



FINANCIAL SERVICES

---

# MiFID II – One year delay until 2018

by **Adrian Mulryan, David Naughton, David Williams,  
Trevor Dolan, Garry Wynne**

# MiFID II – One year delay until 2018

**1st February 2016** | by Adrian Mulryan, David Naughton, David Williams, Trevor Dolan, Garry Wynne

The European Commission (the Commission) announced on 10 February 2016 that the implementation date for the revised Markets in Financial Instruments Directive 2014/65/EU (MiFID II) would be delayed by one year.

To view the press release, please [click here](#).

MiFID II was originally due to come into force on 3 January 2017 in all EU Member States, but it will now come into force exactly one year later on 3 January 2018.

The possibility of a delay had been discussed for the last number of months. The European Securities and Markets Authority (ESMA) has been tasked with drafting regulatory technical standards and implementing technical standards (the Standards) to accompany MiFID II. While drafting the Standards, ESMA hinted in October 2015 that a delay to MiFID II was possible due to the complex technical infrastructure needed to ensure MiFID II is implemented properly.

MiFID II replaces MiFID I, which created a single market in the EU for investment services and activities. MiFID II is being introduced to ensure the financial system is more transparent and more responsible going forward, following the recent global financial crisis.

Both market participants within the scope of MiFID II and national competent authorities will need to build systems which adhere to the transparency rules and data reporting requirements under MiFID II. The Commission has estimated that once MiFID II comes into effect, ESMA will collect data from 300 trading venues regarding 15 million financial instruments.

The delay to the implementation of MiFID II is not expected to affect the progress of the level 2 legislation which will implement MiFID II.

The extension to the effective date of MiFID II does, we expect, bring welcome relief and legal certainty for market participants. The move could also help reduce market disruption, which was likely if MiFID II was in force prior to all necessary information systems being built.

**If you would like further information on MiFID II and how it may affect your business, please contact a member of the Financial Services team.**

## About the Authors



**Adrian Mulryan**  
Partner

Adrian is Head of the Financial Services Department at LK Shields.  
T: +353 1 6385862 E: [amulryan@lkshields.ie](mailto:amulryan@lkshields.ie)



**David Naughton**  
Partner

David specialises in financial services law. He primarily advises on the authorisation, launch and ongoing operation of all types of investment funds across the liquidity spectrum.  
T: +353 1 637 1585 E: [dnaughton@lkshields.ie](mailto:dnaughton@lkshields.ie)



**David Williams**  
Managing Partner

David advises on all aspects of financial services law and regulation.  
T: +353 1 637 1542 E: [dwilliams@lkshields.ie](mailto:dwilliams@lkshields.ie)



**Trevor Dolan**  
Partner

Trevor advises fund promoters on structuring, establishing and listing investment funds in Ireland.  
T: +353 1 637 1549 E: [tdolan@lkshields.ie](mailto:tdolan@lkshields.ie)



**Garry Wynne**  
Associate Solicitor

Garry advises on debt capital markets, structured finance and secured lending transactions, including from a regulatory perspective.  
T: +353 1 638 5879 E: [gwynne@lkshields.ie](mailto:gwynne@lkshields.ie)