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Regarding the provisions quoted in the response below, as far as possible, hyperlinks to these provisions (in the respective language or, if available, in English) are set out in Document CESR/04-075 for each country.

IMPORTANT NOTICE

In the interest of transparency and to inform interested parties, CESR has published the following (together the “Tables”):

- *the Correspondence Tables on the CESR Standards for Investor Protection (Ref. CESR/03-416b to 423b, CESR/03-134/Country);*
- *the Correspondence Tables on the CESR Standards for Alternative Trading Systems (Ref. CESR/03-415b, CESR/03-135/Country);*
- *the Synthesis Tables (Ref. CESR/03-427b and CESR/03-432b);*
- *the List of Alternative Trading Systems currently operating in Member States¹ (Ref. CESR/03-497b);*
- *the explanatory notes and caveats attached to the Tables.*

The Tables were produced by the Members of CESR¹ within the constraints of and solely for the purposes of the CESR Review Panel process of monitoring the status of implementation of the CESR Standards for Investor Protection² and the CESR Standards for Alternative Trading Systems³ in Member States.

The Tables have no legal effect; they do not present any interpretation of, or definitive position on, existing law or regulation in any jurisdiction. The Tables should not be relied upon for any purpose other than the purpose for which they were prepared. In particular, they should not be relied upon as a substitute for, or as guidance on, any aspect of the regulatory system of any Member State or as a defence in supervisory activities or enforcement proceedings; and they cannot be used to restrict competent authorities in taking regulatory or enforcement actions.

The information set out in the Tables is the response of each Member’s self-assessment. For this reason, the content of the Tables regarding a particular Member State has been prepared solely by the relevant Member on a best-efforts basis. (In a next step, the CESR Review Panel is going to conduct a common and collective peer exercise in reviewing the responses from all Members.) In case of discrepancy between the tables containing the responses from all CESR Members and the tables containing the individual responses from a particular CESR Member, the latter should be referred to.

The Tables provide a “snap shot” and will be up-dated on a regular basis to take account of regulatory developments in Member States. Therefore, they cannot be considered as fully finalised or definitive reflections of regulatory provisions in Member States. The Tables should also be read in light of current and future developments in the formulation of the proposed Directive on Markets in Financial Instruments (“ISD2”) and the future Level 2 implementing measures, and without prejudice to the position of any Member State in those developments.

For a more detailed account of the process, methodology and first, interim results, please see the “First Interim Report” by the Review Panel (Ref. CESR/03-414b).

¹ For reasons of simplicity, the term “Member” in this context refers to all participants in the Review Panel, i.e. CESR Members, CESR Observers, and the Polish securities regulators; this applies to the term “Member State” accordingly.

² “A European Regime of Investor Protection - The Harmonization of Conduct of Business Rules” (Ref. CESR/01-014d, April 2002) and “A European Regime of Investor Protection – The Professional and the Counterparty Regimes” (Ref. CESR/02-098b, July 2002).

³ Ref. CESR/02-086b, July 2002.

CORRESPONDENCE TABLE ON STANDARDS FOR ALTERNATIVE TRADING SYSTEMS
(REF. CESR/02-086B)

ITALY

1. Market Integrity Standards for Alternative Trading Systems

Standard	Implementing authority(ies)	Implementing measure ⁴	Comments
<i>1. Investments firms should be required by their home state regulatory authority to notify the establishment of a qualifying system. They should also notify the home state regulatory authority (and, where different, the home state regulatory body in that member state responsible for the oversight of markets) of its key features and significant changes to its operation.</i>	CONSOB	Paragraph 4 of CONSOB Resolution No. 14035 of 17 April 2003 (hereinafter the Resolution)	
<i>2. Investment firms operating a qualifying system should establish trading arrangements that result in fair and orderly trading.</i>	CONSOB	Article 78 of Legislative decree 58/98 Paragraph 6 of the Resolution	
<i>3. An investment firm operating a qualifying system providing trading in an instrument traded on a regulated market must make publicly available, on a reasonable commercial basis, information about quotes and/or orders that the qualifying system displays or advertises to the system users. Similarly, operators must make publicly available, on a reasonable commercial basis, information relating to completed transactions that the system provides to users.</i>	CONSOB	The operators of alternative trading systems have to be made available to the public and the market as a whole, the same information they are required to make available to the users under paragraph 6 of the Resolution.	
<i>4. Investment firms operating a qualifying system should monitor user compliance with the contractual rules of the system.</i>	CONSOB	Paragraph 5, letter e), of the Resolution requires the operators of alternative trading systems to supervise on the compliance by the participants to the system with the rules of the system and to take action in the event of violations thereof.	

