech Asia summit</b></p> <p>To keep up with the ever-changing demands of customers and the threat of Big Tech and fintech firms entering the sector, incumbent firms have looked to technology to ensure they are able to keep pace. But, with the dramatic shifts in the financial services landscape comes the need to ensure that technology is both well understood, resilient and compliant with regulatory standards.</p> <p>RegTech Asia 2020 brings together industry experts in an online forum to provide a comprehensive overview of the key regulatory issues impacting the Asia-Pacific and the technology solutions that offer support.</p> <p>More information can be found <a href="#">here</a>.</p>

## Clients Alerts & Briefings

Source/Date	Brief description
Dentons Rodyk (Singapore)  09/11/2020	<p><b>The curious case of the unending sale: a cautionary tale to errant retailers</b></p> <p>Ever wondered about claims of a “Closing Down Sale” or “Fire Sale” that never seem to come to an end? Are you aware of retail practices that are prohibited under the Consumer Protection (Fair Trading) Act (Cap. 52A)? Are you also aware of the Guidelines on Price Transparency issued by the Competition and Consumer Commission of Singapore that came into force on November 1, 2020? In this article, our Competition lawyers briefly highlight what retailers need to know in the light of this recent development.</p> <p>More information can be found <a href="#">here</a>.</p>
Dentons Rodyk (Singapore)  20/08/2020	<p><b>Proposed amendments to the Companies Act of Singapore (July 2020) (in Japanese)</b></p> <p>The Accounting and Corporate Regulatory Authority (ACRA) conducted an extensive review of Singapore’s corporate laws and regulatory framework and recently made recommendations in six key areas to update the Companies Act in light of the evolving business environment. This article seeks to inform readers of key recommendations that could result in potential changes to the Companies Act and also comments and feedback from the authors on these recommendations.</p> <p>More information can be found <a href="#">here</a>.</p>

# Key Regulatory Developments in Hong Kong

Source/Date	Brief description
Securities and Futures Commission (“SFC”) 09/11/2020	<p><b>SFC reprimands and fines Credit Suisse Securities (Hong Kong) Limited \$2.1 million over breaches of electronic trading requirements</b></p> <p>The SFC has reprimanded Credit Suisse Securities (Hong Kong) Limited (“CSSHK”) and fined it \$2.1 million for regulatory breaches related to failures in its electronic trading systems.</p> <p>The SFC found that between 09:39 and 09:47 on February 28, 2019, CSSHK submitted 16,935 erroneous market making quotes to the market, resulting in the execution of 8,042 stock option trades at prices that deviated from the then prevailing market prices.</p> <p>The SFC is of the view that CSSHK’s internal controls and regular tests in place at the time failed to prevent or promptly detect the incident, and these failures constitute breaches of electronic trading requirements under the Code of Conduct.</p> <p>For further information, <a href="#">click here</a>.</p>
Financial Services and the Treasury Bureau (“FSTB”) 03/11/2020	<p><b>FSTB launches consultation on legislative proposals to enhance anti-money laundering and counter-terrorist financing regulation</b></p> <p>The FSTB launched a consultation exercise to gauge public views on legislative proposals to enhance anti-money laundering and counter-terrorist financing regulation in Hong Kong through the introduction of (a) a licensing regime for virtual asset services providers; (b) a registration regime for dealers in precious metals and stones; and (c) miscellaneous technical amendments under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap. 615).</p> <p>The legislative proposals are intended to bring Hong Kong’s regulatory regime up to date in line with the latest international requirements, as promulgated by the Financial Action Task Force.</p> <p>For further information, <a href="#">click here</a>.</p>
The Hong Kong Monetary Authority (“HKMA”) 03/11/2020	<p><b>HKMA launches Cybersecurity Fortification Initiative 2.0</b></p> <p>The HKMA announced the launch of an upgraded Cybersecurity Fortification Initiative (“CFI”) 2.0 following industry consultation.</p> <p>The HKMA introduced the CFI in 2016, with the aim of raising the cyber resilience of Hong Kong’s banking system. The initiative is underpinned by three pillars: the Cyber Resilience Assessment Framework, the Professional Development Programme, and the Cyber Intelligence Sharing Platform.</p> <p>For more information, <a href="#">click here</a>.</p>

---

SFC

### **SFC consults on climate-related risks in funds**

29/10/2020

The SFC launched a consultation on proposed requirements for fund managers to take climate-related risks into consideration in their investment and risk management processes and make appropriate disclosures to meet investors' growing demands for climate risk information and combat greenwashing.

