

ESMA CONSULTS ON DEROGATION CRITERIA FOR DATA REPORTING SERVICES PROVIDERS

The European Securities and Markets Authority, the EU's securities markets regulator, today launches a [public consultation](#) on criteria to identify Authorised Reporting Mechanisms (ARMs) and Approved Publications Arrangements (APAs) subject to authorisation and supervision by a competent authority of a EU Member States from January 2022.

Following the ESAs' Review, authorisation and supervision of data reporting services providers (DRSP) will move from competent authorities to ESMA. The revised regulation envisages that certain ARMs and APAs may be exempted from direct EU supervision due to their limited relevance for the internal market.

The aim of this consultation is to provide technical advice to the European Commission on such derogation criteria, in particular on:

- how to determine if the APA or ARM services are provided to investment firms authorised in one Member State;
- how to calculate the number of trade reports or transactions;
- how to determine whether the ARM or APA is part of a group of financial market participants operating cross-border; as well as other aspects relevant for the determination whether the ARM or APA has a limited relevance for the internal market.

Next steps

The consultation closes on 4 January 2021. ESMA will consider the feedback received from stakeholders in providing the technical advice to the Commission, and aims to publish its final report in Q1 2021.