
STATUTORY INSTRUMENTS

2018 No. 1403

**EXITING THE EUROPEAN UNION
FINANCIAL SERVICES**

**The Markets in Financial Instruments
(Amendment) (EU Exit) Regulations 2018**

*Made - - - - 19th December 2018
Coming into force in accordance with
regulation 1(2) and (3)*

**THE MARKETS IN FINANCIAL INSTRUMENTS
(AMENDMENT) (EU EXIT) REGULATIONS 2018**

PART 1

General

1. Citation and commencement

PART 2

Amendment of secondary legislation: European Communities Act 1972

2. The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017
3. The Data Reporting Services Regulations 2017

PART 3

Amendment of secondary legislation: European Union (Withdrawal) Act 2018

CHAPTER 1

The Regulated Activities Order

4. Amendments to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

Status: This is the original version (as it was originally made).

CHAPTER 2

The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017

5. The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017
6. Introductory provisions
7. Interpretation
8. Exempt and third country investment firms
9. Algorithmic trading
10. Direct electronic access
11. Acting as a general clearing member
12. Synchronisation of business clocks
13. Interpretation of Part 4
14. Removal of persons from the management board
15. Miscellaneous FCA functions
16. Administration and Enforcement of Parts 3, 4 and 5

CHAPTER 3

The Data Reporting Services Regulations 2017

17. The Data Reporting Services Regulations 2017
18. Introductory provisions
19. Authorisation of data reporting services
20. Temporary authorisation
21. Operating requirements
22. Administration and enforcement
23. Miscellaneous

PART 4

Amendment of EU Regulations

CHAPTER 1

Amendment of Markets in Financial Instruments Regulation

24. Markets in Financial Instruments Regulation
25. Subject matter and scope
26. Definitions
27. Transparency for trading venues
28. Transparency for systematic internalisers and investment firms trading OTC
29. Transaction reporting
30. Derivatives
31. Non-discriminatory clearing access for financial instruments
32. Supervisory measures on product intervention and positions
33. Provision of services and performance of activities by third-country firms following an equivalence decision
34. Delegated and implementing acts
35. Final provisions
36. Professional clients
37. Transfer of Functions

CHAPTER 2

Commission Delegated Regulation 2017/565

38. Commission Regulation 2017/565
39. Application, scope and definitions
40. Systematic internalisers
41. Algorithmic trading and electronic access
42. Organisation requirements
43. Conflicts of interest
44. Investment research and marketing
45. Underwriting and placing
46. Information to clients
47. Investment Advice
48. Best execution
49. Eligible counterparties
50. Record-keeping
51. SME growth market
52. Operating obligations for trading venues
53. Position reporting in commodity derivatives
54. Data provision obligations for data reporting service providers
55. Final provisions
56. Annexes

CHAPTER 3

Commission Delegated Regulation 2017/567

57. Commission Delegated Regulation 2017/567
 58. Interpretation
 59. Determining liquid markets for equity instruments
 60. Data publication obligations for systematic internalisers
 61. Supervisory measures on product intervention and position management
- Signature
Explanatory Note