



Welcome

The notable issues in this Newsletter are as follows:

- The *provisional agreement on the Digital Operational Resilience Act (DORA)* reached on 11th of May, resulting from the negotiations between the European Parliament and Council, this aiming to guarantee the resilience of the European financial sector in the event of severe operational ICT-related incidents, by establishing uniform security requirements for financial institutions' networks and information systems, as well as for critical third-party providers of ICT services (providers of cloud computing services or data analysis services).
- The *Disclosure, Inducements and Suitability Rules for Retail Investors Study*, published on 22 July 2022, drafted at the request of the European Commission by Kantar Public in association with CEPS (Centre for European Policy Studies) and Milieu, the conclusions of which, from a practical point of view regarding investors' behaviour and also regarding the implementation of the regulation in relation with these three aspects, will feed into the future Investment Retail Strategy soon to be published by this institution.
- The *ESMA Guidelines on certain aspects of the MiFID II suitability requirements*, published on 23 September 2022, reviews the 2018 text taking into account: (1) the adoption by the European Commission of the changes to the MiFID II Delegated Regulation that require the integration by investment firms of the sustainability factors, risk and preferences into certain organizational requirements and operating conditions; (2) the results of the 2020 Common Supervisory Action carried out by the national competent authorities to improve convergence; and, (3) the amendments made to Article 25(2) of MiFID II by the Capital Markets Recovery Package.
- The *ESMA Annual Work Program for 2023*, published on 10 October, focussing on the three defined strategic priorities to effectively foster markets (and financial stability), strengthen the supervision of EU financial markets and enhance the protection of retail investors. Likewise, the document points out the importance of the two thematic drivers identified which, in turn, will influence most of the work to be carried out during the year: sustainable finance and technological innovation.
- The *IOSCO Final report on Retail Distribution and Digitalisation*, published on 12 October 2022, aims to assist IOSCO members on the implementation of actions to face the growing challenges posed by digitalisation and online activities. Furthermore, this provides a Policy and Enforcement Toolkit to be considered within the regulatory and supervisory framework, while it also analyses various technological developments, some of which being related to the impact of social media, digital engagement practices and crypto-assets.
- The *IOSCO and Bank for International Settlements Report on client clearing: access and portability*, published on 8 September 2022, considers the potential challenges, in particular regarding risk management, of the new access models developed by central counterparties, taking industry feedback into account, and identifies potential benefits through actions that could be taken by

industry stakeholders, while also some possible future work for CPMI-IOSCO.