Under the proposals, the Fund Manager Code of Conduct would be amended and the SFC will set out expected baseline requirements and standards to facilitate fund managers' compliance.

For more information, [click here](#).

---

SFC

### **SFC reprimands and fines Goldman Sachs (Asia) L.L.C. US\$350 million for serious regulatory failures over 1Malaysia Development Berhad's bond offerings**

22/10/2020

The SFC has reprimanded and fined Goldman Sachs (Asia) L.L.C. US\$350 million (HK\$2.71 billion) for serious lapses and deficiencies in its management supervisory, risk, compliance and anti-money laundering controls that contributed to the misappropriation of US\$2.6 billion from US\$6.5 billion that 1Malaysia Development Berhad raised in three bond offerings in 2012 and 2013.

For further information, [click here](#).

---

SFC

### **SFC signs new memorandum of understanding ("MoU") with the Insurance Authority**

28/09/2020

The new MoU, which covers referral of cases for attention, joint inspections and investigations, and sharing of information pertaining to products and relevant entities or key persons, will enhance the effectiveness for both organizations in discharging their regulatory responsibilities.

For more information, [click here](#).

For the new MoU, [click here](#).

---

SFC

### **SFC launches consultation on anti-money laundering guidelines**

18/09/2020

The SFC launched a three-month consultation on proposals to amend its anti-money laundering and counter-financing of terrorism ("**AML/CFT**") guidelines.

The proposed amendments would facilitate the adoption of a risk-based approach to AML/CFT measures by the securities industry. They address some areas for enhancement identified in the latest Mutual Evaluation Report of Hong Kong published by the Financial Action Task Force. The amendments also include additional measures which would help mitigate risks associated with business arrangements such as cross-border correspondent relationships.

For more information, [click here](#).

---

---

SFC

### **Changes to the open-ended fund companies regime take effect**

11/09/2020

The SFC announced that amendments to the Code on Open-ended Fund Companies have taken effect. Among other changes, private open-ended fund companies (“**OFC**”) in Hong Kong are no longer subject to investment restrictions, and the eligibility requirements for OFC custodians have been expanded.

The SFC has issued a circular to the industry on the implementation of the revised OFC regime. Existing private OFC custodians are allowed a six-month transition period to ensure compliance with the new safekeeping requirements.

For more information, [click here](#).

