



Brussels, **XXX**
[...] (2018) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

laying down implementing technical standards with regard to the format of applications for registration as a securitisation repository or for extension of a registration of a trade repository pursuant to Regulation (EU) 2017/2402 of the European Parliament and of the Council

(Text with EEA relevance)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation¹, and in particular Article 10(8) thereof,

Whereas:

- (1) A uniform format for applications to the European Securities and Markets Authority (ESMA) for registration as a securitisation repository or for extension of a registration of a trade repository should ensure that all information required pursuant to Commission Delegated Regulation (EU) .../... [Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration of a securitisation repository and the details of the application for a simplified application for an extension of registration of a trade repository]² is submitted to, and easily identified by, ESMA.
- (2) It is important that the information in those applications be submitted in a format that enables storage for future use and reproduction. Therefore, these applications should be submitted in a durable medium.
- (3) In order to facilitate the identification of the information submitted within those applications, a unique reference number and a title for each of their documents should be provided. For the same reason, the applicant should be required to identify any information submitted by reference to the provision of Delegated Regulation (EU) .../... [Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration of a securitisation repository and the details of the application for a simplified application for an extension of registration of a trade repository] which that information relates to.

¹ OJ L 347, 28.12.2017, p. 35.

² Commission Delegated Regulation C(2019)8882 supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration of a securitisation repository and the details of the application for a simplified application for an extension of registration of a trade repository.

- (4) This Regulation is based on the draft implementing technical standards submitted by ESMA to the Commission.
- (5) In accordance with Article 15 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council³, ESMA has conducted an open public consultation on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Securities and Markets Stakeholder Group established by Article 37 of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Format of the application for registration and extension of registration

- (1) Applicants for registration as a securitisation repository under Article 10(5)(a) of Regulation (EU) 2017/2402 shall complete the formats set out in Annex 1 to this Regulation.
- (2) Trade repositories applying for an extension of registration under Article 10(5)(b) of Regulation (EU) 2017/2402 shall complete the formats set out in Annex 2 to this Regulation.
- (3) For the purposes of paragraphs 1 and 2, the applications shall be submitted:
 - (a) in a durable medium as defined in Article 2(1)(m) of Directive 2009/65/EC of the European Parliament and of the Council⁴;
 - (b) with a unique reference number assigned to each document included in the application.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Jean Claude Juncker

³ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 176/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

⁴ Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ L 302, 17.11.2009, p. 32).