

Submission Date

12/07/2019

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Additional Information

Level 1 Regulation

Prospectus Regulation 2017/1129

Topic

Public offer

Subject Matter

Incorporation by reference: language requirements

Question

Is it possible to include or incorporate by reference only the translation of the audited financial statements and the audit report without a letter/statement of consent of the auditor to fulfil the requirement of Annex 1, item 18.1. Commission Delegated Regulation 2019/980 ("audited historical financial information")? If yes, is it necessary to request a written confirmation for the accuracy of the translation and, if so, who has to issue this written

confirmation?

ESMA Answer

12-07-2019

Original language

[ESMA31-62-1258 [Prospectus Q&A 5.1c]

Yes, it is possible to include or incorporate by reference the translation of the audited financial statements and the audit report without a letter/statement of consent of the auditor. No written confirmation for the accuracy of the translation is needed.

ESMA draws attention to the fact, that according to national legislation it might be necessary to ask for the auditor's consent to include or incorporate by reference the audit report in the prospectus.