

FINANCIAL REGULATORY DEVELOPMENTS FOCUS

In this week's newsletter, we provide a snapshot of the principal U.S., European and global financial regulatory developments of interest to banks, investment firms, broker-dealers, market infrastructure providers, asset managers and corporates.

[Click here if you wish to access our Financial Regulatory Developments website.](#)

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Bank Prudential Regulation & Regulatory Capital

European Banking Authority Consults on Draft Guidelines on Disclosure of Non-Performing and Forborne Exposures

On April 27, 2018, the European Banking Authority launched a consultation on draft Guidelines on disclosure of non-performing and forborne exposures. Since the 2007/08 financial crisis, there has been a build-up of non-performing loans in the EU, which impacts banks' viability and lending capabilities. The European authorities have agreed various actions to tackle NPLs in Europe, resulting in several recent steps being taken by the European Commission, the European Central Bank and the EBA.

The proposed Guidelines set out the content, format and frequency of disclosures for non-performing exposures, forborne exposures and foreclosed assets. The draft Guidelines would apply to all banks that are subject to any of the disclosure requirements under the Capital Requirements Regulation and would apply to all exposures that fall within the definition of either non-performing or forbearance in the ITS on Supervisory Reporting (Commission Implementing Regulation (EU) No 680/2014). The level and frequency of disclosure will depend on the significance of a firm and the level of NPEs.

The draft Guidelines should be read with the EBA's proposed Guidelines on sound risk management practices for banks for managing NPEs, FBEs and foreclosed assets.

As with the proposed risk management Guidelines, the EBA intends to publish the finalized disclosure Guidelines before the end of 2018 and for the Guidelines to apply from January 1, 2019.

Feedback on the proposed Guidelines can be provided by June 27, 2018. The EBA is holding a public hearing on the draft Guidelines on June 27, 2018.

The consultation paper is available at:

<http://www.eba.europa.eu/documents/10180/2200407/Consultation+Paper+on+Guidelines+on+disclosure+of+non-performing+and+forborne+exposures+%28EBA-CP-2018-06%29.pdf>, the EBA's proposed Guidelines on sound risk management practices for NPEs are available at: <https://finreg.shearman.com/european-banking-authority-seeks-feedback-on-draf> and the Commission's proposals to address the build-up of NPLs are available at <https://finreg.shearman.com/european-commission-launches-package-to-address-n>.

European Commission Adopts Revised Technical Standards on Mapping of External Credit Ratings

On April 24, 2018, a Commission Implementing Regulation was published in the Official Journal of the European Union. This Amending Regulation, which takes effect on May 15, 2018, revises a Commission Implementing Regulation adopted in October 2016 under the CRR.

Under the CRR, firms that use the Standardised Approach for the purposes of calculating their capital requirements for credit risk can use external credit assessments to determine the credit quality of exposures. These external credit assessments must be made by External Credit Assessment Institutions. ECAIs are either credit rating agencies registered under the CRA Regulation or central banks that issue credit ratings (which are exempt from the application of the CRA Regulation). The 2016 Implementing Regulation set out Implementing Technical Standards for the mapping of the credit quality of exposures (obtained from ECAIs) to their corresponding risk weights.

The Joint Committee of the European Supervisory Authorities consulted in July 2017 on the need to make changes to the 2016 Implementing Regulation to reflect the fact that, since it was adopted, five additional ECAIs had been recognized and one ECAI had been de-registered. The Joint Committee submitted draft

revised ITS to the Commission in December 2017 and the Commission has adopted them in the Amending Regulation.

The Amending Regulation ((EU) 2018/634) is available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0634&from=EN> and details of the July 2017 consultation are available at: <https://finreg.shearman.com/european-banking-authority-proposes-revised-techn>.

Basel Committee on Banking Supervision Progress Report on Basel III Implementation

On April 23, 2018, the Basel Committee on Banking Supervision published its 14th progress report on implementation of the Basel III prudential framework, based on responses from Basel Committee member jurisdictions, and reports the status as of the end of March 2018. The Report sets out in tabular form the results of the Basel Committee's monitoring of the adoption progress of all Basel III standards agreed to date, which will come into effect by 2022. The table omits details of those Basel III standards that have already been implemented by all Basel Committee member jurisdictions. It sets out the ongoing implementation progress of each member jurisdiction on aspects of the risk-based capital standards, leverage ratio requirements, liquidity requirements, the requirements for systemically important banks, interest rate risk in the banking book, the supervisory framework for large exposures and the Pillar 3 disclosure requirements.