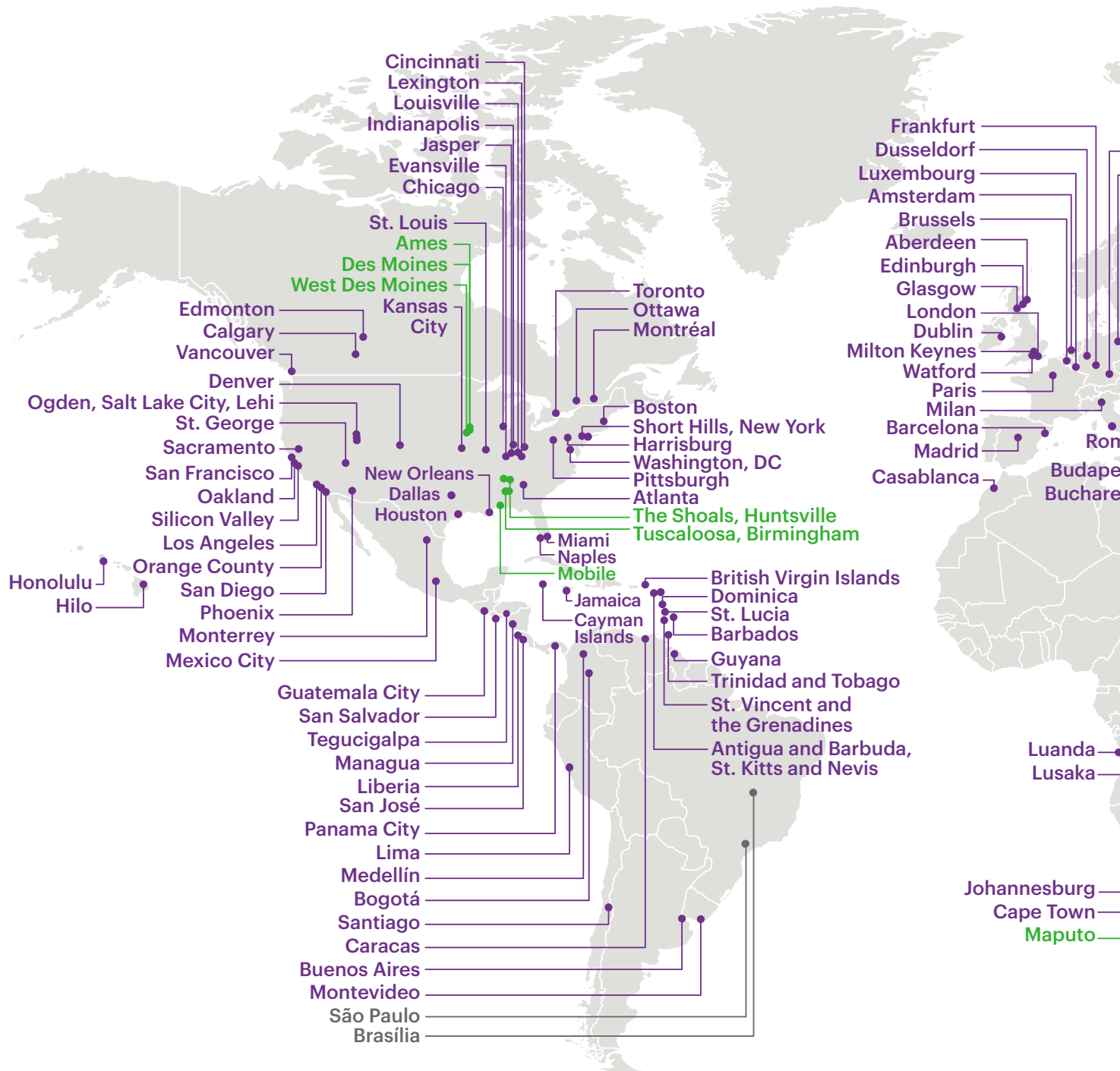
---

## Public Events & Conferences

<b>Source/Date</b>	<b>Brief description</b>
HKMA	<b>Hong Kong FinTech Week 2020</b>
02/11/2020	The HKMA co-organized with InvestHK Hong Kong FinTech Week 2020, the city’s flagship fintech event, and announced a range of initiatives to further foster the fintech ecosystem and support corporates, particularly small and medium-sized enterprises.
	For more information, <a href="#">click here</a> .

