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Additional Information

Level 1 Regulation
Markets in Financial Instruments Directive II (MiFID II) Directive 2014/65/EU- Secondary Markets

Topic
Position reporting

Subject Matter
Position reporting

Question
Do positions in C(10) instruments with an underlying which is not a commodity as defined in Article 2(6) of Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 need to be reported?

ESMA Answer

13-11-2017

Original language

[ESMA 70-872942901-36 Commodity derivatives Q&A, Q&A 4.15]

The various commodity derivative underlyings within the scope of the C(10) category shall be treated consistently across all provisions concerning commodity derivatives in the MiFID II/MiFIR framework.

The purpose of daily reporting is to monitor for potential breaches of position limits as Article 58(3) of MiFID II stipulates that daily position reporting shall enable monitoring of compliance with Article 57(1) of MiFID II. Therefore, all those commodity derivatives contracts with underlyings that are subject to the position limit regime as specified in Q&A 1277 and Q&A 1524 are also subject to position reporting.