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Global Financial Markets Regulatory Review

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February 2023

Editorial note

Dentons is pleased to present the February 2023 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 20,000 people in 200+ locations and 80+ 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.

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Key Regulatory Developments in Australia

Source/Date	Brief description
Australian Securities and Investment Commission December 6, 2022	<p>ASIC takes civil penalty action against American Express Australia in first court case alleging breaches of design and distribution obligations</p> <p>ASIC has commenced proceedings in the Federal Court against American Express Australia Limited (Amex), in ASIC's first civil penalty case alleging breaches of design and distribution (DDO) obligations.</p> <p>Under the DDO regime, regulated financial product issuers are required to provide a target market determination (TMD) to consumers, detailing who the product is for and how it is to be distributed. TMDs must be reviewed if a licensee becomes aware of an event or circumstance indicating the TMD is no longer appropriate.</p> <p>ASIC allege that Amex were aware that the TMD for their co-branded David Jones credit card was not appropriate, but failed to review or update the TMD for some time.</p> <p>Further information is available here.</p>
Parliament of Australia November 28, 2022	<p>Major changes to Australian Privacy Act</p> <p>The Australian government passed significant changes to the Australian Privacy Act 1988 (Cth) on 28 November 2022.</p> <p>Key changes to the Act include:</p> <ul style="list-style-type: none">• significant expansion of maximum penalties as follows:<ul style="list-style-type: none">o for a person, up to a maximum of \$2.5 million AUD (increased from \$444,000 AUD)o for a company, up to a maximum of the greater of:<ul style="list-style-type: none">• \$50 million AUD• 3 times the value of the benefit derived by the company or its related entities); or• If a court is unable to determine the value of the benefit, then 30% of the company's adjusted turnover over the breach turnover period.• new investigation powers and power to issue infringement notices conferred on the Office of the Australian Information Commissioner (OAIC); and• lower threshold for foreign entities to be caught by the Australian Privacy Act <p>The criteria to satisfy an 'Australian link' has also been altered – the need to collect or hold personal information has been removed, and it is only necessary for an organisation or small business operator to 'carry on business' in Australia or an external Territory to be governed by the Australian Privacy Act.</p> <p>Further information is available here.</p>

Source/Date	Brief description
<p>Treasury</p> <p>November 21, 2022</p>	<p>Regulation for buy now, pay later approaching</p> <p>In November 2022, Australian Treasury released the ‘Regulating Buy Now, Pay Later in Australia’ Options Paper, opening up submissions for appropriate regulation of the Buy Now, Pay Later (BNPL) sector. Treasury proposed three options for regulatory intervention, each reflecting a progressively stronger level of regulation and potential requirements for BNPL providers.</p> <p>Currently, BNPL is not regulated under the National Consumer Credit Protection Act (NCCP Act), as it falls within one of the exemptions. BNPL providers are therefore not required to have an Australian Credit Licence (ACL) or engage with the responsible lending regime, among other would-be requirements. The Australian Finance Industry Association (AFIA) have also issued a ‘Buy Now Pay Later Code of Practice’ (Industry Code), but this is not enforceable by ASIC and only signatories are required to be members of AFCA.</p> <p>The key task for regulation of BNPL going forward, as indicated by Treasury, is to maintain the clear benefits of BNPL (as well as industry flexibility and competition) while also addressing the risk of consumer harm.</p> <p>Submissions for the Options paper closed on 23 December 2022. The options put forward by Treasury are subject to change depending on public feedback received in response to the paper.</p>
<p>Office of the Australian Information Commissioner</p> <p>November 10, 2022</p>	<p>OAIC releases Notifiable Data Breaches Report</p> <p>The Office of the Australian Information Commissioner (OAIC), the Australian government agency overseeing privacy, freedom of information and government information policy, released its latest Notifiable Data Breaches Report for January to June 2022 (Report) in November 2022.</p> <p>The report sets out key statistics from the Australian notifiable data breach regime (wherein certain types of data breaches must be reported to OAIC), and emphasised the need for Australian entities to have robust information handling practices and an up-to-date data breach response plan.</p> <p>Key findings relevant to the banking and finance industry include:</p> <ul style="list-style-type: none"> • Finance (including superannuation) was in the top 5 sectors to notify data breaches, notifying OAIC of 13 per cent of breaches. • The most prevalent type of information to be involved in data breaches, involved in 84% of breaches, was contact information, (eg name, home address, phone number, email address). Financial details (eg bank account and credit card numbers) were involved in 37% of breaches. • In the reporting period, 77% of finance entities identified a data breach incident within 30 days of it occurring. 8% of data breaches were identified by finance entities in a period of more than 12 months. 69% of notifications from finance entities were made within 30 days of the entity becoming aware of the incident (OAIC’s recommended timeframe for reporting is within 30 days of becoming aware of an incident).

Source/Date	Brief description
Parliament of Australia November 9, 2022	<p>Australian government cracks down on unfair contract terms</p> <p>New legislation amending the <i>Competition and Consumer Act 2010</i> (Cth) and the <i>Australian Securities and Investment Commission Act 2001</i> (Cth) has been passed, imposing penalties for unfair contract terms to reduce their prevalence in Australian contracts.</p> <p>Penalties will apply to terms that are not just relied on, but which are ‘proposed’ by a party. The effect of this is that penalties may apply for the mere existence of an unfair term in a contract.</p> <p>The new laws also expand the definition of ‘small business’ – the maximum value of the upfront price to qualify as a ‘small business contract’ has been raised from \$1 million to \$5 million.</p> <p>The changes for the new unfair contract terms provisions will come into effect on 9 November 2023 and can be accessed here.</p>
Australian Cyber Security Centre November 4, 2022	<p>ACSC releases Annual Cyber Threat Report</p> <p>The Australian Cyber Security Centre (ACSC), which leads the Australian Government’s efforts to improve cyber security, released its Annual Cyber Threat Report (Report) for the July 2021 – June 2022 financial year on 4 November 2022.</p> <p>The Report provides an overview of key cyber threats impacting Australia, how the ACSC is responding to such threats, as well as advice on how individuals and organisations can protect themselves online.</p>
Australian Securities & Investment Commission October 27, 2022	<p>ASIC acts against greenwashing by energy company</p> <p>ASIC has taken its first action for ‘greenwashing’ against listed ASX energy company Tlou Energy Limited (Tlou).</p> <p>Greenwashing refers to the practice of misrepresenting the extent to which a financial product or investment strategy is environmentally friendly, sustainable or ethical.</p> <p>ASIC issued four infringement notices to Tlou, alleging false or misleading sustainability-related statements made to the market in October 2021.</p> <p>The impugned announcements detailed various claims that, ASIC allege, misrepresented Tlou’s energy operations and broader environmental impacts.</p> <p>Tlou paid the infringement notices on 25 October 2022.</p> <p>Further information is available here.</p>

Source/Date	Brief description
<p>Australian Securities & Investment Commission</p> <p>October 14, 2022</p>	<p>ASIC releases 2021-22 Annual Report</p> <p>ASIC has delivered its annual report for the 2021-2022 financial year. The report summarises ASIC's operations and general market conditions over the last financial year, including its renewed focus on evolving regulatory demands in the changing economic environment.</p> <p>Though not a focus of its report, ASIC has flagged that next financial year, it will look to:</p> <ul style="list-style-type: none"> • disrupt and combat scams; • enforce compliance with product design and distribution obligations; • improve climate-related and sustainability disclosure and governance; and • reform the breach reporting regime (which was only introduced in October 2021).

Public Events & Conferences run by the firm

<p>32nd Annual Credit Law Conference</p> <p>October 12 - 14, 2022</p>	<p>The Dentons Financial Services Regulatory Team presented at and sponsored the 32nd Annual Credit Law Conference, held at the InterContinental Sanctuary Cove Resort, QLD.</p> <p>The conference brings together financial services institutions, regulators, professional service organisations, and industry associations to discuss the future of credit and lending in Australia.</p> <p>Various members of the team delivered presentations on key regulatory developments and engaged in panel session focusing on the outlook of the credit industry for 2022-23 and beyond.</p> <p>Participants of the event included Sean Hughes and Peter Crone, the Commissioner's of ASIC and ACCC respectively.</p>
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Key Regulatory Developments in Europe

Key Regulatory Developments in the EU

Source/Date	Brief description
EBA (European Banking Authority) January 11, 2023	EBA publishes peer review on authorization under the Payment Services Directive EBA published its peer review on authorization of payment institutions and e-money institutions under the revised Payment Services Directive (PSD2). The review generally found increased transparency and consistency of the information required in the authorization process. However, it also identified significant divergences in the assessment of NCAs and the level of scrutiny of their application. The report shows, for example, that the average duration of the overall approval process at NCAs varies widely, ranging from 4 to 20 months or more. Therefore, the review also sets out a series of measures to address these divergencies and to harmonize the regulatory framework. More information is available here and here .
EBA (European Banking Authority) December 13, 2022	EBA publishes its roadmap on sustainable finance EBA published its roadmap outlining the objectives and timeline for the implementation of the mandates and tasks in the area of sustainable finance and ESG risks. The roadmap explains the EBA's sequential and comprehensive approach over the next three years to integrate ESG risk considerations into the banking framework and support the EU's efforts to transition to a more sustainable economy. As the banking package (CRR/CRD) is currently being revised, the EBA expects to have additional mandates in the area of ESG risks arising from these revised pieces of legislation. These planned new or amended mandates are included in the roadmap to the extent they are expected based on the legislative proposals. More information is available here and here .
European Supervisory Authorities (ESAs) November 15, 2022	ESAs issue joint Call for Evidence on greenwashing The three ESAs issued a Call for Evidence (CfE) on greenwashing to gather stakeholder input on understanding the key characteristics, drivers, and risks associated with greenwashing and to collect examples of potential greenwashing practices. The CfE is primarily targeted at financial institutions that fall under the supervision of the three ESAs, as well as other stakeholders ranging from retail investors and consumer associations to non-governmental organizations and academia. Submissions should focus on greenwashing risks and incidents that occur in the financial sector and affect financial products or services. The submission deadline is 19 January 2023, and input will be incorporated into ESA's final report due in May 2024. More information is available here .

Source/Date	Brief description
<p>European Supervisory Authorities (ESAs)</p> <p>September 30, 2022</p>	<p>ESAs propose disclosures for fossil gas and nuclear energy investments</p> <p>The ESAs have delivered their final report to the EC with draft Regulatory Technical Standards (RTS) regarding the disclosure of financial products' exposure to investments in fossil gas and nuclear energy activities under the Sustainable Finance Disclosure Regulation (SFDR). In the report, the ESAs propose to add specific disclosures to provide transparency about investments in taxonomy-aligned gas and nuclear economic activities. Specifically, they propose to add a yes/no question in the financial product templates of the SFDR Delegated Regulation to identify whether the financial product intends to invest in such activities, which should help investors make informed decisions.</p> <p>More information is available here and here.</p>
<p>European Securities and Markets Authority (ESMA)</p> <p>September 27, 2022</p>	<p>ESMA publishes report on the DLT pilot regime</p> <p>ESMA has publishes its report on the distributed ledger technology pilot regime (DLT Pilot), which is part of the Digital Finance Package introduced by the EC in 2020. The Regulation on a pilot regime for market infrastructures based on the DLT Pilot aims at developing the trading and settlement for DLT financial instruments and required ESMA to assess whether the RTS developed under MiFIR need to be amended to be effectively applied also to securities issued, traded and recorded on DLT. As a result, ESMA has concluded that there is no need to amend the RTS on transparency and data requirements before the DLT Pilot starts applying in March 2023. In the report, ESMA also provides guidance on certain technical elements and makes recommendations on compensatory measures on supervisory data.</p> <p>More information is available here and here.</p>
<p>European Securities and Markets Authority (ESMA)</p> <p>September 23, 2022</p>	<p>ESMA publishes final guidelines on MiFID II suitability requirements</p> <p>ESMA has published its final guidelines on certain aspects of the MiFID II suitability requirements, which are one of the most important requirements for investor protection in the MiFID framework and which apply to the provision of any type of investment advice and to portfolio management. The main amendments introduced to the MiFID II Delegated Regulation and addressed in ESMA's guideline include:</p> <ul style="list-style-type: none"> • Information to clients on the sustainability preferences; • Collection of information from clients on sustainability preferences; • Assessment of sustainability preferences; and • Organizational requirements. <p>The guidelines aim at ensuring a consistent and harmonized application of the requirements on the area of suitability and overall, at achieving the objectives of MiFID II.</p> <p>More information is available here.</p>

