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J. -P. Casey and K. Lannoo
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THE MiFID REVOLUTION

The Market in Financial Instruments Directive (MiFID) is nothing short of a revolution. Introduced on 1 November 2007, it will have a profound, long-term impact on Europe's securities markets. It will see banks operating as exchanges for certain activities, offering alternative execution services for equities that more closely resemble the structure of OTC markets, and will lead to the decentralization of order execution in an array of venues previously governed by concentration rules. Crucially, MiFID will also have a profound impact on the organization and business strategies of investment firms, exchanges, asset managers and other financial market intermediaries. Until now, analysis has focused on the directive's short-term implementation issues. This book focuses on the long-term strategic implications associated with MiFID, and will be essential reading for anybody who recognizes that their firm will need to make constant dynamic readjustments in order to remain competitive in this challenging new environment.

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preface by
DAVID WRIGHT



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TABLE OF CONTENTS

<i>List of illustrations</i>	x
<i>Preface</i>	xi
Introduction	1
1 The MiFID revolution	6
1. Ten key predictions on the impact of MiFID	7
2. Delayed implementation by the member states	10
3. Delayed preparedness with firms	11
4. Market impact	13
4.1 Investment firms	14
4.2 Exchanges	16
4.3 Advisory firms and solution providers	21
5. Outlook	23
References	24
2 Origins and structure of MiFID	26
1. The ISD and the development of European capital markets	26
2. The ISD review and the origins of MiFID	29
3. The key elements of the MiFID regime	33
3.1 An overview of the main issues addressed by MiFID Level 1	35
3.2 A note on the process for the implementation of MiFID (Lamfalussy process)	36
4. The structure of MiFID	38
4.1 Client suitability and appropriateness	41
4.2 Best execution	41
4.3 Conflict of interest	42
4.4 Price transparency	43
5. Conclusion	44
References	44

3	Client suitability and appropriateness under MIFID	45
1.	Introduction	45
2.	MiFID clients' classification	46
3.	The suitability and appropriateness tests	48
3.1	The suitability assessment	48
3.2	The appropriateness assessment	49
4.	The business implications of implementing the new rules	53
5.	Conclusion	57
	References	57
4	Best execution	58
1.	The origins of the concept of best execution	59
2.	The economics of best execution	60
3.	Measuring best execution	62
4.	Regulation of best execution pre-MiFID	64
5.	The MiFID rules	65
6.	Application of MiFID's best execution requirements to non-equity instruments: fixed income and structured products	70
7.	Implementing and monitoring a best execution strategy	73
	References	75
5	Financial market data and MiFID	78
1.	Introduction	78
2.	The financial market data business	79
3.	The MiFID regime and its implementation	81
4.	Will a market-led approach to data consolidation work?	85
5.	Market data consolidation under the US NMS rule	88
6.	Conclusion	89
	References	90
6	Managing conflicts of interest: from ISD to MiFID	91
1.	Conflicts of interest at the heart of financial services	91
2.	Evolution of European law on conflicts of interest management in finance	93
3.	Differences between MiFID and the ISD on conflicts	98

TABLE OF CONTENTS

vii

3.1	Scope	99	
3.2	Requirement to manage conflicts	100	
3.3	Inducements	100	
3.4	Formal conflicts policy	100	
3.5	Record-keeping	100	
4.	Identifying conflicts of interest	101	
4.1	The theory: an anatomy of conflicts	101	
5.	Managing conflicts of interest	108	
6.	Maintaining effective procedures and controls	110	
	References	112	
7	The MiFID approach to inducements – imperfect tools for a worthy policy objective	114	
1.	Introduction	114	
2.	Implementing the MiFID inducements rules	114	
2.1	Regulating distribution models: the pros and the cons	114	
2.2	Policy objectives of inducements rules	116	
2.3	Lamfalussy Level 3 work on inducements	117	
2.4	How firms can justify accepting trail commission post-MiFID	121	
3.	Points of uncertainty around MiFID's inducements rules	124	
3.1	Whether tiered commission arrangements are allowed	125	
3.1.1	Making tiered commission arrangements MiFID-compliant	127	
3.2	Whether the inducements disclosure applies retrospectively to existing clients	128	
3.3	The form of inducements disclosure – what is required?	131	
3.4	Renegotiating commission arrangements – do they need to be re-disclosed and agreed by clients?	134	
4.	Conclusion	136	
4.1	The lack of clarity could lead to an uneven playing field on a pan-European level	136	
4.2	Too detailed inducements disclosure may paradoxically result in worse outcomes for clients of firms with large distribution channels	137	
4.3	The way the disclosure requirements are formulated may actually increase the risk of commission bias	137	
	Annex I: making inducements MiFID-compliant	139	
	References	139	

