



Implementation of the 2022 Activity Plan

March 2023



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ISSN (digital edition): 1989-8711

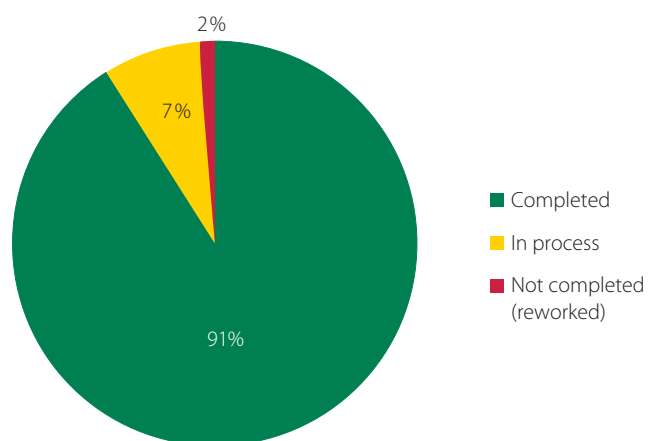
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In its 2022 Activity Plan, the CNMV formulated 47 actions or objectives aimed at developing the strategic areas of the institution.

Up to the date of publication of the 2023¹ Activity Plan, **43 (91%) of the objectives had been attained**. Therefore, in 2022, a similar degree of follow-up of the Activity Plan to that of previous years was achieved: 91% in 2021, 86% in 2020 and 84% in 2019.

Degree of completion 2022 Activity Plan

FIGURE 1



The follow-up of the objectives set in the 2022 Plan is detailed below according to its different sections: i) the CNMV's operational improvements, ii) market supervision, iii) supervision of financial intermediaries and iv) relations with investors and other stakeholders.

With regard to the section on the **CNMV's operational improvements**, 4 of the 6 planned objectives (67%) were fully met during 2022 and significant progress was made in relation to the other 2, which will be completed in the coming months.

In relation to the 6 objectives included under the market supervision heading 100% have been completed.

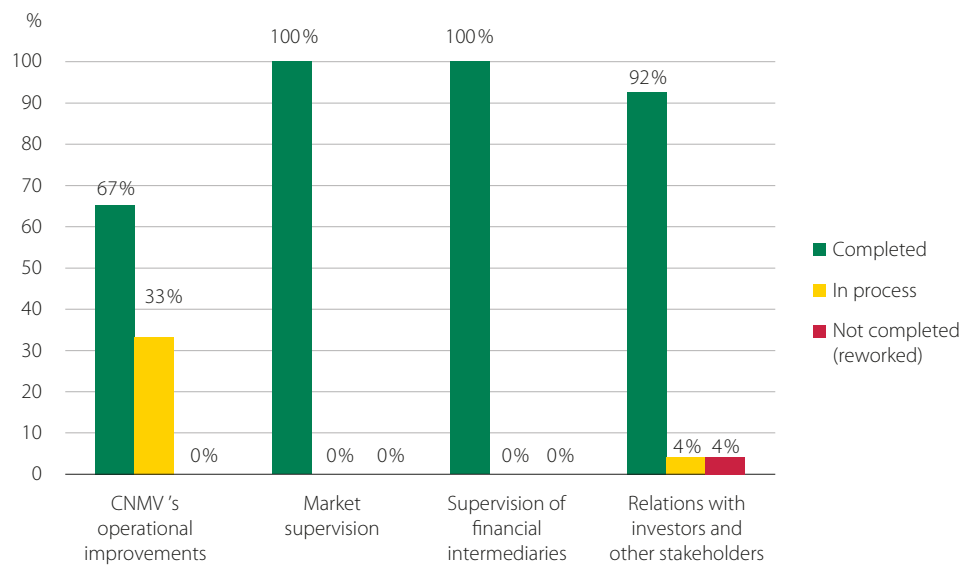
In the area of the **supervision of financial intermediaries**, 100% of the 10 objectives included in the 2022 Activity Plan were met.

Finally, in the section on the **relations with investors and other stakeholders**, 23 initiatives of the 25 planned (92%) were completed.

1 The Activity Plan was presented on 23 February 2023.

Completion of 2022 objectives by area

FIGURE 2



See Table 1 for a brief summary of each objective.