Key Regulatory Developments in the Czech Republic

Source/Date	Brief description
Czech National Bank (CNB) January 11, 2023	<p>Inflation slows in December 2022</p> <p>The price level increased by 15.8% year on year in December 2022. Inflation thus slowed compared with November but remained well above the upper boundary of the tolerance band around the CNB's target. Consumer prices adjusted for the first-round effects of changes to indirect taxes rose by 14.4% year on year in December. The average inflation rate for 2022 as a whole was 15.1%. The December inflation figure was more than three percentage points lower than expected in the CNB's autumn forecast.</p> <p>According to the CNB, core inflation declined in December but remains high. Food price inflation also moderated somewhat but remains high. The growth in fuel prices eased significantly year on year in December owing to oil market developments and a fall in margins in the processing and distribution chain.</p> <p>CNB expects inflation to rise again in January due to the fade-out of the effect of the energy savings tariff. According to the forecast, the cap on electricity and gas prices effective from the start of 2023, which comes after the energy savings tariff, will partly dampen administered price inflation. In the second half of the year, inflation is expected to fall to single-digit levels.</p> <p>The full CNB comment is available here.</p>
Ministry of Finance (MF) January 4, 2023	<p>ECOFIN approves aid to Ukraine, distributes billions for energy derusification and introduces a minimum corporate tax</p> <p>During the six months of the Czech presidency of the EU, a total of five ECOFIN Council meetings were held under the leadership of the MF. Among the biggest achievements at the ECOFIN Council level are the agreement to provide EUR 24 billion in financial assistance to Ukraine, the allocation of EUR 20 billion from the RePowerEU package for the diversification of the European energy sector and the implementation of Pillar II of the OECD agreement, which introduces a minimum 15% tax for multinational companies.</p> <p>The MF press release is available here (in Czech).</p>

Source/Date	Brief description
<p>Chamber of Deputies of the Czech Republic</p> <p>October 1, 2021</p>	<p>Amendment to the Act on Banks implementing CRD V Directive was published on September 30, 2021 in the Collection of Laws as Act No. 353/2021 Coll. with effect from October 1, 2021.</p> <p>The main objective of the amendment is to reduce risks and strengthen the resilience of the banking sector, the most important changes being:</p> <ul style="list-style-type: none"> • An amendment of the rules for calculating the capital requirement at Pillar 2 level; • An adjustment of capital reserves; • A new obligation to establish a so-called intermediate controlling entity for large groups outside the EU, which include at least two subsidiaries established in the EU; • Changes in the regulation of financial holding companies and mixed financial holding companies, to which certain prudential requirements are newly transferred on a consolidated basis; • A new remuneration regulation aimed primarily at taking into account the principle of proportionality. <p>The Czech National Bank issued new decree no. 354/2021 Coll., on the performance of the activity of banks, credit unions and investment firms (the Decree) to reflect the changes made by the amendment mentioned above to the secondary legislation.</p> <p>Full text of the Act No. 298/2021 Coll. available here (in Czech).</p> <p>Full text of the Decree available here (in Czech only).</p>

Key Regulatory Developments in Germany

Source/Date	Brief description
Federal Financial Supervision Authority (BaFin) December 16, 2022	<p>EU Disclosure Regulation: Starting signal for more transparency</p> <p>From January 1, 2023, the Regulatory Technical Standards (RTS) on the EU Disclosure Regulation, which had entered into force in March 2021, will apply to financial market participants and financial advisors. The aim is to make it easier for private and institutional investors to see how sustainable the investments underlying a financial product are. The RTS specify the EU Disclosure Regulation's requirements for disclosures on how investment decisions made by the financial market participant adversely affect environmental, social and governance issues. BaFin answers national questions and application questions from supervised entities regarding the EU Disclosure Regulation itself and submits other questions on the RTS to the Joint Committee of the ESAs.</p> <p>More information (in German) is available here.</p>
Federal Financial Supervision Authority (BaFin) December 7, 2022	<p>BaFin publishes translation of EIOPA guidelines</p> <p>EIOPA published a nonbinding guide on sustainability-related advisory duties in July 2022. These apply to, among other things, the sale of insurance investment products, where intermediaries have been obliged since August 2, 2022, to ask customers about their sustainability preferences and to take these into account in product selection and advice. The aim of the EIOPA guide is to promote a better understanding of the new regulations and to support market participants in correctly implementing the legal requirements. Due to the particular relevance of the topic, BaFin has therefore published a German-language translation of the guide.</p> <p>More information (in German) is available here.</p>
Federal Financial Supervisory Authority (BaFin) October 19, 2022	<p>Investment Firm Act (WpIG): BaFin again consults on draft Remuneration Regulation</p> <p>BaFin has again submitted for consultation the draft of a Remuneration Regulation for Institutions (Institutsvergütungsverordnung). The basis for this regulation is the Investment Firm Act (WpIG), which implements the European Investment Firms Directive (IFD). The regulation serves to further implement the IFD regarding the concretization of the remuneration requirements. The background to the renewed consultation is the guidelines for a sound remuneration policy pursuant to Directive (EU) 2019/2034 of the EBA, which have been published in the meantime.</p> <p>More information (in German) is available here.</p>

Source/Date	Brief description
<p>Federal Financial Supervision Authority (BaFin)</p> <p>September 2, 2022</p>	<p>BaFin launched Innovation Hub</p> <p>BaFin has launched the new Innovation Hub, which provides updated information and communication opportunities for start-ups and FinTechs. The platform aims at providing companies that are working with new technologies on the financial market with even more up-to-date and market-oriented information and to enter into a dialog with BaFin. The Fintech Innovation Hub offers compact information on various financial technology innovations and business models, such as services based on distributed ledger technology (DLT) / blockchain, the use of artificial intelligence and various forms of digital banking and payment transactions.</p> <p>More information (in German) is available here and here.</p>

Key Regulatory Developments in Italy

Source/Date	Brief description
Italian Financial Market Supervisory Authority (Consob) December 22, 2022	Consob publishes amendments to Issuers' Regulation Consob published Resolution No. 22551 of December 21, 2022 containing amendments to Resolution No. 11971 of May 14, 1999 (Issuers' Regulation), introduced for the purpose of adapting the national system to the following regulatory European acts: <ul style="list-style-type: none">- Directive (EU) 2021/2261, amending UCITS Directive regarding the use of documents containing the key information by management companies of UCITS;- Regulation (EU) 2021/2259, amending Regulation (EU) 1286/2014 with regard to the extension of the transitional regime for management companies, investment companies and persons who provide advice on units of UCITS and non-UCITS or sell units of such products. These amendments stipulate that the Key Information Document (KID) required by Regulation (EU) No. 1286/2014 must be provided to all retail investors of investment funds. For further information (in Italian) click here .
Italian Financial Market Supervisory Authority (Consob) December 9, 2022	Consob approves amendments to Bank of Italy's markets Regulation Consob approved, through Resolution 22540 of December 7 2022, the amendments to the Regulations of the markets organized and managed by Borsa Italiana. The amendments concern the migration of financial data to the Optiq platform in use by Euronext Group. For further information (in Italian) click here .
Italian Financial Market Supervisory Authority (Consob) Bank of Italy Institute for insurance supervision (IVASS) December 2, 2022	Consob, Bank of Italy and IVASS update list of Italian financial conglomerates Consob, Bank of Italy and IVASS have updated the list of Italian financial conglomerates, i.e. the list of corporate groups that carry out activities to a significant extent in the insurance and banking and investment services sectors. For further information (in Italian) click here .

Source/Date	Brief description
<p>Bank of Italy</p> <p>November 2, 2022</p>	<p>Bank of Italy amends provisions on payment institutions and electronic money institutions</p> <p>Bank of Italy published provisions amending the supervisory rules for payment institutions (PI) and electronic money institutions (EMI) dated May 17, 2016 in order to implement EBA Guidelines on risk management related to information technology (ICT) and security (EBA/GL/2019/04) and the EBA Guidelines on major incident reporting as provided for in the PSD 2 (EBA/GL/2021/03).</p> <p>For further information (in Italian) click here.</p>
<p>Italian Government</p> <p>October 18, 2022</p>	<p>Italian Government publishes Bank of Italy's measures on Italian entities participating in the CREST UK system</p> <p>The Bank of Italy's measures on the applicability of rules concerning the definiteness of orders placed in a payment or securities settlement system (set forth by Legislative Decree No. 210 of April 12, 2001) on Italian entities joining the CREST UK system was published in the Official Gazette.</p> <p>The measure is effective from November 2, 2022.</p> <p>For further information (in Italian) click here.</p>
<p>Italian Financial Market Supervisory Authority (Consob)</p> <p>October 14, 2022</p>	<p>Consob publishes press release on PRIIPs</p> <p>Consob published a press release on revision of the PRIIPs KID structured data in line with the application, from the January 1, 2023, of Delegated Regulation (EU) 2022/975 and methods to acquire the KID of collective investment undertakings by Consob in accordance with article 34-bis.2 of the Issuers' Regulation.</p> <p>For further information click here.</p>
<p>Italian Financial Market Supervisory Authority (Consob)</p> <p>September 7, 2022</p>	<p>Consob amendments to the Issuers' Regulations on CBDF Package and SFDR and Taxonomy regulation</p> <p>Consob published Resolution No. 22437 of September 6, 2022, amending Resolution No. 11971 of May 14, 1999 (Issuers' Regulation) in order to adapt the following:</p> <ul style="list-style-type: none"> - The Issuers' Regulation to the so-called "CBDF Package" (i.e. Regulation (EU) 2019/1156 and Directive (EU) 2019/1160 on cross-border distribution of collective investment undertakings); - The pre-contractual information provided in the offer documentation relating to UCIs to the SFDR Regulation and the Taxonomy Regulation. <p>The amendments to the Issuers' Regulation entered into force on October 4, 2022.</p> <p>For further information (in Italian) click here.</p>

Source/Date	Brief description
Italian Government September 6, 2022	<p>Italian Government publishes decree on register of contracting parties and agents for the provision of payment services and e-money issuing institutions</p> <p>The Decree of the Ministry of Economy and Finance of May 31, 2022 regulating the register of contracting parties (<i>soggetti convenzionati</i>) and agents for the provision of payment services (<i>agenti di prestazioni di servizi a pagamento</i>) and electronic money issuing institutions (<i>istituti emittenti moneta elettronica</i>) provided for by Article 45 of Legislative Decree No. 231 of November 21, 2007 (Italian AML decree), was published in the Official Gazette of Italy.</p> <p>For further information (in Italian) click here.</p>

Key Regulatory Developments in the Netherlands

Source/Date	Brief description
Dutch Authority for the Financial Markets (AFM) and Dutch National Bank (DNB) December 29, 2022	<p>Amendments to legislation on remuneration of financial enterprises take effect including new notification requirement</p> <p>On January 1, 2023 the Act on Further Remuneration Measures for Financial Undertakings (Wnbfo) entered into force. Compared with the Dutch Financial Supervision Act, the Wnbfo contains several changes that relate to remuneration within financial enterprises. The Wnbfo imposes additional requirements on financial enterprises regarding the application of the possibility to deviate from the bonus ceiling for staff that does not fall under the collective labor agreement. For instance, it is no longer possible to apply this exception for those performing internal control functions or directly engaged in providing financial services to consumers.</p> <p>For further information (in Dutch), click here (AFM) or here (DNB).</p>
Dutch National Bank (DNB) December 21, 2022	<p>DNB amends regulation on specific provisions of IFR and IFD</p> <p>On November 3, 2022, the amendment to the Regulation on Specific Provisions of IFR and IFD was published in the Government Gazette. This amendment was listed as the "Regulation ICLAAP, delta formulas and the group capital criterion." The publication of this regulation comes after its public consultation, which ended on April 15, 2022. With this extension, the DNB lays down the exercise of a number of options and discretions from the IFR/IFD in the Regulations. It concerns the calculation of the group capital criterion, the requirement of the ICAAP/ILAAP for small and unconnected investment firms, and the calculation of elements of counterparty credit risk.</p> <p>For further information (in Dutch), click here.</p>
Dutch National Bank (DNB) December 20, 2022	<p>DNB publishes <i>Good Practice for Payment Institutions: Gambling and Gaming</i></p> <p>In 2021 and 2022, the Dutch National Bank (DNB) conducted a thematic study of payment institutions that offer payment services to merchants active in the online gambling and gaming sector. With this thematic investigation, the DNB wanted to determine whether the investigated institutions adequately check the integrity risks associated with their services to the online gambling and gaming sector. The results of the thematic study have led to publication of this Good Practices (in Dutch), which provides guidance on how these integrity risks can be managed by payment institutions.</p> <p>For further information (in Dutch), click here.</p>

