

MEMO# 28999

May 21, 2015

European Commission Issues Public Consultation on Regulation of Derivatives, Central Counterparties, and Trade Repositories

[28999]

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TO: DERIVATIVES MARKETS ADVISORY COMMITTEE No. 32-15
ICI GLOBAL REGULATED FUNDS COMMITTEE No. 20-15
ICI GLOBAL TRADING & MARKETS COMMITTEE No. 23-15
INTERNATIONAL COMMITTEE No. 24-15 RE: EUROPEAN COMMISSION ISSUES PUBLIC CONSULTATION ON REGULATION OF DERIVATIVES, CENTRAL COUNTERPARTIES, AND TRADE REPOSITORIES

Recently, the European Commission issued a public consultation in connection with a report that it must prepare on the European Markets Infrastructure Regulation (“EMIR”), which implements in the European Union the commitment by G-20 countries to reform the derivatives markets. [1] Under EMIR, the Commission is required to prepare a general report on EMIR for submission to the European Parliament and the Council and any appropriate proposals. The purpose of the Public Consultation is to obtain feedback from market participants on their experiences in the implementation of EMIR, which will assist the Commission in preparing the report.

The Public Consultation covers a number of areas, including central counterparty (“CCP”) liquidity, effect on non-financial firms, CCP margins and collateral, clearing obligations, trade reporting, risk mitigation techniques, exchange of collateral, and cross-border activity. In addition, the Commission seeks feedback on any additional issues or unintended consequences that have arisen during the implementation of EMIR.

Responses to the Public Consultation are due by August 13, 2015. We are considering whether to submit a response to the Public Consultation. If you have issues you would like to include in a response, please contact Jennifer Choi at jennifer.choi@ici.org by June 30.

Jennifer S. Choi

endnotes

[1] Public Consultation on Regulation (EU) No. 648/2012 on OTC Derivatives, Central Counterparties and Trade Repositories, available at http://ec.europa.eu/finance/consultations/2015/emir-revision/docs/consultation-document_en.pdf ("Public Consultation").

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