

MEMO# 23557

June 18, 2009

CESR Call for Evidence on Mutual Recognition with Non-EU Jurisdictions

[23557]

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TO: INTERNATIONAL MEMBERS No. 13-09
EQUITY MARKETS ADVISORY COMMITTEE No. 28-09 RE: CESR CALL FOR EVIDENCE ON
MUTUAL RECOGNITION WITH NON-EU JURISDICTIONS

In May 2008 the Committee of European Securities Regulators (“CESR”) organized a Task Force on mutual recognition, whose main focus is identifying the economic rationale for, and the legal issues and constraints related to, mutual recognition with non-EU jurisdictions. In order to assist the Task Force in identifying those areas where the potential gains of mutual recognition are considered the highest, CESR has invited market participants to provide their views on a number of questions related to mutual recognition, together with any information, data or statistics available to support their views (the “Call for Evidence”). [\[1\]](#)

In the Call for Evidence, CESR’s questions focus on the following three “regulatory areas:”

- **Trading Venues:** Mutual recognition in this area deals with the liberalization of access to foreign securities exchanges/regulated markets (through placement of trading screens). Topics include securities exchanges, MTFs or other alternative trading platforms, market abuse and stabilization.
- **Intermediaries:** Mutual recognition in this area deals with the possibility of foreign brokers/dealers soliciting mainly professional investors. Topics include the registration of market participants and conduct of business rules.
- **Products Including Collective Investment Schemes:** This area covers various topics,

including investment funds, securities offering, securities registration, company reporting, financial analysts, and mergers and acquisitions. Due to the increased desire to enhance cross-border trading of investment funds, CESR states that it is essential to gather information about the obstacles to and potential cost-savings from, cross-border trading of investment funds.

Responses to the Call for Evidence are requested by September 4, 2009. Based on information gathered, CESR intends to analyze the possible criteria and procedures for mutual recognition, which will be included in a future consultation paper.

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endnotes

[\[1\]](#) See The Committee of European Securities Regulators, Call for Evidence on Mutual Recognition with Non-EU Jurisdictions (June 8, 2009), available at <http://www.cesr.eu/popup2.php?id=5766>.

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