The Basel Committee notes that, since the last report published in October 2017, member jurisdictions have made further progress in implementing standards whose implementation deadlines passed at the start of 2018, but limited progress has been made in the implementation of some standards whose implementation deadlines passed in 2017. The Basel Committee urges member jurisdictions to strive for full, timely and consistent implementation of Basel III and will keep monitoring closely the implementation of the reforms.

The progress report is available at: <https://www.bis.org/bcbs/publ/d440.pdf>.

Brexit for Financial Services

EU and UK to Establish Technical Working Group for Risk Management Around Brexit

On April 27, 2018, the European Commission and HM Treasury announced that the ECB and the Bank of England will establish a technical working group on risk management in the period around March 30, 2019 for financial services. The U.K. leaves the EU on March 29, 2019, although the provisionally agreed transition period means that most EU laws will continue to apply in the U.K. until December 31, 2020.

The Terms of Reference for the working group state that the European Commission and HM Treasury will attend the group as observers. Other regulatory authorities will be invited to attend on an issue-specific basis.

The announcement is available at: <https://ec.europa.eu/info/sites/info/files/20180427-financial-services-technical-working-group.pdf> and the terms of reference are available at: https://ec.europa.eu/info/sites/info/files/terms-of-reference-eu-uk-cooperation-risk-management-financial-services_en.pdf.

Competition

UK Competition and Markets Authority Consults Further on Aspects of the Investment Consultants Market Investigation

On April 26, 2018, the U.K. Competition and Markets Authority published three more consultative working papers as part of its Investment Consultants Market Investigation. The CMA is assessing the supply and

acquisition of investment consultancy services and fiduciary management services. These working papers should be read alongside the Issues Statement on the investigation, published in September 2017, as well as the other working papers, published earlier this year.

The first working paper is on barriers to entry and expansion in the investment consultancy and fiduciary management sectors. The paper sets out the CMA's emerging findings, focusing on the financial and other costs of entry and expansion. The CMA has neither identified, nor concluded whether there is, any adverse effect on competition in relation to barriers to entry or expansion. The CMA's separate emerging finding in relation to new market entrants is that the barriers are not excessively high but are greater in the fiduciary management sector than in the investment consultancy sector. In relation to barriers to expansion, the CMA's emerging finding is that the potential barriers to winning new clients are greater than the barriers to new entry and are also greater in the fiduciary management sector than in the investment consultancy sector.

The second working paper is on financial performance and profitability. The CMA has examined the financial performance and profitability of six providers of investment consultancy and fiduciary management services. The CMA does not consider that an assessment of economic profitability would be proportionate and, as a result, it cannot conclude on whether the providers have earned profits that exceed the cost of capital. The CMA is seeking feedback on: (i) identification of suitable industries against which to benchmark investment consultancy and fiduciary management profit margins; (ii) whether the profit margins appear to be high and if there are any factors to explain this; (iii) identification of any further suitability metrics, such as revenue per client; and (iv) whether the CMA should estimate a potential detriment to competition.

The third working paper is on the competitive landscape in the supply of investment consultancy and fiduciary management services, focusing on market concentration. The paper sets out the CMA's analysis of market definition, the CMA's the approach to analyzing market structure and the CMA's analysis of the size, and firms' share, of the markets and trends within the market.

Responses to the working paper on barriers to entry and expansion can be submitted by May 11, 2018.

Responses to the other two papers can be submitted by May 10, 2018.

