

STATUTORY INSTRUMENTS

2020 No. 628

The Financial Services (Miscellaneous Amendments) (EU Exit) Regulations 2020

PART 2

Amendment of secondary legislation

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

7.—(1) The Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018 ^{F1} are amended as follows.

- (2) Omit regulation 7(3)(c) (interpretation).
- (3) In regulation 31 (non-discriminatory clearing access for financial instruments)—
 - (a) for paragraph (3) substitute—
 - “(3) In Article 37—
 - (a) in the second subparagraph of paragraph 2, omit “and, in particular, Article 101 and 102 TFEU”;
 - (b) in paragraph 4—
 - (i) in the first subparagraph, for “ESMA shall develop draft regulatory” substitute “The FCA and the Bank of England may make”;
 - (ii) omit the second and third subparagraphs.”;
 - (b) for paragraph (4)(b) substitute—
 - “(b) in paragraph 2, in the first subparagraph, for “the Commission has adopted a decision in accordance with paragraph 3 of this Article” substitute “the Treasury has made regulations under paragraph 3 of this Article determining”;
 - (c) for paragraph (4)(c) substitute—
 - “(c) in paragraph 3, in the first subparagraph, for “The Commission may, in accordance with the examination procedure referred to in Article 51, adopt decisions determining” substitute “The Treasury may by regulations determine”.

F1 [S.I. 2018/1403](#).

Commencement Information

I1 [Reg. 7](#) in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(3\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Financial Services (Miscellaneous Amendments) (EU Exit) Regulations 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations power to modify conferred by [2023 c. 29 s. 3Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)