Summary of the implementation of the 2022 Activity Plan

TABLE 1

	Initiative	Status	Detail	
CNMV's operational improvements	Digital transformation and driving innovation	Upgrade of the FinTech Portal	Completed	There has been an upgrade of the Fintech Portal, ² which has been restructured to incorporate format and content changes. The questions and answers document has been updated and completed, and new content related to the Circular on the advertising of crypto-assets for investment purposes has been added.
		Recruitment of data analysts	In process	A call is underway for the selection of five data analysts, which are expected to be incorporated in the coming months.
	Improving efficiency	Standardisation of the format of the technical guides	In process	A new standard for technical guides is being developed so that future guides published by the CNMV are more uniform in format, structure and style to improve clarity and legal certainty.
		Updating of the internal control over ICFR of the CNMV	Completed	The policy on internal control over financial reporting (ICFR) of the CNMV has been updated in order to ensure the reliability of this reporting and assess the risks associated with it, as well as to facilitate its periodic review. In addition to the above, and included as part of said policy, an Operating Group for Internal Control of Financial Reporting has been created.
	Staff related measures	Staff training in innovation, sustainable finance and risks	Completed	The CNMV has continued to reinforce the education and training of its staff in order to improve their knowledge and skills in all areas related to the markets and, especially, in three areas that are considered strategic for the institution. Specifically, various training actions have been carried out in the field of (distributed ledger technologies (DLT), bitcoin, custody of crypto-assets, decentralised finance, etc.), in sustainable finance (regulations on sustainable finance, asset management and sustainable investment strategies, European taxonomy, ESG factors ³ in the commercialisation of financial products and the disclosure of information on sustainability), and in risk management.
	Environmental sustainability of the CNMV	Implementation of the CNMV's global environmental sustainability plan	Completed	During 2022 the CNMV began the implementation and development of its global environmental sustainability plan as an organisation, although this process is expected to take several years.

² <https://www.cnmv.es/Portal/Fintech/Innovacion.aspx?lang=en>

³ Environmental, social and corporate governance.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

		Initiative	Status	Detail
Market supervision	Corporate governance	Code of good practices for institutional investors	Completed	In February 2023, the Code of good practices for institutional investors ⁴ was published, after being submitted to public consultation and analysing the comments received. In addition, the appropriate modifications have been made on the CNMV website to publicise those entities that decide to adhere to this new code in the future.
	Financial and non-financial reporting	Monitoring of the computation of the profitability of power generating facilities	Completed	A follow-up has been carried out in those entities whose financial reporting has been subject to substantive review and that are materially affected by the application of the specific remuneration regime provided for in Royal Decree 413/2014, of 6 June. ⁵ The public report on the supervision of the financial reporting of issuers of securities for the year 2022 will report on the conclusions obtained.
		Analysis of the consistency between financial and non-financial information regarding the effects and risks deriving from climate change	Completed	In the entities that have been subject to a substantive review of their 2021 annual reporting, an analysis has taken place of the consistency between the reporting included in the financial statements and that included in the statement of non-financial information, regarding the effects and risks deriving from climate change. The results of the analysis will be published in the annual supervision report, detailing the review carried out, the results identified and proposals for possible improvements to be applied in the following years.
	Market supervision	Supervision of ESMA guidelines on market data	Completed	The CNMV has carried out the supervision of compliance with guidelines issued by the European Securities and Markets Authority (ESMA) on the obligations to provide market data, which came into force on 1 January 2022. The actions carried out have been collected in an internal report.
		New accounting circular for market infrastructures	Completed	The publishing of Circular 4/2022, of 22 December, of the National Securities Market Commission, on the accounting standards, annual accounts and interim financial statements of the Spanish market infrastructures, replaces Circular 9/2008. ⁶

4 <https://cnmv.es/Portal/Legislacion/Buenas-Practicas-Inversores.aspx?lang=en>

5 Royal Decree 413/2014, of 6 June, regulating the activity of electricity production from renewable energy sources, cogeneration and waste.

6 CNMV Circular 9/2008, of 10 December, on accounting standards, public and confidential information statements, the annual accounts of entities managing official secondary markets, excluding the Bank of Spain, of entities managing multilateral trading facilities, of the Spanish Payment Systems Company, of central counterparties, of the Spanish Stock Exchanges Company, of the companies that own all the shares of the bodies that supervise official secondary markets and multilateral trading facilities, and of other securities clearing and settlement systems of markets created under the provisions set out in the Spanish Securities Market Act (Ley del Mercado de Valores).

