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From:	Mr José Manuel CAMPA, Chairperson of the European Banking Authority (EBA)
date of receipt:	13 March 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
Subject:	EBA Submission of the draft RTS to specify the requirements, templates and procedures for handling complaints under Article 31 of the Regulation (EU) 2023/1114 on Markets in Crypto-assets

Delegations will find attached a letter regarding EBA's submission of a draft regulatory technical standard on the subject mentioned above, along with its annexes.

EBA's full report can be viewed here:

Draft RTS on complaints handling under MiCAR - Final report (europa.eu)

Encl.:

E-MAIL

THE CHAIRPERSON

IM 003117 2024
13-03-2024

European Banking Authority

Floor 24-27, Tour Europlaza
20 Avenue André Prothin
92400 Courbevoie, France

T: +33 186 526 831
E: JoseManuel.Campa@eba.europa.eu

https://eba.europa.eu

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John Berrigan
Director General
Directorate-General for Financial Stability,
Financial Services and Capital Markets Union (FISMA)
European Commission
Rue de Spa 2
1049 Brussels
Belgium

13 March 2024

Subject: Submission of the draft RTS to specify the requirements, templates and procedures for handling complaints under Article 31 of the Regulation (EU) 2023/1114 on Markets in Crypto-assets

Dear Mr Berrigan,

In accordance with Article 31 (5) of the Regulation (EU) 2023/1114 on markets in crypto-assets (MiCAR), the EBA has been mandated to develop, in close cooperation with the European Securities and Markets Authority (ESMA), regulatory technical standards (RTS) on complaints handling procedures of Issuers of Assets Referenced Tokens (IART) and, where applicable, third-party entities, specifying the requirements, templates and procedures for handling complaints.

It is my pleasure to submit to you today these draft regulatory technical standards as endorsed by the EBA's Board of Supervisors. These standards were developed following the procedure described in Article 10 of Regulation No (EU) 1093/2010. As previously agreed, the draft regulatory technical standards are attached in LegisWrite format.

In addition, the draft regulatory technical standards will be published on the EBA's public website.

I look forward to the completion of the process of adoption of the standards.

Yours sincerely,

José Manuel Campa

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CC: Irene Tinagli, Chair of the Committee on Economic and Monetary Affairs European Parliament
Claudia Lindemann, Head of ECON Secretariat
Vincent Van Peteghem, ECOFIN Chair, Minister of Finance, Presidency of the Council of the EU
Tuomas Saarenheimo, Chair of Economic and Finance Committee, Council of the European Union
Thérèse Blanchet, Secretary-General, Council of the European Union
Martin Merlin, Director Dir D, Banking, Insurance and Financial Crime, DG FISMA
Almoro Rubin de Cervin, Head of Unit D1, Bank regulation and supervision, DG FISMA
Jan Ceyssens, Head of Unit B4, Digital Finance, DG FISMA

Encl: Draft RTS to specify the requirements, templates and procedures for handling complaints under Article 31 of the Regulation (EU) 2023/1114 on Markets in Crypto-assets
Annex of the draft RTS MiCAR complaints handling
Draft RTS on complaints handling under MiCAR – EBA Final report