



Brussels, 11 September 2020

CM 3499/20

EF  
ECOFIN

**COMMUNICATION**

**WRITTEN PROCEDURE**

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Subject: **END OF WRITTEN PROCEDURE**

- **COMMISSION DELEGATED REGULATION of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to central counterparties established in third countries**
- **COMMISSION DELEGATED REGULATION of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the criteria that ESMA should take into account to determine whether a central counterparty established in a third-country is systemically important or likely to become systemically important for the financial stability of the Union or of one or more of its Member States**
- **COMMISSION DELEGATED REGULATION of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the minimum elements to be assessed by ESMA when assessing third-country CCPs' requests for comparable compliance and the modalities and conditions of that assessment**

*- Intention not to raise objections to a delegated act  
Outcome of written procedure initiated by CM 3492/20*

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Delegations are informed that the written procedure, initiated by CM 3492/20 of 9 September 2020 was completed on 11 September 2020 at 18h22 with the following outcome:

1. Commission Delegated Regulation of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to central counterparties established in third countries, as set out in doc. 9648/20.

All delegations voted in favour of confirming that the Council has no intention to object to this Commission Delegated Regulation with the exception of Czechia who abstained. The intention not to object has received sufficient support therefore the Commission and the European Parliament will be informed accordingly.

2. Commission Delegated Regulation of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the criteria that ESMA should take into account to determine whether a central counterparty established in a third-country is systemically important or likely to become systemically important for the financial stability of the Union or of one or more of its Member States, as set out in doc. 9651/20.

All delegations voted in favour of confirming that the Council has no intention to object to this Commission Delegated Regulation, with the exception of Poland who voted against and Czechia who abstained. The intention not to object has received sufficient support therefore the Commission and the European Parliament will be informed accordingly.

3. Commission Delegated Regulation of 14.7.2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the minimum elements to be assessed by ESMA when assessing third-country CCPs' requests for comparable compliance and the modalities and conditions of that assessment, as set out in doc. 9657/20 + ADD 1.

All delegations voted in favour of confirming that the Council has no intention to object to this Commission Delegated Regulation with the exception of Czechia who abstained. The intention not to object has received sufficient support therefore the Commission and the European Parliament will be informed accordingly.