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
	Primary markets		
	Adaptation to the new primary markets regime in relation to the admission to trading of fixed-income securities	Completed	Throughout the year the CNMV has been working on the adaptation to the new regime for primary markets, which will foreseeably be included in the new Securities Market and Investment Services Act and in its royal decrees of development, in relation to verification by the regulated markets (instead of by the CNMV) of the admissions to trading of fixed income securities. In particular, with a view to its implementation, the necessary actions have been carried out to adapt the internal procedures and documents, as well as the computer applications, and also the necessary changes have been identified in order to be incorporated into the question and answer document relating to prospectuses.
Supervision of financial intermediaries	Adaptation to the new regulations		
	Amendment of the Circular on KIDs and prospectuses of CISs to conform to PRIIPs	Completed	August 2022 saw the publication of CNMV Circular 3/2022, of 21 July, on the prospectuses of collective investment institutions and the registration of the key investor information document.
	Adaptation to new solvency regulations for IFs	Completed	Investment Firm (IF) supervision procedures were adapted and the structure of the risk map was reviewed, which constitutes the basic tool for planning the supervision of these entities, to take into account the guidelines of the European Banking Authority (EBA) on the supervisory review and evaluation procedure (SREP), applicable to investment firms, based on the new solvency regulations.
	Adaptation of SICAVs to the new tax regime	Completed	After modifications introduced in the tax regime of open-ended collective investment companies (SICAVs), throughout 2022 the CNMV carried out a follow-up of the decisions adopted by their boards of directors and guidelines have been transferred to the sector, both in relation to the information that should be provided and with respect to other operational aspects derived from the new regime.
	Boosting supervisory activity		
	New intervention measures in CFD operations	Completed	A report was prepared with possible initiatives to impose additional restrictions to advertising in the marketing, distribution or sale to retail investors of contracts for differences (CFD) trading. This report has been submitted for public consultation until 31 January 2023. The analysis of the issue will continue in 2023.
	Horizontal reviews		
	Compliance with the obligations to inform clients on the costs of investment services and products	Completed	The review has been undertaken of compliance with obligations to inform clients about the costs of the investment services and products provided or sold after provision of such investment service.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
	Review of the policies and procedures for the valuation of unlisted and other assets that may be relatively illiquid	Completed	A review of the policies and procedures of fund managers for the valuation of unlisted assets and other assets that may be relatively illiquid (among others, high-yield fixed-income securities and emerging market assets). The robustness of the valuation models and methodologies applied has also been verified, as has the use of external valuers, and the information provided to investors.
	Monitoring of the implementation of the ESG regulations: transparency and investment policies of CISs	Completed	Monitoring of the implementation of ESG regulations in investment funds has been carried out and an internal report has been prepared with the results of the analysis.
Boosting competitiveness	Adaptation to the European Regulation on crowdfunding	Completed	After the publication on 8 November 2022 of the regulatory technical standards of European Regulation 2020/1503 ⁷ on crowdfunding, authorisation manuals for crowdfunding service providers ⁸ (harmonised and non-harmonised) were developed, which include model forms for reporting subsequent actions.
	Streamlining of CISMIC authorisation procedures by means of online forms	Completed	Web forms have been designed to streamline procedures for authorising the registration of CIS management company (CISMIC) ⁹ directors and managers and, although they were not initially planned, also the directors and managers of closed-ended investment scheme management company (SGEIC). However, it has been considered convenient to postpone the development of the web forms for the files related to the CISM delegation of functions and the annual communication of shareholder structure until 2023, once the tool is tested and fully operational.
Algorithmic trading	Supervision of algorithmic trading requirements by members of Spanish markets	Completed	The CNMV has designed and executed a first systematised supervision plan to examine compliance by members domiciled in Spain of the Spanish regulated markets with the MiFID II requirements developed by Commission Delegated Regulation (EU) 2017/589 ¹⁰ on algorithmic trading. Once this action had been completed, an internal report was prepared with the main conclusions and proposed recommendations for entities.

7 Regulation (EU) 2020/1503 of the European Parliament and of the Council, of 7 October 2020, on European crowdfunding service providers for business, and amending Regulation (EU) 2017/1129 and Directive (EU) 2019/1937.

