

Mr. Greg Tanzer
Secretary General
IOSCO General Secretariat
C/ Oquendo 12
28006 Madrid
Spain

06 November 2009

Dear Mr Tanzer,

Response submission from ICMA ECP Committee:

Re: Transparency of Structured Finance Products, Report of the Technical Committee of IOSCO

On behalf of the Euro Commercial Paper (ECP) Committee of the International Capital Market Association (ICMA), the purpose of this letter is to provide feedback concerning Asset-Backed Euro Commercial Paper (ABECP) considerations relevant to the Consultation Report of the Technical Committee of IOSCO "Transparency of Structured Finance Products".

The ECP market is a professional short-term debt market which offers opportunities for issuers to raise working capital and other short-term funding as well as for institutional investors to make varied and reliable short-term investments. ICMA's ECP Committee represents the main dealers in the ECP market.

We draw attention to our letter of 30 January 2009, concerning the Asset-backed Euro Commercial Paper (ABECP) aspects of the IOSCO industry participants' questionnaire "Transparency of structured finance products in the secondary market", which was submitted to IOSCO's Standing Committee on Secondary Markets (SC2) – a copy is appended to this response for ease of reference.

We also provided very similar input to the Committee of European Securities Regulators' (CESR) consultation paper (CESR/08-1014): "Transparency of Corporate Bond, Structured Finance Product and Credit Derivatives Markets", as part of a broader ICMA coordinated industry response that you will find at http://www.cesr.eu/popup_responses.php?id=4564 (please see paragraphs 94; 97 – 98; and 118 – 130). The overall feedback that CESR received on Asset-Backed Commercial Paper (ABCP) is reflected in paragraphs 95 – 105 of their feedback statement (at <http://www.cesr.eu/popup2.php?id=5799>). The conclusions reached by CESR pursuant to that consultation formed the basis of their recommendation to the European Commission to introduce a mandatory trade transparency regime for non-equity markets (as per their 10 July 2009 press release at <http://www.cesr.eu/popup2.php?id=5800>). We draw attention to the fact that with regards to ABCP, CESR came to the specific, contrary conclusion that "...additional post-trade transparency is not one of the pressing topics for participants in these markets. Therefore CESR does not currently see a need for a post-trade transparency regime for ABCPs."

We strongly support this CESR conclusion. Whilst noting that IOSCO's Consultation Report already acknowledges that the ABCP market has certain distinctive characteristics we believe it would be helpful if IOSCO could also highlight a similar conclusion. This would promote a consistency of approach between that being pursued in the European Union and the rest of the international market.

Should you have any questions, please contact David Hiscock in the first instance.

Yours sincerely,

David Hiscock

Secretary – ICMA ECP Committee
International Capital Market Association Ltd

7 Limeharbour, London E14 9NQ

www.icmagroup.org

Tel (direct): +44 (0)20 7517 3244

E-mail: david.hiscock@icmagroup.org

Peter Eisenhardt

Chairman – ICMA ECP Committee
Bank of America Merrill Lynch

2 King Edward Street, London, EC1A 1HQ

www.bankofamerica.com

Tel (direct): +44 (0)20 7996 6753

E-mail: peter.eisenhardt@bankofamerica.com

CC : ICMA ECP Committee