Source/Date	Brief description
<p>Dutch Authority for the Financial Markets (AFM)</p> <p>December 14, 2022</p>	<p>Nrgfo amendment decree: Comparison chart, key information document and asset segregation rules</p> <p>A number of (future) changes in legislation will lead to an amendment of the Further regulation on conduct supervision of financial enterprises Wft (<i>Nadere regeling gedragstoezicht financiële ondernemingen Wft</i>), which entered into force on January 1, 2023. The changes mainly concern the introduction of a comparison chart, a key information document and rules on asset segregation for investment firms.</p> <p>For further information (in Dutch), click here.</p>
<p>Ministry of Finance</p> <p>September 29, 2022</p>	<p>Consultation on Decree implementing the Investment Firms Recovery Package Directive</p> <p>Under the draft decree, requirements related to the product development process no longer apply to bonds where no derivative other than a make-whole clause is embedded. Furthermore, the draft decree contains amendments regarding some (informational) obligations applicable to the provision of investment services to professional investors.</p> <p>For further information (in Dutch), click here.</p>
<p>Dutch National Bank (DNB)</p> <p>September 15, 2022</p>	<p>Threshold amounts for insurers in Solvency II and Exemption Scheme are adjusted for inflation</p> <p>From October 19, 2022, the threshold amounts for exempted insurers have been adjusted for the high inflation. The necessary legislative changes have been made to the Dutch Exemption Regulation (<i>Vrijstellingsregeling Wft</i>).</p> <p>For further information (in Dutch), click here.</p>

Key Regulatory Developments in Spain

Source/Date	Brief description
Official State Gazette December 27, 2022	<p>Law 38/2022, of December 27, for the establishment of temporary energy taxes and of credit institutions and financial credit establishments and by which the temporary solidarity tax of great fortunes is created, and certain tax regulations are modified.</p> <p>Complete reference to the regulation is available (in Spanish) here.</p>
National Stock Markets Commission (CNMV) December 22, 2022	<p>Circular 4/2022, of December 22, of the National Stock Markets Commission, on accounting standards, annual accounts and interim financial statements of the infrastructures of the Spanish stock market.</p> <p>Complete reference to the press release is available (in English) here.</p>
Bank of Spain December 19, 2022	<p>Preliminary public consultation on draft circular regarding information on capital structure.</p> <p>Complete reference to the consultation is available (in Spanish) here.</p>
Council of Ministers Official State Gazette December 16, 2022	<p>Order PCM/1237/2022, of December 15, whereby the agreement of the Council of Ministers approved on December 13, 2022, extending the measures contained in article 10 of Royal Decree-Law 38/2020, of December 29 is published.</p> <p>By virtue of the agreement of reference, the measures of reference adopted in connection with the status of the Third Estate the United Kingdom of Great Britain and Northern Ireland after the termination of the interim period foreseen at the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community dated January 31, 2020.</p> <p>Complete reference to the publication is available (in Spanish) here.</p>
State Secretariat for the Economy and Business Affairs November 23, 2022	<p>The Council of Ministers approved on November 23, 2022 a package of measures to alleviate the mortgage burden on more than a million households at risk due to the increase in Euribor, in an effort to preserve financial stability.</p> <p>This initiative is adopted in the absence of finalizing the last details in the negotiation that the Government is keeping open with the bank employers' associations -AEB, CECA and UNACC- and the Bank of Spain. In addition, the scope of application of the Code of Good Practices is extended.</p> <p>Complete reference to the public statement is available (in Spanish) here.</p>

Source/Date	Brief description
Official State Gazette November 22, 2022	Royal Decree-Law 19/2022, of November 22 was adopted to improve the mortgage loan market. It establishes a Code of Good Practices to alleviate the rise in interest rates on mortgage loans on primary residences, modifies Royal Decree-Law 6/2012, of March 9, of urgent measures to protect mortgage debtors without resources, and other structural measures. Complete reference to the regulation is available (in Spanish) here .
National Stock Markets Commission (CNMV) October 4, 2022	Communication to management companies of collective investment schemes on regulatory changes to be implemented soon Complete reference to the extract of the Official State Gazette is available (in Spanish) here .
Bank of Spain October 4, 2022	The situation of Spanish Banking in the new macro-financial environment Complete reference to the press release is available (in Spanish) here .
Official State Gazette September 29, 2022	Law 18/2022, of September 28, on creation and growth of companies. Complete reference to the extract of the Official State Gazette is available (in Spanish) here .
Bank of Spain September 12, 2022	The Bank of Spain supervises information provided to customers in the marketing of payment accounts Complete reference to the press release (in Spanish) is available here .

Key Regulatory Developments in the United Kingdom

Source/Date	Brief description
UK Government January 2023	<p>Economic Crime and Corporate Transparency Bill</p> <p>The Economic Crime and Corporate Transparency Bill has completed its report stage and third reading in the House of Commons.</p> <p>The Bill contains extensive reforms to Companies House, measures to tackle the misuse of limited partnerships, additional powers for enforcement authorities, and strengthened anti-money laundering powers. At its third reading, amendments were made to many sections (for example, requiring Companies House to remove a limited partnership from the register of names as soon as possible following dissolution), but no sweeping changes were made.</p> <p>The government has agreed to add new corporate criminal offences to the next draft of the bill: failure to prevent fraud, false accounting, and money laundering.</p> <p>For more information about the Bill and its progress through Parliament, click here.</p>
FCA January 25, 2023	<p>Implementation of consumer duty plans</p> <p>The FCA has published a review of how firms are planning to implement the new consumer duty. This is based on implementation plans the FCA requested from around 60 of the largest regulated firms, primarily in retail financial services markets. With six months before the duty comes into force, this gives a snapshot of firm's progress with implementation. The FCA has identified three areas for firms to focus on over the remaining six months of the implementation period:</p> <ul style="list-style-type: none">• Prioritising the areas that will make the biggest impact on outcomes for consumers.• Making the changes needed• Working with other firms to make sure they are all delivering good customer outcomes. <p>To view the press release and review, click here.</p>

Source/Date	Brief description
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Bank of England

BoE outlines future priorities in supervision of FMIs: annual report 2022

December 19, 2022

The Bank of England published its annual report on supervision of financial market infrastructures in December. The report identifies four categories of priorities for the future, which are:

- Delivering robust, risk-based supervision of financial market infrastructure and enhancing the supervisory approach. The BoE will also continue to strengthen its operational resilience framework with new tools, including developing policy related to critical third parties (CTPs) and developing the Senior Managers and Certification Regime (SM&CR) for central counterparties (CCPs) and central securities depositories (CSDs).
- Enhancing CCP resilience, recovery, and resolution. The BoE will continue to develop its CCP supervisory stress testing framework and will implement an enhanced regime for CCP resolution.
- Facilitating safe innovation in payments and settlements. The BoE will implement international standards within a domestic stablecoin regime.
- Continuing to co-operate with international partners to promote safe, efficient and open global markets.

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

FCA and PRA

FCA and PRA launched a joint Consultation Paper in relation to scrapping the banker's bonus cap

December 12, 2022

Both regulators state that despite moving towards the removal of the cap, the intention is to retain the current safeguards which govern the remuneration regime to minimise excessive risk-taking and to maintain a culture of accountability. The regulators' remuneration regime will continue to ensure greater alignment between risk taking and individual reward, to discourage excessive short-termism and encourage more effective risk management.

Firms will still be required to set an appropriate ratio between the fixed and variable components of total remuneration and ensure that these are appropriately balanced.

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

Source/Date	Brief description
<p>HM Treasury, CMA, FCA and PSR</p> <p>December 16, 2022</p>	<p>HM Treasury, CMA, FCA and PSR joint statement to update on the future of open banking</p> <p>The joint regulatory oversight committee, a cross-authority committee responsible for, among other things, thinking about the future vision and governance of open banking, has published a joint statement. This gives an update on plans for the future of open banking.</p> <p>In particular, the committee has proposed a new entity to succeed the current Open Banking Implementation Entity (which is overseen by the CMA). The new body should have effective regulatory oversight, with a new long-term regulatory framework to govern the ecosystem. The committee is keen to sustain momentum in open banking, and unlock the potential of open banking payments to support competition and innovation by creating greater choice between payments methods.</p> <p>To read the press release, click here, and to read the full joint statement, click here.</p>
<p>UK Government</p> <p>December 16, 2022</p>	<p>Amendment 17 to the UK sanctions against Russia</p> <p>In mid-December, the most recent amendment to the UK sanctions regime against Russia came into force. This introduced changes to a number of sections of the Russia (Sanctions) (EU Exit) Regulations 2019, including a new category of prohibited loan and a new category of restrictions on dealing with transferable securities.</p> <p>Amendment 17 also introduced the previously announced trust services ban. UK persons cannot offer 'trust services' to persons connected with Russia (or for their benefit). The definition of trust services includes creating trusts, providing a registered office or business address, operating or managing a trust, and acting as a trustee (or arranging for someone else to act as a trustee).</p> <p>The list of professional and business services that UK persons cannot provide (directly or indirectly) to persons connected with Russia has also expanded to include:</p> <ul style="list-style-type: none"> • auditing services; • advertising services; • architectural services; • engineering services; and • information technology consultancy and design services. <p>For more information, click here.</p>

Source/Date	Brief description
<p>FCA</p> <p>December 12, 2022</p>	<p>Improving the Appointed Representatives regime</p> <p>In December 2022, changes to the FCA's appointed representatives regime came into force. These aim to prevent harm caused when principals do not do adequate due diligence before appointing an AR, and/or due to poor ongoing control and oversight.</p> <p>The FCA will now require firms to:</p> <ul style="list-style-type: none"> • Require principals to provide additional and more timely information on their appointed representatives and how they are overseen. • Clarify and strengthen the responsibilities and expectations of principals. <p>For more information, click here.</p>

<p>FCA</p> <p>December 12, 2022</p>	<p>FCA – Understanding approaches to diversity and inclusion in financial services</p> <p>The FCA published a multi-firm review observing how firms are designing and embedding diversity and inclusion (D&I) strategies. The primary goals of the review were:</p> <ul style="list-style-type: none"> • to give firms and others a picture of the current position, allowing leaders to consider where initiatives might be relevant in their own firms; • to encourage further industry action; and • to help the FCA to develop a supervisory approach that it can use as a basis for future engagement with firms. <p>The FCA praised the overall commitment towards making progress, but also had feedback for firms including that many firms were generic and did not take a holistic view, there were not clear purpose/actions towards achieving their goals, and generally firms were not fully capitalising on the data they collect to identify the best remedies, nor tracking which remedies are most effective. There was little use of focus groups, or using network/employee resource groups and exit interviews.</p> <p>The FCA has given feedback to the firms involved in the review and encourages all regulated firms to consider these findings and use them to assess their current diversity and inclusion strategies and practices.</p> <p>For more information, click here.</p>
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Source/Date	Brief description
<p>HM Treasury</p> <p>December 9, 2022</p>	<p>Edinburgh Reforms and SMCR</p> <p>As part of the Edinburgh Reforms announced last year, the government said that it would launch a review of the Senior Managers and Certification Regime in Q1 2023. This may present an opportunity for the FCA to take a clearer stance in its rules on non-financial misconduct.</p> <p>The call for evidence is described as "an information gathering exercise to garner views on the regime's effectiveness, scope and proportionality, and to seek views on potential improvements and reforms."</p> <p>For more information, click here.</p>
<p>FCA</p> <p>December 6, 2022</p>	<p>FCA outlines stronger rules to protect consumers from rogue financial promotions</p> <p>The FCA has proposed measures to introduce a new gateway for firms that approve financial promotions. The consultation remains open until 7 February 2023, and the changes will be introduced via an amendment to the Financial Services and Markets Bill.</p> <p>Firms will be required to demonstrate they have the right expertise for the promotions they wish to approve. This is a significant change from the current system of allowing any FCA authorised firm approve financial promotions on behalf of other firms who are not authorised by the regulator. Firms will also be required to regularly report back to the FCA on financial promotions they have approved, to help the FCA crack down on rogue adverts.</p> <p>For more information, click here.</p>
<p>FCA</p> <p>November 21, 2022</p>	<p>FCA warning about design features on stock trading apps</p> <p>The FCA has expressed concerns about features in stock trading apps that gamify trading. The examples include frequent notifications with the latest market news and providing consumers with in-app points, badges and celebratory messages for making trades. The warning is accompanied by an FCA research article showing that customers using such trading apps are exposed to high-risk investments, and that some appear to exhibit behaviours similar to problem-gambling. They are more likely to invest in products beyond their risk appetite.</p> <p>The FCA expects all firms that offer stock trading to consumers to review and, where appropriate, make improvements to their products based on the research findings.</p> <p>For more information, click here.</p>

