

Submission Date

23/09/2022

ESMA_QA_810

Status: Answer Published

Additional Information

Level 1 Regulation

Regulation 2020/1503 - European crowdfunding service providers for business

Topic

Control functions (Compliance, Risk and Audit)

Subject Matter

General provisions

Question

Does an entity solely offering its own project through a publicly available information system on the Internet need to be authorised as a crowdfunding service provider?

ESMA Answer

23-09-2022

Original language

(Published as Crowdfunding Q&A 3.12)

The offering to investors on a publicly available information system on the Internet by a project owner directly of one or several of its own projects (i.e. excluding projects of third parties), does not qualify as crowdfunding services within the meaning of point (a) Article 2(1) of the ECSPR (the element of "matching of business funding interests of investors and project owners" is missing) and, as such, does not require an authorisation under the ECSPR.

However, depending on its exact features, such offerings may be subject to additional restrictions and/or conditions under other applicable European and national laws.