



AQMETRICS

EMERGING REGULATORY CHANGE CHECKLIST

2023

Emerging Regulatory Change Checklist for 2023

Financial services regulations are ever-evolving. The following table sets out important regulatory change dates for 2023. This table can be used as a checklist for emerging regulatory changes.

Region	Focus Area	Date	Description
UK	UK Financial Services Regulations	In process	The Financial Services and Markets Bill (FSM Bill) includes provisions to revoke all EU-derived legislation related to financial services and replace it with UK specific regulations, subject to a transitional period. On 9 December 2022, HM Treasury issued a policy statement setting out the government's approach to repealing and replacing retained EU law on financial services.
EU	PRIIPs	H1 2023	On 01 Jan 2023 amendments to the RTS relating to the PRIIPs Regulation set out in Regulation (EU) 2021/2268 on the underpinning methodology and presentation of performance scenarios, the presentation of costs and the methodology for the calculation of summary cost indicators, the presentation and content of information on past performance and the presentation of costs by packaged retail and insurance-based investment products offering a range of options for investments came into force.
UK	SDR	25 January 2023	The 25 January 2023 is the deadline for responses to the FCA's consultation paper (CP22/20) on the proposed sustainability and disclosure requirements (SDR).
UK	VAT treatment of fund managers	3 February 2023	The 3 February 2023 is the deadline for responses to the UK government's consultation on the VAT treatment of fund management.
UK	Financial promos	7 February 2023	The 7 February 2023 is the deadline for responses to the FCA's consultation paper (CP22/27) on introducing a gateway for firms that approve financial promotions.
EU	ESG	20 February 2023	The 20 February 2023 is the deadline for responses to ESMA's consultation on guidelines on funds' names using ESG or sustainability-related terms.
UK	Appointed Reps	28 February 2023	The 28 February 2023 is the deadline for firms to respond to section 165 request(s) received from the FCA about appointed representatives.
UK	PRIIPs Repeal	3 March 2023	The 3 March 2023 is the deadline for responses to HM Treasury's consultation on the repeal of the UK PRIIPs Regulation.

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UK	Disclosure in retail investments	7 March 2023	Deadline for responses to the FCA's future disclosure framework for retail investments discussion paper (DP22/6) is the 7 March 2023.
UK	REITS	April 2023	Changes to REIT (real estate investment trust) rules as announced by government in a written statement and a collection of documents concerning reforms to the financial services will take effect in April 2023.
EU	ESG	Q2/Q3 2023	ESMA expects to issue the final guidelines by Q2/Q3 2023 on guidelines on funds' names using ESG or sustainability-related terms. This is following ESMA's recent consultation.
UK	SDR	30 June 2023	The FCA's proposed "anti-greenwashing" rule is expected to come into effect at the end of H1 2023. This is following the FCA's consultation on SDR.
UK	TCFD disclosures	30 June 2023	TCFD disclosures under the FCA's policy statement PS21/24 will be made by 30 June 2023, and subsequent disclosures will be made by 30 June each calendar year. For "on demand" product and portfolio-level disclosures to institutional clients, firms must provide the requested information from 1 July 2023.
Global	Liquidity mismatch	Mid-2023	The FSB, in consultation with IOSCO, will publish a consultative report on liquidity mismatch in open-ended funds in mid-2023 to revise the FSB's 2017 recommendations. IOSCO, in consultation with the FSB, will publish a consultative report in mid-2023 to develop detailed guidance on liquidity management tools to complement the revised FSB recommendations.
EU	UCITS IV amendments	2 August 2023	Article 5 of Directive (EU) 2019/1160 amending Directive 2009/65/EC (UCITS IV) and Directive 2011/61/EU (AIFMD) with regard to cross-border distribution of collective investment undertakings sets out that the Commission is to present a report by 2 August 2023 assessing the merits of harmonising the provisions applicable to UCITS management companies testing investor appetite for a particular investment idea or investment strategy, and whether any amendments to UCITS IV are needed.
EU	TMPR	31 December 2023	The temporary marketing permissions regime (TMPR) for European Economic Area (EEA) funds (other than EEA UCITS) expires on 31 December 2023. The Financial Services Act 2021 amended the Collective Investment Schemes (EU Exit) Regulations 2019, SI 2019/325, to extend the TMPR for EEA UCITS by two years to 31 December 2025.
UK	Long Term Asset Funds (LTAFs)	Early 2023	Subject to the responses received to the FCA's consultation paper (CP 22/14) on proposals for broadening the retail distribution of Long Term Asset Funds (LTAFs), the FCA is expected to publish a final policy statement and final Handbook rules.

