ESMA_QA_2933

Submission Date
02/10/2026

Status: Forwarded to EC/Public Consultation/Other

Additional Information

Level 1 Regulation
MiCA

Topic
Crypto-Asset Service Provider (CASP)

Additional Legal Reference
Article 3(1), points (15) and (17); Articles 59, 70, 72 and 75 (9); ESMA Opinion on broker models

Subject Matter
Technical roles of non-EU group entities in transaction signing and signing policies

Question
1. Can a non-EU (group) entity co-sign transactions without being considered to exercise control over EU client assets or provide custody?

2. Can a non-EU (group) entity alter signing policies without being considered to exercise control over EU client assets or provide custody?