LES CONSULTANTS
CONSEIL & FORMATION

EN

MiFID II · LUXEMBOURG

MiFID II – Luxembourg Regulatory Framework, Supervision and Compliance Implementation

6 chapters | Transposition, CSSF supervision, operational implementation and case study

6 CHAPTERS

Training programme

1 Transposition of MiFID II in Luxembourg

1.1 Legal framework
- MiFID II Directive and MiFIR Regulation
- Law of 30 May 2018
- Amendment of the Law of 5 April 1993

1.2 Objectives of the transposition
- Investor protection
- Market integrity and transparency
- Adaptation to Luxembourg market specificities

1.3 Key regulatory pillars
- Client classification
- Conduct of business rules and product governance
- Recording of communications
- Transaction reporting

2 Central Role of the CSSF

2.1 Core missions
- Competent authority for MiFID II
- Interpretation and enforcement of the legal framework

2.2 Supervision and controls
- Off-site and on-site inspections
- Analysis of transaction reporting

2.3 Regulatory guidance and sanctions
- Circulars, FAQs and guidelines
- Administrative sanctions

3 Luxembourg-Specific Compliance Requirements

3.1 CSSF Circular 18/698
- Governance and internal organisation
- Compliance function and management responsibility

3.2 Internal controls and audits
- MiFID II internal audit
- Periodic reviews and traceability

3.3 Enhanced supervisory approach
- Thematic reviews
- Industry questionnaires
- CSSF on-site inspections

4 Operational Implementation of MiFID II

4.1 Integration into business processes
- Cross-functional organisation
- Compliance by design

4.2 Regulatory documentation
- Key MiFID II policies
- Consistency and regular updates

4.3 Front-office training
- Initial training
- Ongoing training and assessments

4.4 Post-trade monitoring
- Suitability and quality of advice
- Best execution and sensitive transactions

4.5 Compliance reporting
- Annual compliance report
- Action plans and follow-up

4.6 Preparation for CSSF inspections
- Compliance file
- Mock audits
- Management of inspections

5 Case Study and Key Takeaways

5.1 Presentation of a sanctioned breach
- Failure to perform suitability assessment
- Lack of documentation and client information

5.2 CSSF findings and sanctions

5.3 Expected best practices
- Formalised suitability testing
- Documented investment advice
- Clear and transparent client information

5.4 Key lessons for compliance
- Evidence is critical
- Anticipation and controls are essential

6 Conclusion

KEY LESSON

Evidence is critical, anticipation and controls are essential.