The working paper on barriers to entry and expansion is available at:

https://assets.publishing.service.gov.uk/media/5ae0a3c1e5274a0d85c1c6c3/icmi_barriers_to_entry_and_expansion_working_paper.pdf, the working paper on financial performance and profitability is available at:

https://assets.publishing.service.gov.uk/media/5ae0a40a40f0b60a9a985c2d/icmi_financial_and_profitability_analysis_working_paper.pdf, the working paper on the competitive landscape is available at:

https://assets.publishing.service.gov.uk/media/5ae0a475e5274a0d85c1c6c5/icmi_competitive_landscape.pdf and the Issues Statement and other working papers are available at:

<https://finreg.shearman.com/focus?categoryID=691&yearmonth=0>.

Derivatives

Clarification on Scope of EMIR Obligations for Public Entity Clearing Members Needed

On April 27, 2018, the Chair of the European Securities and Markets Authority, Steven Maijor, wrote to the European Commission recommending that clarification of certain provisions of the European Market Infrastructure Regulation should be made during the current revision of EMIR.

EMIR requires clearing members of CCPs to provide initial margin and default fund contributions. ESMA has noticed that CCPs across the EU, as well as their national regulators, are adopting different approaches to these requirements for public entities. Some CCPs and national regulators exempt public entity clearing

members from the requirement to provide initial margin and default fund contributions while others grant no exemptions. ESMA requests the Commission to consider whether the scope of EMIR needs to be clarified and whether a specific amendment could be made to EMIR during the current review process.

The European Commission published legislative proposals to amend EMIR in May – the technical revisions in so-called EMIR 2.1 - and June 2017—the Brexit-driven CCP “location policy” or so-called EMIR 2.2, which attempts to force the relocation of U.K. CCPs to the Eurozone. The legislative procedures to finalize those changes are ongoing.

The letter is available at: https://www.esma.europa.eu/sites/default/files/library/esma70-151-1336_letter_to_the_european_commission_on_ccp_exemption.pdf, the Commission’s technical amendments legislative proposal is available at: <https://finreg.shearman.com/european-commission-proposes-technical-changes-to> and the Commission’s location policy legislative proposal is available at: <https://finreg.shearman.com/european-commission-proposals-for-a-quotlocation->.

Financial Stability Board Second Consultation on Governance of the Unique Product Identifier

On April 26, 2018, the Financial Stability Board opened a second consultation on governance of the Unique Product Identifier. The FSB identified UPIs in September 2014 as a critical element towards a mechanism to produce and share global aggregated derivatives reporting data, along with the development of a unique transaction identifier and the harmonization of other key data elements. The receipt of aggregated derivatives reporting data will enable national regulators to better assess systemic risk and perform other market oversight functions.

The purpose of the UPI is to uniquely identify OTC derivatives products that regulators require, or may require in the future, to be reported to trade repositories. The UPI system will assign a code to each OTC derivative product which maps to a set of data elements describing the product in a corresponding reference database, the UPI Reference Data Library. The Library will be administered by either one or a number of UPI Service Provider(s).

This second consultation paper seeks feedback on specific issues relating to the UPI Governance Arrangements, including fee models and cost recovery, intellectual property, standardization and potential restrictions on the activities of a UPI service provider. The FSB is also asking for feedback on whether a single UPI service provider model would be more suitable than having a competitive multi-UPI service provider model.

The consultation closes on May 24, 2018. The FSB intends to finalize the UPI governance arrangements and identify one or more UPI service provider(s) by mid-2019.

The consultation paper is available at: <http://www.fsb.org/wp-content/uploads/P260418-1.pdf>.

Enforcement

European Commission Proposes Protective Legislation for Whistleblowers Reporting EU Law Breaches

On April 23, 2018, the European Commission published a proposal for a Directive on the protection of persons reporting on breaches of Union law. Whistleblowers help prevent damage and detect threat or harm to the public interest that may otherwise remain hidden, but fear of retaliation can often discourage them from reporting concerns.

The importance of providing effective whistleblower protections for safeguarding the public interest has been acknowledged both at European and international level. At EU level, whistleblower protections are currently

provided only for specific sectors and to varying degrees. This means that, in many situations, whistleblowers are not properly protected against retaliation. The proposed Directive will address this fragmentation by encompassing “the broadest possible range of categories of persons, who, by virtue of work-related activities (irrespective of the nature of these activities and whether they are paid or not), have privileged access to information about breaches.” Areas covered include financial services, money laundering and terrorist financing.

