

10 December 2020

## N20/20

### Brexit: Amendments to London Stock Exchange Primary Market Rulebooks and TPR requirements for EEA ETFs

#### Introduction

1. London Stock Exchange (“Exchange”) updates N04/19 “Amendments to London Stock Exchange Primary Market Rulebooks”. This Notice confirms proposed changes to the Exchange’s Primary Market Rulebooks (“Rulebooks”) that will apply following the end of the Brexit transition period on 31 December 2020. The amendments will allow the Exchange to continue to operate its markets effectively and meet its regulatory obligations.

#### Amendments to the Rulebooks

2. The Exchange’s Rulebooks refer to EU legislation and to UK law, as it relates to or refers to the EU. The Rulebooks also refer to EU concepts. Accordingly, the proposed changes are consequential in nature to reflect the UK’s new legal and regulatory framework and follow the amendments the UK Government is proposing to make under the European Union (Withdrawal) Act 2018. As the proposed amendments to the Rulebooks ensure alignment with the UK Government’s legislative changes and reflect the UK’s new position outside of the EU, these changes will not be consulted upon.

#### International Securities Market Rulebook (“ISM Rulebook”)

3. The ISM Rulebook has been updated pursuant to Stock Exchange Notice N16/18, dated 17 December 2018. N16/18 referred to the Financial Conduct Authority’s (“FCA”) consultation on “Proposed changes to the Handbook and Binding Technical Standards”, in which it made reference to the HM Treasury proposal to allow for a wider group of public sector issuers to issue securities without producing a prospectus. It was noted in N16/18 that, if this proposal was to be implemented, the Exchange would align the ISM Rulebook accordingly. Implementation has been confirmed<sup>1</sup> and, accordingly, the definition of an Exempt Issuer has been updated to align with the FCA Handbook and associated changes have been made.
4. The amendments (shown in track changes) to the Primary Market Rulebooks listed below are attached to this Notice:
  - A) Admission and Disclosure Standards;
  - B) AIM Rules for Companies;
  - C) AIM Rules for Nominated Advisers; and

<sup>1</sup> See FCA Handbook version 01/01/2021 PRR 1.2.2 (2(b))

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D) ISM Rulebook.

## Effective date

5. The amendments to the Rulebooks will become effective from 1 January 2021. Updated versions of the Rulebooks will be available on the Exchange's website.

## Temporary Permissions Regime – Action required for EEA domiciled ETFs (EEA ETFs)

6. Following the end of the Brexit transition period on 31 December 2020, EEA ETFs with securities admitted to trading on LSE markets, will need to notify FCA by the end of 30 December 2020 that they wish to use the Temporary Permissions Regime ("TPR"). EEA ETF issuers that do not notify FCA of their intention to use the TPR will cease being able to operate in the UK, unless they have obtained full authorisation from FCA and trading of those securities will be suspended by the Exchange. Further details of the TPR are available on the link to the FCA website below:

<https://www.fca.org.uk/brexit/temporary-permissions-regime-tp>

EEA ETF issuers should contact [ETFDeskLondon@lseg.com](mailto:ETFDeskLondon@lseg.com)

## Questions

7. Questions about either this Notice or the Rulebooks can be sent to: [stockexchangenotices@lseg.com](mailto:stockexchangenotices@lseg.com).

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**Head of Primary Market and AIM Regulation**

This Stock Exchange Notice will be available on the website at:  
<https://www.londonstockexchange.com/resources/london-stock-exchange-notices>

Calls to London Stock Exchange plc may be recorded to enable London Stock Exchange to carry out its regulatory responsibilities