



EUROPEAN
COMMISSION

Brussels, 13.7.2022
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ANNEXES 1 to 4

ANNEXES

to the

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

laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the cooperation and exchange of information between competent authorities and ESMA in relation to European crowdfunding service providers for business

ANNEX I

**Form for a request for cooperation or exchange of information pursuant to Article 32 of
Regulation (EU) 2020/1503**

Request for cooperation or exchange of information

Reference number:

Date:

General information

FROM:

☐ National competent authority	☐ ESMA
Member State: Requesting competent Authority: Address:	Address

(Contact details of the contact point):

Name:

Telephone:

Email:

TO:

Member State (if applicable):

Recipient:

Address:

(Contact details of the contact point):

Name:

Telephone:

Email:

Dear [*insert appropriate name*],

In accordance with Article 32 of Regulation (EU) 2020/1503, your input is sought in relation to the matter(s) set out in further detail below.

I would be grateful to receive a response to the above request by [*insert indicative date for the reply or in case of an urgent request insert deadline for the information to be provided by*] or, if that is not possible, for an indication as to when you anticipate being in a position to provide the assistance which is sought.

Type of request

Please tick the appropriate box(es):

- ☐ Investigatory and supervisory powers of competent authorities
- ☐ Cooperation between competent authorities
- ☐ Precautionary measures
- ☐ Other

If other, please specify:

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Reasons for the request

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[insert provision(s) of the sectoral legislation under which the requesting authority is competent to deal with the matter]

The request concerns cooperation or exchange of information on.....

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[insert description of the subject-matter of the request, the purpose for which the cooperation or exchange of information is sought, facts underlying any investigation which form the basis of the request and an explanation for its helpfulness]

Further to.....

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[if applicable, please insert the details of the previous request on which the present request is based]

In case of an urgent request and the setting of any deadlines, please provide full explanation of the urgency of the request and an explanation of any deadlines that the requesting authority has asked for the information to be provided by:

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Additional information:

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The information included in this request shall be kept confidential in accordance with Article 35 of Regulation (EU) 2020/1503. Any personal data provided shall be processed by ESMA in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council and by the relevant competent authorities in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. In particular, both ESMA and the relevant competent authorities shall ensure that all relevant information on the processing of personal data is provided to data subjects in accordance with Section 2 "Information and access to personal data" of CHAPTER III "Rights of the data subject" of these Regulations.

Yours sincerely,

[signature]

ANNEX II
Form for the acknowledgement of receipt
Acknowledgement of receipt

Reference number:

Date:

☐ National competent authority	☐ ESMA
Member State: Requesting competent authority: Address:	Address

(Contact details of the contact point)

Name:

Telephone:

Email:

TO:

Member State (if applicable):

Recipient:

Address:

(Contact details of the contact point)

Name:

Telephone:

Email:

Dear *[insert appropriate name]*

Following your request *[insert reference to request]* we hereby acknowledge receipt thereof on *[insert date when the request for cooperation or request for information was received]*.

Estimated date of response:

Any personal data provided shall be processed by ESMA in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council and by the relevant competent authorities in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. In particular, both ESMA and the relevant competent authorities shall ensure that all relevant information on the processing of personal data is provided to data subjects in accordance with Section 2 "Information and access to personal data" of CHAPTER III "Rights of the data subject" of these Regulations.

Yours sincerely,

[signature]

ANNEX III

Form to reply to a request for cooperation or exchange of information and for the unsolicited exchange of information

Reply to a request for cooperation or exchange of information

Reference number:

Date:

General information

☐ National competent authority	☐ ESMA
Member State:	Address
Requesting competent authority:	
Address:	

(Contact details of the contact point):

Name:

Telephone:

Email:

TO:

Member State:

Recipient:

Address:

(Contact point details):

Name:

Telephone:

Email:

Dear *[insert appropriate name]*,

We confirm that your request dated *[dd.mm.yyyy]* with reference *[insert request reference number]* has been processed by us *[not applicable in case of an unsolicited exchange of information]*.

Information gathered

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[if the information has been gathered, please set out the information here or provide an explanation of how it will be provided].

[in case of unsolicited exchange of information, please set out the information which is provided on an unsolicited basis].

[The information provided is confidential and is disclosed to *[insert name of the requesting authority]* pursuant to *[insert provision of Regulation (EU) 2020/1503]* and on the basis that the information shall remain confidential in accordance with Article 35 of Regulation (EU) 2020/1503.] [or] [The information provided is permitted to be disclosed pursuant to Article 35(1) of Regulation (EU) 2020/1503.]

Where relevant, please explain any clarification you may require in relation to the precise information requested:

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Please provide, on your own initiative, any essential information that could further assist the cooperation or exchange of information for the purposes of the request:

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Any personal data provided shall be processed by ESMA in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council and by the relevant competent authorities in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. In particular, both ESMA and the relevant competent authorities shall ensure that all relevant information on the processing of personal data is provided to data subjects in accordance with Section 2 "Information and access to personal data" of CHAPTER III "Rights of the data subject" of these Regulations.

Yours sincerely,

[signature]

ANNEX IV

Form for a request for ESMA to coordinate an on-site inspection or investigation with cross-border effect pursuant to Article 32(2) of Regulation (EU) 2020/1503

Request for coordination of an on-site inspection or investigation with cross-border effect

Reference number:

Date:

General information

FROM:

Member State:

Requesting competent authority:

Address:

(Contact details of the contact point):

Name:

Telephone:

Email:

TO:

European Securities and Markets Authority (ESMA)

(Contact details of the contact point):

Name:

Telephone:

Email:

Information on the request for coordination

Reasons for the request

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[insert provision(s) of the sectoral legislation under which the requesting authority is competent to deal with the matter]

The request concerns the coordination of an on-site inspection or investigation with cross-border effect on

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[insert description of the subject-matter of the request, the purpose for which the coordination of an on-site inspection or investigation with cross-border effect is sought, facts underlying the investigation which form the basis of the request and explanation for its helpfulness]

Further to.....

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[if applicable, please insert the details of the previous request on which the present request is based]

In case of an urgent request and the setting of any deadlines, please provide full explanation of the urgency of the request and an explanation of any deadlines that the requesting authority has asked for the information to be provided by:

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Additional information:

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The information included in this request shall be kept confidential in accordance with Article 35 of Regulation (EU) 2020/1503. Any personal data provided shall be processed by ESMA in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council and by the relevant competent authorities in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. In particular, both ESMA and the relevant competent authorities shall ensure that all relevant information on the processing of personal data is provided to data subjects in accordance with Section 2 "Information and access to personal data" of CHAPTER III "Rights of the data subject" of these Regulations.

Yours sincerely,

[signature]