

Securitisation Regulation

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Chapter 7

Commission Implementing Regulation (EU) 2020/1228

Preamble

THE EUROPEAN COMMISSION,
.....

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and in particular Article 10(8) thereof,

01/01/2021

Whereas:

(1) A uniform format for applications to the European Securities and Markets Authority (ESMA) for registration as a securitisation repository or for extension of a registration of a trade repository should ensure that all information required pursuant to Commission Delegated Regulation (EU) 2020/1230 is submitted to, and easily identified by, ESMA.

(2) It is important that the information in those applications be submitted in a format that enables storage for future use and reproduction. Therefore, these applications should be submitted in a durable medium.

(3) In order to facilitate the identification of the information submitted within those applications, a unique reference number and a title for each of their documents should be provided. For the same reason, the applicant should be required to identify any information submitted by reference to the provision of Delegated Regulation (EU) 2020/1230 which that information relates to.

(4) This Regulation is based on the draft implementing technical standards submitted by ESMA to the Commission.

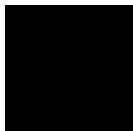
(5) In accordance with Article 15 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council, ESMA has conducted an open public consultation on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Securities and Markets Stakeholder Group established by Article 37 of that Regulation,

HAS ADOPTED THIS REGULATION:



Article -1 Interpretation

Where a term in this Regulation is defined in Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012, that definition shall apply for the purposes of this Regulation unless the contrary intention appears.



Article 1 Format of the application for registration and extension of registration

(1) Applicants for registration as a securitisation repository under Article 10(5)(a) of Regulation (EU) 2017/2402 shall complete the formats set out in Annex 1 to this Regulation.

(2) Trade repositories applying for an extension of registration under Article 10(5)(b) of Regulation (EU) 2017/2402 shall complete the formats set out in Annex 2 to this Regulation.

(3) For the purposes of paragraphs 1 and 2, the applications shall be submitted:

(a) in an instrument which enables the recipient to store information addressed personally to the recipient in a way accessible for future reference for a period of time adequate for the purposes of the information and which allows the unchanged reproduction of the information stored;

(b) with a unique reference number assigned to each document included in the application.

ANNEX I Formats for an application for
registration as a securitisation repository

Table 1 General information

GENERAL INFORMATION	
Date of application	
Corporate name of securitisation repository	
Place of incorporation and scope of business activity	
Legal entity identifier (LEI) registered with the Global Legal Entity Identifier Foundation	
Legal address of the securitisation repository	
Legal address of any subsidiaries of the securitisation repository	
Legal address of any branches of the securitisation repository	
Uniform resource locator (URL) of the securitisation repository's website	
The securitisation types, risk transfer methods and underlying exposure types for which the applicant repository is applying to be registered	
If the applicant is authorised or registered in the United Kingdom, the reference number related to the authorisation or registration	
Name of the person(s) responsible for the application	
Contact details of the person(s) responsible for the application	
Name of person(s) responsible for the securitisation repository compliance (or any other staff involved in compliance assessments for the securitisation repository)	
Contact details of the person(s) responsible for the securitisation repository compliance, or any other staff involved in compliance assessments for the securitisation repository, in relation to its provision of core securitisation services	
Name of any parent undertaking	
LEI registered with the Global Legal Entity Identifier Foundation of any parent undertaking	
Legal address of any parent undertaking	

Name of the responsible supervisory authority for any parent undertaking	
Reference number of the responsible supervisory authority for any parent undertaking	
Name of any ultimate parent undertaking	
LEI registered with the Global Legal Entity Identifier Foundation of any ultimate parent undertaking	
Legal address of any ultimate parent undertaking	
Name of the responsible supervisory authority for any ultimate parent undertaking	
Reference number of the responsible supervisory authority for any ultimate parent undertaking	

Table 2 Document references For all information required in Commission Delegated Regulation (EU) 2020/1230 with the exception of points (a) to (c), (e), (f), (h) and (i) of Article 2(2) and Article 7(2) thereof.

Provision of Commission Delegated Regulation (EU) 2020/1230 containing the information requirement to which the document relates	Unique reference number of document	Title of the document	Chapter or section or page of the document where the information is provided or reason why the information is not provided
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ANNEX II Formats for an application
of a trade repository for extension of
registration

Table 1 General information

GENERAL INFORMATION	
Date of application	
Date of registration of the applicant as a trade repository	
Corporate name of securitisation repository	
Legal entity identifier (LEI) registered with the Global Legal Entity Identifier Foundation	
Legal address of the securitisation repository	
Legal address of any subsidiaries of the securitisation repository	
Legal address of any branches of the securitisation repository	
Uniform resource locator (URL) of the securitisation repository's website	
Legal Entity Identifier (LEI) registered with the Global Legal Entity Identifier Foundation	
The securitisation types, risk transfer methods and underlying exposure types for which the applicant repository is applying to be registered	
If the applicant is authorised or registered in the United Kingdom, the reference number related to the authorisation or registration	
Name of the person(s) responsible for the application	
Contact details of the person(s) responsible for the application	
Name of person(s) responsible for the securitisation repository compliance, or any other staff involved in compliance assessments for the securitisation repository, in relation to its provision of core securitisation services	
Contact details of the person(s) responsible for the securitisation repository compliance (or any other staff involved in compliance assessments for the securitisation repository)	

Table 2 Document references For all information required in Commission Delegated Regulation (EU) 2020/1230 with the exception of points (a) to (c), (e), (f), (h) and (i) of Article 2(2) and Article 7(2) thereof.

Provision of Commission Delegated Regulation (EU) 2020/1230 containing the information requirement to which the document relates	Unique reference number of document	Title of the document	Chapter or section or page of the document where the information is provided or reason why the information is not provided
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