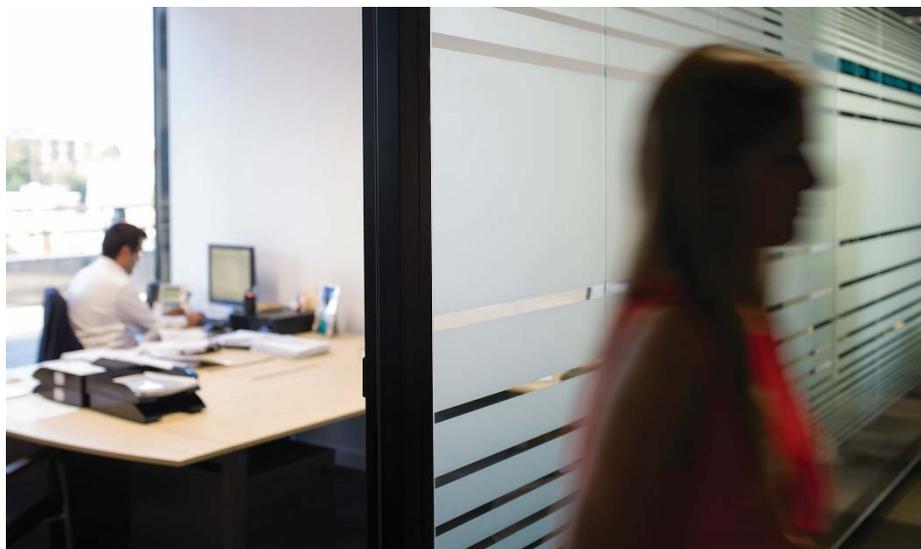


UK: CORPORATE BRIEFING

CAPITAL MARKETS UPDATE – AIM  
DESIGNATION AS “SME GROWTH MARKET”  
AND CHANGES TO AIM RULES  
DECEMBER 2017

- AIM TO BE REGISTERED AS AN SME GROWTH MARKET UNDER MIFID II.
- CHANGES TO COMPANY INFORMATION DISCLOSURE OBLIGATIONS UNDER AIM RULE 26 FROM 3 JANUARY 2018.
- NO CHANGE TO DISCLOSURES MADE PRIOR TO 3 JANUARY 2018.



The London Stock Exchange (“LSE”) has applied for AIM to be registered as an SME Growth Market, a new designation of market under the Markets in Financial Instrument Directive (“MiFID II”). Approval is expected to take effect from 3 January 2018. In light of this, minor consequential amendments are to be made to Rule 26 of the AIM Rules for Companies (the “AIM Rules”) from 3 January 2018, to bring the company information disclosure requirements of the AIM Rules in line with MiFID II.

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“THE DESIGNATION IS EXPECTED TO RAISE THE PROFILE AND VISIBILITY OF SME GROWTH MARKETS ACROSS THE EU...”

**AIM Notice 48**

On 5 December 2017, the LSE published AIM Notice 48 which confirmed that the LSE has applied to the Financial Conduct Authority for AIM to be registered as an “SME Growth Market”. From 3 January 2018, MiFID II will introduce the concept of “SME Growth Market”, a new designation developed by the European Commission to create a bespoke regulatory framework for European growth markets.

According to the LSE, the designation is expected to raise the profile and visibility of SME Growth Markets across the EU as well as distinguish them from multilateral trading facilities, which generally operate as trading facilities that do not have a primary market function.

“THE ELIGIBILITY REQUIREMENTS FOR SME GROWTH MARKETS REQUIRE THAT CERTAIN REGULATORY INFORMATION REMAINS AVAILABLE FOR FIVE YEARS ONCE PUBLISHED...”

#### Consequential amendments to AIM Rule 26

The eligibility requirements for SME Growth Markets require that certain regulatory information remains available for five years once published, longer than currently required by the AIM Rules. Rule 26 of the AIM Rules will therefore be amended with effect from 3 January 2018 to comply with these obligations. From that date, any prospectus, annual accounts, half yearly, quarterly or similar financial reports, and any regulatory notifications made public containing inside information for the purposes of the Market Abuse Regulation, which are published on or after that date, must be disclosed and remain available on a company’s website for at least five years. The rest of Rule 26 remains unchanged.

As the amended requirements apply only to documents of the relevant type published on or after 3 January 2018, and not retrospectively, there is no obligation for disclosures made prior to that date to be made available for the longer five year period.

## FOR MORE INFORMATION

Should you like to discuss any of the matters raised in this Briefing, please speak with one of the authors of this Briefing or your regular contact at Watson Farley & Williams.



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