Key Regulatory Developments in the United States

Source/Date	Brief description
Commodities Futures Trading Commission (CFTC) January 18, 2023	<p>Commissioner Pham Announces CFTC Global Markets Advisory Committee Meeting and Leadership</p> <p>CFTC Commissioner Caroline D. Pham, sponsor of the Global Markets Advisory Committee (GMAC), announced that the GMAC will hold a public meeting on Monday, February 13, from 9:30 a.m. (EST) to 3:00 p.m. (EST) at the CFTC's Washington, D.C. headquarters. Commissioner Pham also announced Tom Wipf, Vice Chairman, Morgan Stanley, will serve as the GMAC Chair, and Darcy Bradbury, Managing Director and Head of Public Policy, D. E. Shaw & Co., will serve as Vice Chair.</p> <p>At this meeting, the GMAC will discuss the Committee's structure; formation of subcommittees; and potential topics relating to global market structure and digital asset markets for the GMAC to prioritize in making policy recommendations to the CFTC, consistent with its mandate. A formal agenda will be announced before the meeting. The meeting agenda may change to accommodate other GMAC priorities.</p> <p>The meeting is open to the public with seating on a first-come, first-served basis. Members of the public may also watch a live webcast or listen via conference call using a domestic toll-free telephone or international toll or toll-free number to connect to a live, listen-only audio feed.</p> <p>More information is available here.</p>
Public Company Accounting Oversight Board (PCAOB) December 15, 2022	<p>PCAOB Secures Complete Access to Inspect, Investigate Chinese Firms for First Time in History</p> <p>Public Company Accounting Oversight Board (PCAOB) Chair Erica Y. Williams released the following statement after the Board determined the PCAOB was able to secure complete access to inspect and investigate audit firms in the People's Republic of China (PRC) for the first time in history, in 2022:</p> <p>"For the first time in history, the PCAOB has secured complete access to inspect and investigate registered public accounting firms headquartered in mainland China and Hong Kong. And this morning the Board voted to vacate the previous determinations to the contrary.</p> <p>***</p>

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We arrived at today's decision only after thoroughly verifying China's compliance. . . Our inspections team was more than double the size of a typical team for similar inspections, and they remained on the ground in Hong Kong for about three weeks longer than the typical timeframe.

Our teams were tough. They were thorough. They tested the PRC compliance with skepticism and rigor.

And because of their hard work and commitment to holding China accountable, the PCAOB secured each of the three criteria required to achieve complete access:

1. One: The PCAOB exercised sole discretion to select the firms, audit engagements, and potential violations it inspected and investigated – without consultation with, nor input from, PRC authorities.

PCAOB staff selected two firms for inspection: KPMG Huazhen LLP in mainland China and PricewaterhouseCoopers in Hong Kong. And they inspected a total of eight engagements between the two firms.

Staff selected those firms using the same methodology they use in all PCAOB inspections, including consideration of risk factors posed by particular firms or issuer engagements.

The selected engagements included several from categories of audit engagements PRC authorities had denied access to in the past – including large state-owned enterprises and issuers in sensitive industries.

Neither the PRC authorities nor the firms had any input or influence over the selections, and neither were given advanced notice.

Separately, PCAOB staff also selected potential violations to be investigated consistent with regular practices and processes applied in the U.S. and around the world, without any input from or advance notice to PRC authorities, and PCAOB staff pursued all such investigations without interference.

2. Two: PCAOB inspectors and investigators were able to view complete audit work papers with no redactions, and the PCAOB was able to retain information needed to complete our work.

3. And three: The PCAOB had direct access to interview and take testimony from all personnel associated with the audits the PCAOB inspected or investigated.

I have been clear from day one, there would be no loopholes and no exceptions to our demand for complete access, and there were none.

Our inspection reports are not yet finalized, but we are committed to releasing them as soon as possible in the new year.”

More information is available [here](#).

Source/Date	Brief description
Securities and Exchange Commission (SEC)	<p>SEC Adopts Amendments to Modernize Rule 10b5-1 Insider Trading Plans and Related Disclosures</p>
December 14, 2022	<p>The Securities and Exchange Commission adopted amendments to Rule 10b5-1 under the Securities Exchange Act of 1934 and new disclosure requirements to enhance investor protections against insider trading. The amendments include updates to Rule 10b5-1(c)(1), which provides an affirmative defense to insider trading liability under Section 10(b) and Rule 10b-5. Collectively, the final rules aim to strengthen investor protections concerning insider trading and to help shareholders understand when and how insiders are trading in securities for which they may at times have material nonpublic information.</p>
	<p>The changes to the rule update the conditions that must be met for the 10b5-1 affirmative defense. Specifically, the amendments adopt cooling-off periods for persons other than issuers before trading can commence under a Rule 10b5-1 plan. They also add a condition that all persons entering into a Rule 10b5-1 plan must act in good faith with respect to the plan. The amendments further provide that directors and officers must include representations in their plans certifying at the time of the adoption of a new or modified Rule 10b5-1 plan that: (1) they are not aware of any material nonpublic information about the issuer or its securities; and (2) they are adopting the plan in good faith and not as part of a plan or scheme to evade the prohibitions of Rule 10b-5.</p>
	<p>The amendments restrict the use of multiple overlapping trading plans and limit the ability to rely on the affirmative defense for a single-trade plan to one single-trade plan per twelve-month period for all persons other than issuers.</p>
	<p>The amendments will require more comprehensive disclosure about issuers' policies and procedures related to insider trading, including quarterly disclosure by issuers regarding the use of Rule 10b5-1 plans and certain other trading arrangements by its directors and officers for the trading of its securities.</p>
	<p>The final rules require disclosure of issuers' policies and practices around the timing of options grants and the release of material nonpublic information. The rules will require that issuers report on a new table any option awards beginning four business days before the filing of a periodic report or the filing or furnishing of a current report on Form 8-K that discloses material nonpublic information, including earnings information, other than a Form 8-K that discloses a material new option award grant under Item 5.02(e), and ending one business day after a triggering event. Insiders that report on Forms 4 or 5 will be required to indicate by checkbox that a reported transaction was intended to satisfy the affirmative defense conditions of Rule 10b5-1(c) and to disclose the date of adoption of the trading plan. Finally, bona fide gifts of securities that were previously permitted to be reported on Form 5 will be required to be reported on Form 4.</p>
	<p>More information is available here.</p>

Source/Date	Brief description
Securities and Exchange Commission (SEC) November 23, 2022	<p>SEC Publishes FY22-26 Strategic Plan</p> <p>The Securities and Exchange Commission released its Strategic Plan for fiscal years 2022 to 2026, outlining agency objectives to fight against fraud, maintain a robust and relevant regulatory framework, and sustain a skilled and diverse workforce to serve America’s investors and capital-raising entrepreneurs alike.</p> <p>The SEC's new Strategic Plan establishes three primary goals:</p> <ul style="list-style-type: none"> • Protect the investing public against fraud, manipulation, and misconduct • Develop and implement a robust regulatory framework that keeps pace with evolving markets, business models, and technologies • Support a skilled workforce that is diverse, equitable, and inclusive and is fully equipped to advance agency objectives <p>More information is available here.</p>

Securities and Exchange Commission (SEC) November 15, 2022	<p>SEC Announces Enforcement Results for FY22</p> <p>The Securities and Exchange Commission announced that it filed 760 total enforcement actions in fiscal year 2022, a 9 percent increase over the prior year. These included 462 new, or "stand alone," enforcement actions, a 6.5 percent increase over fiscal year 2021; 129 actions against issuers who were allegedly delinquent in making required filings with the SEC; and 169 "follow-on" administrative proceedings seeking to bar or suspend individuals from certain functions in the securities markets based on criminal convictions, civil injunctions, or other orders. The SEC’s stand-alone enforcement actions in fiscal year 2022 ran the gamut of conduct, from "first-of-their-kind" actions to cases charging traditional securities law violations.</p> <p>Money ordered in SEC actions, comprising civil penalties, disgorgement, and pre-judgment interest, totaled \$6.439 billion, the most on record in SEC history and up from \$3.852 billion in fiscal year 2021. Of the total money ordered, civil penalties, at \$4.194 billion, were also the highest on record. Disgorgement, at \$2.245 billion, decreased by 6 percent from fiscal year 2021. Fiscal year 2022 was the SEC’s second highest year ever in whistleblower awards, in terms of both the number of individuals awarded and the total dollar amounts awarded.</p> <p>More information is available here.</p>
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Source/Date	Brief description
<p>Commodities Futures Trading Commission (CFTC)</p> <p>November 10, 2022</p>	<p>CFTC Approves a Proposed Rule and a Proposed Order and Request for Comment</p> <p>The Commodity Futures Trading Commission voted to advance two proposals. The first is a proposed rule on reporting and information requirements for derivatives clearing organizations (DCOs). The second is a proposed order and a request for comment on an application for a capital comparability determination submitted on behalf of nonbank swap dealers subject to regulation by the Mexican Comision Nacional Bancaria y de Valores.</p> <ul style="list-style-type: none"> • Notice of Proposed Rulemaking on Reporting and Information Requirements for Derivatives Clearing Organizations: The Commodity Futures Trading Commission (CFTC or Commission) is proposing to amend certain reporting and information regulations applicable to derivatives clearing organizations (DCOs). These proposed amendments would, among other things, update information requirements associated with commingling customer funds and positions in futures and swaps in the same account, address certain systems-related reporting obligations in § 39.18(g) regarding exceptional events, revise certain daily and event-specific reporting requirements in § 39.19(c), and include in an appendix the fields that a DCO is required to provide on a daily basis under existing § 39.19(c)(1). In addition, the Commission is proposing to amend certain delegation provisions in § 140.94. • Notice of Proposed Order and Request for Comment on an Application for a Capital Comparability Determination Submitted on behalf of Nonbank Swap Dealers subject to Regulation by the Mexican Comision Nacional Bancaria y de Valores: The Commodity Futures Trading Commission is soliciting public comment on a joint request submitted by Morgan Stanley Mexico, Casa de Bolsa, S.A. de C.V., Goldman Sachs Mexico, Casa de Bolsa, S.A. de C.V., and Casa de Bolsa Finamex, S.A. de C.V. requesting that the Commission determine that the capital and financial reporting laws and regulations of Mexico applicable to CFTC-registered swap dealers organized and domiciled in Mexico, and licensed with the Mexican Banking and Securities Commission (Comision Nacional Bancaria y de Valores) as broker-dealers (casa de bolsa), provide a sufficient basis for an affirmative finding of comparability with respect to the Commission's swap dealer capital and financial reporting requirements adopted under the Commodity Exchange Act. The Commission also is soliciting public comment on a proposed order providing for the conditional availability of substituted compliance in connection with the application. <p>More information is available here.</p>

Source/Date**Brief description**

Securities and Exchange Commission (SEC)

October 26, 2022

SEC Adopts New Amendments and Rules

The Securities and Exchange Commission voted to adopt rule and form amendments to require mutual funds and exchange-traded funds to transmit concise and visually engaging shareholder reports and to promote transparent and balanced presentations of fees and expenses in investment company advertisements.

The rule amendments will require funds to provide concise, tailored shareholder reports that highlight key information, such as fund expenses, performance, and portfolio holdings. The instructions for the revamped reports will encourage the use of graphic and text features to make them more effective. Funds will be required to tag the information in their reports in a structured data format. Further, the rule amendments require funds to make certain information that may be more relevant to investors and financial professionals who desire more in-depth information available online and available for delivery free of charge to investors on request. That information will no longer appear in fund's shareholder reports but will remain available to investors on a website identified in the shareholder report and must be filed semi-annually with the Commission.

In addition to modernizing fund shareholder reports, the Commission adopted amendments to investment company advertising rules to require that fee and expense presentations in registered investment company and business development company advertisements and sales literature be consistent with relevant prospectus fee table presentations and be reasonably current. The amendments also address representations of fees and expenses that could be materially misleading.

More information is available [here](#).

The Securities and Exchange Commission also adopted rules to require securities exchanges to adopt listing standards that require issuers to develop and implement a policy providing for the recovery of erroneously awarded incentive-based compensation received by current or former executive officers. The final rules require a listed issuer to file the policy as an exhibit to its annual report and to include disclosures related to its recovery policy and recovery analysis where a recovery is triggered. The Commission proposed compensation recovery rules in 2015 and reopened the comment period on the proposal in October 2021 and again in June 2022.

The new rules implement Section 10D of the Securities Exchange Act of 1934, a provision added by the Dodd-Frank Wall Street Reform and Consumer Protection Act. New Exchange Act Rule 10D-1 directs national securities exchanges and associations to establish listing standards that require a listed issuer to: (1) adopt and comply with a written policy for recovery of erroneously awarded incentive-based compensation received by its current or former executive officers in the event it is required to prepare an accounting restatement due to its material noncompliance with any financial reporting requirement under the securities laws, during the three completed fiscal years immediately preceding the date that the issuer is required to prepare an accounting restatement; and (2) disclose those compensation recovery policies in accordance with Commission rules, including providing the information in tagged data format.