The Directive introduces an obligation for Member States to ensure that legal entities in the private and public sectors establish appropriate internal reporting channels and procedures for receiving and following up on reports. In addition, the Directive requires Member States to ensure that national regulators have in place external reporting channels and procedures for receiving and following up on reports and sets out the minimum standards applicable to such channels and procedures. The Directive also establishes minimum standards for the protection of reporting persons and of persons concerned by the reports.

Alongside the proposed Directive, the Commission has published a Communication, “Strengthening whistleblower protection at EU level,” addressed to the European Parliament, the Council and the European Economic and Social Committee. In the Communication, the Commission states that robust whistleblower protection at the EU level will strengthen enforcement of EU law and protect freedom of expression, will better protect the EU’s financial interests and will contribute to a fair and well-functioning single market.

The Commission invites public feedback on the proposed Directive via the consultation website. Comments are invited by June 22, 2018. This feedback period may be extended. The proposed Directive will now be considered by the Council of the European Union and the European Parliament and, once agreed by the co-legislators, will enter into force 20 days following its publication in the Official journal of the European Union.

The proposed Directive is available at: https://ec.europa.eu/info/sites/info/files/placeholder_8.pdf, the consultation website is available at: https://ec.europa.eu/info/law/better-regulation/initiatives/com-2018-218/feedback/add_en and the Commission Communication is available at: https://ec.europa.eu/info/sites/info/files/placeholder_10.pdf.

Financial Market Infrastructure

Bank of England Confirms Implementation of SONIA reforms

On April 23, 2018, the BoE confirmed that it has implemented its reforms to the SONIA interest rate benchmark. SONIA, the Sterling Overnight Interbank Average Rate, which has been administered since April 2016 by the BoE, is the existing unsecured reference rate for the sterling Overnight Indexed Swap market.

The BOE announced in October 2017 that the methodology for calculating SONIA would move from being based on a market for brokered deposits (which has limited transaction volumes) to a methodology involving a volume-weighted trimmed mean. The BOE has also separately published the key features and policies for SONIA, which summarize how SONIA is calculated and administered, including the governance arrangements. The BoE intends to publish an assessment of the benchmark’s compliance with the International Organization of Securities Commissions’ Principles for Financial Benchmarks in Summer 2018.

The BoE press release is available at: <https://www.bankofengland.co.uk/-/media/boe/files/news/2018/april/sonia-reform-implemented.pdf> and the SONIA key features and policies document is available at: <https://www.bankofengland.co.uk/-/media/boe/files/markets/benchmarks/sonia-key-features-and-policies>.

FinTech

Financial Action Task Force Publishes Outcomes of its 2018 Private Sector Consultative Forum

The Financial Action Task Force held its annual private sector consultative forum in Vienna on April 23 – 24, 2018. The annual forum provides a platform for the FATF to learn more about the private sector's views and concerns on issues related to anti-money laundering and countering the financing of terrorism. Attendees at the forum included representatives from the financial sector and other businesses and professions subject to AML/CTF obligations.

At this year's forum, participants discussed ongoing initiatives to address the issue of de-risking, which remains a key FATF priority. Potential next steps discussed included the necessity for continued coordinated action at global level, the importance of constructive dialogue and engagement and capacity building.

The forum also featured discussion of the FATF's ongoing FinTech and RegTech Work. In particular, participants discussed the benefits and challenges of using digital identification technology for customer due diligence at the on-boarding stage. There was consideration of whether there might be potentially a need for clarifying or changing the FATF Recommendations to support the growing use of digital ID.

Participants also discussed the regulatory environment for crypto assets and whether the FATF standards and guidance adequately address recent developments. In particular, participants considered that definitions need be clarified and a global approach needs to be adopted, with continued engagement between the private and public sectors.

The FATF press release is available at: <http://www.fatf-gafi.org/publications/fatfgeneral/documents/private-sector-consultative-forum-apr-2018.html> and the Chairman's summary of FinTech and RegTech outcomes is available at: <http://www.fatf-gafi.org/publications/fatfgeneral/documents/summary-fintech-regtech-apr-2018.html>.

