

Chapter 15A

Application and notifications under EMIR

		<div>15A.1</div> <div>Application and notifications under EMIR</div>
15A.1.1	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.
15A.1.2	G	<p>Where a <i>person</i> notifies the <i>FCA</i> in respect of the obligation set out in <i>EMIR</i> in:</p> <div><div>(1) point (a) of the second subparagraph of article 4a(1);</div><div>(2) the fourth subparagraph of article 9(1); or</div><div>(3) point (a) of the second subparagraph of article 10(1),</div></div> <p>the notification should be made in such manner, and by providing such information, as the <i>FCA</i> directs or requires.</p>
15A.1.3	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> .
15A.1.3A	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> .
15A.1.4	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.

15A.1.5

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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.

