

## Chapter 15A

# Application and notifications under EMIR



**15A.1 Application and notifications under EMIR**

- 15A.1.1 G Where a *person* intends to rely on article 4(2), 10(2) or 89(2) of *EMIR* for an exemption from the clearing obligation set out in article 4(1) or 10(1) of *EMIR*, the *person* should make their application or notification to the *FCA* in such manner, and by providing such information, as the *FCA* directs or requires.
  
- 15A.1.2 G Where a *person* makes a notification in respect of the obligation set out in article 10(1)(a) of *EMIR*, the *person* should make the notification to the *FCA* in such manner, and by providing such information, as the *FCA* directs or requires.
  
- 15A.1.3 G Where a *person* intends to rely on article 11(6), (7), (8), 9) or (10) for an exemption from the obligation to implement risk management procedures set out in article 11(3) of *EMIR*, the *person* should make their application or notification to the *FCA* in accordance with *EMIR requirements*, including (where relevant) those set out in the *EMIR technical standards on OTC derivatives*.
  
- 15A.1.3A G Where a *person* is required to make a notification to the *FCA* in accordance with article 12(4) or article 15(2) of the *EMIR technical standards on OTC derivatives*, that notification should be made in accordance with the *EMIR requirements* set out in the *EMIR technical standards on OTC derivatives*.
  
- 15A.1.4 G The *FCA* 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 *FCA* may reasonably direct.
  
- 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.