

## Financial Markets Law Committee (“FMLC”)

### Banking Scoping Forum

Date: Thursday 14 December 2017

Time: 2.00pm to 3.30pm

Location: The offices of White & Case LLP, 5 Old Broad Street, London, EC2N 1DW



#### In Attendance:

Stuart Willey (Chair)	White & Case LLP
Clare Dawson	Loan Market Association
Thomas Donegan	Shearman & Sterling (London) LLP
Paul Gough	The Bank of New York Mellon – London Branch
Charles Gray (dial in)	Sullivan & Cromwell LLP
Etay Katz	Allen & Overy LLP
Dorothy Livingston	Herbert Smith Freehills LLP
Monica Sah	Clifford Chance LLP

Venessa Parekh

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#### Guest Speakers:

Mark Kalderon

Freshfields Bruckhaus Deringer LLP

#### Regrets:

Alex Biles	Ashurst
Sarah Coucher	Norton Rose Fulbright LLP
Leland Goss	International Capital Market Association
Jons Lehmann	Fried, Frank, Harris, Shriver & Jacobson (London) LLP
Oliver Moullin	Association for Financial Markets in Europe
Mitja Siraj	FIA
Julia Smithers Excell	JP Morgan

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## Agenda:

1. Introduction.
2. Administration:
  - a. a short presentation: Your Scoping Forum Needs You (Venessa Parekh);
  - b. confirmation of the 2018 Forward Schedule; and
  - c. suggestions for the 2018 Forward Agenda.
3. [Opinion](#) of the European Banking Authority on issues related to the departure of the United Kingdom from the European Union (Mark Kalderon).
4. Legal complexities arising in relation to MiFID II and (i) the role of banks as product manufacturers—the “target market test”; and (ii) the classification of buy-side counterparties in securities distribution (Stuart Willey to lead).
5. The U.K.’s post-Brexit requirements for incoming firms (Stuart Willey to lead discussions).
6. E.U. Proposals to Strengthen the Powers of the European Supervisory Authorities.
7. Any other business.