8	MiFID's impact on the fund management industry	141
1.	Introduction	141
2.	Uneven playing fields?	144
2.1	Best execution	144
2.2	Outsourcing	145
2.3	Fact disclosures	145
2.4	Conflicts of interest	146
2.5	Inducements	147
3.	Further impact of MiFID on the asset management sector	149
4.	MiFID and the distribution of non-harmonized products	151
	References	156
9	MiFID and bond market transparency	158
1.	Introduction	158
2.	Why regulate transparency?	159
3.	Arguments in favour of more transparency	161
3.1	Achieving and verifying best execution	161
3.2	Valuation and asset allocation	162
3.3	Lowering transaction costs	162
3.4	Essential non-price information captured in bond prices	163
3.5	Data consolidation	163
3.6	Levelling the playing field	164
3.7	Index construction	165
3.8	Improving liquidity	165
3.9	Enhancing disclosure of financial risks	166
4.	Arguments against more transparency	167
4.1	Could damage liquidity	167
4.2	Other instruments better suited for retail investor protection	168
4.3	No clear evidence of a market failure	169
5.	Lessons from TRACE	169
6.	What kind of transparency is warranted?	174
7.	Will market-led initiatives improve transparency?	175
	References	178

10	The division of home and host country competences under MiFID	179
1.	Introduction	179
2.	The ISD	180
3.	MiFID's rule-making	183
3.1	Prudential rules	183
3.2	Transactional rules	184
3.3	Contractual rules	187
4.	Supervision and enforcement under MiFID	190
5.	Access to regulated markets and clearing and settlement systems under MiFID	192
6.	MiFID's weaknesses and shortcomings	194
7.	Conclusion	196
	References	197
11	MiFID and Reg NMS: a test-case for 'substituted compliance'?	199
1.	Introduction	199
2.	MiFID and Reg NMS in a nutshell	200
2.1	MiFID	201
2.2	Reg NMS	202
3.	Comparative effects of MiFID and Reg NMS	207
4.	A test-case for 'substituted compliance'?	209
5.	Conclusion	212
	References	213
	Glossary	215
	ANNEX I List of services and activities and financial instruments falling under the MiFID's scope	219
	Bibliography	221
	Index	223

LIST OF ILLUSTRATIONS

Figure 1.1	Largest European stock exchanges revenue decomposed by activity (2006). (<i>Source</i> : Annual reports. Data for LSE are for book year closed on 31 March 2007)	18
Figure 2.1	EU securities market growth, 1996–2006. (<i>Sources</i> : BIS, OECD, FESE, WFE and derivatives exchanges)	27
Figure 2.2	Growth of bank vs. securities markets in the EU (<i>Sources</i> : BIS, OECD, FESE and European Commission)	27
Figure 3.1	Suitability and appropriateness scope under MiFID's 'know your customer' rules (<i>Source</i> : Author)	53
Figure 6.1	Identifying the root cause	101
Figure 6.2	Anatomy of conflicts of interest	104
Figure 6.3	When to manage conflicts of interest	110
Annex I	Making inducements MiFID-compliant	139
Figure 9.1	Bond market household savings structure: international comparison (2004). (<i>Source</i> : Bank of Italy)	170

PREFACE

The Markets in Financial Instruments Directive (MiFID) entered into force on 1 November 2007. The outcome of extensive consultation and many years' work, MiFID represents a significant regulatory overhaul of investment services and securities markets in Europe. Competition in trading various financial instruments is opened up among traditional stock exchanges, multilateral trading facilities (MTFs) and investment firms, and is done so throughout Europe by way of the right to 'passport' these services across borders. Investors benefit from a greater number of trading venues as well as a robust and comprehensive framework ensuring high levels of investor protection. Together with the other parts of the EU Financial Services Action Plan (FSAP), MiFID is expected, over time, to lower the cost of capital and to bring major benefits for the European economy. MiFID has also demonstrated that the Lamfalussy process can work well.

Before 1 November 2007, much ink had been spilled on the likely effects of MiFID for Europe's capital markets. Yet noticeably little of this work took a long-term view, combining both theoretical and empirical perspectives. Pessimists were threatening that the costs of complying with MiFID would far outweigh its benefits. Since the date of implementation, these voices have been muted and the consensus has become more positive.

Despite its young life, MiFID has proven to be largely supportive of how markets and technology were already changing the face of investment services in Europe for the better. Moreover, by introducing important safeguards for investors and extending the scope of activities subject to regulation, it has made valuable improvements to how and which products may be sold to clients. MiFID thus both fosters innovation in financial markets and buffers new entrants and less experienced investors from their more complex and risky features.

This book is a timely contribution to a view of the post-MiFID landscape. The initial dust has settled; the scepticism has died down; so

policy-makers and stakeholders can once again take the long view. This book will help us do just that. Where did MiFID get it right? Where might problems emerge? What do we need to focus on next? The European Commission is committed to a careful and continuous evaluation of the consistency and efficiency of the existing framework.

From its origins and various key provisions to its anticipated impacts and potential international implications, this work provides a comprehensive look at MiFID as well as the market reality it serves. It analyses its subject material with clarity, criticism and rigour. It will prove a valuable companion, as the 'MiFID revolution' continues to play out.

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