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Status: Answer Published

Additional Information

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 non-EU entities, which are subject to the clearing obligation, be subject to the active account requirement?

ESMA Answer

Original language

No. Article 7a of EMIR only applies to financial counterparties and non-financial counterparties, which are clearly defined under Article 2, points (8) and (9), of EMIR, respectively.

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