Payment Services

Corrigendum to the Revised Payment Services Directive Published

On April 23, 2018, a two-page corrigendum to the revised Payment Services Directive was published in the Official Journal of the European Union. The corrigendum makes 11 corrections to the text of the PSD2 across one recital and eight of the directive's articles.

In addition to minor textual corrections, the corrigendum makes important clarifications to: (i) provisions on the liability of a payment service provider for initiation or execution of payment transactions; (ii) include liability in respect of payment initiation services among those provisions of PSD2 that can be disapplied, or applied only in part, by agreement between a payment service provider and a non-consumer payment service user; (iii) the limited circumstances in which a payment services provider is permitted to charge for fulfilling information obligations or performing corrective or preventive measures; and (iv) the circumstances in which compensation can be obtained by a payment service provider from another payment service provider or intermediary for losses incurred for non-execution or defective execution of a payment order.

The corrigendum is available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L2366R\(05\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L2366R(05)&from=EN).

Securities

US Securities and Exchange Commission Proposes Broker-Dealer Standard of Care and Guidance on Investment Advisers' Fiduciary Standard

On April 18, 2018, the U.S. Securities and Exchange Commission published three proposed rules with request for public comment that would seek to enhance and clarify the standards of care applicable to broker-dealers and investment advisers when dealing with retail clients. The three proposals are designed to be interlocked and complementary, and, as noted by SEC Chairman Jay Clayton in his introduction of the proposals, are aimed, in part, at better aligning regulations and obligations of broker-dealers and investment advisers with the expectations of retail investors, and preserving retail investor choice. The first proposal, which introduces a new Form CRS relationship summary, will require broker-dealers and investment advisers to provide a relationship summary (limited to a maximum of four pages) to investors that captures certain information through the use of newly proposed Form CRS, and place restrictions on the use of certain names and titles, such as “adviser” and “advisor,” for firms and financial professionals. The second proposal seeks to implement Regulation Best Interest under the Securities Exchange Act of 1934, and would establish a standard of conduct applicable to broker-dealers when making a recommendation of a securities transaction to a retail customer. Finally, the third proposal clarifies the standard of conduct for investment advisers, and request comments with respect to enhancing investment adviser regulation under the Investment Advisers Act of 1940, including requesting comment regarding the licensing of investment adviser personnel and capital requirements for investment advisers. Comments to each of the proposals are due 90 days from each respective proposal’s publication in the Federal Register.

For a more detailed discussion of the proposals, you may wish to refer to our client publication: “Raising the Bar? SEC Proposes Broker-Dealer Standard of Care and Guidance on Investment Advisers’ Fiduciary Standard” available at: <https://www.shearman.com/perspectives/2018/04/sec-proposes-broker-dealer-standard-of-care-and-guidance>.

The full text of the Form CRS proposal is available at: <https://www.sec.gov/rules/proposed/2018/34-83063.pdf>, the full text of the Regulation Best Interest proposal is available at: <https://www.sec.gov/rules/proposed/2018/34-83062.pdf> and the full text of the investment adviser proposal is available at: <https://www.sec.gov/rules/proposed/2018/ia-4889.pdf>.

ICE LIBOR Administrator Sets Out Transition Plan for New Submission Methodology

On April 25, 2018, ICE Benchmark Administration, the administrator of the LIBOR benchmark, published a report setting out how it proposes to transition panel banks to the new “Waterfall Methodology” outlined in its ICE LIBOR Output Statement, which was updated following a feedback statement in March 2017 on the evolution of the London Interbank Offered Rate. LIBOR is a widely used benchmark for short-term interest rates. It is produced for five currencies and seven tenors, resulting in the publication of 35 rates every applicable London business day.

The ICE LIBOR Output Statement sets out a single LIBOR definition and a more standardized, transaction data-driven methodology for LIBOR panel banks’ submissions. IBA’s intention in introducing the new methodology is to publish, in all market circumstances, a wholesale funding rate anchored in unsecured, wholesale funding transactions to the greatest extent possible.

The current methodology used for submissions involves panel banks basing their submissions, for each currency and tenor pair, on the LIBOR Submission Question, “At what rate could you borrow funds, were you to do so by asking for and then accepting interbank offers in a reasonable market size just prior to 11 am?”

