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Committee of European Securities Regulators – CESR

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**Response by the Federation of European Securities Exchanges (FESE) to the
Call for Evidence on possible implementing measures for the Transparency Directive (CESR/04-284)**

The Federation and its Members welcome the opportunity to submit views to CESR as to what regulators should consider in their advice to the European Commission on implementing measures for the Transparency Directive.

As CESR is aware, the deadline for this call for evidence was short and fell to a large extent into the holiday season. Our Secretariat was therefore not in a position to fully co-ordinate views among our Membership in response to CESR's call. It is for this reason that we particularly refer to the submissions of several of our Members which – as far as we are aware – give an overview of the most important issues that Exchanges would expect CESR to consider.

In addition, we would like to put an emphasis on the two following issues.

Composition of the Consultative Group

We noted with regret the composition of the respective Consultative Group. With no representative of any Exchange and only one representative from the information dissemination industry, the composition of the group may give rise to concerns both in terms of scope of experience the group can provide and in terms of a level playing field. As modern financial services providers, many of our members are active in the area of data and information collection and dissemination. Moreover, all Exchanges have particular expertise with regard to the information needs of all of their client groups: issuers, investors, and intermediaries.

In line with an earlier invitation by your Chairman, we will before long come back to the CESR Secretariat and to the Chair of the respective Expert Group with our proposals for the amendment of the Consultative Group.

Centralised storage of regulated information – officially appointed mechanisms

As the President of our Federation, Mr. Massimo Capuano, had the recent opportunity to discuss with M. Michel Prada, the issue of central European databases for financial markets information, notably for information about listed companies, is of highest importance to many European Exchanges.

Such activities involving the collection, storage, and distribution of issuer information support Exchanges in their legal responsibilities (again emphasised in the new Market Abuse Directive and in Art. 40 of the ISD2), they are an essential element in the range of financial services provided by many Exchanges and they have in the past required major-scale investment by many of our Members.

We have noted with approval that – in the area of transaction reporting – CESR intends to maximise the reliance on existing technical solutions in order to avoid “radical changes to existing arrangements” and “excessive additional costs”. FESE and its Members firmly believe that similar considerations must be made in the context of the collection of company information. Several architectures could be proposed and implemented depending on financial goals, costs and timing as required by the authorities and market participants.

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We are looking forward to CESR’s further work on implementing measures concerning the Transparency Directive and we are as always available for further discussions on these and related issues.

Yours sincerely,

Gregor Pozniak
Deputy Secretary General