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COVER NOTE

From:	European Commission
To:	President of the ECOFIN Council
Subject:	Information on the three-month period under Article 10(1) of Regulation (EU) 1095/2010 - draft Regulatory Technical Standards (RTS) for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to markets in crypto assets and amending Regulations (EU) 1093/2010 and (EU) 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (MiCA)

For information, delegations will find attached a letter from the Commission to the President of the ECOFIN Council on the item in subject.

Encl.: _____



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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL
MARKETS UNION

The Director-General

Brussels,
FISMA.B.4/CV/es/fisma.b.4(2024)8474180

Ms Aurore Lalucq
(European Parliament),
Chair of the Committee on Economic and
Monetary Affairs European Parliament,
econ-secretariat@europarl.europa.eu

Mr Mihály Varga,
President of the ECOFIN Council (Council
of the European Union), [service.courtier@
enregistrement@consilium.europa.eu](mailto:service.courtier@enregistrement@consilium.europa.eu)

Subject: Information on the three-month period under Article 10(1) of Regulation (EU) No 1095/2010 – draft regulatory technical standards (RTS) for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to markets in crypto-assets and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (MiCA)

Dear Ms Lalucq, dear Mr Varga,

On 25 March 2024, the European Securities and Markets Authority (ESMA) submitted to the Commission the draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council specifying the detailed content of information necessary to carry out the assessment of a proposed acquisition of a qualifying holding in a crypto-asset service provider.

On 4 July 2024, ESMA submitted to the Commission the following draft regulatory technical standards for the application of Regulation (EU) 2023/1114:

- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to the content, methodologies and presentation of information in respect of sustainability indicators in relation to adverse impacts on the climate and other environment-related adverse impacts
- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to regulatory technical standards on continuity and regularity in the performance of crypto-asset services
- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council with regard to records to be kept of all crypto-asset services, activities, orders and transactions undertaken.
- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council specifying the manner in

which crypto-asset service providers operating a trading platform for crypto-assets are to present transparency data.

- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council specifying the content and format of order book records for crypto-asset service providers operating a trading platform for crypto-assets.
- Draft regulatory technical standards for the application of Regulation (EU) 2023/1114 of the European Parliament and of the Council specifying the data necessary for the classification of crypto-asset white papers and the practical arrangements to ensure that such data is machine-readable.

In accordance with Article 10(1), fourth subparagraph, of Regulation (EU) No 1095/2010 (ESMA Regulation), the Commission informs that the above mentioned RTS could not be adopted by the Commission within the three-month period as adjustments to the initial drafts are needed and require additional time to process.

The Commission is working closely with the ESMA to make sure these RTS are adopted as soon as possible.

Yours sincerely,

Electronically signed

John BERRIGAN