8 <https://www.cnmv.es/Portal/Legislacion/ModelosN/ModelosN.aspx?id=PPF&lang=en>

9 <https://www.cnmv.es/Portal/Legislacion/ModelosN/ModelosN.aspx?lang=en>

10 Commission Delegated Regulation (EU) 2017/589, of 19 July 2016, supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the organisational requirements of investment firms engaged in algorithmic trading.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

		Initiative	Status	Detail
Relations with investors and other stakeholders	Action Plan against Financial Fraud	General collaboration protocol against financial fraud	Completed	On 29 April 2022, nineteen public institutions and private entities signed the general protocol of the Financial Fraud Action Plan (FFAP). The Plan, promoted by the CNMV, aims to promote and improve the prevention and fight against offers of potentially fraudulent financial products and services given the detected increase in these practices, which cause serious damage to investors and the entire regulated financial sector.
		Bilateral agreements with entities participating in the Plan	Completed	Within the framework of the FFAP protocol, the CNMV signed two bilateral agreements with the General Directorate of Police and with the Secretary of State for Security (General Directorate of the Civil Guard) for the prosecution of financial fraud by unauthorised persons or entities. In addition, several more agreements are expected to be signed in the near future at the regional level. However, it has recently been agreed to prioritise from now on the constitution of specific working groups with the different signatory parties instead of signing bilateral agreements. Four working groups have been set up, all of them coordinated by the CNMV, and the first meetings have begun.
		Database of unauthorised entities	Completed	The CNMV has made available to the signatories of FFAP an interactive database for consultation of unauthorised entities or (financial) boiler rooms that are detected at the CNMV or at other foreign supervisors, with the aim of improving the effectiveness of the fight against possible fraud and accelerating measures to reduce its impact.
		New search systems for early detection of unauthorised entities	Not completed (reworked)	After contacting providers that furnish different search services, for now, it has not been possible to arrive at a better system that optimizes how the one currently in use internally by the CNMV functions. However, in trying to search for better results, tests are still being carried out with various providers.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
	Promotion of agreements with the main search engines and social networks to eliminate advertising by unregulated entities and possible financial fraud	Completed	The CNMV has pushed for agreements with the main search engines and social networks to eliminate advertising by unregulated entities and possible financial fraud and to limit and reduce their presence in search results and profiles.
	Educational or informative resources on financial fraud	Completed	Training or information resources on scams and fraud have been prepared (a guide and an online course). In addition, materials have been disseminated to advise investors on how to invest safely.
Financial stability	Quantification of climate risk in securities issuers and its alignment with the objectives of the Paris Agreement	Completed	The report "Issuers of Spanish securities and their relationship with climate change" has been prepared with the objective of quantifying the degree of alignment with the climate goals of the Paris Agreement and with the regulations of the European Union and to evaluate the risk derived from climate change on the financial system. In addition, the report makes an evaluation of the extent to which the challenges deriving from climate change have been incorporated into the area of corporate governance, the risks and opportunities identified and the specific emission reduction goals set. In the coming weeks, this report will be published on the CNMV website.
	Quantification of climate risk on Spanish investment funds	Completed	A report has been prepared containing the results of climate risk quantification on Spanish investment funds and will soon be available on the CNMV website.
	Study on the impact of resolution tools on financial stability in CCPs	Completed	The study "Instruments for resolution of central counterparties. Efficacy and possible systemic repercussion" was published in the fourth quarter of the <i>CNMV Bulletin</i> .
Dissemination of information on the market	Dissemination of information on the stock market for unlisted companies	Completed	Various initiatives with the aim of bringing the stock market closer to unlisted companies have been carried out, such as the establishment of a specific communication channel to deal with queries from companies interested in listing on the markets and the holding of information sessions at the CNMV offices (Barcelona, Bilbao and Madrid), in which the steps, requirements and advantages of going public have been explained.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
Website	Renewal of the institutional website	Completed	Regarding the renovation of the institutional website, the design and architecture have been updated. In particular, improvements have been introduced in navigability and accessibility, as well as new formats and functionalities that improve the user experience. Additionally, work will continue to improve search procedures.
Studies	Analysis of foreign CIS marketed in Spain	Completed	A comparative analysis has been carried out of profitability and costs between Spanish CISs and foreign CISs marketed in Spain, published in the <i>CNMV Bulletin</i> corresponding to the third quarter of 2022. ¹¹
	Analysis of the impact of sustainable finance regulation on benchmarks	In process	Substantial progress has been made in pursuit of this objective, and its publication is expected in the <i>CNMV Bulletin</i> of the first quarter of 2023. ¹²
	Study on length of time in office of board members of Spanish listed companies	Completed	A study was published in the <i>CNMV Bulletin</i> , fourth-quarter 2022, on the permanence and rotation practices of board members in Spanish listed companies and their alignment with corporate governance codes and institutional investor requirements.
Publications	Review of the CNMV's Annual Report	Completed	The content and presentation of the Annual Report has been reviewed to make it more concise in order to improve the visibility of the CNMV's actions and facilitate their dissemination and understanding.
	Renewal of the publication of statistics on primary markets and placement of commercial paper	Completed	The publication of statistics on primary markets and the placement of commercial paper has been renewed. The designed series and published tables have been reviewed in order to update them. Likewise, a more visual graphical output has been designed to provide a quick overview of the situation and evolution of the primary market.
Taxation	Analysis of the proposals of the White Paper on Tax Reform	Completed	An analysis of proposals of the White Paper on Tax Reform impacting on the securities markets was carried out and the conclusions and valuation were published in the <i>CNMV Bulletin</i> corresponding to the third quarter of 2022.
	Analysis of the proposals of the White Paper on Tax Reform	Completed	The publication of an analysis took place on the possible effects of the Financial Transaction Tax, which entered into force on 16 January 2021, on the trading of the securities affected and other significant market indicators.

