

Chapter 15A

Application and notifications under EMIR

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| | <p>15A.1 Application and notifications under EMIR</p> |
| <p>15A.1.1</p> | <p>G Where a <i>person</i> intends to rely on article 4(2), 4a(2), 10(2) or 89(2) of <i>EMIR</i> for an exemption from the clearing obligation set out in article 4(1) or 10(1) of <i>EMIR</i>, the <i>person</i> should make their application or notification to the <i>FCA</i> in such manner, and by providing such information, as the <i>FCA</i> directs or requires.</p> |
| <p>15A.1.2</p> | <p>G Where a <i>person</i> notifies the <i>FCA</i> in respect of the obligation set out in <i>EMIR</i> in:</p> <ul style="list-style-type: none"> (1) point (a) of the second subparagraph of article 4a(1); (2) the fourth subparagraph of article 9(1); or (3) point (a) of the second subparagraph of article 10(1), <p>the notification should be made in such manner, and by providing such information, as the <i>FCA</i> directs or requires.</p> |
| <p>15A.1.3</p> | <p>G Where a <i>person</i> intends to rely on article 11(8) or (9) for an exemption from the obligation to implement risk management procedures set out in article 11(3) of <i>EMIR</i>, the <i>person</i> should make their application or notification to the <i>FCA</i> in accordance with <i>EMIR requirements</i>, including (where relevant) those set out in the <i>EMIR technical standards on OTC derivatives</i> and Part 5 (Transitional Provisions: Intragroup Transactions) of the <i>Trade Repositories (EU Exit) Regulations</i>.</p> |
| <p>15A.1.3A</p> | <p>G Where a <i>person</i> is required to make a notification to the <i>FCA</i> in accordance with article 12(4) or article 15(2) of the <i>EMIR technical standards on OTC derivatives</i>, that notification should be made in accordance with the <i>EMIR requirements</i> set out in the <i>EMIR technical standards on OTC derivatives</i>.</p> |
| <p>15A.1.4</p> | <p>G The <i>FCA</i> may require any information referred to in ■ SUP 15A.1.1 G to ■ SUP 15A.1.3A G to be provided in such form, or to be verified in such a way, as the <i>FCA</i> may reasonably direct.</p> |

- 15A.1.5 **G** At any time after receiving an application or notification for exemption from, or a notification in respect of, *EMIR requirements*, the *FCA* may require the *person* concerned to provide it with such further information as it reasonably considers necessary to enable it to determine the application or consider the notification.

