

SIGNAL



Risk and Regulation Monthly

October 2020

CENTRE for REGULATORY STRATEGY EMEA

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Highlights

October saw a number of important regulatory developments that cumulatively point to the first signs of the UK developing its own policy approach.

The UK's PRA published a consultation on CRD V. Notably, the PRA has decided to implement the BCBS' framework for Interest Rate Risk in the Banking Book (IRRBB) rather than the CRD5 IRRBB framework. The PRA has also indicated that it intends to implement CRD5 amendments to the Maximum Distributable Amount (MDA), which permit firms to distribute interim and year-end profits that are not included in CET1 resources, but it intends to apply this amendment only from 29 December 2020 until the end of the transition period on 31 December 2020. Following the end of the transition period, the PRA proposes to remove the restriction on firms making distributions which could cause them to breach their combined buffer, and also proposes to amend the definition of the MDA.

HMT published a call for evidence on the Solvency 2 review. Areas for review include the risk margin, matching adjustment, calculation of the solvency capital requirement, calculation of the consolidated group solvency capital requirement using multiple internal models, calculation of the transitional measure on technical provisions, reporting requirements, branch capital requirements for foreign insurance firms, thresholds for regulation by the PRA under Solvency II, mobilisation of new insurance firms, and transition from LIBOR to Overnight Indexed Swap rates.

HMT also published the second part of its Financial Services Future Regulatory Framework Review, outlining government's plans to revise the UK's financial services regulatory framework following Brexit. The Government's main proposal is to revise the model of regulation set out in the Financial Services Markets Act (FSMA), so that the FCA and PRA take on responsibility for much of the FS regulatory policy and rule formulation currently done at the EU level.

The European Commission published a consultation on AIFMD. This ask respondents whether fund delegation rules should be accompanied with quantitative criteria or a list of core functions that cannot be delegated. If adopted, these proposals would have significant implications for the UK, which currently manages $\pounds 2.1$ trillion of European funds on a delegated basis.

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Glossary

AFMs = Authorised Fund Managers AI = Artificial Intelligence AIFMD = Alternative Investment Fund Managers Directive ALMD = Anti Money Laundering Directive AMF = Autorité des Marchés Financiers AML = Anti-Money Laundering APA = Approved Publication Arrangement AUM = Assets under management BBLS = Bounce Back Loan Scheme BCBS = Basel Committee on Banking Supervision BEAR = Banking Executive Accountability Regime BEIS = Department for Business, Energy and Industrial Strategy BIS = Bank for International Settlements **BMR = Benchmarks Regulation** BRRD = Bank Recovery and Resolution Directive BTS = Binding Technical Standard BoE = Bank of England CBI = Central Bank of Ireland CCP = Central Counterparty **CP= Consultation Paper** CTF = Counter Terrorist Financing CCFF = Covid Corporate Financing Facility CBILS = Coronavirus Business Interruption Loan Scheme CLBILS = Coronavirus Large Business Interruption Loan Scheme CISO = Chief Information Security Officer CMA = Competition and Markets Authority CMU = Capital Markets Union CNMV = Comisión Nacional del Mercado de Valores CPMI = Committee on Payments and Market Infrastructures CQS = Credit Quality Step CRD = Capital Requirements Directive CRR = Capital Requirements Regulation CROE = Cyber Resilience Oversight Expectations CSSF = Commission de Surveillance du Secteur Financier CTP = Consolidated Tape Provider CTRF = Contingent Term Repo Facility DB = Defined Benefit DC = Defined Contribution DP = Discussion Paper DPA = Data Protection Agency DRR = Digital Regulatory Reporting

