

Directive 98/26/EC of the European Parliament and of the Council of 19  
May 1998 on settlement finality in payment and securities settlement systems

SECTION I

SCOPE AND DEFINITIONS

- Article 1 The provisions of this Directive shall apply to: any system...  
Article 2 For the purpose of this Directive: 'system' shall mean a...

SECTION II

NETTING AND TRANSFER ORDERS

- Article 3 (1) Transfer orders and netting shall be legally enforceable and...  
Article 4 Member States may provide that the opening of insolvency proceedings...  
Article 5 A transfer order may not be revoked by a participant...

SECTION III

PROVISIONS CONCERNING INSOLVENCY PROCEEDINGS

- Article 6 (1) For the purpose of this Directive, the moment of...  
Article 7 Insolvency proceedings shall not have retroactive effects on the rights...  
Article 8 In the event of insolvency proceedings being opened against a...

SECTION IV

INSULATION OF THE RIGHTS OF HOLDERS OF COLLATERAL SECURITY  
FROM THE EFFECTS OF THE INSOLVENCY OF THE PROVIDER

- Article 9 (1) The rights of a system operator or of a...

SECTION V

FINAL PROVISIONS

- Article 10 (1) Member States shall specify the systems, and the respective...  
Article 10a (1) The competent authorities shall cooperate with ESMA for the...  
Article 11 (1) Member States shall bring into force the laws, regulations...  
Article 12 No later than three years after the date mentioned in...  
Article 12a By 28 June 2021, the Commission shall review how Member...  
Article 13 This Directive shall enter into force on the day of...  
Article 14 This Directive is addressed to the Member States.

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**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

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- (1) [OJ C 207, 18.7.1996, p. 13](#), and [OJ C 259, 26.8.1997, p. 6](#).
- (2) Opinion delivered on 21 November 1996.
- (3) [OJ C 56, 24.2.1997, p. 1](#).
- (4) Opinion of the European Parliament of 9 April 1997 ([OJ C 132, 28.4.1997, p. 74](#)), Council Common Position of 13 October 1997 ([OJ C 375, 10.12.1997, p. 34](#)) and Decision of the European Parliament of 29 January 1998 ([OJ C 56, 23.2.1998](#)). Council Decision of 27 April 1998.