

**Submission Date**

04/04/2025

# ESMA\_QA\_2516

Status: Answer Published

## **Additional Information**

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### **Level 1 Regulation**

Regulation 648/2012 - OTC derivatives, central counterparties and trade repositories (EMIR)  
- CCPs

### **Topic**

EU-CCPs

### **Subject Matter**

Active Account Requirement

### **Question**

Could counterparties that are subject to the active account requirements (i.e. to hold an active account, clear at least a representative number of trades in this active account and the subsequent reporting requirements) and that are part of a group subject to consolidated supervision in the Union, outsource these obligations to another entity of the group?

## ESMA Answer

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10-07-2025

Original language

Yes.

However, where an entity chooses to outsource the tasks related to the requirements to which it is subject to according to Article 7a of EMIR, that entity remains legally responsible for the performance of such tasks.

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