

## **Financial Markets Lawyers Group Meeting**

Federal Reserve Bank of New York  
33 Liberty Street  
7<sup>th</sup> Floor, Main Conference Room

Thursday, September 12, 2013  
8:30 am – 10:00 am (New York time)

*Present:* Andrew Alter, James Brown (by phone), Martha Burke, Victoria Cumings, Sarah Donnelly, Maria Douvas, Luke Farber (by phone), Pamela Hutson (by phone), Robert Klein (phone), Ruth Laslo (by phone), Jeff Lillien, Joanna Perkins (by phone), Ricardo Salaman, Lisa A. Shemie, Garland Sims, Hector Velez (by phone), Bryan Woodard, Oda Wypior (by phone)

*Federal Reserve Bank of New York participants:* Joyce Hansen, Michael Nelson, David Parkinson, Shawei Wang

At the start of the meeting new members Martha Burke and Sarah Donnelly were introduced to the group.

### **SEFs and the FX Market**

The group discussed the October 2 effective date of the CFTC's swap execution facility (SEF) final rulemaking. Because many FX trading platforms previously assumed they would not have to register as SEFs until a later date, there has been a rush to register as the deadline approaches. Members highlighted a number of legal and operational issues that have resulted from this accelerated effort. It was noted that SIFMA and GFMA were working to address some issues surrounding the October 2 compliance date.

### **Dodd-Frank Operational/Implementation Issues**

The group discussed its progress in addressing a variety of Dodd-Frank operational and implementation issues including FX trade reporting, pre-trade mid, and the external business conduct rules.

### **CLS Splitting of Instructions**

The group briefly discussed a proposal by CLS to revise its rule on Split Settlement Eligible Instructions by lowering its currency splitting threshold.

### **FXC Documentation**

Gary Sims reported that, as Chair of the Opinions Subcommittee of the FMLG, he will soon begin the FMLG's annual effort to collect updated opinions with respect to the enforceability of the netting provisions of the International Currency Options Market Master Agreement, the International Foreign Exchange Master Agreement, the Foreign Exchange and Options Master Agreement, and the International FX and Currency Option 2004 Master Agreement Terms and Terms Agreement from 34 jurisdictions around the world. Members were informed that they may be asked to help with the review of the opinions once the process begins.

### **Quadrilateral 2014**

The next Quadrilateral Meeting of the European Financial Markets Lawyers Group, the Financial Markets Law Committee ("FMLC"), the Financial Law Board and the FMLG will be held in New York in July 2014. Members were informed that topics and themes will be selected at a later date.

*The next meeting of the FMLG will be held on Thursday, October 3, 2013.*