

## New obligations

### I. Financial Services



#### Safe-keeping and administration of shares



#### Maintenance of securities accounts

- To transmit information on shareholder identity to issuing companies.
- To communicate corporate information to shareholders.
- To facilitate the exercise of voting rights by shareholders either by (i) making the necessary arrangements to enable them to vote themselves or (ii) exercising the voting rights on the shareholders' behalf upon the latter's explicit authorisation and instruction.
- To publicly disclose any applicable costs and fees charged to clients in relation to the above obligations, which have to be proportionate and non-discriminatory. (Note that member states may choose to prohibit intermediaries from charging any fees with respect to these obligations.)



#### Portfolio management



#### Fund management

- To develop and publicly disclose a shareholder engagement policy.
- To publicly disclose, once a year, how the shareholder engagement policy was implemented in practice.
- In the case of institutional clients: to report on the investment strategy and its implementation in line with the institutional client's guidelines and profile and on how such strategy contributes to the medium-term and long-term performance of the institutional client's assets.



#### Voting advice

- To develop and publish a code of conduct.
- To publically report, once a year, on the implementation of such code of conduct.
- To publish, once a year, information on the accuracy and integrity of their activities, which includes information on research used and advice or voting recommendations given.
- To identify and report potential conflicts of interest.

### II. Institutional investors

- To develop and publicly disclose a shareholder engagement policy.
- To publicly disclose, once a year, how the shareholder engagement policy was implemented in practice.
- To publicly disclose how the main elements of their equity investment strategy are consistent with the profile and duration of their (long-term) liabilities and how they contribute to the medium- to-long-term performance of their assets.
- If they make use of asset managers (investment firms and/or investment funds); to put in place and to disclose, once a year, information on the arrangements with these third parties to ensure compliance with the institutional investor's investment strategy.



The obligations for intermediaries providing services in relation to the safe-keeping or administration of shares or the maintenance of securities accounts also apply if the intermediaries do not have their head office or registered office in the EU insofar as they provide those services with respect to shares of EU companies of which the shares are admitted to trading on a regulated market situated or operating within the EU. After the Brexit, the UK will qualify as a third country under European legislation and said provisions will apply to UK intermediaries rendering services within the EU.