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01/06/2018

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Additional Information

Level 1 Regulation
Markets in Financial Instruments Regulation (MiFIR) Regulation (EU) No 600/2014 - Investor Protection and Intermediaries

Topic
Product intervention

Additional Legal Reference
ESMA Decision 2018/795; ESMA Decision 2019/796

Subject Matter
Clients established outside the Union and non-Union nationals

Question

Do the BO Decision and CFD Decision apply to retail clients established outside the Union or to retail clients who are non-Union nationals?

ESMA Answer

01-06-2018

Original language

[ESMA 35-36-1262 Q&As on Product intervention, Q&A 5.9]

Yes, both the BO Decision and the CFD Decision apply, in common with other investor protection requirements in the regime established by MiFID II and MiFIR, in respect of investment services and activities provided by investment firms or credit institutions authorised in the Union, without discriminating on the basis of the location or nationality of their clients.