

Submission Date

04/02/2019

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Status: Answer Published

Additional Information

Level 1 Regulation

Markets in Financial Instruments Regulation (MiFIR) Regulation (EU) No 600/2014- MDP

Topic

* LEI (Legal Entity Identifier)

Subject Matter

MiFIR data reporting - LEI of the issuer

Question

How should operators of trading venue(s) and systematic internaliser(s) populate field 5 (issuer or operator of the trading venue identifier) of Table 3 of the Annex to RTS 23 and related MAR RTS and ITS where the issuer of the instrument has a branch(es) that have a LEI?

ESMA Answer

04-02-2019

Original language

[ESMA 70-1861941480-56 MiFIR data reporting Q&A, Q&A 2.5]

Field 5 should be populated with the LEI of the firm's head office, even if the branch may be considered eligible for a LEI in some cases^[1].

^[1] According to the LEI ROC statement of 11 July 2016, certain branches might be considered as eligible for a LEI subject to the conditions set out in the statement. The LEI ROC statement should be consulted for further div (http://www.leiroc.org/publications/gls/roc_20160711-1.pdf). In line with section 5.5 of the ESMA Guidelines on transaction reporting, "*a branch should be identified with the LEI of its head office, even if it may be considered eligible for a LEI in some cases*". ESMA Guidelines are available at this link: https://www.esma.europa.eu/sites/default/files/library/2016-1452_guidelines_mifid_ii_transaction_reporting.pdf.