

**TRADE DATA MONITORS (AMENDMENT) INSTRUMENT 2007**

**Powers exercised**

- A. The Financial Services Authority makes this instrument in the exercise of the power in section 157(1) (Guidance) of the Financial Services and Markets Act 2000.

**Commencement**

- B. This instrument comes into force on 1 November 2007.

**Amendments to the Handbook**

- C. The Market Conduct sourcebook (MAR) is amended in accordance with the Annex to this instrument.

**Citation**

- D. This instrument may be cited as the Trade Data Monitors (Amendment) Instrument 2007.

By order of the Board  
27 September 2007

## Annex

### Amendments to the Market Conduct sourcebook (MAR)

In this Annex, underlining indicates new text and striking through indicates deleted text.

#### Trade Data Monitors

7.2.14 G ~~A trade data monitor is a provider of services and facilities for the verification of post trade information as contemplated by this chapter and an approved trade data monitor is a provider which has been assessed by the FSA as having the capacity to provide services and facilities in accordance with the service criteria published on the FSA's web site at [www.fsa.gov.uk](http://www.fsa.gov.uk)~~

~~The FSA will consider~~ considers that use of an approved trade data monitor by a *firm* will satisfy a *firm's* its obligations under MAR 7.2.12EU, ~~though the approved trade data monitor must continue to have the capacity to provide the services and facilities in accordance with the above service criteria at the time that the *firm* uses the approved trade data monitor.~~ if:

- (1) in assessing the arrangements, the *firm* follows the guidelines published on the FSA's website at [www.fsa.gov.uk](http://www.fsa.gov.uk); and
- (2) it has been confirmed that the arrangements will enable the *firm* to comply with the guidelines through either:
  - (a) a statement by the FSA; or
  - (b) a report by an external auditor to the provider of the arrangements which is made available to *firms* and, on request, to the FSA.

A “trade data monitor” is a provider of such arrangements which has been assessed by the FSA or an external auditor as having the capability to provide services and facilities to *firms* in accordance with the guidelines published on the FSA’s website at [www.fsa.gov.uk](http://www.fsa.gov.uk).

Use of ~~an approved~~ a trade data monitor does not affect a *firm's* obligations under MAR 7.2.10EU regarding the timing of the disclosure of post-trade information.