



**IOSCO**

International Organization of Securities Commissions  
IOSCO Asia Pacific Hub  
Malaysia

## IOSCO MMoU/EMMoU Training Workshop

### ***“IOSCO MMoU/EMMoU in Practice: A Guide on the efficient use of the MMoU/EMMoU and pre- requisites for becoming an EMMoU signatory”***

IOSCO Asia-Pacific Hub, Kuala Lumpur, Malaysia

12-14 November 2019

#### **Day 1 – Tuesday 12 November 2019**

09:00 – 09:30

**Registration**

09:30 – 09:45

**Opening Remarks**

09:45 – 11:00

**Overview of the IOSCO MMoU**

- Commitments and implications of being a signatory to the MMoU
- Key Rights and Key Responsibilities
- Best Practices for Information Sharing and Cooperation
- Additional Responsibilities
- Additional Rights
- Issues of cooperation identified in the surveys- high level comments

*Speaker: Ms. Isabel Pastor, Head of Enforcement & Cooperation and Senior Advisor, Special Projects, IOSCO*

11:00 – 11:15

**Coffee Break**

11:15 – 12:15

**IOSCO MMoU as the key instrument in international cooperation in the enforcement of securities laws**

- Importance of cooperation in practice
- How the MMoU helps in international cooperation in enforcement matters

*Speaker: Ms. Nicoletta Giusto, Senior Director, Head of the International Relations Office, CONSOB Italy*

12:15 – 13:45

**Lunch**

13:45 – 15:15

**Common Practical Issues involved in the Use of the IOSCO MMoU**

- Responding to MMoU requests
- Scope of the MMoU: matters and types of assistance covered
- Fit and proper requests
- Power to obtain information
- Power to share information with foreign regulators
- Information being under the powers of another domestic regulator
- Confidentiality
- Dealing with complex requests
- Matters arising from the MMoU requests for assistance
- Dealing with urgent requests
- Identifying good practice and optimal approaches to exchange of information

*Panel: Ms. Agnes Ng, Senior Manager, International and Policy Unit, Enforcement, SFC Hong Kong; Ms. Marianne Olson, Branch Chief for International Enforcement in the Office of International Affairs, US SEC and an additional panellist (TBC)*

15:15 – 15:30

Coffee Break

15:30 – 17:00

**Common Practical Issues involved in the Use of the IOSCO MMoU (Case Study and Exercises)**

*Speaker: Marianne Olson, Branch Chief for International Enforcement in the Office of International Affairs, US SEC*

17:00 – 19:00

Welcome Reception

**Day 2 – Wednesday 13 November 2019**

09:30 – 10:30

**Drafting and sending a request for Assistance – use of Appendix C**

- What to do and what not to do
- Following up on your request for assistance
- What to expect

*Speaker: Ms. Agnes Ng, Senior Manager, International and Policy Unit, Enforcement, SFC Hong Kong*

10:30 – 11:00 Coffee Break

11:00 – 12:15 **Drafting and sending a request for Assistance – use of Appendix C (Case Study and Exercises)**

*Speaker: Ms. Agnes Ng, Senior Manager, International and Policy Unit, Enforcement, SFC Hong Kong*

12:15 – 13:45 Lunch

13:45 – 14:45 **Data Privacy: The Operation of the EU GDPR and the IOSCO Administrative Arrangement**

- Background
- EU GDPR
- EU GDPR PID
- IOSCO AA
- Do you need to sign the AA?
- How to sign the AA

*Speaker: Marianne Olson, Branch Chief for International Enforcement in the Office of International Affairs, US SEC*

14:45 – 16:15 **Overview of the IOSCO EMMoU and how to become a signatory to the IOSCO EMMoU**

- Historical background
- Purpose & Scope
- General principles regarding mutual assistance
- New powers - ACFIT
- Application for EMMoU signatory
- Supporting materials
- The role of the IOSCO Secretariat
- Assessment/verification
- Screening Group recommendation
- Approval by the Decision-Making Group
- Signing of the EMMoU

*Panel: Ms. Nicoletta Giusto, Senior Director, Head of the International Relations Office, CONSOB Italy; Ms. Isabel Pastor, Head of Enforcement & Cooperation and Senior Advisor, Special Projects, IOSCO and an additional panellist (TBC)*

## Day 3 – Thursday 14 November 2019

09:30 – 10:45

### **IOSCO EMMoU: Pre-requisites for complying with the standards**

- Background
- Powers an authority must have to comply with the EMMoU
  - A – power to obtain and share Audit information
  - C – power to Compel physical attendance for testimony of a person
  - F – power to freeze assets, if possible, or if not, provide information on how to freeze assets
  - I – power to obtain and share Internet service provider information
  - T – power to obtain and share Telephone records
- Major gaps that prevent authorities from complying
- Guide on how to address gaps

*Speaker: TBC*

10:45 – 11:00

Coffee Break

11:00 – 12:00

### **IOSCO EMMoU: Pre-requisites for complying with the standards (Case study and exercises)**

*Speaker: TBC*

12:00 – 13:00

### **IOSCO MMoU/EMMoU Annual Survey and Statistics**

- What they are
- What they are used for
- How to submit MMoU statistics
- How to complete the MMoU MG Survey
- How IOSCO deals with issues that arise from the Survey
- What the data from the statistics are used for
- Common practical issues involved in submitting MMoU Statistics

*Speaker: Ms. Isabel Pastor, Head of Enforcement & Cooperation and Senior Advisor, Special Projects, IOSCO*

13:00 – 13:30

**General Discussions, Questions and Answers**

13:30 – 13:45

**Closing Remarks**

13:45 – 15:00

Lunch