ESMA_QA_1015

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Additional Information

Level 1 Regulation
Prospectus Regulation 2017/1129

Topic
Content of prospectus

Subject Matter
Type of underlying (Updated 09/09/2026)

Question
A statement setting out the type of underlying is required in Annex 14 item 3.1.7, Annex 16 item 5.1.7, Annex 17 item 2.2.2, Annex 31 item 8.1.7, Annex 33 item 4.1.7 and Annex 35 item 10.1.7 of the Commission Delegated Regulation 2019/980. The statement is labelled as Category A information and must, therefore, be included in the base prospectus. When making the statement, how precise should the information be? (Updated 09/09/2026)

ESMA Answer

09-09-2026

Original language

All information known at the time of drawing up the base prospectus must be disclosed in the base prospectus itself. Therefore, if the precise underlying is known by the issuer, then full and complete information must be included in the base prospectus.

If the issuer has not decided on the div of the underlying at the time of the approval of the base prospectus, then a more general statement setting out the type of the underlying should be included. The minimum disclosure in the base prospectus would be whether the underlying is:

- an equity security;

- a non-equity security;

- an interest rate;

- an index;

- a commodity; or

- a reference entity or reference obligation.

If the type of underlying does not fall within the categories listed above, the type of underlying should be defined.

If the underlying is a basket of underlyings, the type(s) of underlying(s) should be defined in the same manner as described above.

The final terms then have to state the div of the underlying(s) pursuant to Category C information requirements and may provide information in accordance to Annex 28. In case of proprietary indices and credit-linked securities further disclosure requirements must be complied with in accordance with the Commission Delegated Regulation 2019/980. **(Updated**

answer 09/09/2026)

~~12/07/2019~~

~~**Subject Matter:** Derivatives, indices, underlyings and related disclosure - Type of underlying~~

~~**Question:** In Commission Delegated Regulation 2019/980 Annex 14 item 4.8, Annex 15 item 4.8, Annex 16 item 4.9, Annex 17 item 2.2.2 and Annex 27 item 3.1.7 a statement setting out the type of underlying is required. According to the respective annexes, a statement setting out the type of the underlying is labelled as Category A information and must, therefore, be included in the base prospectus. When making the Category A statement setting out the type of the underlying in the base prospectus, how precise should the information be?~~

~~**Answer:**~~

~~[ESMA31-62-1258 Prospectuses Q&A 12.2]~~

~~All information known at the time of drawing up the base prospectus must be disclosed in the base prospectus itself. Therefore, if the precise underlying is known by the issuer, then full and complete information must be included in the base prospectus.~~

~~If the issuer has not decided on the div of the underlying at the time of the approval of the base prospectus, then a more general statement setting out the type of the underlying should be included. The minimum disclosure in the base prospectus would be whether the underlying is:~~

~~- an equity security;~~

~~- a non-equity security;~~

~~- an interest rate;~~

~~- an index;~~

~~- a commodity; or~~

~~- a reference entity or reference obligation.~~

~~If the type of underlying does not fall within the categories listed above, the type of underlying should be defined.~~

~~If the underlying is a basket of underlyings, the type(s) of underlying(s) should be defined in the same manner as described above.~~

~~The final terms then have to state the div of the underlying(s) pursuant to Category C information requirements and may provide information in accordance to Annex 28. In case of proprietary indices and credit-linked securities further disclosure requirements must be complied with in accordance with the Commission Delegated Regulation 2019/980.~~