

**Minutes of Meeting of the  
City of London Law Society Regulatory Law Committee (the "Committee")**

Held on Tuesday 11 June 2019 at 12.30pm  
at Herbert Smith Freehills LLP, Exchange House, 12 Primrose Street, London, EC2A 2EG

**ATTENDEES**

<b>Present</b>	<b>Firm Represented</b>
Karen Anderson (Chair)	Herbert Smith Freehills LLP
Matthew Baker	Bryan Cave Leighton Paisner LLP
Peter Bevan	Linklaters LLP
Richard Everett	Travers Smith LLP
William Garner	Charles Russell Speechlys LLP
Brian McDonnell	Addleshaw Goddard LLP
Hannah Meakin	Norton Rose Fulbright LLP

**1. MINUTES OF PREVIOUS MEETING**

The minutes of the meeting of the Committee held on 14 May 2019 were approved.

**2. HMT CONSULTATION ON TRANSPOSITION OF THE FIFTH MONEY LAUNDERING DIRECTIVE**

The Committee discussed the draft response which had been circulated in advance of the meeting. It was noted that a short extension had been obtained for submitting a response. The members briefly discussed whether there was any risk that crypto-to-crypto exchanges could be used for layering. A member also commented that where the response noted the risk of bringing a wider range of assets in scope of AML regulation, it would be helpful to also refer to the text of the Fifth Money Laundering Directive, as it specifically excluded "in-games currencies" from the scope, supporting the Committee's view that a narrower application of the new rules was more appropriate.

It was agreed that a final draft reflecting the comments made in the meeting would be circulated to members for final review, after which it would be submitted.

**3. BEIS CONSULTATION ON NEW AUDIT, CORPORATE REPORTING AND CORPORATE GOVERNANCE REGULATOR**

The member who was due to lead the discussion could not be present. It was noted that a draft joint response from the CLLS Company Law Committee and Law Society had been circulated to members in advance of the meeting, and comments on the response had been provided by email.

It was agreed that the Chair would confirm with the member whether there was merit in the Committee drafting a short letter in response to the consultation paper formally noting that the Committee agreed with the views expressed in the joint response.

**4. FCA CONSULTATION PAPER ON MORTGAGE CUSTOMERS: PROPOSED CHANGES TO RESPONSIBLE LENDING RULES AND GUIDANCE**

Comments on the consultation paper had been circulated in advance of the meeting. As the member who was due to lead the discussion could not be present, it was agreed that the Chair would ask them to present their views for discussion at the next meeting.

5. **PRA CONSULTATION PAPER ON ENFORCEMENT – CHANGES TO THE PRA'S SETTLEMENT POLICY**

Comments on the consultation paper had been circulated in advance of the meeting. As the member who was due to lead the discussion could not be present, it was agreed that they would present their views for discussion at the next meeting.

6. **FCA HIGH-COST CREDIT REVIEW: OVERDRAFTS POLICY STATEMENT**

The Committee briefly discussed the policy statement. It was noted that the FCA had accepted the Committee's feedback on the definition of a "private bank" which had been provided in response to the consultation paper on this issue earlier in the year.

It was agreed that a member would review the policy statement further and consider whether there were any issues on which the Committee should comment.

7. **OTHER CONSULTATIONS TO WHICH THE COMMITTEE MAY WISH TO RESPOND**

The Committee discussed other papers currently open for consultation. It was decided that a member would review the **FCA guidance consultation on the GI distribution chain: proposed guidance for insurance product manufacturers and distributors**, and consider whether the Committee should submit a response.



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**Karen Anderson**

Chair, CLLS Regulatory Law Committee