Comparing European and U.S. Securities Regulations

MiFID versus Corresponding U.S. Regulations

Tanja Boskovic
Caroline Cerruti
Michel Noel
## Contents

Acknowledgments ........................................................................... iv  
Acronyms and Abbreviations .......................................................... v  
Executive Summary .................................................................... vi  
Introduction .................................................................................. 1  

1. Regulatory Framework and Oversight ......................................... 2  
   EU Securities Framework ......................................................... 2  
   U.S. Securities Framework ....................................................... 3  

2. Scope of the Securities Regulations ........................................... 7  
   The EU Securities Regulations Focus on Investment Firms and Trading Venues .... 7  
   The U.S. Securities Regulations Focus on Broker-Dealers and Exchanges .......... 9  

3. Objectives of the Securities Regulations in Europe and the United States ........ 14  
   Objectives of the EU Securities Regulations .................................. 14  
   Objectives of the U.S. Securities Regulations ................................... 15  

4. Implementation of the Different Objectives .................................. 17  
   As Regards Competition/Fair and Orderly Markets ....................... 17  
   As Regards Investors’ Protection ............................................... 22  
   As Regards Price Discovery: Pre and Post-Trade Transparency Requirements .... 24  

5. Post-Financial Crisis Lessons ..................................................... 29  
   Better Supervision of Large and Interconnected Financial Institutions .......... 29  
   Increase Market Transparency .................................................. 30  
   Enhance Capital and Liquidity Requirements .................................. 30  

6. Conclusion and Areas for Future Research ................................... 33  

Appendices .................................................................................. 36  
   Technical Appendix 1: Pre and Post Trade Transparency Requirements, Europe and the United States .................. 37  
   Technical Appendix 2: Detailed Comparative Analysis .......................... 39  

References ................................................................................... 172