EBA = European Banking Authority

ECB = European Central Bank

ECOFIN = Economic and Financial Affairs Council

EIOPA = European Insurance & Occupational Pensions Authority

EMEA = Europe, Middle East and Africa

- EMIR = European Market Infrastructure Regulation
- EONIA = Euro Over Night Index Average
- ESAs = European Supervisory Authorities
- ESG =Environmental, Social, and Governance
- ESMA = European Securities & Markets Authority
- ESRB = European Systemic Risk Board
- ESTER = Euro Short-Term Rate
- EU = European Union
- Euribor = Euro Interbank Offered Rate
- FAMR = Financial Advice Market Review
- FCA = Financial Conduct Authority
- FinPro = Financial Protection
- FGCA = Financial Guidance and Claims Act 2018
- FMIs = Financial Market Infrastructures
- FOS = Financial Ombudsman Service
- FPC = Financial Policy Committee
- FRTB = Fundamental Review of the Trading Book
- FS = Financial Services
- FSB = Financial Stability Board
- GBP = British pound sterling
- GDP = Gross Domestic Product
- GDPR = General Data Protection Regulation
- GSIBs = Global Systemically Important Banks
- HMT = Her Majesty's Treasury
- IAIS = International Association of Insurance Supervisors
- IASB = International Accounting Standards Board
- IBOR = Interbank Offered Rate
- ICAAP = Internal Capital Adequacy Assessment Process
- ICO = Information Commissioners Office
- ICS = Insurance Capital Standard
- IDD = Insurance Distribution Directive
- IFD = Investment Firms Directive
- IFR = Investment Firms Regulation
- IFRS = International Financial Reporting Standards
- ILAAP = Internal Liquidity Adequacy Assessment Process
- IM = Initial Margin
- IOSCO = International Organization of Securities Commissions
- IPU = Intermediate Parent Undertaking
- IRB = Internal Ratings Based
- IRRBB = Interest Rate Risk in the Banking Book
- ISAs = Individual Savings Accounts
- IT = Information Technology
- JST = Joint Supervisory Teams
- KID = Key Information Document
- LEI = Legal Entity Identifier
- LIBOR = London Interbank Offered Rate

LTV = Loan to Value

- M&A = Mergers and Acquisitions
- MAR = Market Abuse Regulation
- MI = Management Information
- MiFID = Markets in Financial Instruments Directive
- MiFIR = Markets in Financial Instruments Regulation
- MLD = Money Laundering Directive
- MoU = Memorandum of Understanding
- MREL = Minimum requirement for own funds and eligible liabilities
- MTF = Multilateral Trading Facility
- NCA = National Competent Authority
- NED = Non-Executive Director
- NGFS = Network for Greening the Financial System
- NPLs = Non-performing Loans
- NSFR = Net Stable Funding Ratio
- OCIR Operational Continuity in Resolution
- ORSA = Own Risk and Solvency Assessment
- OTF = Organised Trading Facility
- OTC = Over the counter
- PPI = Payment Protection Insurance
- PRA = Prudential Regulation Authority
- PRIIPs = Packaged Retail Investment and Insurance Products
- PS = Policy Statement
- PSD2 = Revised (second) Payment Services Directive
- RDR = Retail Distribution Review
- RFRs = Risk-Free Rates
- **RRM = Risk Reduction Measures**
- RTGS = Real Time Gross Settlement
- RTS = Regulatory Technical Standard
- RW = Risk Weight
- SA = Standardised Approach
- SFTR = Securities Financing Transactions Regulation
- SI = Systematic Internaliser
- SIPPs = Self Invested Personal Pensions
- SM&CR = Senior Managers and Certification Regime
- SONIA = Sterling Overnight Index Average
- SRB = Single Resolution Board
- SRF = Single Resolution Fund
- SREP = Supervisory Review and Evaluation Process
- SS = Supervisory Statement
- SSM = Single Supervisory Mechanism
- TCA = Total Capital Adequacy
- TCFD = Task Force on Climate-related Financial Disclosures
- TIBER = Threat Intelligence-based Ethical Red Teaming
- TLAC = Total Loss-Absorbing Capital
- TMTP = Transitional Measure on Technical Provisions
- **TPP = Third-Party Providers**

TPR = Temporary Permissions Regime

TRIM = Targeted Review of Internal Models

TRR = Temporary Recognition Regime

UCITS = Undertakings for Collective Investments in Transferable Securities

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