The LIBOR Submission Question will be replaced by the new Waterfall Methodology. Panel banks will instead use eligible transaction data where available, transaction-derived data otherwise, and, if neither is available, market and transaction data-based expert judgement, appropriately framed, using the bank's own internally approved procedure, which would be based on a set of permitted inputs and agreed with IBA.

IBA plans to start the transition in the coming weeks, and intends that the process will be gradual to minimize operational and technological risks. The transition should, however, be completed no later than the first quarter of 2019.

The Financial Conduct Authority's Chief Executive, Andrew Bailey, gave a speech in July 2017 on the future of LIBOR, discussing the possible transition to alternative reference rates that are based firmly on transactions and the need for panel bank support for LIBOR until the end of 2021, to enable a transition that can be planned and can be executed smoothly. It was subsequently announced in November 2017 that the panel banks' support had been confirmed. IBA states in its report that it will engage with stakeholders to identify a framework to seek to continue to publish the LIBOR rates that are critical to the global financial system beyond the end of 2021, alongside the alternative risk-free rates that are being developed.

The ICE LIBOR Evolution Report is available at:

https://www.theice.com/publicdocs/ICE_LIBOR_Evolution_Report_25_April_2018.pdf, the ICE LIBOR Output Statement is available at: https://www.theice.com/publicdocs/ICE_LIBOR_Output_Statement.pdf, the FCA Speech on the Future of LIBOR is available at: <https://www.fca.org.uk/news/speeches/the-future-of-libor> and details of the November 2017 announcement are available at: <https://finreg.shearman.com/libor-benchmark-confirmed-until-2021>.

People

Thomas M. Hoenig Steps Down as US Federal Deposit Insurance Corporation Vice Chairman

On April 27, 2018, Thomas M. Hoenig announced that, effective April 30, 2018, he was stepping down as Vice Chairman and Member of the Board of Directors of the U.S. Federal Deposit Insurance Corporation. Mr. Hoenig served a full six-year term at the FDIC, since joining in April of 2012. Prior to his service with the FDIC, Mr. Hoenig served as President of the Federal Reserve Bank of Kansas City, and was a member of the Federal Open Market Committee.

The full text of the FDIC press release is available at:

<https://www.fdic.gov/news/news/press/2018/pr18027.html>.

President Donald Trump Announces Intent to Nominate Two New Board Members of the US Board of Governors of the Federal Reserve System

On April 16, 2018, President Donald Trump announced his intent to nominate Michelle Bowman and Richard Clarida to serve as Members of the U.S. Board of Governors of the Federal Reserve System. Ms. Bowman, currently the Kansas State Bank Commissioner, is to be nominated to serve as a Member of the Federal Reserve Board as the Community Bank Representative representing Region eight. She is being nominated to serve the remainder of a 14-year term that expires on January 31, 2020. Mr. Clarida, currently the Lowell Harriss Professor of Economics at Columbia University, is to be nominated to serve as Vice Chairman of the Federal Reserve Board for a 4-year term, and to serve the remainder of a 14-year term as a Member of the Federal Reserve Board representing Region 1, expiring on January 31, 2022.

The full text of the White House press release is available at: <https://www.whitehouse.gov/presidential-actions/president-donald-j-trump-announces-intent-nominate-personnel-key-administration-posts-42/>.

Upcoming Events

May 4, 2018: EBA public hearing on the draft Guidelines on the exposures to be associated with high risk

May 31, 2018: Bank of England and Centre for Economic Policy Research conference on competition and regulation in financial markets

June 12, 2018: FCA Asset Management Conference

June 27, 2018: EBA public hearing on draft Guidelines on disclosure of non-performing and forborne exposures (registration closes June 5, 2018)

Upcoming Consultation Deadlines

May 4, 2018: IOSCO consultation on conflicts of interest and associated conduct risks during the equity capital raising process

May 4, 2018: ECB consultation on draft guides to ICAAP and ILAAP

May 4, 2018: Basel Committee technical consultation on Pillar 3 disclosure requirements and the regulatory treatment of accounting provisions