Source/Date	Brief description
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(Cont...)

Further the final rules require specific disclosure of the listed issuer’s policy on recovery of incentive-based compensation and information about actions taken pursuant to such recovery policy. The amendments also require all listed issuers to: (i) file their written recovery policies as exhibits to their annual reports; (ii) indicate by check boxes on their annual reports whether the financial statements included in the filings reflect correction of an error to previously issued financial statements and whether any of those error corrections are restatements that required a recovery analysis; and (iii) disclose any actions they have taken pursuant to such recovery policies.

More information is available [here](#).

<p>Commodities Futures Trading Commission (CFTC)</p> <p>October 26, 2022</p>	<p>CFTC Exempts Additional Singapore Recognized Market Operators from SEF Registration Requirements</p> <p>The Commodity Futures Trading Commission announced it has unanimously approved an amended order that exempts three Recognized Market Operators (RMOs) authorized within Singapore from CFTC swap execution facility (SEF) registration requirements. The exempted RMOs are Bloomberg Tradebook Singapore Pte Ltd, SGX FX Markets Pte. Ltd., and Synoption Pte. Ltd.</p> <p>Section 5h(g) of the Commodity Exchange Act (CEA) provides the CFTC may grant an exemption if it finds that a foreign SEF is subject to comparable, comprehensive supervision and regulation by the appropriate governmental authorities in the facility’s home country. The CFTC may likewise revoke exempt status when a facility is no longer authorized and/or in good standing in its home country.</p> <p>More information is available here.</p>
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Source/Date	Brief description
Commodities Futures Trading Commission (CFTC) October 26, 2022	<p>CFTC Exempts Additional European Union Multilateral Trading Facilities and Organised Trading Facilities from SEF Registration Requirements</p> <p>The Commodity Futures Trading Commission announced that it has unanimously approved an amended order that exempts two multilateral trading facilities (MTFs) and two organised trading facilities authorized within the European Union (EU) from CFTC swap execution facility (SEF) registration requirements. The exempted MTFs are Financial & Risk Transaction Services Ireland Limited (Ireland) and TRAD-X MTF (France). The exempted OTFs are Market Securities OTF (France) and Tradition España OTF (Spain).</p> <p>Section 5h(g) of the Commodity Exchange Act (CEA) provides the CFTC may grant such an exemption if it finds that a foreign SEF is subject to comparable, comprehensive supervision and regulation by the appropriate governmental authorities in the facility's home country. The CFTC may likewise revoke exempt status when a facility is no longer authorized and/or in good standing in its home country.</p> <p>More information is available here.</p>

Commodities Futures Trading Commission (CFTC) October 20, 2022	<p>CFTC Releases Annual Enforcement Results</p> <p>The Commodity Futures Trading Commission released the agency's enforcement results for Fiscal Year 2022 that demonstrates its continued commitment to protecting customers and ensuring market integrity. In FY 2022, the CFTC obtained orders imposing over \$2.5 billion in restitution, disgorgement and civil monetary penalties either through settlement or litigation. In the agency's efforts to prevent fraud, manipulation, reporting, supervision and misconduct related to digital assets, the CFTC filed 82 enforcement actions and continued to devote significant resources to litigating complex cases and achieved several litigation successes during the fiscal year.</p> <p>The Division of Enforcement performance highlights include:</p> <ul style="list-style-type: none"> • Digital Asset-Related Actions • Manipulative and Deceptive Conduct and Spoofing • Violations by Registered Entities • Misappropriation of Material Non-Public Information <p>More information is available here.</p>
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Source/Date	Brief description
Securities and Exchange Commission (SEC) September 9, 2022	<p data-bbox="501 212 1401 280">SEC Division of Corporation Finance to Add Industry Offices Focused on Crypto Assets and Industrial Applications and Services</p> <p data-bbox="501 313 1422 638">The Securities and Exchange Commission announced plans to add an Office of Crypto Assets and an Office of Industrial Applications and Services to the Division of Corporation Finance's Disclosure Review Program (DRP). The DRP has long had offices to review company filings by issuers. The two new offices will join the seven existing offices that provide focused review of issuer filings and that are grouped by industry expertise to further the Division's work to promote capital formation and protect investors. The DRP anticipates the new offices will be established later this fall.</p> <p data-bbox="501 672 1401 846">The Office of Crypto Assets will continue the work currently performed across the DRP to review filings involving crypto assets. Assigning companies and filings to one office will enable the DRP to better focus its resources and expertise to address the unique and evolving filing review issues related to crypto assets.</p> <p data-bbox="501 880 1422 1131">The Office of Industrial Applications and Services will be responsible for the non-pharma, non-biotech, and non-medicinal products companies currently assigned to the Office of Life Sciences. In recent years, the life sciences industry has experienced significant growth, which has added to the number of filings and companies assigned to that office. Transitioning a subset of these companies to a separate group will allow the DRP staff to better build specialized expertise in this space.</p> <p data-bbox="501 1164 925 1191">More information is available here.</p>

Key Regulatory Developments in China

Source/Date	Brief description
China Securities Regulatory Commission (CSRC) January 13, 2023	<p>SFC Amends "Measures for the Administration of Private Asset Management Business of Securities and Futures Institutions" and its Supporting Rules</p> <p>In order to further consolidate the effectiveness of the regulation and reform of capital management business, better utilize the function of private capital management business to serve the real economy, and promote the formation of a professional and standardized industry ecology, the SFC has made several amendments. The amendments actively respond to the reasonable demands of the market, and address the lack of adaptability of some regulations.</p> <p>The combination of deregulation and regulation promotes the private equity fund management business to give full play to its function of serving the real economy. It also enhance the flexibility of product investment and operation to better meet market demand. This includes improving the limit on the number of participants in collective management schemes, and allowing futures companies with the last two Class AAA ratings to invest in non-standard assets such as OTC derivatives.</p> <p>For further information (in Chinese), click here.</p>
The People's Bank of China (PBC) and Ministry of Commerce of the People's Republic of China (MOFCOM) January 11, 2023	<p>MOFCOM and PBC issue the Notice on Further Supporting Foreign Economic and Trade Enterprises in Expanding the Cross-border Use of Renminbi to Facilitate Trade and Investment</p> <p>The move aims to to facilitate the use of RMB in cross-border trade and investment, so as to better meet the market needs of foreign economic and trade enterprises regarding transactions and settlement, investment and financing, and risk management.</p> <p>According to the Notice, convenience should be offered to settle various cross-border trade and investment businesses in RMB, and banks are expected to provide more convenient and efficient settlement services. Banks are encouraged to make overseas RMB loans and innovate products and services to satisfy the needs of enterprises for cross-border RMB investment and financing. Business support tailored to enterprises' needs, such as deal matchmaking, financial planning, and risk management, may be provided to boost insurance guarantee and enhance comprehensive financial services regarding the cross-border RMB business. Relevant capital and funds can play a guiding role as well. In addition, diversified publicity and training shall be carried out to boost connection between banks and enterprises and benefit more market players.</p> <p>For further information (in Chinese), click here.</p>

Source/Date	Brief description
<p>Shanghai Stock Exchange (SSE)</p> <p>December 30, 2022</p>	<p>SSE Takes the Revision of Measures for Administration of Stock Options Trading as an Opportunity to Actively Advance the Revision of Supporting Business Rules for Stock Options</p> <p>The China Securities Regulatory Commission (CSRC) solicits public opinions on the revised Measures for Administration of Stock Options Trading. The revision is an important step to implement the relevant system of the Futures and Derivatives Law issued in August 2022. It further clarifies the registration scheme for stock option contracts, strengthens the protection of stock option traders and improves the arrangements related to risk control in the stock options market. The Shanghai Stock Exchange (SSE) has simultaneously started the revision of supporting rules related to stock options trading, striving to build a concise, clear and user-friendly rule system.</p> <p>Going forward, under the guidance of the CSRC, SSE will actively push forward the revision of supporting business rules for stock options, speed up the implementation of relevant institutional mechanisms, continuously optimize market construction and provide premium services and supervision for the market to boost the high-quality development of the stock options market.</p> <p>For further information, click here.</p>
<p>China Banking and Insurance Regulatory Commission (CBIRC)</p> <p>December 30, 2022</p>	<p>CBIRC issues the Rules on Consumer Rights Protection of Banking and Insurance Institutions</p> <p>In order to maintain a fair and just marketplace and financial environment, effectively protect the legitimate rights and interests of consumers in the banking and insurance industries, and promote the healthy and quality development of the industries, China Banking and Insurance Regulatory Commission (CBIRC) has formulated and issued the Rules on Consumer Rights Protection of Banking and Insurance Institutions (hereinafter referred to as the “Rules”), which will come into force on March 1, 2023.</p> <p>The <i>Rules</i> made it clear that banking and insurance institutions are responsible for protecting consumers' legitimate rights and interests, and consumers have the obligation to be honest and trustworthy. It also requires banking and insurance institutions to incorporate consumer rights protection into corporate governance, corporate culture and business development strategies, and improve working mechanisms such as consumer suitability management, internal assessment, etc. Banking and insurance institutions are guided to strengthen the system and mechanism of consumer rights protection and build an all-round working system of consumer rights protection. Further, Banks and Insurance institution required to strengthen consumer education and publicity, improve service quality, and standardize marketing and debt collection practices, to protect consumers' rights.</p> <p>For further information (in Chinese), click here.</p>

Source/Date	Brief description
<p>China Banking and Insurance Regulatory Commission (CBIRC)</p> <p>December 27, 2022</p>	<p>CBIRC issues the Provisional Measures on Comprehensive Supervisory Rating of Foreign Bank Branches</p> <p>In order to further improve the supervisory rating system of foreign bank branches, rationally allocate regulatory resources, strengthen classified regulation and promote the steady operation of foreign bank branches, the China Banking and Insurance Regulatory Commission (CBIRC) recently issued the <i>Provisional Rules on Comprehensive Supervisory Rating of Foreign Bank Branches</i> (hereinafter referred to as the “Rules”).</p> <p>The <i>Rules</i> generally standardizes the supervisory rating of foreign bank branches, and provides for the basic definition, scope of application, main principles, rating elements, basic procedures, and application of rating results of foreign bank branches. The issuance and implementation of the <i>Rules</i> may further facilitate the reasonable allocation of supervisory resources, enhance supervisory capabilities, guide foreign bank branches to improve their risk management systems, and continuously enhance their risk governance.</p> <p>For further information (in Chinese), click here.</p>

<p>Shanghai Stock Exchange (SSE)</p> <p>December 19, 2022</p>	<p>Securities Regulators in Mainland and Hong Kong Approve the Expanding Scope of Eligible Stocks under Stock Connect in Principle</p> <p>The China Securities Regulatory Commission (CSRC) and the Securities and Futures Commission of Hong Kong issued a <i>Joint Announcement</i>, which in principle approved the further expanding the scope of eligible stocks under Stock Connect.</p> <p>According to the arrangement of the <i>Joint Announcement</i>, the constituent stocks of the Shanghai Stock Exchange (SSE) A-share Index with a market value of 5 billion yuan or above that meet liquidity criteria would be included in Shanghai-Hong Kong Stock Connect to replace the original constituent stocks of the SSE 180 Index and SSE 380 Index, while the A shares of the A+H shares would still be included in line with the existing arrangement. With the scope expansion, the Shanghai Stock Connect will include SSE-listed stocks more extensively to provide foreign investors with more growth-oriented and innovative asset allocation options and attract foreign capital to the market. While the Hong Kong Stock Connect would include foreign companies to further support Hong Kong in enhancing its attractiveness to international corporations.</p> <p>For further information, click here.</p>
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Source/Date	Brief description
<p>China Securities Regulatory Commission (CSRC)</p> <p>December 19, 2022</p>	<p>Joint announcement of the China Securities Regulatory Commission and the Hong Kong Securities and Futures Commission</p> <p>To further deepen mutual stock market access between the Mainland and Hong Kong (Stock Connect) and promote the development of both capital markets, the China Securities Regulatory Commission (CSRC) and the Hong Kong Securities and Futures Commission (SFC) have agreed in principle that the Mainland and Hong Kong stock exchanges will further expand the scope of eligible stocks under Stock Connect.</p> <p>The scope of eligible stocks will be expanded for both the Northbound and Southbound Trading Links. After obtaining the consent from the CSRC and the SFC, the stock exchanges will set out the specific requirements for the inclusion of eligible stocks, adjustment mechanism etc.</p> <p>Both the Mainland and Hong Kong stock exchanges and securities registration and clearing houses will adjust related business rules and actively conduct preparation such as development and testing of technical systems and investor education.</p> <p>For further information, click here.</p>
<p>Shenzhen Stock Exchange (SZSE)</p> <p>December 17, 2022</p>	<p>SZSE Launches the Pilot Project of Cross-border Bond Listing Business via the Greater Bay Area Bond Platform</p> <p>Under the unified leadership of CSRC, SZSE recently issued the <i>Guidelines on the Pilot Project of Cross-border Bond Listing Business via the Greater Bay Area Bond Platform</i> (hereinafter referred to as the <i>Guidelines</i>).</p> <p>The <i>Guidelines</i> indicates that the Greater Bay Area Bond Platform is positioned to provide information disclosure and relevant services for cross-border bonds. The scope of the pilot project includes offshore RMB bond products issued in Hong Kong, China to professional institutional investors (hereinafter referred to as cross-border bonds), and the issuers shall be Chinese government issuers and quality corporate issuers.</p> <p>Next, SZSE will promptly evaluate the effect of the pilot project, and gradually explore and improve the services and functions of the Greater Bay Area Bond Platform based on the needs of participants of the cross-border bond market, to play a greater role in serving the development of the Greater Bay Area.</p> <p>For further information (in Chinese), click here.</p>