⁴ Any derogation to the application of the implementing measures should be mentioned.

<p><i>5. Investment firms operating a qualifying system should, where their home state regulatory authority requires it for the purposes of investor protection and market integrity, establish arrangements with that authority to facilitate satisfactory monitoring of the markets in the instruments traded and the detection of market abuse.</i></p>	<p>CONSOB</p>	<p>The above-described transparency requirements provided for in paragraphs 4 and 6 of the Resolution, allow CONSOB to monitor the activities of alternative trading systems for the purposes of detecting and deterring unfair practices and market abuse. Moreover, pursuant to paragraph 3 of the Resolution, the operators of alternative trading systems have to ensure that electronic procedures are in place for recording transactions that permit searches to be made on each financial instrument, each type of transaction and each entity admitted to the system. These data have to be made available upon request to CONSOB, which may use them for the purposes of international cooperation.</p>	
<p><i>6. Investment firms operating a qualifying system should be able to demonstrate to the relevant home state regulatory authorities that the system is capable of delivering the proposed service, that there are satisfactory arrangements for the management of the technical operation of the system and that there are satisfactory contingency arrangements in the event of system disruption.</i></p>	<p>CONSOB</p>	<p>Pursuant to paragraphs 4, letter b), and 5, letter b), the operators of alternative trading systems are required to inform CONSOB and the public about the trading structures used and how they work. Moreover, pursuant to CONSOB Communication DI/30396 of 21 April 2000, intermediaries which provide online investment services, including the operation of alternative trading systems, are required to have resources and procedures capable of ensuring the efficient provision of these services. Consistently, these intermediaries are advised to conclude agreements with Internet providers and other companies involved in the process so as to ensure the operational efficiency of the service supplied. In order to cope with outages, temporary or otherwise, CONSOB recommends that intermediaries put efficient alternative procedures in place so that investors can continue to trade. These alternative procedures and the manner of using them have to be specified in the contracts with customers. Moreover, every precaution has to be taken to ensure that the automated systems in use guarantee the maximum confidentiality of data transmitted over the Internet.</p>	
<p><i>7. Investment firms operating qualifying systems should ensure that there is clarity of obligations and responsibilities for the clearing (where applicable) and settlement of transactions.</i></p>	<p>CONSOB</p>	<p>Under paragraphs 4, letter g), and 5, letter f), the operators of alternative trading systems are required to clarify the procedures and time limits for the settlement of contracts concluded on the system. On the basis of this information, CONSOB may consider the possibility of prohibiting the trading where it may pose a threat to investors and users, including retail users.</p>	

2. Application of Conduct of Business Rules to Alternative Trading Systems

Standard /Rule	Implementing authority(ies)	Implementing measure	Comments
<i>8. Investment firms operating a qualifying system should make clear the nature of the relationship between operator and user.</i>	CONSOB	The nature of the relationship between the operator and the users of the qualifying system have to be clearly identified in the contract required by the provisions in force. Moreover, pursuant to paragraph 4, e), of the Resolution, the operators of alternative trading systems has to notify CONSOB of information about the standard contracts regarding the functioning of the alternative trading system, such as liquidity contracts and those by means of which the operator appoints one or more participants to display quotes.	
<i>9. Investment firms operating a qualifying system should supply sufficient information about the system to enable a user to use the system efficiently and to understand any risks arising in using the system.</i>	CONSOB	Paragraph 5 of the CONSOB Communication DI/30396 of 21 April 2000	
<i>10. Investment firms operating a qualifying system should provide, or be satisfied that there is access to, sufficient publicly available information to enable users to form an investment judgement, taking into account both the nature of the users and the type of instruments traded.</i>	CONSOB	Article 2-bis, paragraphs 1 and 2 3 rd indent, of Consob regulation 11971/98 <p style="text-align: center;">○○</p> <p>Issuers of securities traded on alternative trading systems which are widely distributed among the public are required to inform the public of events occurring in their or their subsidiaries' sphere of activity that has not been made public and that if made public would be likely to have a significant effect on the price of the listed financial instruments. For the purposes of monitoring the accuracy of this information, Consob may:</p> <ul style="list-style-type: none"> a) require these issuers, the persons that control them and companies controlled by them to provide information and documents, establishing the related procedures; b) gather information from directors, auditors, auditing firms and managers of companies and of persons referred to in a); c) carry out inspections at the offices of persons referred to in a). 	