Financial Markets Law Committee (“FMLC”)

Banking Scoping Forum

Date: Thursday 16 March 2017

Time: 10.00 am to 11.30 am

Location: Bank of England, Threadneedle Street, London, EC2R 8AH

Attending:

Jan Putnis (Chair)  Slaughter and May
Thomas Donegan  Shearman & Sterling LLP
Michael Duncan (by telephone)  Allen & Overy LLP
Leland Goss  International Capital Market Association
Paul Gough  The Bank of New York Mellon
Charles Gray (by telephone)  Sullivan & Cromwell LLP
Simon Hills  British Bankers’ Association
Tom Lodder  Barclays Bank PLC
Oliver Moulin  Association for Financial Markets in Europe
Matina Papadopoulou  CHAPS Co
Bob Penn  Cleary Gottlieb Steen & Hamilton LLP
James Perry  Ashurst LLP
Mitja Siraj  FIA

Venessa Parekh  FMLC
Thomas Willett  FMLC

Regrets:

Alex Biles  Ashurst LLP
Dorothy Livingston  Herbert Smith Freehills LLP

Registered Charity Number: 1164902
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**Agenda:**

1. Introduction

2. Forum administration:
   a. a short presentation by Venessa Parekh (FMLC) on the aims and remit of scoping fora; and
   b. an introduction to the new policy on publishing Forum documents

3. Issues of legal uncertainty arising in relation to the European Commission’s Banking Reform Package,\(^1\) including with regards to:
   a. Requirement for intermediate E.U. holding company for non-E.U. financial groups
   b. New financial holding company regime
   c. Total loss absorbing capacity (“TLAC”), including: (a) the introduction of a new creditor hierarchy for insolvency purposes; and (b) proposed deduction rules for interbank TLAC holdings.

4. Any other business

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