Source/Date	Brief description
<p>The People's Bank of China (PBC) and State Administration of Foreign Exchange (SAFE)</p> <p>December 08, 2022</p>	<p>Notice of the People's Bank of China State Administration of Foreign Exchange on Matters Relating to the Management of Funds for Domestic Issuance of Bonds by Foreign Institutions ([2022] No. 272)</p> <p>The <i>Notice</i> was issued on matters related to domestic issuance of bonds by overseas institutions in order to regulate the management of funds for domestic issuance of bonds by overseas institutions.</p> <p>It clarified the regulatory department, provided guidelines for the registration with the domestic banking financial institution at which the overseas institution opened the relevant fund raising account, indicate rules for foreign institutions opening a domestic bond issue special funds (RMB or / and foreign exchange) account.</p> <p>Foreign institutions are encouraged to issue bonds in the form of cross-border receipt and use of funds raised in RMB. Also, the materials submitted by foreign institutions in accordance with this notice shall be in Chinese according to the Notice. If the Chinese text and foreign language text are submitted at the same time, the Chinese text shall prevail.</p> <p>For further information (in Chinese), click here.</p>
<p>Shanghai Stock Exchange (SSE)</p> <p>October 14, 2022</p>	<p>SSE Published the Implementation Rules for Share Reduction by Shareholders of Listed Companies on the STAR Market of the Shanghai Stock Exchange by Inquiry Transfer and Placement to Specific Institutional Investors (Revised in October 2022)</p> <p>The Shanghai Stock Exchange (SSE) has revised and improved the <i>Implementation Rules for Share Reduction by Shareholders of Listed Companies on the STAR Market of the Shanghai Stock Exchange by Inquiry Transfer and Placement to Specific Institutional Investors</i> (hereinafter referred to as the <i>Implementation Rules</i>) to optimize the relevant operating procedures and information disclosure requirements for price-inquiry transfers on the STAR Market, and coordinated matters including the window period regulations and the application of depository receipt rules.</p> <p>This revision of the system takes into account the positive effect of inquiry transfer on the STAR Market in balancing the demands of shareholders to reduce their holdings and the protection of the interests of small and medium investors, aiming to further optimize the system design, enhance investors' sense of gain, improve the attractiveness of the system, and guide shareholders of STAR Market companies, especially leading companies and heavyweight companies, to reduce their holdings by inquiry transfer, and guide shareholders using other means, especially auction, to shift to using inquiry transfer for share reduction.</p> <p>For further information, click here.</p>

Source/Date	Brief description
<p>China Securities Regulatory Commission (CSRC)</p> <p>September 09, 2022</p>	<p>CSRC issues revised Regulations on Registration and Settlement Business of Domestic Securities Transactions by Qualified Foreign Institutional Investors and RMB Qualified Foreign Institutional Investors</p> <p>The main amendments to the <i>Regulations</i> include: Firstly, in accordance with the Administrative Measures, the basis of formulation has been amended to include RMB Qualified Foreign Institutional Investors (RQFII) in the scope of application. Secondly, in accordance with the requirements of the DVP reform, the specific provisions on the disposal of default by China Securities Clearing in the event of overbuying are amended to be handled by China Securities Clearing in accordance with the relevant business rules. Thirdly, the filing requirements of the tripartite agreement on the prevention of erroneous transactions and the sharing of liability are adjusted in accordance with the actual working conditions.</p> <p>The release and implementation of the <i>Regulations</i> further consolidates the foundation of the system rules for the DVP reform and rationalises the interface of the relevant systems. In the next step, CSRC will guide China Securities Clearing to continue to do a good job in the relevant work.</p> <p>For further information (in Chinese), click here.</p>
<p>China Banking and Insurance Regulatory Commission (CBIRC)</p> <p>August 05, 2022</p>	<p>CBIRC Releases the Rules on Insurance Asset Management Companies</p> <p>The <i>Rules</i> is an important measure to implement the work plans of the central government on deepening the financial supply-side structural reform and expanding the opening-up. By taking into account both the existing problems and future development direction of insurance asset management companies, the <i>Rules</i> sets up a relatively comprehensive and distinctive institutional regulatory framework, allowing for the market-oriented operation and differentiated development of insurance asset management companies. It helps to guide and promote the operation and high-quality development of insurance asset management companies, to better meet the needs of security and value growth of insurance funds, and to cultivate more prudent institutional investors for the sound and healthy operation of capital markets and the high-quality development of the real economy.</p> <p>For further information (in Chinese), click here.</p>

Public Events & Conference

Source/Date	Brief description
Shenzhen Stock Exchange(SZSE) January 3, 2023	<p>SZSE-SGX ETF Connect is Successfully Launched More Fruits are Produced in the Two-way Opening Up of the Capital Market</p> <p>On the morning of December 30, SZSE and Singapore Exchange Limited (SGX) jointly held a launching ceremony of SZSE-SGX ETF Connect, marking the successful listing of the first pair of two-way SZSE-SGX ETF Connect products on SZSE and SGX.</p> <p>The official launching of SZSE-SGX ETF Connect is an important measure taken by SZSE to implement the strategic plans of the CPC Central Committee and State Council for wider financial opening up, a beneficial practice of deepening and expanding win-win cooperation between China and Singapore on the capital market, and an another important result achieved in the two-way opening up of China's capital market. In recent years, SZSE has continuously optimized the mechanism for interconnection with overseas markets and enriched and expanded the scope of ETF Connect cooperation. It has successively pushed forward the implementation of Shenzhen-Hong Kong and Shenzhen-Japan ETF Connect projects, and cumulatively launched six ETF Connect products, effectively promoting cross-border two-way investment and global resource allocation. In addition, the launching of SZSE-SGX ETF Connect has enabled China's ETF to "Go Global" and Singapore to "Bring in" ETF, and helped further enrich the cross-border fund product system, improve the cross-border development capabilities of asset management industry, attract more medium and long-term allocation and valuation-based funds to the market and promote the structural optimization and healthy and stable development of the capital market.</p> <p>For further information, click here.</p>
The People's Bank of China (PBC) October 10, 2022	<p>PBC and ECB Extend Bilateral Currency Swap Agreement</p> <p>With the approval of the State Council, the People's Bank of China (PBC) recently renewed a bilateral currency swap agreement with the European Central Bank (ECB), with the size unchanged at RMB350 billion/EUR45 billion. The agreement is valid for a further three years.</p> <p>The renewal of the agreement promotes further currency cooperation between the two countries, facilitates bilateral trade and investment, and helps maintain the stability of the financial market.</p> <p>For further information (in Chinese), click here.</p>

Source/Date	Brief description
The People's Bank of China (PBC)	PBC and NBK Sign MOU on Establishing RMB Clearing Arrangements in Kazakhstan
September 20, 2022	<p>The People's Bank of China (PBC) recently signed a Memorandum of Understanding (MOU) with the National Bank of Kazakhstan (NBK) on establishing Renminbi (RMB) clearing arrangements in Kazakhstan. The arrangements will help enterprises and financial institutions of the two countries conduct cross-border transactions using RMB and further facilitate bilateral trade and investment.</p> <p>For further information (in Chinese), click here.</p>

Key Regulatory Developments in Hong Kong

Source/Date	Brief description
Hong Kong Monetary Authority January 5, 2023	Hong Kong Government's Institutional Green Bonds Offering <p>The Hong Kong Government announced the successful offering of US\$5.75 billion worth of green bonds (the Green Bonds), denominated in US dollars (USD), euro (EUR) and Renminbi (RMB), under the Government Green Bond Programme. The triple-currency offering is the largest ESG bond issuance in Asia.</p> <p>For more information, click here.</p>
Financial Services and the Treasury Bureau (FSTB) December 19, 2022	Consultation on enhancing regulation of crowdfunding activities launched <p>The FSTB published a consultation paper on the proposal to enhance regulation of crowdfunding activities, and launched a three-month public consultation exercise.</p> <p>The consultation paper sets out various recommendations on enhancing the transparency and accountability of crowdfunding activities, which include requiring in-principle future crowdfunding activities to make application and obtain permission before commencement; and ensuring sufficient transparency to the public during and after the conduct of crowdfunding activities. The paper suggests setting up a Crowdfunding Affairs Office (CAO) to centrally process regulatory and administrative matters related to crowdfunding activities.</p> <p>For more information, click here.</p>
Securities and Futures Commission (SFC) December 19, 2022	Regulators announce expansion of eligible stocks under Stock Connect <p>The SFC and the China Securities Regulatory Commission (CSRC) today jointly announced their in-principle approval for the further expansion of the scope of stocks eligible for trading under Mainland-Hong Kong Stock Connect.</p> <p>After the expansion, which will cover both northbound and southbound trading, Stock Connect is expected to include stocks that account for more than 80% of the equity trading in each market. This will strengthen mutual access between the Mainland and Hong Kong stock markets and provide additional liquidity for both markets.</p> <p>For more information, click here.</p>

Source/Date	Brief description
<p>Securities and Futures Commission (SFC)</p> <p>November 25, 2022</p>	<p>SFC consults on risk management guidelines for futures dealing activities</p> <p>The SFC launched a consultation on proposed risk management guidelines for licensed futures brokers.</p> <p>The proposed guidelines mainly include qualitative requirements for the control and management of key risks arising from futures dealing activities. Key proposals include requiring futures brokers to set prudent client risk limits and comply with additional requirements relating to commodity futures. They would also be required to conduct due diligence reviews of executing or clearing agents, safeguard client assets more properly, and put in place controls relating to trading in futures markets and handling client assets outside Hong Kong.</p> <p>For more information, click here.</p>
<p>Hong Kong Monetary Authority (HKMA)</p> <p>September 23, 2022</p>	<p>The HKMA takes disciplinary action against Cathay United Bank Company, Limited, Hong Kong Branch for contraventions of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance</p> <p>The HKMA announced that it had completed an investigation and the disciplinary proceedings for Cathay United Bank Company, Limited, Hong Kong Branch (CUBHK) under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Chapter 615 of the Laws of Hong Kong) (AMLO). The HKMA has imposed a pecuniary penalty of HK\$11,000,000 against CUBHK for contraventions of the AMLO.</p> <p>For more information, click here.</p>
<p>Hong Kong Monetary Authority (HKMA)</p> <p>August 26, 2022</p>	<p>The HKMA takes disciplinary action against Commerzbank AG, Hong Kong Branch for contraventions of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance</p> <p>The HKMA announced that it had completed an investigation and disciplinary proceedings for Commerzbank AG, Hong Kong Branch (CBHK) under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Chapter 615 of the Laws of Hong Kong) (AMLO). The HKMA has imposed a pecuniary penalty of HK\$6,000,000 against CBHK for contraventions of the AMLO.</p> <p>For more information, click here.</p>

