



MiFID Forum
Transaction Reporting & Cross-Border Subject Group
Meeting of 7 November 2011
kindly hosted by Goldman Sachs
Minutes

Client facilitation flag is back on the table, despite previous efforts to get it removed.

Historically, the best route to influencing ESMA is to go via FSA and/or BBA.

It would be helpful to get the FSA to explain its position on the Level 1 texts at the next meeting of this subject group and/or the plenary MiFID Forum.

Not clear what practical value either Trader ID or Client ID give to regulators: if they really need to know which individual was involved in either the original investment decision or the execution of the trade they can approach either the reporting firm or the counterparty listed on the transaction report.

ACTION: work needed to identify if standards are available or should be developed for Client Ids, Trader IDs and/or Algo Ids

ACTION: need to gather and share information about what ISDA is doing to create new identifiers for derivatives and how this, and the use of ISINs, will impact transaction reporting

There are inconsistencies between the different proposed regulations (MiFID/EMIR/MAD/...). No-one present is currently able to identify and classify instruments that can/cannot be used for market abuse.

ACTION: work need to identify/classify instruments that can/cannot be used for market abuse, and define what causes the classification: Matt Vincent (Citibank) agreed to write a half-page summary about instruments that are currently not in scope for Transaction Reporting – for circulation among MiFID Forum participants only.

Working out the impact to Commodities will require people who have specific knowledge of that area.

There is an inconsistency in the published texts about the submission methods for transaction reports. Those present would like to continue to be able to report directly, and on other firms' behalf (e.g. investment banks for asset managers), without having to register as an ARM. Also, the proposal for 'central' submission is deferred by two years.

There were no issues with the latest FSA Market Watch #41.

AOB: Mark Kelly (Transaction Reporting Ltd) agreed to send a link to the Transaction Reporting User Pack (TRUP) v3 consultation, as published on the FSA website:

http://www.fsa.gov.uk/pages/Library/Policy/guidance_consultations/2011/11_24.shtml
(closing on 24 November).