

Summary of Conclusions

Management Board

Date:	Tuesday 13 December 2022
Time:	14h00 – 17h30
Location:	MS Teams
Contact:	ESMABoard@esma.europa.eu

- 1. Adoption of agenda** Decision

Decision: The agenda was adopted.

- 2. Confirmation of absence of conflict of interests** Decision

Decision: The Board endorsed the Chair's statement not to have received any indication by a Board Member of any interest which might be considered prejudicial to her/his independence in relation to any items on the agenda.

- 3. Report by ESMA Chair, Executive Director and Chair of the CCP Supervisory Committee** Discussion

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- 4. ESMA Groups**
- 1) Presentation Discussion
 - 2) Note on substructures Decision

The Acting Head of the Governance and External Affairs Department presented the note on the substructures of ESMA Groups.

The Board discussed the note on substructures, in particular the:

- Criteria for the selection of Working Group Chairs and the proposal to delegate the selection to the relevant Standing Committee Chair and the ESMA Executive Director in order to ensure balance and consistency across Working Groups;
- Importance of collaboration between ESMA Groups with regards to MiCA;
- Need to explore ways to ensure NCAs which do not have the resources to participate in all groups have access to the relevant documents; and

- Need for flexibility in the transitional arrangements during the implementation of the new group structure.

Decision: The Board endorsed the proposals on the substructures of ESMA Groups. The Board agreed that for the selection of Chairs of Working Groups focus should be on the quality and expertise of the candidate and reaching an overall balance across the various subgroups.

5. 2024-2026 Programming Document

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| 1) Presentation | Discussion |
| 2) Cover note | Discussion |
| 3) Draft Programming Document 2024-2026 | Discussion |

The Executive Director presented the 2024-2026 Programming Document.

The Board discussed the draft Programming Document 2024-2026, in particular the:

- Assumptions on inflation rates;
- Human and financial resources attributed to information technologies projects; and
- Need for regular reprioritisation; and
- European Commission request that ESMA limit the use of contract agents.

Conclusion: The Board discussed the draft Programming Document 2024-2026. Board Members were invited to provide any further comments in writing by 31 December 2022.

6. 2023-2026 IT Work Programme

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| 1) Presentation | Discussion |
| 2) Cover note | Discussion |
| 3) IT Work Programme 2023-2026 | Decision |

The Acting Head of the Resources Department presented the 2023-2026 IT Work Programme.

The Board discussed the IT Work Programme 2023-2026, in particular the:

- Importance of medium-term planning for NCA's own IT budgets;
- Need to be conscious of the automatic rise in maintenance costs when taking on new IT projects;
- European Single Access Point; and
- Data protection issues in the choice of collaboration tools.

Decision: The Board adopted the IT Work Programme 2023-2026.

7. Fee management revision

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| 1) Presentation | Discussion |
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2) Note

Discussion

The Executive Director presented the note on fee management revision.

The Board discussed the note on fee management revision, in particular the:

- Limitations of the current system and the importance of the proportionality principle;
- Proposed move from the existing model segregated per entity type to a more holistic approach; and
- Need to continue working with the Commission to find an appropriate way forward.

Conclusion: The Board discussed the proposed fee management revision and decided that the proposal should be shared with the Board of Supervisors for information.

8. 2022 budget amendment and 2023 opening budget

1) Cover note

Information

2) 2022 budget amendment No. 2

Decision

Decision: The Board adopted the 2022 budget amendment No. 2.

9. 3) 2023 opening budget

Decision

Decision: The Board adopted the 2023 opening budget.

10. A.O.B.

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Participants list

	Members
ESMA	Verena Ross
DE	Thorsten Pötzsch
ES	Rodrigo Buenaventura Montserrat Martinez (alternate)
IE	Derville Rowland
EL	Nikos Kontaroudis (alternate)
AT	Eduard Müller

Non-voting Members

Executive Director	Natasha Cazenave
European Commission	Anne Schaedle (alternate)

Observer

Vice-Chair	Vojtech Belling
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ESMA

Summary of Conclusions	Tomas Borovsky
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	Laura Weil
Chair of the CCP Supervisory Committee	Klaus Loeber
Acting Head of the Governance and External Affairs Department	Jakub Michalik
Acting Head of the Resources Department	Alexandru Dincov

For the Management Board,

Done at Paris on 23 February 2023

Verena Ross

Chair

ANNEX:

OUTCOME OF WRITTEN PROCEDURES

Written Procedures (outcomes from 15 November to 12 December 2022)

1. Summary of conclusions – July 2022 Management Board

18 November 2022

1) Summary of conclusions

Decision

Decision: The Board adopted the summary of conclusions of the July 2022 Management Board.