

## Expected One-year Delay to the Implementation of MiFID II

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Financial Services and Regulation

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The European Parliament's MiFID II team has informed the European Commission that it is ready to accept a one-year wholesale delay to the implementation of MiFID II—both the Directive and the Regulation, MiFIR. This was announced in a [press release](#) issued on Friday, November 27, 2015. This means that MiFID II and MiFIR will now apply by January 3, 2018, rather than the current date of January 3, 2017. The European Parliament says that it is only prepared to accept this delay provided that the European Commission finalises the implementing legislation without further delay, and urges the European Commission and the European Securities and Markets Authority (ESMA) to produce a roadmap on the implementation work and the setting up of the IT systems required.

In a [letter](#) dated November 27, 2015 to the European Commission, the MiFID II negotiating team of the Parliament expresses its disappointment over ESMA not adequately addressing the Parliament's concerns relating to Position Limits (RTS 21), non-equity transparency (RTS 2), and the ancillary activity exemption (RTS 20). The European Parliament urges the European Commission to take these issues very seriously and to "swiftly make the appropriate and necessary changes to the draft RTS." The letter goes on to describe these changes.

Given the European Parliament's agreement to a year's delay, this now seems to be the likely outcome; however, the extent to which the European Commission will make the changes to the RTS required by the European Parliament remains uncertain.

If you have any questions concerning the material discussed in this client alert, please contact the following members of our Financial Services and Regulation group:

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