

Press release

News from the International Capital Market Association (ICMA)

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Please see foot of release for contact details

ICMA/2006/03

March 17, 2006

release: immediate

New prospectus regime in Luxembourg: a successful implementation of the EU Prospectus Directive.

(LONDON, UK) At a seminar held in London this week, jointly hosted by the International Capital Market Association (ICMA) and the Commission de Surveillance du Secteur Financier (CSSF), an audience of capital market practitioners and lawyers heard presentations on the practical implementation of the EU Prospectus Directive in Luxembourg. Speakers included Marc Limpach, legal counsel of the CSSF's securities markets department, Gilles Hauben, member of the CSSF's Prospectus Group, Henri Wagner of Allen & Overy Luxembourg and Philippe Hoss of Elvinger, Hoss & Prussen. The occasion also allowed the representatives of banks and law firms to share their experiences of seeking a Luxembourg listing under the new regime.

The Prospectus Directive was implemented in EU Member States on July 1, 2005 and is intended to ensure that equivalent disclosure standards are in place in all Member States when securities are to be offered to the public or admitted to a regulated market. One of its intended benefits is to introduce a new "single passport for issuers", meaning that once approved by the competent authority in the "home" Member State of the issuer, a prospectus would then have to be accepted for public offer or admission to trading throughout the EU.

Since January 1, 2006, the CSSF is the sole intervening party in Luxembourg for approving Prospectus Directive-compliant prospectuses. The CSSF representative commented: 'We have seen a steady increase each month in the number of prospectuses which are submitted for approval under the new regime, our filing procedure is now well understood and we have the structure in place to provide a high quality and efficient service to issuers submitting prospectuses to us. The positive feedback that we have received from market

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participants since beginning of the year shows that we have implemented adequate approval procedures’.

Robert Gray, Vice Chairman of ICMA, opening the seminar remarked: ‘ICMA (as the International Primary Market Association) has been closely involved in the drafting of the Prospectus Directive up to the date of its implementation and beyond, encouraging the regulators to make a clear distinction between debt and equity securities and between wholesale and retail regimes in the debt market. We value our role in providing a forum for a discussion between our industry and regulators about the challenges of implementation and application of EU financial services legislation’.

Copies of the presentations are available from the ICMA website at: www.icma-group.org

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Notes for editors

1 Commission de Surveillance du Secteur Financier (CSSF)

The Commission de Surveillance du Secteur Financier is responsible for the prudential supervision of credit institutions, other professionals of the financial sector, undertakings for collective investment, pension funds, SICARs, securitisation vehicles issuing securities to the public on a continuous basis, stock exchanges, payment and securities settlement systems, operators of payment or securities settlement systems in Luxembourg. It also supervises the Luxembourg securities markets.

2 International Capital Market Association (ICMA)

ICMA is the self-regulatory organisation and trade association representing financial institutions issuing, and dealing in the international capital market. ICMA's members are located in some 50 countries, including all the world's main financial centres, and currently number over 400 firms in total. ICMA was created in July 2005 by the merger of the International Primary Market Association and the International Securities Market Association

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