
STATUTORY INSTRUMENTS

2018 No. 1318

The Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018

PART 2

Amendment of retained direct EU legislation: the European Markets Infrastructure Regulation

Amendment of provision in respect of registration of a trade repository

2.—(1) Chapter 1 of Title 6 of the European Markets Infrastructure Regulation (conditions and procedures for registration of a trade repository) is amended as follows.

(2) In Article 55 (registration of a trade repository)—

- (a) in paragraph 1, for “ESMA” substitute “ the FCA ”;
- (b) in paragraph 2, for “Union” substitute “ United Kingdom ”;
- (c) omit paragraph 3;
- (d) in paragraph 4, for “ESMA” substitute “ the FCA ”.

(3) In Article 56 (application for registration)—

- (a) in paragraph 1, for “ESMA” substitute “ the FCA ”;
- (b) in paragraph 2—
 - (i) for “ESMA”, where first occurring, substitute “ The FCA ”;
 - (ii) for “ESMA”, wherever else occurring, substitute “ the FCA ”;
- (c) for paragraph 3 substitute—

“3. The FCA may make technical standards specifying the form and content of applications under paragraph 1.”;

(d) omit paragraph 4.

(4) Omit Article 57 (notification of and consultation with competent authorities prior to registration).

(5) In Article 58 (examination of the application)—

- (a) in paragraph 1, for “ESMA” substitute “ The FCA ”;
- (b) omit paragraph 2.

(6) Omit Article 59 (notification of ESMA decisions relating to registration).

Changes to legislation: The Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018, PART 2 is up to date with all changes known to be in force on or before 11 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

- I1** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(3)

Amendment of provision in respect of the requirements for trade repositories

3. In Title 7 of the European Markets Infrastructure Regulation (requirements for trade repositories), in Article 81 (transparency and data availability)—

- (a) in paragraph 3, for [^{F1}points (a) to (q)] substitute—

“(a) the FCA;
(b) the Bank of England;
(c) the Pensions Regulator.”;

- (b) omit paragraph 4;

^{F2}(c)

F1 Words in reg. 3(a) substituted (30.10.2019) by [The Over the Counter Derivatives, Central Counterparties and Trade Repositories \(Amendment, etc., and Transitional Provision\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1416\)](#), regs. 1(2), **8(a)**

F2 Reg. 3(c) omitted (30.10.2019) by virtue of [The Over the Counter Derivatives, Central Counterparties and Trade Repositories \(Amendment, etc., and Transitional Provision\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1416\)](#), regs. 1(2), **8(b)**

Commencement Information

- I2** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(3)

Interpretation

4. In this Part, a reference to the European Markets Infrastructure Regulation is to Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4th July 2012 on OTC derivatives, central counterparties and trade repositories [^{F3}as [^{F4}it forms part of retained EU law]] .

F3 Words in reg. 4 substituted (25.6.2020) by [The Over the Counter Derivatives, Central Counterparties and Trade Repositories \(Amendment, etc., and Transitional Provision\) \(EU Exit\) Regulations 2020 \(S.I. 2020/646\)](#), regs. 1(2)(c), **5**

F4 Words in reg. 4 substituted (27.11.2020) by [The Securities Financing Transactions, Securitisation and Miscellaneous Amendments \(EU Exit\) Regulations 2020 \(S.I. 2020/1385\)](#), regs. 1(2), **47(2)**

Commencement Information

- I3** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(3)

Changes to legislation:

The Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018, PART 2 is up to date with all changes known to be in force on or before 11 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)