|  |
| --- |
| Response Form to the Consultation Paper  |
| Review of the RTS on the information to be provided in an application for authorisation and registration under the Benchmarks Regulation  |

**Responding to this paper**

ESMA invites comments on all matters in this paper and in particular on the specific questions summarised in Annex 1. Comments are most helpful if they:

* respond to the question stated;
* indicate the specific question to which the comment relates;
* contain a clear rationale; and
* describe any alternatives ESMA should consider.

ESMA will consider all comments received by **9 March 2023 (previously** **31 January 2023).**

All contributions should be submitted online at [www.esma.europa.eu](http://www.esma.europa.eu) under the heading ‘Your input - Consultations’.

**Instructions**

In order to facilitate analysis of responses to the Consultation Paper, respondents are requested to follow the below steps when preparing and submitting their response:

1. Insert your responses to the questions in the Consultation Paper in the present response form.
2. Please do not remove tags of the type <ESMA\_QUESTION\_CP\_BRTS\_1>. Your response to each question has to be framed by the two tags corresponding to the question.
3. If you do not wish to respond to a given question, please do not delete it but simply leave the text “TYPE YOUR TEXT HERE” between the tags.
4. When you have drafted your response, name your response form according to the following convention: ESMA\_BRTS\_nameofrespondent\_RESPONSEFORM. For example, for a respondent named ABCD, the response form would be entitled ESMA\_BRTS\_ABCD\_RESPONSEFORM.
5. Upload the form containing your responses, in Word format, to ESMA’s website ([www.esma.europa.eu](http://www.esma.europa.eu) under the heading “Your input – Open Consultations” 🡪 “Consultation on the Review of the RTS on the information to be provided in an application for authorisation and registration under the Benchmarks Regulation”).

**Publication of responses**

All contributions received will be published following the close of the consultation, unless you request otherwise. Please clearly and prominently indicate in your submission any part you do not wish to be publically disclosed. A standard confidentiality statement in an email message will not be treated as a request for non-disclosure. A confidential response may be requested from us in accordance with ESMA’s rules on access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by ESMA’s Board of Appeal and the European Ombudsman.

**Data protection**

Information on data protection can be found at [www.esma.europa.eu](http://www.esma.europa.eu) under the heading [Legal Notice](http://www.esma.europa.eu/legal-notice).

**Who should read this paper**

This paper may be specifically of interest to administrators of benchmarks.

**General information about respondent**

|  |  |
| --- | --- |
| Name of the company / organisation | Click here to enter text. |
| Activity | Choose an item. |
| Are you representing an association? |[ ]
| Country/Region | Choose an item. |

**Introduction**

***Please make your introductory comments below, if any***

<ESMA\_COMMENT\_CP\_BRTS\_1>

TYPE YOUR TEXT HERE

<ESMA\_COMMENT\_CP\_BRTS\_1>

**Questions**

1. : Do you agree on the proposed addition of Article 3? Do you have any other suggestions?

<ESMA\_QUESTION\_CP\_BRTS\_1>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_1>

1. : Do you agree with the amendments to the RTS as regards the general information that an applicant should provide to its relevant competent authority?

<ESMA\_QUESTION\_CP\_BRTS\_2>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_2>

1. : Do you agree with the amendments to the RTS as regards the organisational structure and governance that an applicant should provide to its relevant competent authority?

<ESMA\_QUESTION\_CP\_BRTS\_3>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_3>

1. : Do you agree with the amendments introduced regarding the self-declaration and the criminal-record file of the members of the management body and the oversight function? Do you think that other information should be requested?

<ESMA\_QUESTION\_CP\_BRTS\_4>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_4>

1. : Do you agree with the amendments to the RTS as regards the link to the level 1, level 2 and level 3 requirements?

<ESMA\_QUESTION\_CP\_BRTS\_5>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_5>

1. : Do you agree with the amendments to the RTS as regards the reference to the BMR requirement for completeness?

<ESMA\_QUESTION\_CP\_BRTS\_6>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_6>

1. : Do you agree with the amendments to the RTS as regards the further specification of the information technology systems and the outsourcing?

<ESMA\_QUESTION\_CP\_BRTS\_7>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_7>

1. : Do you agree with the amendments to the Annex II of the RTS? Do you have any other suggestions?

<ESMA\_QUESTION\_CP\_BRTS\_8>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_8>

1. : Do you have any other suggestions of amendments to the RTS?

<ESMA\_QUESTION\_CP\_BRTS\_9>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP\_BRTS\_9>