



European Securities and
Markets Authority

Instruments SLA

Annex 3.1



1 Service definition (scope)

In the context of this service level agreement (SLA), an “IT-system” is to be understood as a set of technical resources used for electronic processing of data. "FIRDS" is the central integrated IT-system consisting of the following modules:

1. **FIRDS data collection service** is the interface allowing NCAs, Regulated Markets, Multilateral Trading Facilities, Organised Trading Facilities, and Systematic Internalisers to submit the necessary data, as well as other relevant entities such as CTPs and APAs as per relevant MiFIR, MiFID II and MAR articles.
2. **FIRDS core service** is the component of the system allowing the provision to NCAs of a complete list of financial instruments along with the list of fields as will be determined in the MiFIR / MAR Regulatory Technical Standards, including the applicable transparency thresholds (liquidity threshold, large-in-scale threshold, standard market size threshold or size specific to the instrument), and the identification of the relevant competent authority.
3. **FIRDS publication service** is the component of the system allowing the publication on a website of the complete list of financial instruments and the applicable transparency thresholds.
4. **FIRDS suspensions workflow service** is the component of the system allowing NCAs to coordinate on the suspension / restoration / warning / removal of any instrument listed in the core module database.

2 Operating hours

The production system will operate 7 days per week and 24 hours per day, apart for planned service interruptions.

Service support will be provided from 8h30 until 19h30 CET on week days except bank holidays for all entities having an interface with the system. Support will be provided in English.

3 Service availability

For the purpose of this SLA, availability is defined as the ability of the system to support the services 1, 2, 3, and 4 above, without unplanned interruption.

The target service availability of this system is 99%, measured quarterly, outside of planned service interruptions.

3.1 Planned service interruptions

Service interruptions may be scheduled in particular for maintenance or technical operations, such as the release of a new version, a technical intervention on hardware or software, or the testing of a disaster recovery plan.

For planned service interruptions impacting NCAs or reporting entities, ESMA's User Support should inform NCAs and reporting entities contacts:

- 10 working days in advance in the Production environment.
- 5 working days in advance in the Testing environment.

For planned service interruptions impacting publication of data, ESMA's User Support should publish a notice of service interruption on its website 10 working days in advance.

4 Incidents management

For the purpose of this agreement, an incident is defined as an unplanned interruption to one of the above IT services, or a reduction in the quality of one of the above IT services.

Upon notification of an incident, ESMA will acknowledge receipt to the reporter of the incident and classify the incident according to its impact and urgency levels as per tables below.

Urgency Level	Definition of the Urgency Level
High	The incident has an impact on the routing of transactions reports to the relevant National Competent Authority.
Medium	Data provided to NCAs or published on the website does not comply with the level of quality defined in the system specifications.
Low	Any other cases.

Impact Level	Definition of the Impact Level
High	One NCA is affected by the incident Or More than 25% of the reporting entities are affected by the incident
Medium	The Public is affected by the incident

	Or More than 5% of the reporting entities are affected by the incident
Low	Less than 5% of the reporting entities is affected by the incident

Priority Levels		Urgency Levels		
		High	Medium	Low
Priority Levels	High	Critical	High Priority	Normal
	Medium	High Priority	High Priority	Normal
	Low	Normal	Normal	Low

Incidents target resolution time will be function of their priority, as defined in the table below.

Incident Priority	Target Resolution Time ¹
Critical	4 hours
High Priority	24 hours
Normal	96 hours
Low	Planned

As part of the incident resolution process, ESMA may need to request information from external entities such as NCAs or reporting entities. The time between the submission of a request for information to an external entity, and the reception of the requested information will not be counted in the time to resolution of an incident, nor as unavailability period for the service in case the incident relates to unplanned service interruption.

¹ EEA Markets' working hours

4.1 Unplanned service interruptions: Recovery Point Objective

In case of unplanned service interruptions, the Recovery Point Objective will be the last report submission validated by the system (data received, correctly processed, and feedback sent to the submitting NCA, Trading Venue, SI, APA, CTP).

Depending on the cause, submitting entities may be requested to resubmit data already submitted from that date.

5 Key Performance Indicators

Key Performance Indicators should be reported on a quarterly basis.

Criteria	Target
Service availability rate over the last quarter	$\geq 99\%$
Percentage of reference data on instruments processed without human intervention on ESMA side	$\geq 99.5\%$
Percentage of incidents resolved within SLA	$\geq 90\%$

6 Change Management Process

The Change Management Process will be governed by ESMA IT Systems Change Management Process – ESMA/2014/INT/39.

7 NCAs' duties and responsibilities

Where NCAs collect information from reporting entities in their jurisdiction and receive reference or quantitative data from reporting entities, they shall monitor and assess the completeness of the received data and its compliance with the applicable standards and formats and shall transmit this information to ESMA, each day no later than 22:00 CET.

As part of the incident resolution process, ESMA may request information from NCAs or reporting entities. NCAs must ensure that they or their supervised entities reporting to ESMA provide ESMA with any requested information as soon as possible to ensure responsive resolution of any incident reported.

In case data quality issue is reported, the reporter must provide all necessary supporting evidence such as instrument identification information, date, time and place traded or introduced, etc.

NCAAs remain responsible for taking any measure regarding reporting entities of their jurisdiction as necessary to comply with the applicable Regulation and with the systems' specifications.

8 Contact points within the National Competent Authority

Function	Name	e-mail	Phone
Head of Business Unit			
Deputy Head of BU			
Business Manager			
Deputy BM			
CIO			
Deputy CIO			
IT Production Manager			
IT Project Manager			