Key Regulatory Developments in Singapore

Source/Date	Brief description
Monetary Authority of Singapore (MAS) November 3, 2022	<p>MAS Launches Expanded Initiative to Advance Cross-Border Connectivity in Wholesale Central Bank Digital Currencies (CBDCs)</p> <p>The MAS launched Ubin+, an expanded collaboration with international partners on cross-border foreign exchange settlement using wholesale CBDC. One example of collaboration is between the Federal Reserve Bank of New York's New York Innovation Centre and the MAS, to investigate how wholesale CBDCs could improve the efficiency of cross-border wholesale payments involving multiple currencies. Ubin+ will focus on studying business models and governance structures for cross-border foreign exchange settlement, developing technical standards and infrastructure to support cross-border connectivity and atomic settlement of currency transactions using distributed ledger technology (DLT), and establishing policy guidelines for the connectivity of digital currency infrastructure across borders.</p> <p>For further information, click here and here.</p>
MAS November 2, 2022	<p>Ministry of Finance (MOF) and MAS Launch Process to Digitalise Banker's Guarantees and Insurance Bonds</p> <p>The MOF and MAS launched eGuarantee@Gov, a digital process for businesses and individuals to provide a banker's guarantee or insurance bond to government agencies within a day. Financial institutions and government agencies may benefit from a simpler workflow, as eGuarantee@Gov employs standardised texts which eliminate the need for each guarantee to undergo legal vetting, and the eGuarantees are also securely transmitted through the Singapore Customs' Networked Trade Platform.</p> <p>For further information, click here.</p>
MAS November 2, 2022	<p>First Industry Pilot for Digital Asset and Decentralised Finance Goes Live</p> <p>The MAS announced that the first industry pilot under MAS' Project Guardian, which explores potential decentralised finance applications in wholesale funding markets, has completed its first live trades. Under the first industry pilot, DBS Bank, JP Morgan and SBI Digital Asset Holdings conducted foreign exchange and government bond transactions against liquidity pools comprising tokenised Singapore Government Securities Bonds, Japanese Government Bonds, Japanese Yen and Singapore Dollar. More industry pilots have been launched to test the application of asset tokenisation and decentralised finance across a broader range of use cases in the financial sector.</p> <p>For further information, click here.</p>

Source/Date	Brief description
<p>MAS</p> <p>November 2, 2022</p>	<p>Financial Planning for Singaporeans Enhanced with Insurance Data on the Singapore Financial Data Exchange (SGFinDex)</p> <p>The MAS and the Smart Nation and Digital Government Group (SNDGG) announced that individuals will be able to digitally access and aggregate information on their life, accident and health insurance policies held across different participating insurers on SGFinDex. Individuals may access this information through financial planning applications or websites of participating insurers, banks, and MyMoneySense, a free government financial planning digital service. The inclusion of insurance data, in addition to existing banking and investment data accessible on SGFinDex, allows individuals to have a more comprehensive view of their financial status and make more informed financial planning decisions.</p> <p>SGFinDex is the world's first public digital infrastructure that enables individuals to securely access their financial information held across government agencies, banks, insurers and the central securities depository.</p> <p>For further information, click here.</p>
<p>MAS</p> <p>October 31, 2022</p>	<p>MAS Report on Potential Uses of a Purpose-Bound Digital Singapore Dollar</p> <p>The MAS released a report setting out potential uses of a purpose-bound digital Singapore dollar (SGD) and the supporting infrastructure required. The report includes the design considerations for implementing a programmable digital SGD for potential use cases. Future research areas will focus on improving the user experience, strengthening security and privacy capabilities, and increasing accessibility to the broad population.</p> <p>For further information, click here.</p>
<p>MAS</p> <p>October 26, 2022</p>	<p>MAS proposes measures to reduce risks to consumers from cryptocurrency trading and enhance standards of stablecoin-related activities</p> <p>The MAS published two consultation papers proposing regulatory measures to reduce the risk of consumer harm from cryptocurrency trading and to support the development of stablecoins as a credible medium of exchange in the digital asset ecosystem. These measures will be part of the Payment Services Act 2019 (PSA). The proposed measures cover three broad areas: consumer access, business conduct, and technology risks.</p> <p>MAS will also regulate the issuance of stablecoins pegged to a single currency, where the value of the single currency in circulation exceeds S\$5 million. The key proposed issuer requirements relate to value stability, reference currency, disclosures and prudential standards.</p> <p>For further information, click here.</p>

Source/Date	Brief description
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Various government agencies, including the MAS, Ministry of Law, Ministry of Finance and Ministry of Home Affairs

October 7, 2022

Singapore announces Five-Pronged Strategy to Counter the Financing of Terrorism

The National Strategy for Countering the Financing of Terrorism (**National CFT Strategy**) was published, setting out a roadmap for the development of future action plans for law enforcement, policy and supervisory agencies to combat terrorism financing. The five points of the National CFT Strategy are:

- (a) Coordinated and Comprehensive Risk Identification
- (b) Strong Legal and Sanctions Frameworks
- (c) Robust Regulatory Regime and Risk Targeted Supervisory Framework
- (d) Decisive Law Enforcement Actions
- (e) International Partnerships and Cooperation

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

MAS

October 5, 2022

MAS launches Environmental, Social and Governance (ESG) Impact Hub to spur growth of ESG ecosystem

The MAS launched the ESG Impact Hub to spur collaboration between ESG FinTech start-ups and solution providers, financial institutions and real economy stakeholders. The Hub will anchor industry-driven sustainability initiatives, and will also assist in the growth of Singapore’s ESG ecosystem through growing ESG FinTech companies, engaging ESG partners to organise key initiatives, and supporting ESG stakeholders.

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

MAS

September 15, 2022

MAS launches Financial Services Industry Transformation Map 2025

The Financial Services Industry Transformation Map 2025 (**ITM**) was launched by Mr Lawrence Wong, Deputy Prime Minister and Minister for Finance, and MAS Deputy Chairman. The ITM comprises five growth strategies to further develop Singapore as a leading international financial centre in Asia:

- (a) Enhance Asset Class Strengths;
- (b) Digitalise Financial Infrastructure;
- (c) Catalyse Asia’s Net-Zero Transition;
- (d) Shape the Future of Financial Networks; and
- (e) Foster a Skilled and Adaptable Workforce.

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

Source/Date	Brief description
<p>MAS</p> <p>September 12, 2022</p>	<p>MAS and Singapore Exchange (SGX Group) Launch ESGenome Disclosure Portal to Streamline Sustainability Reporting and Enhance Investor Access to ESG Data</p> <p>The MAS and SGX Group jointly launched ESGenome, a digital disclosure portal for companies to report ESG data in an efficient manner, and for investors to access such data in a consistent and comparable format. ESGenome is a Software as a Service solution which helps SGX-listed companies to simplify the process of sustainability disclosure, by using a core set of metrics mapped across global standards and frameworks. This is a joint initiative by the MAS and SGX Group under Project Greenprint, a collection of initiatives that aims to harness technology and data to enable a more transparent and trusted ESG ecosystem.</p> <p>For further information, click here.</p>

<p>MAS</p> <p>September 12, 2022</p>	<p>Explanatory Brief for Business Trusts (Amendment) Bill 2022</p> <p>The Business Trusts (Amendment) Bill 2022 (BTA Bill) was moved for First Reading in Parliament by Minister of State, Ministry of Culture, Community and Youth and Ministry of Trade and Industry, Mr Alvin Tan, on behalf of Senior Minister and Minister-in-charge of the MAS, Mr Tharman Shanmugaratnam. The Business Trusts Act 2004 (BTA) was enacted to provide a framework for the governance of business trusts. Since the BTA came into operation, there have been amendments made to the Companies Act 1967 (CA), as well as governance requirements for real estate investment trusts and provisions under the Securities and Futures Act 2001 (SFA) that are relevant to the regulation of business trusts. As such, the proposed amendments in the BTA Bill include the re-alignment of some provisions with the CA, and the strengthening of governance safeguards for business trusts in view of the revised regime for real estate investment trusts. Other amendments include amendments to align with the SFA and amendments to reduce administrative requirements.</p> <p>For further information, click here.</p>
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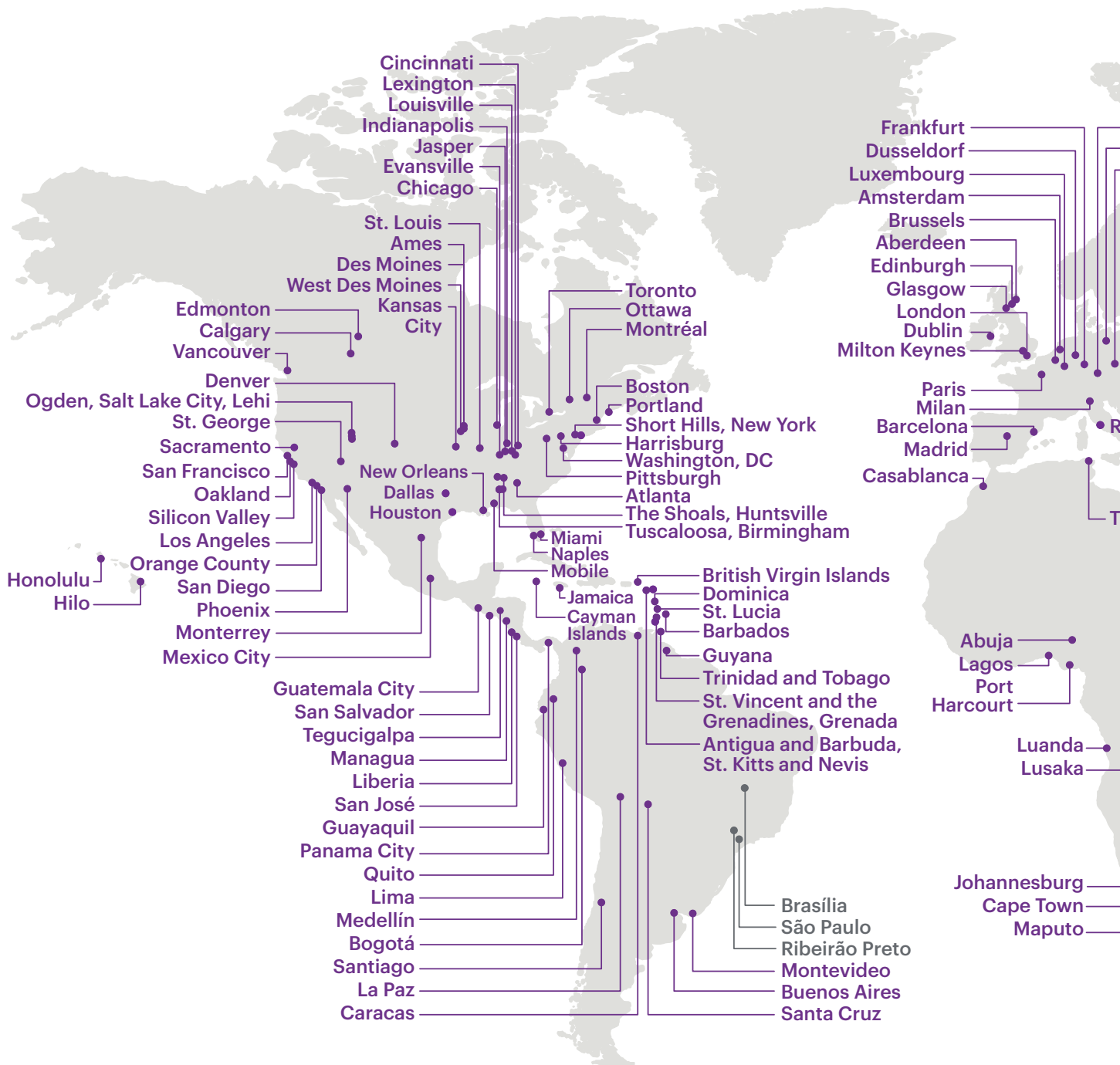
Public Events & Conferences

Source/Date	Brief description
MAS November 25, 2022	<p>7th United Kingdom (UK)-Singapore Financial Dialogue: UK and Singapore deepen collaboration in FinTech and strengthen financial cooperation</p> <p>At the 7th UK-Singapore Financial Dialogue in Singapore, both countries renewed their commitment to deepening the UK-Singapore Financial Partnership which was agreed in 2021, and also agreed on a Memorandum of Understanding on the UK-Singapore Fintech Bridge. The FinTech Bridge seeks to support continued growth, investment and technological innovation in the areas of payments, RegTech and wealth management. Both countries also discussed joint interests in sustainable finance, FinTech and innovation, and agreed on further cooperation in these areas.</p> <p>For further information, click here.</p>
MAS November 14, 2022	<p>Singapore FinTech Festival 2022 sees Record Turnout from the Global FinTech Community</p> <p>The 7th edition of the Singapore FinTech Festival (SFF), which concluded on 4 November 2022, attracted over 62,000 participants from over 115 countries. Key highlights include the inaugural invite-only Capital Meets Policy Dialogue on FinTech regulation and investment capital allocation; the Elevandi Insights Forum for government and industry leaders to discuss various topics such as cross-border payment, stablecoins development and digital assets; and the introduction of a new ESG FinTech Zone showcasing technological solutions driving innovation and change in the region's net zero effort.</p> <p>For further information, click here.</p>
MAS November 14, 2022	<p>Central Banks of Indonesia, Malaysia, Philippines, Singapore and Thailand Seal Cooperation in Regional Payment Connectivity</p> <p>The Central Banks of Indonesia, Malaysia, Philippines, Singapore and Thailand signed a Memorandum of Understanding on Cooperation in Regional Payment Connectivity (RPC) on 14 November 2022 in Bali, Indonesia, on the sidelines of the G20 Leaders' Summit. The RPC is expected to be a significant contributor to accelerating regional economic recovery and promoting inclusive growth, as the implementation of cross-border payment connectivity helps to facilitate cross-border trade, investment and other economic activities in the region. The cooperation will include several modalities, including QR codes and fast payment.</p> <p>For further information, click here.</p>

