



Brussels, 13.12.2018
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ANNEXES 1 to 2

ANNEXES

to the

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

**laying down implementing technical standards with regard to the procedures and forms
for exchange of information on sanctions, measures and investigations in accordance
with Regulation (EU) 2015/2365 of the European Parliament and of the Council**

ANNEX I

Form for submission of aggregated and granular information regarding all administrative sanctions and other administrative measures imposed

Aggregated and granular information regarding all administrative sanctions and other administrative measures imposed by *[name of the competent authority]* in *[year]* under Article ... of ...

FROM:

Member State:
Competent authority:
Address:

(Contact details of the designated contact person)

Name:
Telephone:
Email:

TO:

ESMA

(Contact details of the designated contact person)

Name:
Telephone:
Email:

Reporting period:

Dear *[insert appropriate name]*

In accordance with Article 25(1) of Regulation (EU) 2015/2365, we wish to provide ESMA with aggregated and granular information regarding all administrative sanctions and other administrative measures imposed by *[name of the competent authority]* in *[year]*.

The aggregated information is set out in the following table:

Provisions of Regulation (EU) 2015/2365 in respect of which administrative sanctions/measures have been imposed	Number of sanctions/measures imposed in the reporting period	Pecuniary amount of financial sanctions imposed in the reporting period
[number of the Article, paragraph, subparagraph]	[number of sanctions/measures]	[pecuniary amount of financial sanctions ¹]
Total sanctions/measures ²	[total number of sanctions/measures]	[total pecuniary amount of financial sanctions]

The granular information in respect of each of the measures and sanctions included in the table above is provided as follows.

First, we have already reported the following measures and sanctions imposed in [year] to ESMA in accordance with Article 25(3) of Regulation (EU) 2015/2365:

[List of each measure and sanction reported in the relevant period]

Secondly, copies of the decision/(s) for the following measures and sanctions imposed in [INSERT YEAR] are provided in separate email attachment/(s) accompanying this form:

[List of each measure and sanction for which a decision is being provided]

Thirdly, summaries of the following measures and sanctions are provided below:

[List in numerical order (1., 2., 3., et seq.) of each measure and sanction for which a summary is then provided below.]

1. [Reference to the first measure/sanction listed above]

[Summary of measure/sanction]

¹ Please insert a value in Euro or in national currency. Where the relevant sanction refers not only to breaches of the relevant Article of Regulation (EU) 2015/2365, but also to other provisions, add the mention “AGGREGATED FIGURE” to each value.

² As sanctions/measures imposed may be based on more than one legislative provision, the sum of the different rows (number of sanctions or measures / pecuniary amount of financial sanctions) may not correspond to the total number of sanctions/measures or to the total value of fines imposed.

2. [Reference to the second measure/sanction listed above]

[Summary of measure/sanction]

[For the third and each subsequent summary being provided, continue in numerical order by using the format above.]

[Yours sincerely,

[*signature*]

ANNEX II

Form for submitting anonymised and aggregated data on all criminal investigations undertaken and criminal sanctions imposed

Anonymised and aggregated data on all criminal investigations undertaken and criminal sanctions imposed in [year] under Article ... of ...

FROM:

Member State:
Competent authority:
Address:

(Contact details of the designated contact person)

Name:
Telephone:
Email:

TO:

ESMA

(Contact details of the designated contact person)

Name:
Telephone:
Email:

Reporting period:

Dear [*insert appropriate name*]

In accordance with Article 25(2) of Regulation (EU) 2015/2365, we wish to provide ESMA with anonymised and aggregated information regarding all criminal investigations undertaken and criminal sanctions imposed in [Member State] in [year].

The aggregated information is set out in the following tables:

Criminal investigations:

Provisions of Regulation (EU) 2015/2365 pursuant to which criminal investigations have been undertaken.	Number of criminal investigations in the reporting period
[number of the Article, paragraph, subparagraph]	[number of criminal investigations]
Total criminal investigations	[total number of criminal investigations³]

Criminal sanctions imposed:

Provisions of Regulation (EU) 2015/2365 in respect of which criminal sanctions have been imposed.	Number of criminal sanctions imposed in the reporting period	Value of fines imposed in the reporting period
[number of the Article, paragraph, subparagraph]	[number of criminal sanctions]	[value of fines ⁴]
Total criminal sanctions⁵	[total number of criminal sanctions]	[total value of fines]

Yours sincerely,

[signature]

³ As criminal investigations may be based on more than one legislative provision, the sum of the different rows may not correspond to the total number of criminal investigations.

⁴ Please insert a value in euro or in national currency. Where the relevant fine refers not only to breaches of the relevant article of Regulation (EU) 2015/2365, but also to other provisions, add the mention “AGGREGATED FIGURE” to each value.

⁵ As criminal sanctions imposed may be based on more than one legislative provision, the sum of the different rows (number of criminal sanctions/value) may not correspond to the total number of criminal sanctions / total value of fines imposed.

