

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

Held on Tuesday 8 October 2019 at 12.30pm
at Herbert Smith Freehills LLP, Exchange House, 12 Primrose Street, London, EC2A 2EG

ATTENDEES

Present	Firm Represented
Karen Anderson (Chair)	Herbert Smith Freehills LLP
Peter Bevan	Linklaters LLP
Simon Crown	Clifford Chance LLP
Richard Everett	Travers Smith LLP
Angela Hayes	TLT LLP
Mark Kalderon	Freshfields Bruckhaus Deringer LLP
Brian McDonnell	Addleshaw Goddard LLP
Hannah Meakin	Norton Rose Fulbright LLP
Rob Moulton	Latham & Watkins LLP
Stuart Willey	White & Case LLP

1. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of the Committee held on 10 September 2019 were approved.

2. HMT CALL FOR EVIDENCE ON THE FINANCIAL SERVICES FUTURE REGULATORY FRAMEWORK REVIEW (REGULATORY CO-ORDINATION)

Further to the September meeting, a member had been in contact with IRSG to discuss its response to this paper. It was agreed that the outcomes of the discussion would be fed back to the Committee.

It was agreed that a member would prepare a draft response setting out the Committee's views, which, if appropriate, would reflect the discussions being held with the IRSG. The members confirmed that they had no specific points to raise on the substance of the paper and were supportive of the aims of the review.

3. LAW COMMISSION CALL FOR EVIDENCE ON INTERMEDIATED SECURITIES

The member who had considered this paper in more detail following the September meeting presented the issues which appeared of most relevance to the Committee.

The Committee discussed the question considering whether insolvency in an intermediated securities chain should be considered from a legal rather than regulatory perspective. The Committee considered that both perspectives were important. Insolvency law, in particular, was important in establishing the framework around the insolvency process and protecting property rights. It was noted that the investment bank special administration regime would address some of these points.

The Committee also considered the questions relating to the FSCS. In particular the members considered that improved education of ultimate investors on the risks of intermediary insolvency should not be the key focus of any future changes.

It was agreed that a member would liaise with the chairs of the other CLLS committees also considering this paper and feed in the Committee's comments to the co-ordinated response.

Finally, the Committee discussed some of the questions on the impact of technology on the intermediated shareholding model. While the paper raised some interesting questions on this topic, it was decided that the Committee would not respond on this issue.

4. ESMA CONSULTATION PAPER ON MAR REVIEW REPORT

The Committee discussed the paper and in particular the changes to the scope of the requirements under MAR which were proposed. The Committee noted the wide range of issues being consulted on (including extending the scope of MAR to cover spot FX contracts and imposing standalone requirements on issuers to control inside information), and agreed to allocate the topics between the members to consider each topic in more detail.

It was agreed that members would consider the topics allocated to them in the meeting and circulate the key points on which they would suggest responding, with a view to having a draft response prepared for discussion at the November meeting.

.....
Karen Anderson
Chair, CLLS Regulatory Law Committee