Source/Date	Brief description
<p>MAS November 14, 2022</p>	<p>MAS Partners the United Nations Capital Development Fund (UNCDF) to Develop Integrated Financial Ecosystems for Least Developed Countries</p> <p>The MAS and UNCDF signed a Memorandum of Understanding on 11 November 2022 to jointly develop integrated and digital financial ecosystems for micro, small and medium enterprises (MSMEs) from least developed countries. As a start, the MAS and UNCDF will collaborate on developing the Pacific Islands Integrated Financial Ecosystem (PIIFE), which will offer an open digital infrastructure for participating MSMEs, providing broad-based financial literacy, better access to financing and financial services, and expanded business opportunities.</p> <p>For further information, click here.</p>
<p>MAS November 4, 2022</p>	<p>MAS, Bank of Ghana and Development Bank Ghana to develop an Integrated Financial Ecosystem to Support Growth of Asia-Africa SME Trade Corridor</p> <p>The MAS, Bank of Ghana (BOG) and Development Bank Ghana (DBG) signed a Memorandum of Understanding to develop the Ghana Integrated Financial Ecosystem (GIFE). The GIFE aims to enhance financial capabilities and access for MSMEs in Ghana and generate greater opportunities for trade and financial services cooperation between Singapore and Ghana. The GIFE will offer an open digital infrastructure for MSMEs in Ghana and Singapore to build foundational digital financial literacy skills, create a network of business-to-business e-commerce platforms, provide digital trade finance and guarantees to eligible MSMEs, and develop financial trust frameworks to assess creditworthiness for financing.</p> <p>For further information, click here.</p>
<p>MAS November 1, 2022</p>	<p>18th Joint Council for Bilateral Cooperation (JCBC): Singapore and China Strengthen Cooperation in Green Finance and Capital Market Linkages</p> <p>At the 18th JCBC, the MAS announced new initiatives to expand cooperation in green finance and deepen capital market linkages with China. These initiatives include establishing a China-Singapore Green Finance Taskforce to explore collaboration in various areas of sustainable finance; establishing an Exchange Traded Funds (ETF) Product Link which will allow investors in China and Singapore to access ETF investment opportunities in each other's markets; and launching a Low Carbon Index Family by Chinese and Singapore exchanges to serve as a benchmark for fund managers to launch new green funds.</p> <p>For further information, click here.</p>

Source/Date	Brief description
<p>MAS</p> <p>October 4, 2022</p>	<p>Transition Finance Towards Net Zero (TFNZ) Conference: Public-Private Partnerships to Mobilise Capital for Net Zero Transition</p> <p>The MAS together with knowledge partners McKinsey & Company and Convergence Blended Finance, and supported by the Glasgow Financial Alliance for Net Zero (GFANZ), hosted the inaugural TFNZ Conference, which brought together senior representatives from multilateral development banks, governments, catalytic donors and financial institutions. The conference focused on the theme of scaling “blended finance” which involves the use of concessional and catalytic capital to draw in private capital at commercial rates for financing projects with sustainable outcomes. The conference also saw the launch of an initiative by the GFANZ Asia-Pacific Network to develop guidance for financial institutions on how they may facilitate the phase-out of coal power generation in the region.</p> <p>For further information, click here.</p>
<p>MAS</p> <p>September 18, 2022</p>	<p>MAS and International Financial Services Centres Authority (IFSCA) to Pursue Cross-Border FinTech Innovations</p> <p>The MAS and IFSCA signed a FinTech Cooperation Agreement (FinTech CA) to facilitate regulatory collaboration and partnership in FinTech. The FinTech CA will promote regulatory sandbox collaboration between both organisations, as well as sharing of non-supervisory related information and facilitating discussions on emerging FinTech issues. This FinTech CA builds on the Memorandum of Understanding on Supervisory Co-operation signed between MAS and IFSCA in July 2022.</p> <p>For further information, click here.</p>

Global presence

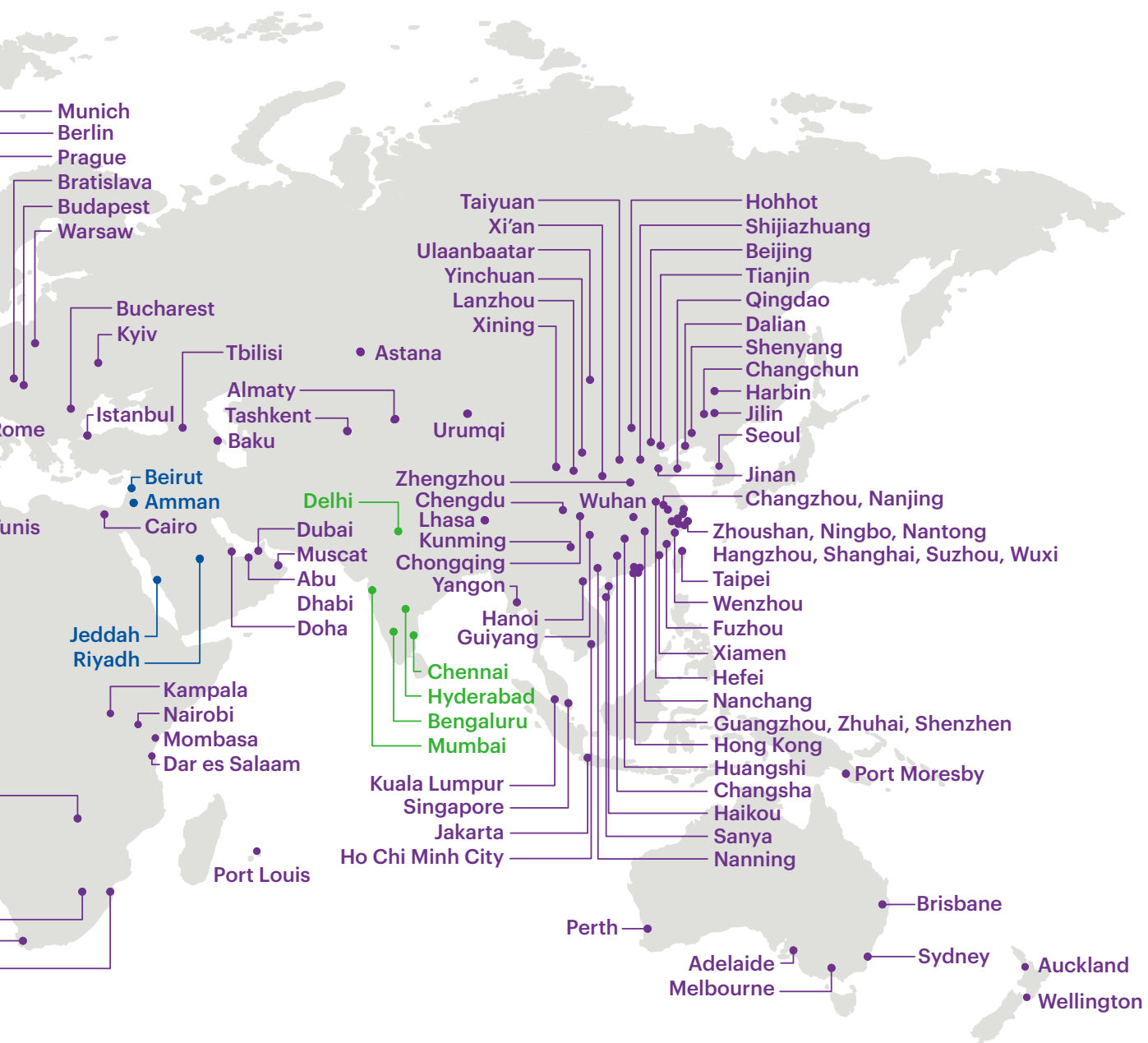


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Editorial Board



Stephen Senderowitz
Partner, Chicago
D +1 312 876 8141
stephen.senderowitz@dentons.com



Dr. Holger Schelling
Partner, Frankfurt
D +49 69 45 00 12 345
holger.schelling@dentons.com



Louise Massey
Partner, Sydney
D +61 2 9931 4959
louise.massey@dentons.com



Jacqui Giannini
Senior Managing Associate,
Chicago
D +1 312 876 2395
jacqui.giannini@dentons.com

Contributors

Australia



Elise Ivory
Partner, Sydney
D +61 2 9931 4810
elise.ivory@dentons.com

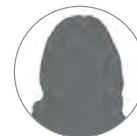


AJ Sridaran
Senior Associate, Sydney
D +61 2 9931 4839
aj.sridaran@dentons.com

China



Frank Qu
Senior Partner, Shanghai
D +86 21 5878 7580
feng.qu@dentons.cn



Willow Wei
Partner, Shanghai
D +86 21 3872 2339
willow.wei@dentons.cn

Czech Republic



Daniel Hurych
Partner, Prague
D +420 236 082 206
daniel.hurych@dentons.com



Martin Fiala
Associate, Prague
D +420 236 082 294
martin.fiala@dentons.com



Jan Kořistka
Junior Associate, Prague
D +420 236 082 244
jan.koristka@dentons.com



Dr. Arne Klüwer
Partner, Frankfurt
D +49 69 4500 12 360
arne.kluewer@dentons.com



Robert Michels
Office Managing Partner,
Frankfurt
D +49 69 45 00 12 250
robert.michels@dentons.com



Dr. Holger Schelling
Partner, Frankfurt
D +49 69 45 00 12 345
holger.schelling@dentons.com



Dr. Kai Goretzky
Partner, Frankfurt
D +49 69 45 00 12 460
kai.goretzky@dentons.com



Moritz Müller
Associate, Frankfurt
D +49 69 45 00 12 453
moritz.mueller@dentons.com

Hong Kong



Nadja Reiß
Associate, Frankfurt
D +49 69 450012 368
nadja.reiss@dentons.com



Julianne Doe
Partner, Hong Kong
D +852 2533 3689
julianne.doe@dentons.com



Karen Yip
Associate, Hong Kong
D +852 2533 3672
karen.yip@dentons.com

Italy



Alessandro Engst
Partner, Rome
D +39 06 809 120 17
alessandro.engst@dentons.com



Federico Atorino
Associate, Milan
D +39 02 726 265 21
federico.atorino@dentons.com



Carlotta Riggi
Associate, Rome
D +39 06 809 120 37
carlotta.riggi@dentons.com

Netherlands



Pien Kerckhaert
Partner, Amsterdam
D +31 6 31 67 03 95
pien.kerckhaert@dentons.com



Arno Voerman
Partner, Amsterdam
D +31 6 11 38 85 38
arno.voerman@dentons.com



Robbert Middelburg
Associate, Amsterdam
D +31 20 795 31 07
robbert.middelburg@dentons.com



Djuanti Tamsma
Junior Associate, Amsterdam
D +31 20 795 30 59
djuanti.tamsma@dentons.com

Singapore



Kia Jeng Koh
Senior Partner, Singapore
D +65 688 5 3698
kiajeng.koh@dentons.com



Jacqueline Loke
Senior Partner, Singapore
D +65 6885 3699
jacqueline.loke@dentons.com



Jesús Mardomingo
Partner, Madrid
D +34 91 43 61 370
jesus.mardomingo@dentons.com



Lola Noguera
Associate, London
D +34 91 43 22 161
lola.noguera@dentons.com

United Kingdom



Katharine Harle
Partner, London
D +44 20 7320 6573
katharine.harle@dentons.com



Jonathan Garforth
Partner, London
D +44 20 7320 3743
jonathan.garforth@dentons.com



Greg McEneny
Partner, London
D +44 20 7246 7453
greg.mceneny@dentons.com



Chris Brennan
Partner, London
D +44 20 7246 7746
christopher.brennan@dentons.com



Zeena Saleh
Counsel, London
D +44 20 7320 3830
zeena.saleh@dentons.com

United States



Stephen Senderowitz
Partner, Chicago
D +1 312 876 8141
stephen.senderowitz@dentons.com
dentons.com



Jacqui Giannini
Senior Managing Associate,
Chicago
D +1 312 876 2395
jacqui.giannini@dentons.com



Doug Henkin
Partner, New York
D +1 212 768 6832
douglas.henkin@dentons.com



David Kornblau
Partner, New York
D +1 212 768 6890
david.kornblau@dentons.com



Walter Van Dorn
Partner, New York
D +1 212 768 6985
walter.vandorn@dentons.com

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