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UK	Green Finance Strategy	Early 2023	The UK government is expected to publish an updated Green Finance Strategy.
UK	SMCR	Early 2023	The UK government is expected to commence a review on reforming the Senior Managers and Certification Regime.
UK	LGPS - asset pooling	Early 2023	The UK government is expected to consult on new guidance to the Local Government Pension Scheme (LGPS) in England and Wales on asset pooling.
UK	OFR Equivalence	Early 2023	In Early 2023 HM Treasury is expected to make an equivalence decision under the overseas funds regime (OFR).
UK	MMF Reform	Early 2023	In Early 2023 the FCA is expected to decide whether to consult on money market fund reform proposals.
EU	SFDR	Early 2023	The Commission is expected to publish a set of questions and answers on the SFDR accompanied by an assessment of the implementation of SFDR, including by way of a public consultation.
EU	ESG	Early 2023	From early 2023 the European Securities and Markets Authority (ESMA) is expected to undertake horizontal mapping of environmental, social and governance (ESG) data needs and usages for supervisory purposes in the area of investment management as detailed in ESMA's sustainable finance roadmap 2022-2024.
EU	AIFMD/UCITS - Depository oversight	Early 2023	A discretionary peer review on the depository obligations under Directive 2009/65/EC UCITS IV (Undertakings for Collective Investments in Transferable Securities) and Directive 2011/61/EU, the Alternative Investment Fund Managers Directive (AIFMD). The peer review will focus on the oversight and safekeeping functions of depositories and ESMA expects to finalise and publish its report in 2024.
EU	LRC - Report on illiquid assets	Early 2023	In early 2023 ESMA will report on the outcome of the 2022 CSA on valuation of less liquid assets in the UCITS and AIFMD frameworks.
IOSCO	LRC - Liquidity mismatch report	Early 2023	International Organisation of Securities Commissions (IOSCO) and the Financial Stability Board (FSB) will initiate a pilot programme focused on closing identified data gaps relating to open-ended fund liquidity mismatch, the use of liquidity management tools and financial stability risks.

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IOSCO	ESG	H1 2023	IOSCO will assist its members in implementing its recommendations with regard to the supervision of asset managers and the oversight of ESG ratings and data product providers.
EU	UCITS	H1 2023	ESMA aims to publish a final report relating to its consultation on draft Implementing Technical Standards and RTS on the information and templates for cross-border marketing and management notifications under Directive 2009/65/EC, or the UCITS Directive, and Directive 2011/61/EU AIFMD, as amended by Directive 2019/1160/EU with regard to cross-border distribution of collective investment undertakings.
US	Custody Rule	2023	In 2023 proposals are expected on the Custody Rule (related to digital assets) and digital engagement practices. According to RIN: 3235-AM32 the Division is considering recommending that the Commission propose amendments to existing rules and/or propose new rules under the Investment Advisers Act of 1940 to improve and modernize the regulations around custody of funds or investments of clients by Investment Advisers.
US	Private Funds	2023	In 2023 adoption of proposed rules covering private fund advisers (with respect to conflicted transactions, preferential treatment, quarterly statements on performance and fees and expenses, fund audits, and adviser-led secondary transactions) is expected.
US	Private Funds	2023	According to RIN: 3235-AN13 the Division is considering recommending that the Commission adopt amendments to Form PF, the form on which advisers to private funds report certain information about private funds to the Commission, jointly with the CFTC. The CFTC and SEC jointly proposed to amend Form PF, the confidential reporting form for certain SEC-registered investment advisers to private funds, including those that also are registered with the CFTC as a commodity pool operator or commodity trading adviser. The amendments are designed to enhance the Financial Stability Oversight Council's ability to monitor systemic risk as well as bolster the SEC's regulatory oversight of private fund advisers and investor protection efforts. Under rule RIN: 3235-AM75 amendments to Form PF are required in 2023.
US	Registered Funds	2023	According to RIN: 3235-AN12 with regards to a fund fee disclosure reform proposal the Division is considering recommending that the Commission propose changes to regulatory requirements relating to registered investment companies' fees and fee disclosure.
US	MMF reforms	2023	According to RIN: 3235-AM80 the Division is considering recommending that the Commission adopt reforms relating to the regulation of money market funds. The Commission proposed to remove the liquidity fee and redemption gate provisions in the existing rule, and to require certain money market funds to implement swing pricing policies and procedures. The Commission also proposed to increase minimum liquidity requirements for money market funds, as well as reporting and disclosure amendments. In addition, the Commission proposed rule amendments to address how money market funds with stable net asset values should handle a negative interest rate environment.
EU	LRC - Report on illiquid assets	Early 2023	In early 2023 ESMA will report on the outcome of the 2022 CSA on valuation of less liquid assets in the UCITS and AIFMD frameworks.

How AQMetrics can help

AQMetrics helps financial services firms meet their regulatory obligations through subscription-based regulatory technology software as a service (SaaS). AQMetrics offers a complete cloud platform that can augment or even replace a customer's current regulatory systems, and meets new and emerging regulatory change requirements.

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