




1. Background (Populate from GFMS)

Finding Rating	F4 / Critical <input type="checkbox"/>	F3 / Significant <input checked="" type="checkbox"/>	F2 / Important <input type="checkbox"/>	F1 (not GA or SII) <input type="checkbox"/>
Finding Type	GA Finding <input type="checkbox"/> SII (excl. RTC raised) <input checked="" type="checkbox"/> SII (RTC raised) <input type="checkbox"/> Supervisory Authority Finding - trilateral <input type="checkbox"/> Supervisory Authority Finding - other <input type="checkbox"/> Obligation <input type="checkbox"/> Statutory external audit <input type="checkbox"/>			
Target Date	2019-04-30			
Regulator / Auditor	N/A			
Finding Title	MIFID II - Remaining EEA Countries (Excl Germany & UK)			
GFMS / Finding reference			Corporate Division of Resolution	WM Americas
Finding Owner Sign-off	 Karen_Cohen_Email_Approval_4.11.2019			

Finding Text
<p>MIFID II became effective January 3, 2018 and imposes certain requirements on a third country legal entity (non-EEA subsidiary) who services EEA clients.</p> <p>US WM complied with MIFID II for German clients. For remaining EEA countries excluding UK, as long as clients are serviced on a reverse solicitation basis no MIFID II requirements need to be implemented. US WM needs to ensure we have reverse solicitation documentary evidence available for retained accounts; all other accounts must be exited.</p>
Action Plans
<p>Action Plan 2409355:</p> <p>Key activities include:</p> <ol style="list-style-type: none"> Confirm existing account scope - Analysis and confirmation of existing EEA client nexus (Ind/Joint: acct holder(s) or decision maker, Legal Entities: country of primary decision maker(s)). Determine EEA accounts to be retained or exited - Accounts meeting the "retain financials" criteria established by mgmt. were retained. Otherwise exited unless an exception to retain was approved by WM Americas COO. (retain financials criteria: CBV>Eur2m or Annualized Rev>Eur20k). EEA retain accounts/remediation - Implement process/controls to capture reverse solicitation evidence (banker's attestation or EEA client declaration form) and obtain approvals from US compliance & DCO. EEA exit accounts - Mail exit letters to clients (2 letters) for accounts in scope. Once transfer instructions are obtained from the client proceed with closure or restrict accounts where possible. EEA exit accounts - exceptions to retain - Obtain Mgmt approval for EEA accounts not meeting the financials criteria but with strong business rational to be retained (e.g. future growth opportunities).

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