

**TECHNICAL STANDARDS (MARKETS IN FINANCIAL INSTRUMENTS  
REGULATION) (EU EXIT) (No 3) INSTRUMENT 2020**

**Powers exercised**

- A. The Financial Conduct Authority (“the FCA”), being an appropriate regulator within the meaning of the Financial Regulators’ Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (“the Regulations”), with the approval of the Treasury, makes this instrument in exercise of the powers conferred by regulation 3 of the Regulations.

**Pre-conditions to making**

- B. The FCA and the Bank of England are the appropriate regulators for the EU Regulation specified in Part 5 of the Schedule to the Regulations.
- C. The Bank of England has consented to the FCA making the changes in this instrument in accordance with regulation 3 of the Regulations.
- D. The FCA has consulted the Prudential Regulation Authority and the Bank of England as appropriate in accordance with regulation 5 of the Regulations.
- E. A draft of this instrument has been approved by the Treasury, the Minister considering that it makes appropriate provision to prevent, remedy or mitigate any failure of retained EU law to operate effectively, or any other deficiency in retained EU law, arising from the withdrawal of the United Kingdom from the European Union.

**Interpretation**

- F. Any reference in this instrument to any EU Regulation or EU tertiary legislation (within the meaning of section 20 of the European Union (Withdrawal) Act 2018) is, unless the contrary intention appears, to be treated as a reference to that EU regulation or EU tertiary legislation which is part of UK law by virtue of the European Union (Withdrawal) Act 2018.

**Modifications**

- G. The following EU Regulation is amended in accordance with Annex A of this instrument.

(1)	(2)
Commission Delegated Regulation (EU) 2016/2021 of 2 June 2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards on access in respect of benchmarks	Annex A

**Commencement**

- H. This instrument comes into force on IP completion day as defined in the European Union (Withdrawal Agreement) Act 2020.

**Citation**

- I. This instrument may be cited as the Technical Standards (Markets in Financial Instruments Regulation) (EU Exit) (No 3) Instrument 2020.

By order of the Board  
22 October 2020

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

## Annex A

### **COMMISSION DELEGATED REGULATION (EU) 2016/2021 of 2 June 2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards on access in respect of benchmarks**

~~(Text with EEA relevance)~~

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#### Article -2

#### **Application**

This technical standard applies in accordance with Regulation 600/2014/EU.

#### Article -1

#### **Interpretation**

1. Where a term is defined in article 2 Regulation 600/2014/EU, as amended by the Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018, that definition shall apply for the purposes of this Regulation save where the context requires otherwise.
2. Article 2(1)(62) of Regulation 600/2014/EU shall also apply to references to ‘trading venue’ in this Regulation.

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#### Article 6

#### **Entry into force and application**

~~This Regulation shall be binding in its entirety and directly applicable in all Member States.~~

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