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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**EXITING THE EUROPEAN UNION  
FINANCIAL SERVICES**

The Equivalence Determinations for Financial  
Services and Miscellaneous Provisions  
(Amendment etc) (EU Exit) Regulations 2019

Made - - - - - \*\*\*  
Coming into force in accordance with  
regulation 1(2) and (3)

THE EQUIVALENCE DETERMINATIONS FOR FINANCIAL  
SERVICES AND MISCELLANEOUS PROVISIONS  
(AMENDMENT ETC) (EU EXIT) REGULATIONS 2019

1. Citation, commencement and interpretation
  2. Equivalence directions
  3. Exemption directions
  4. Information and advice
  5. Application of the Financial Services and Markets Act 2000 in relation to functions under this Regulation
  6. Co-ordination
  7. Amendments to EU tertiary legislation
  8. Revocation of Regulations establishing the European System of Financial Supervision
- Signature

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SCHEDULE 1 — Equivalence determinations

*Benchmarks Regulation*

9. (1) For the purposes of Article 30(2) of Regulation (EU)...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019 No. 541*

*Capital Requirements Regulation*

10. For the purpose of determining capital requirements under Regulation (EU)...

*Credit Rating Agencies Regulation*

11. (1) For the purposes of Article 5 of Regulation (EC)...

*EMIR*

12. (1) For the purposes of Article 2A of EMIR, to...

*Markets in Financial Instruments*

13. (1) For the purposes of Article 23 of Regulation (EU)...
14. For the purposes of Article 33 of MiFIR, to determine...
15. For the purposes of Article 38(3) of MiFIR, to determine...
16. For the purpose of Article 47 of MiFIR, to determine...

*Prospectus Directive and Transparency Directive*

17. (1) For the purposes of rules made by the Financial...

*Securities Financing Transactions Regulation*

18. (1) For the purpose of Article 19(1) of SFTR, to...

*Short Selling Regulation*

19. For the purpose of Article 17 of Regulation (EU) 236/2012...

*Solvency 2 Regulation*

20. (1) For the purposes of Articles 378, 379 and 380...

SCHEDULE 2 — Commission Tertiary Legislation

*EMIR*

21. In Article 1 of the following Commission Implementing Decisions, for...

*Markets in financial instruments*

22. (1) In Commission Implementing Decision (EU) 2017/2320 of 13 December...
23. In Commission Implementing Decision (EU) 2017/2238 of 5 December 2017...
24. In Commission Implementing Decision (EU) 2018/2047 of 20 December 2018...

*Capital Requirements Regulation*

25. In Commission Implementing Decision 2014/908 of 12 December 2014 on...

*Solvency 2*

26. In Commission Delegated Decision (EU) 2015/1602 of 5 June 2015...

27. In Commission Delegated Decision (EU) 2016/309 of 26 November 2015...
28. In Commission Delegated Decision (EU) 2016/310 of 26 November 2015...
29. In Commission Delegated Decision (EU) 2015/2290 of 12 June 2015...

*Prospectus Directive*

30. In Commission Regulation (EC) No 1289/2008 of 12 December 2008...

Explanatory Note