May 6, 2018: IOSCO consultation on proposed recommendations for trading venues and their regulators when implementing, operating and monitoring volatility control mechanisms to preserve orderly trading

May 7, 2018: PRA consultation on governance and risk management for algorithmic trading

May 10, 2018: CMA consultation on financial performance and profitability in the investment consultancy and fiduciary management sectors

May 10, 2018: CMA consultation on the competitive landscape in the investment consultancy and fiduciary management sectors

May 11, 2018: CMA consultation on barriers to entry and expansion in the investment consultancy and fiduciary management sectors

May 11, 2018: FCA survey of European Economic Area firms currently operating in the U.K. under a passport

May 15, 2018: European Commission consultation on extending the transitional measures for exposures to CCPs

May 16, 2018: PRA consultation on guidance on the eligibility of guarantees as unfunded credit protection for capital requirement purposes

May 21, 2018: Federal Reserve and OCC proposed amendments to supplementary leverage ratio calculations for GSIBs and their insured depository institution subsidiaries

May 21, 2018: Federal Reserve and OCC proposed amendments to supplementary leverage ratio calculations for GSIBs and their insured depository institution subsidiaries

May 23, 2018: European Commission's legislative proposals to address NPL build-up in the EU

May 23, 2018: European Commission's proposed Regulation on the law applicable to the third-party effects of assignments of claims

- May 23, 2018: ESMA consultations on draft technical standards on the application for registration of a securitization repository and on draft advice to the European Commission on supervisory fees for securitization repositories
- May 24, 2018: FSB second consultation on UPI governance
- May 25, 2018: ESMA consultation on supplementary guidance on the CRA endorsement regime
- May 25, 2018: Basel Committee consultation on revisions to Pillar 3 Framework
- May 27, 2018: EBA consultation on extending the Joint Committee Guidelines on complaints-handling for the securities and banking sectors
- May 28, 2018: ECB consultation on proposed guide to internal models
- June 4, 2018: European Commission proposed EU covered bonds legislative package
- June 5, 2018: HM Treasury consultation on cash and digital payments in the new economy
- June 5, 2018: ECB consultation on cyber resilience oversight expectations for Eurozone Financial Market Infrastructures
- June 8, 2018: PSR consultation on its review of PSR Directions made in 2015
- June 8, 2018: EBA consultation on draft EBA Guidelines on Management of Non-Performing and Forborne Exposures
- June 12, 2018: European Commission proposed amending Regulation on cross-border payments in the EU
- June 20, 2018: FCA consultation on Model Driven Machine Executable Regulatory Reporting
- June 20, 2018: Basel Committee consultation on revisions to minimum capital requirements for market risk
- June 21, 2018: FCA consultation on its approach to supervision
- June 21, 2018: FCA consultation on its approach to enforcement
- June 28, 2018: FCA consultation on revising the Financial Crime Guide to include insider dealing and market manipulation
- July 5, 2018: FCA consultation on improving disclosure by AFMs to their investors (part of the Asset Management Market Study)
- July 9, 2018: FCA consultation on its approach to ex post impact evaluation
- July 17, 2018: EBA consultation on draft Guidelines on the exposures to be associated with high risk
- July 20, 2018: EBA consultation on draft guidelines on STS criteria for ABCP securitization
- July 20, 2018: EBA consultation on draft guidelines on STS criteria for non-ABCP securitization
- July 27, 2018: EBA consultation on draft Guidelines on disclosure of non-performing and forborne exposures

THIS NEWSLETTER IS INTENDED ONLY AS A GENERAL DISCUSSION OF THESE ISSUES. IT SHOULD NOT BE REGARDED AS LEGAL ADVICE. WE WOULD BE PLEASED TO PROVIDE ADDITIONAL DETAILS OR ADVICE ABOUT SPECIFIC SITUATIONS IF DESIRED. IF YOU WISH TO RECEIVE MORE INFORMATION ON THE TOPICS COVERED IN THIS PUBLICATION, YOU MAY CONTACT YOUR USUAL SHEARMAN & STERLING REPRESENTATIVE OR ANY OF THE FOLLOWING:

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