11 https://www.cnmv.es/DocPortal/Publicaciones/Boletin/BT_III_ENen.pdf

12 The *CNMV Bulletin* for the first quarter is expected to be published on 28 April 2023.

Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
Benchmark indices	Information on LIBOR and EONIA transition	Completed	In April 2022, the CNMV organised a USD Libor Transition Informative Session, with the aim of facilitating the exchange of knowledge and raising awareness in the Ibero-American context about the disappearance of USD Libor and the transition to alternative rates, such as the Secured Overnight Financing Rate (SOFR).
Courses and seminars	Seminar on the regulation of recovery and resolution of CCPs	Completed	In June 2022, the CNMV organised a conference on recovery and resolution of central counterparties (CCP) to raise the awareness of the financial industry about the new regulation, as well as promote debates on the implications it has for the sector, the competent authorities and the academics.
	Dissemination of recent developments in the field of sustainable finance	Completed	Various activities were carried out to disseminate recent developments in the area of sustainable finance. On the one hand, in October, the "Towards more sustainable finances" conference was held. On the other hand, various meetings have been held with the asset management sector. Likewise, in order to achieve greater interaction with the sector, the Advisory Committee has been asked for its opinion on various initiatives related to sustainable finance and information has also been provided on the main developments in this area.
Financial education	Information campaign for investors in ESG products	Completed	The campaign has included several initiatives. Training and information resources have been prepared that, in different formats, explain how to acquire a sustainable financial product, how to assess sustainability preferences and how a financial institution should act to adjust the advisory or portfolio management service to customer sustainability preferences. Additionally, different resources have been made for the CNMV and <i>Finanzas para Todos</i> (Finance for All) social networks, with the aim of making investors aware of the information contained in these resources.
Investors	Supervision of compliance with the Circular on advertising of crypto-assets for investment purposes	Completed	Supervision was carried out of compliance with CNMV Circular 1/2022, of 10 January ¹³ . The main conclusions of this work will be included the <i>Annual Report</i> .

13 Circular 1/2022, of 10 January, of the National Securities Market Commission regarding the advertising of crypto-assets for investment purposes, the purpose of which is to develop the rules, principles and criteria to which advertising of crypto-assets must be subject.


Summary of the implementation of the 2022 Activity Plan (continuation)

TABLE 1

	Initiative	Status	Detail
CNMV branch offices	Implementation of the financial education programme in the Basque Country	Completed	Through the CNMV office in Bilbao, the implementation of the financial education programme in the Basque Country has been promoted, fostering contacts with the Basque Government, the University of Deusto and the University of the Basque Country, among other institutions. In addition, conferences on crypto-assets and financial education have been delivered.
	FinTech working day in Barcelona	Completed	In June 2022, the Fintech conference took place at the CNMV regional office in Barcelona with the participation of numerous experts in the sector, it addressed the regulation and promotion of innovation in the securities markets.

 Completed

 In process

 Not completed (reworked)

