

Chapter 6A

EEA market operators in the United Kingdom



6A.1 **Exercise of passport rights by EEA
market operator**

- 6A.1.1** **G** Under section 312A of the *Act*, an *EEA market operator* may make arrangements in the *United Kingdom* to facilitate access to, or use of, a *regulated market* or *multilateral trading facility* operated by it if:

 - (1) the operator has given its *Home State regulator* notice of its intention to make such arrangements; and
 - (2) the *Home State regulator* has given the *FCA* notice of the operator's intention.

- 6A.1.2** **G** In making these arrangements, the operator has *exempt person* status as respects any *regulated activity*, which is carried on as a part of its business of operating the market or facility in question, or in connection with, or for the purposes of that business.

- 6A.1.3** **G** An *EEA market operator* has *exempt person* status as respects any *regulated activity* which is carried on as a part of its business of operating a *regulated market* or *multilateral trading facility* if the operator made arrangements in the *United Kingdom* on or before 31 October 2007 to facilitate access to, or use of, that *regulated market* or *multilateral trading facility*.

- 6A.1.4** **G** In accordance with the *RAP regulations*, references in section 312A of the *Act* to specified *regulated market* and market are to be read as including reference to a specified *auction platform* and an *auction platform* as applicable.