

MiFID Coordination  
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By email to [cp16-29@fca.org.uk](mailto:cp16-29@fca.org.uk)

3<sup>rd</sup> January 2017

Dear MiFID II Team

### **CP16/29: MiFID II Implementation – Consultation Paper III**

TISA are pleased to attach our response to this important Consultation, and we hope to continue to discuss with you practical implementation issues ahead of the Directive's implementation date of 3<sup>rd</sup> January, 2018.

TISA's approach is to focus on helping firms develop good practice guides for implementation in the Conduct aspects of the Directive, particularly Appropriateness, Product Governance and Costs & Charges. The level of interest, and participation from firms, is very high. 94 firms have taken an active part on our MiFID II work. With their help, we have published a guide to implementation for Appropriateness, are finalizing one for Product Governance and are currently working on Costs & Charges.

These are the areas of focus in our response.

We believe that the FCA should not underestimate the technical challenges in the implementing of disclosure around Costs & Charges for retail firms reporting to customers, and for firms involved in the distribution chain between product manufacturer and provider of service to customers.

We would be very pleased to discuss the work we are doing with our members with you.

We should like to bring two matters to your specific attention.

The first is that the FCA should make it clear that the disclosure requirement come into effect for accounting or reporting periods (to clients) commencing on or after 1<sup>st</sup> January, 2018. Else, firms will, if they are reporting to clients in, say, March 2018, be having to acquire data for such disclosure from April, 2017.

The second is to note that we disagree with the extension of MiFID II to Article 3 firms. Such firms are not required to comply with many MiFID II obligations. Where the Directive does not mandate



compliance, we do not believe that in this case, the FCA should extend the obligations to those firms.

If you have any questions, please let me know.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jeffrey Mushens". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

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