---

# Global presence



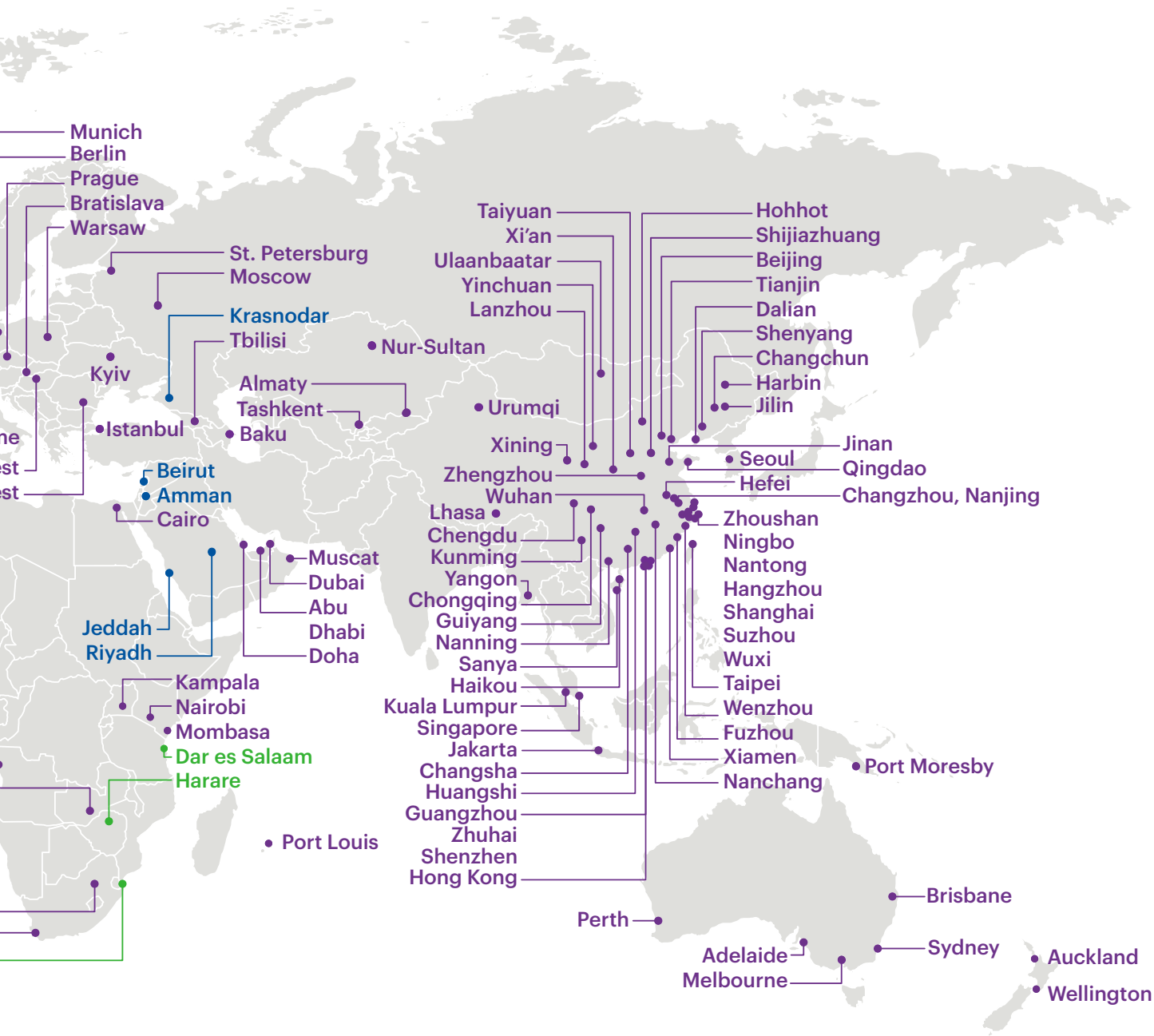
Locations in purple represent Dentons offices.

Locations in blue represent associate firms, offices and special alliances.

Locations in green represent proposed combinations that have not yet been formalized.

Locations in gray represent Brazil Strategic Alliance.





# Editorial Board



**Stephen Senderowitz**

Partner, Chicago

D +1 312 876 8141

[stephen.senderowitz@dentons.com](mailto:stephen.senderowitz@dentons.com)



**Dr. Michael Huertas**

Partner, Frankfurt

D +49 69 45 00 12 330

[michael.huertas@dentons.com](mailto:michael.huertas@dentons.com)



**William Walsh**

Counsel, Chicago

D+1 312 876 3113

[william.walsh@dentons.com](mailto:william.walsh@dentons.com)



**Louise Massey**

Partner, Sydney

D +61 2 9931 4959

[louise.massey@dentons.com](mailto:louise.massey@dentons.com)

# Contributors

## Australia



**Elise Ivory**  
Partner, Sydney  
D +61 2 9931 4810  
[elise.ivory@dentons.com](mailto:elise.ivory@dentons.com)

## Belgium



**Nora Wouters**  
Partner, Brussels  
D +32 2 552 2936  
[nora.wouters@dentons.com](mailto:nora.wouters@dentons.com)

## Canada



**Tracy Molino**  
Counsel, Toronto  
D +1 416 862 3417  
[tracy.molino@dentons.com](mailto:tracy.molino@dentons.com)

## Czech Republic



**Daniel Hurych**  
Partner, Prague  
D +420 236 082 206  
[daniel.hurych@dentons.com](mailto:daniel.hurych@dentons.com)

## Germany



**Dr. Michael Huertas**  
Partner, Frankfurt  
D +49 69 45 00 12 330  
[michael.huertas@dentons.com](mailto:michael.huertas@dentons.com)



**Dr. Arne Kluwer**  
Partner, Frankfurt  
D +49 69 4500 12 360  
[arne.kluwer@dentons.com](mailto:arne.kluwer@dentons.com)



**Robert Michels**  
Office Managing Partner, Frankfurt  
D +49 69 45 00 12 250  
[robert.michels@dentons.com](mailto:robert.michels@dentons.com)



