## FTER HE BREXI



12 2 大田山の

Nach dem Spiel ist vor dem Spiel.

Das gilt auch für die Zeit nach dem Brexit, meint Prof. Dr. Christoph Schalast. Der auf MSA, Real Estate sowie das Bank- und Finanzmarktrecht spezialisierte Anwalt und Notar berät Ministerien und staatliche Institutionen in Transforstaten bei der Rechtsreform und Rechtsanglein das Recht der Europäischen Union. Für THE

chung an das Recht der Europäischen Union. Für **THE FRANKFURTER** fasst er zusammen, was der Ausstieg,
unserer britischen Nachbam speziell für den Finanzplatz Frankfurt bedeutet.

Am Freitag, den 24.06.2016, nach dem langsamen Durchsickern des letztendlich doch überraschenden Brexit-Votums der Briten, knallten in Frankfurt die Sekt-

Makler und Immobilieninvestoren beziehungsweise -besitzer, unabhängig davon, ob es um Gewerbe oder Wohnraum ging, konnten ihr unverhofftes Glück kaum fassen. Nach ersten Berechnungen würden jetzt bis zu fassen. Nach ersten Berschnungen würden jetzt bis zu 60.000 gut situierte Investmentbanker im Vereinigten Königreich die Umzugskartons packen und sich in ab-sehbarer Zeit auf den Weg an den Main machen. Und diese Edelmigranten brauchen in der Regel hochwer-tigen Wohnraum und attraktive Gewerbeimmobilien. Auch die Verlagerung der European Headquarters zahl-reicher internationaler Banken von der Themse an den Main schien Jetzt realistisch.  "After the game is before the game." Professor Chris-toph Schalast believes that this saying also applies to the period of time that will follow Brexit. The lawyer and notary specialising in mergers and acquisitions, real estate, banking and financial market law advises minis-tries and state institutions in transition.

Brokers and real estate investors or owners, regardless of whether it was a matter of commercial or residential space, could hardly believe their unexpected stroke of good luck. According to initial calculations, up to 60,000 well-heeled investment bankers would now pack their removal boxes in the United Kingdom and wend their way to the Main in the foreseeable future. And these bids has progress usually require available to business and

Comment.

Doch was bedeutet dies für Frankfurt? Zunächst muss man sich vor Augen führen, dass Frankfurt als Finanzmetropole nach dem Zweiten Weltkrieg durch die Entscheidung der angloamerikanischen Besatzungsmächte geprägt wurde, hier die spätere Bundesbank anzusiedeln. Davor dämmerte die Stadt seit ihrer unglücklichen Annexion in das Königreich Preußen fast 100 Jahre zuvor vor sich hin. Das Finanzzentrum Deutschland war bis 1945 Berlin, daneben gab es noch Hamburg, München und Düsseldorf. Frankfurt spielte keine bedeutende Rolle. Dies änderte sich dann, als die Bundesrepublik Deutschland 1949 als Multizentren-staat auf föderalistischen Grundlagen aufgebaut wurde. Zahlreiche Banken, die davor in Berlin angesiedelt waren, wechselten nun nach Frankfurt. Welter gestärkt wurde diese Position durch die Entscheidung der EU, in Frankfurt die Europäische Zentralbank, die weitgehend nach dem Modell der Bundesbank auf deutsches Drängen hin strukturiert wurde, anzusiedeln, Damit war Frankfurt auf europäischer Ebene zur "Banken. Finanz- und Regulierungshauptstadt" geworden. Nichtsdestortoz entwickelte sich London – nicht zuletzt wegen des Beitritts des UK zur damaligen EWG – zu einem globalen Finanzzentrum und in der englischen Kapitale sind vermutlich mehr Menschen im Finanzsektor beschäftigt als Arbeitsplätze in Frankfurt existieren. Und London hat sich inzwischen wieder aufgerappelt und liebäugelt damit, durch den – auch bereits im EU-Korsett spürbaren – britischen Liberalismus vor allem innovationsstarke Finanzdienstleister, wie etwa

The fact that the UK obviously had no "Plan B" up her sleeve in the event of a majority of Britons choosing to leave the EU also played a role in this speculation. Rather, the government was initially busy reshuffling itself and, to this day, the request necessary to enforce exit negotiations – which may then take up to two years – has still not landed on the table. But what is on the table is the fact that this exit is much more complicated and far-reaching than it was presented to the British public during the referendum campaigns.

public during the referendum campaigns.

