

UK MIFID Designated Reporter/ EU MIFID Designated Publishing Entity

UK

On 3rd May 2023, the Financial Conduct Authority (FCA) released Policy Statement 23/4 'Improving Equity Secondary Markets', which introduced changes to the UK onshored Markets in Financial Instruments Directive (UK MiFID) in respect of post-trade transparency reporting obligations, effective from 29th April 2024.

The new Designated Reporter (DR) replaces the previous Systematic Internaliser status criterion for determining post-trade transparency reporting obligations. ING Bank N.V. London Branch has registered as a DR with the FCA.

Under the new DR logic:

- When ING Bank N.V. London Branch (DR) faces another DR entity the Seller will report.
- When ING Bank N.V. London Branch (DR) faces a non-DR entity ING Bank N.V. London Branch will report.
- All ING Bank N.V. London Branch's post-trade transparency reporting is automated based on DR status above from 29th April. Clients do not need to take action in this regard.

EU

In the EU, as part of the MiFIR review, a similar concept will be introduced where a Designated Publishing Entity (DPE) will become responsible for post-trade transparency reporting. Not all elements of the new DPE regime will be fully set up when the MiFIR changes take effect on 28 March 2024, therefore, as per ESMA's guidance, until the DPE regime is available ING Bank N.V. will remain responsible for post-trade transparency reporting in respect of the asset classes in which it is a Systematic Internaliser.

ING Bank N.V. expects to register as DPE for certain asset classes and we will provide more details and an update on our website in due course.

The future of the Systematic Internaliser

The future obligations of Systematic Internaliser status will also be changing. Both the UK and the EU will be reviewing the obligations and status of the current SI regime. ING Bank N.V. will provide further updates on our website when more is known about the changes.