

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.