But what does this mean for Frankfurt? First, you have to keep in mind that Frankfurt was brought into being as a financial capital after the Second World War by the decision of the Anglo-American occupation forces to locate what later became the Bundesbank here. Previously, the town had been a sleepy place since its unfortunate annexation into the Kingdom of Prussia nearly 100 years earlier. Until 1945, Berlin had been the financial centre of Germany, and beside that there were also the cities of Hamburg, Munich and Dusseldort. Frankfurt played no significant role. This then changed when the Federal Republic of Germany was established in 1949 as a multi-centre state on federalist principles. Numerous banks, which had previously been located in Berlin, now moved to Frankfurt. This position was further strengthened by the EU's decision to establish, in Frankfurt, the European Central Bank, which was, on the insistence of the Germans, broadly structured on the model of the Bundesbank. Frankfurt thus became a "banking, financial and regulatory capital" at European level. Nevertheless, London also developed into a global financial centre – not least because of the accession of the UK to what was then the EEC – and more people are believed to work in the financial sector in the English capital than there are jobs in Frankfurt. And London has now picked itself up again and is toying with the idea of attracting, above all, highly innovative financial-service providers, such as the Finech scene – thanks to the British ilberalism that was noticeable even when it was confined by the corset of the EU. What is more, competitors such as Amsterdam, Paris or Lusemburg do not sleep and there is actually also on natural connection between the seat of the banking supervision and the control centres of the banks regulated by it.



45

In addition, some reverse trends can also be observed. The Frankfurt Stock Exchange, for example, already announced, during the Brexit campaign, its intention to merge with the London Stock Exchange and to move its headquarters to London and to structure the future holding as a British corporation. Nothing has changed after the outcome of the referendum – which was sure to have been an unpleasant surprise for the players of the two exchanges. After some initial grumbling, the shareholders have, in the meantime, approved the decision by a large majority. Unless the regulators, particularly the SEC, the Securities and Exchange Commission, does not throw a spanner in the works which is not likely to happen too easily, since other European exchanges have been led out of the US – then the death knell is now likely to toll for the institution that has, for centuries, made Frankfurt what it is: a financial centre.

And one will have to wait and see whether Brexit then at least results in more business coming to Frankfurt – the talk here is of euro clearing, which, in future, will, in all likelihood not be located outside the future EU 27.

All this shows that the game is still wide open! Frankfurt. London as well as the other European financial centres now need to reposition themselves. We must not, however, forget that the significance of the German banks has greatly diminished internationally, particularly due to the financial crisis – quite unlike its Anglo-American competitors. On the other hand, one must also contemplate this fact: the small town of Frankfurt with its 700,000 plus inhabitants, has always enjoyed a big advantage over the sprawling metropolis of London: its quality of life. In Frankfurt, it is inconceivable that you have to sit in a slightly dilapidated subway or train for 90 minutes every morning just to get to work. Even commuters from Limburg don't have to travel for much longer than 30 minutes on the InterCity Express. The Taunus region and the south of Frankfurt offer many attractive residential options in the countryside and even in the West End, rents are – at least for British investment bankers – almost heavenly. And the following legend is really true: bankers who were transferred to Frankfurt in the past often cried because they were used to London. Paris or New York. But most of them cried for a second time when they had to leave again. Why? Because they had come to appreciate the short distances and the associated opportunities for culture, their family and a good work-life balance. One should never underestimate these good qualities of Frankfurt.

anden sind auch gegenlaufige Eist volunting zu bedaufstere. So hat das frankfarts behanden in Frankfart behanden in Kandingen zu bedaufstere. So hat das frankfarts behanden einze behanden in Frankfart behanden in Frankfart verscheit der in Ausgaber vollen der Schaft versichen der in Hausberger zu der Schaft versichen in Hausberger volle behanden zu verscheit der Schaft versichen der Schaft versichen der Schaft versichen der Schaft versichen in Hausberger versche der Schaft versichen der Schaft versichen bei der Schaft versichen der Schaft versichen der Schaft versichen schaft versichen der Schaft versichen der Schaft versichen der Schaft versichen der Schaft versichen schaft versichen der Versichen versichen der Versichen versichen der Versichen der Versichen versichen der versichen der Versichen der versichen versichen der versichen der Versichen der versichen versichen der versichen versichen der versichen der versichen versichen der versichen der versichen d