**Dr. Holger Schelling**  
Partner, Frankfurt  
D +49 69 45 00 12 345  
[holger.schelling@dentons.com](mailto:holger.schelling@dentons.com)

## Hong Kong



**Dr. Kai Goretzky**  
Partner, Frankfurt  
D +49 69 45 00 12 460  
[kai.goretzky@dentons.com](mailto:kai.goretzky@dentons.com)



**Desmond Lee**  
Counsel, Hong Kong  
D +852 2533 3694  
[desmond.lee@dentons.com](mailto:desmond.lee@dentons.com)



**Julianne Doe**  
Partner, Hong Kong  
D +852 2533 3689  
[julianne.doe@dentons.com](mailto:julianne.doe@dentons.com)

## Italy



**Alessandro Engst**  
Partner, Rome  
D +39 06 809 120 17  
[alessandro.engst@dentons.com](mailto:alessandro.engst@dentons.com)



**Bruno Hrovat**  
Partner, Luxembourg  
D +352 46 83 83 229  
[bruno.hrovat@dentons.com](mailto:bruno.hrovat@dentons.com)

## Netherlands



**Pien Kerckhaert**  
Partner, Amsterdam  
D +31 6 31 67 03 95  
[pien.kerckhaert@dentons.com](mailto:pien.kerckhaert@dentons.com)



**Arno Voerman**  
Partner, Amsterdam  
D +31 6 11 38 85 38  
[arno.voerman@dentons.com](mailto:arno.voerman@dentons.com)

## Singapore



**Shobna Chandran**  
Partner, Singapore  
D +65 6885 3623  
[shobna.chandran@dentons.com](mailto:shobna.chandran@dentons.com)



**Herman Jeremiah**  
Senior Partner, Singapore  
D +65 6885 3614  
[herman.jeremiah@dentons.com](mailto:herman.jeremiah@dentons.com)



**Jacqueline Loke**  
Senior Partner, Singapore  
D +65 6885 3699  
[jacqueline.loke@dentons.com](mailto:jacqueline.loke@dentons.com)



**Ashwin Nair**  
Associate, Singapore  
D +65 6885 3734  
[ashwin.nair@dentons.com](mailto:ashwin.nair@dentons.com)

## Spain



**Jesús Mardomingo**  
Partner, Madrid  
D +34 91 43 61 370  
[jesus.mardomingo@dentons.com](mailto:jesus.mardomingo@dentons.com)



**Loredana Chitu**  
Partner, Bucharest  
D +40 21 371 5463  
[loredana.chitu@dentons.com](mailto:loredana.chitu@dentons.com)

## Romania

## United Kingdom



**Celyn Armstrong**  
Partner, London  
D +44 20 7246 7174  
[celyn.armstrong@dentons.com](mailto:celyn.armstrong@dentons.com)



**Katharine Harle**  
Partner, London  
D +44 20 7320 6573  
[katharine.harle@dentons.com](mailto:katharine.harle@dentons.com)



**Jonathan Garforth**  
Partner, London  
D +44 20 7320 3743  
[jonathan.garforth@dentons.com](mailto:jonathan.garforth@dentons.com)



**Michael Wainwright**  
Partner, London  
D +344 20 7246 7735  
[michael.wainwright@dentons.com](mailto:michael.wainwright@dentons.com)

## United States



**Stephen Senderowitz**  
Partner, Chicago  
D +1 312 876 8141  
[stephen.senderowitz@dentons.com](mailto:stephen.senderowitz@dentons.com)



**William Walsh**  
Counsel, Chicago  
D +1 312 876 3113  
[william.walsh@dentons.com](mailto:william.walsh@dentons.com)



## **ABOUT DENTONS**

Dentons is the world's largest law firm, connecting talent to the world's challenges and opportunities in more than 75 countries. Dentons' legal and business solutions benefit from deep roots in our communities and award-winning advancements in client service, including Nextlaw, Dentons' innovation and strategic advisory services. Dentons' polycentric and purpose-driven approach, commitment to inclusion and diversity, and world-class talent challenge the status quo to advance client and community interests in the New Dynamic.

**dentons.com**

© 2020 Dentons. Dentons is a global legal practice providing client services worldwide through its member firms and affiliates. This publication is not designed to provide legal or other advice and you should not take, or refrain from taking, action based on its content. Please see [dentons.com](https://www.dentons.com) for Legal Notices.