

ESMA'S QUESTION AND ANSWER (Q&A) TOOL

Guidance on completing the Question Submission Form

1. What should I enter in the box “Name of entity”?

You should enter the name of the entity you represent.

Enter your first name and surname if you submit the question in your personal capacity.

2. What should I enter in the box “Country of incorporation / Residence”?

You should select the country in which the entity you represent is incorporated.

Enter your country of residence if you submit the question in your personal capacity.

3. What should I enter in the box “Email address / Other contact details”?

ESMA may contact you, for example in order to obtain further information in relation to your question.

Email is the preferred contact method.

4. What I should enter in the box “Sector”?

You should select one of the indicated sectors that fits with the activity of your entity. If none of the sectors fits with the activity, please indicate 'Other'. If your entity is a consultant or legal professional, please select consultancy/legal professional and not the sector of the entity you are representing.

5. What should I enter in the box “Level 1 Legislative Act”?

You should select one of the legislative acts to which your question refers.

6. What should I enter in the box “Article/s of Level 1 Legislative Act”?

You should enter the article/paragraph/subparagraph reference/s of the Level 1 legislative act to which your question refers.

7. What should I enter in the box “Other relevant Act/s or Guidance”?

If your question relates to one or more Level 2 delegated or implementing acts, ESMA Guidelines or ESMA opinions, please enter the reference/s (e.g. Commission Delegated Regulation (EU) No 148/2013) and be as specific as possible (e.g. enter the article/paragraph/subparagraph to which your question relates).

8. What should I enter in the box “Subject matter”?

You should enter a concise description of your question so that ESMA may quickly identify its subject matter.

9. What should I enter in the box “Question”?

You should formulate your question as briefly and concisely as possible.

You may provide practical examples if it is helpful to the understanding of your question.

You may quote from case law or legislation though please keep your quotations brief or use references. Purely hypothetical questions (e.g. “What would happen if ‘x’ happened?”) or questions which are regarded as more suitably handled by another authority, either at national or EU level, are unlikely to be answered.

10. What should I enter in the box “Proposed answer”?

You should enter your proposed answer to the question.

11. What should I enter in the box “Relevant background”?

You should enter any background information, which you consider useful to the understanding of your question (e.g. information on the relevance to the single market or on achieving a level playing field).

Background information should be as brief and concise as possible, although practical examples may be provided.