

**ESMA\_QA\_2057** 

**Submission Date** 

20/12/2023

Status: Question Rejected

#### **Additional Information**

### **Level 1 Regulation**

Regulation (EU) 2022/2554 - The Digital Operational Resilience Act (DORA)

# **Topic**

ICT third-party risk management

### **Additional Legal Reference**

On Draft Implementing Technical Standards to establish the templates composing the register of information in relation to all contractual arrangements on the use of ICT services provided by ICT third-party service providers as mandated by Regulation (EU)

## **Subject Matter**

Software companies

Question

How can DORA Article 28 be applied on software companies when the financial entity purchases off-the-shelf software licenses? If the off-the-shelf software supports critical or important function, should the DORA Article 28 (8) be applied?