

Submission Date

10/10/2016

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Additional Information

Level 1 Regulation

Markets in Financial Instruments Regulation (MiFIR) Regulation (EU) No 600/2014 - Investor Protection and Intermediaries

Topic

Recording of telephone conversations and electronic communications

Subject Matter

Recording of telephone conversations and electronic communications

Question

MiFID II enables clients to request access to records of their telephone conversations and electronic communications with the firm. Does this right also cover internal communications within the firm?

ESMA Answer

10-10-2016

Original language

[ESMA 35-43-349 MiFID II Investor protection Q&As Ch 3, question 9]

MiFID II states that records kept in accordance with Article 16(7) of MiFID II shall be provided to the client involved upon request. This extends to internal conversations and communications between employees and contractors of the firm which relate to the provision of the client's order.