

# Information regarding notification requirements for Member States under MiCAR

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## Notifications by Member States under Articles 93, 99 and 111 Regulation (EU) 2023/1114 on Markets in Crypto-assets (MiCAR)<sup>1</sup>

Member States are subject to notification requirements to European Banking Authority (EBA) and European Securities and Markets Authority (ESMA) under Articles 93, 99 and 111 MiCAR.

Pursuant to Article 93 MiCAR Member States are required to designate the competent authorities responsible for carrying out the functions and duties provided for in MiCAR.

Competent authority is defined in Article 3(1), point (35) MiCAR as one or more authorities designated by each Member State in accordance with Article 93 MiCAR concerning offerors, persons seeking admission to trading of crypto-assets other than asset-referenced tokens and e-money tokens, issuers of asset-referenced tokens, or crypto-asset service providers and designated by each Member State for the application of Directive 2009/110/EC concerning issuers of e-money tokens.

Member States are required to notify those competent authorities to EBA and ESMA. ESMA will publish a list of the competent authorities designated on its website.

Where Member States designate more than one competent authority, they shall determine their respective tasks and designate one competent authority as the single point of contact for cross-border administrative cooperation between competent authorities as well as with EBA and ESMA. Member States may designate a different single point of contact for each of those types of administrative cooperation.

Pursuant to Article 99 MiCAR Member States shall notify to the EBA and ESMA the laws, regulations and administrative provisions implementing Title VII MiCAR, including any relevant criminal law provisions, as well as any subsequent amendments thereto.

Pursuant to Article 111 MiCAR Member States shall notify to the EBA and ESMA the rules for administrative penalties and other administrative measures in relation to certain MiCAR infringements, as well as any subsequent amendments thereto.

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<sup>1</sup> [Regulation - 2023/1114 - EN - EUR-Lex \(europa.eu\)](#)

For notifications under Article 93 MiCAR, the Member States shall formally notify EBA and ESMA by using the below template and sending it via e-mail to both [EBA-MiCAR-Supervision@eba.europa.eu](mailto:EBA-MiCAR-Supervision@eba.europa.eu) and [MICA-Notifications@esma.europa.eu](mailto:MICA-Notifications@esma.europa.eu).

For notifications under Articles 99 and 111 MiCAR, the Member States shall formally notify EBA and ESMA to the abovementioned e-mail addresses. No template is provided or required for notifications under Articles 99 and 111 MiCAR.

The respective notifying body or institution submitting the notification to the EBA and ESMA shall be able to formally represent the Member State in accordance with its national legal framework.

**TEMPLATE: NOTIFICATIONS OF DESIGNATED COMPETENT AUTHORITIES UNDER ARTICLE 93 MiCAR**

<b>1</b>	<b>Date of notification</b>	<i>Please indicate the date of notification.</i>
<b>2</b>	<b>Notifying Member state</b>	<i>Please indicate the relevant Member State.</i>
<b>3</b>	<b>Government body or institution representing the Member State for the purpose of this notification</b>	<i>Please indicate the government body or institution representing the Member State.</i>
<b>4</b>	<b>Point of contact at the government body or institution</b>	<i>Please include name, address, e-mail address, and telephone number.</i>
<b>5</b>	<b>The Member State has designated the following competent authority (or several competent authorities) responsible for carrying out the functions and duties provided for in MiCAR under Article 93 MiCAR</b>	<p><i>Please indicate the designated competent authority (or several competent authorities) responsible for carrying out the functions and duties provided for in MiCAR Titles II to VI <u>by completing the rows 5.1. – 5.5 below.</u></i></p> <p><i>If several competent authorities are designated for one MiCAR Title, please indicate their respective tasks (e.g. by specifying the types of supervised entities).</i></p>
<b>5.1.</b>	<b>Title II (crypto-assets other than ARTs and EMTs):</b>	<i>Please include competent authority (or several competent authorities) and specify their tasks (if relevant)</i>
<b>5.2</b>	<b>Title III (asset-referenced tokens):</b>	<i>Please include competent authority (or several competent authorities) and specify their tasks (if relevant)</i>
<b>5.3</b>	<b>Title IV (e-money tokens):</b>	<i>Please include competent authority (or several competent authorities) and specify their tasks (if relevant)</i>
<b>5.4</b>	<b>Title V (authorisation and operating conditions for crypto-asset service providers):</b>	<i>Please include competent authority (or several competent authorities) and specify their tasks (if relevant)</i>
<b>5.5</b>	<b>Title VI (prevention and prohibition of market abuse involving crypto-assets):</b>	<i>Please include competent authority (or several competent authorities) and specify their tasks (if relevant)</i>
<b>6</b>	<b>Where several competent authorities are designated, the following competent authority (or several competent authorities) is (are) designated as the single point of contact for cross-border administrative cooperation between competent authorities as well as with EBA and ESMA</b>	<p><i>Please indicate the competent authority (or several competent authorities) designated as the single point of contact for cross-border administrative cooperation.</i></p> <p><i>If several competent authorities are designated for this purpose, please specify the type of administrative cooperation each of them is designated for.</i></p>