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| 19 December 2016 |

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| Reply form for the Consultation Paper on ESMA’s technical advice to the Commission on fees for TRs under SFTR and on certain amendments to the fees under EMIR  |
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| Date: 19 December 2016 |

Responding to this paper

The European Securities and Markets Authority (ESMA) invites responses to the specific questions listed in Consultation Paper on Draft technical standards on ESMA’s technical advice to the Commission on fees for TRs under SFTR and on certain amendments to the fees under EMIR (TATR), published on the ESMA website.

*Instructions*

Please note that, in order to facilitate the analysis of the large number of responses expected, you are requested to use this file to send your response to ESMA so as to allow us to process it properly. Therefore, ESMA will only be able to consider responses which follow the instructions described below:

* use this form and send your responses in Word format (pdf documents will not be considered except for annexes);
* do not remove the tags of type <ESMA\_QUESTION\_TATR\_1> - i.e. the response to one question has to be framed by the 2 tags corresponding to the question; and
* if you do not have a response to a question, do not delete it and leave the text “TYPE YOUR TEXT HERE” between the tags.

Responses are most helpful:

* if they respond to the question stated;
* contain a clear rationale, including on any related costs and benefits; and
* describe any alternatives that ESMA should consider

**Naming protocol**

In order to facilitate the handling of stakeholders responses please save your document using the following format:

ESMA\_TATR\_NAMEOFCOMPANY\_NAMEOFDOCUMENT.

E.g. if the respondent were XXXX, the name of the reply form would be:

ESMA\_TATR\_XXXX\_REPLYFORM or

ESMA\_TATR\_XXXX\_ANNEX1

***Deadline***

Responses must reach us by **31 January 2017.**

All contributions should be submitted online at [www.esma.europa.eu](http://www.esma.europa.eu) under the heading ‘Your input/Consultations’.

***Publication of responses***

All contributions received will be published following the end of the consultation period, unless otherwise requested. **Please clearly indicate by ticking the appropriate checkbox in the website submission form if you do not wish your contribution to be publicly disclosed. A standard confidentiality statement in an email message will not be treated as a request for non-disclosure.** Note also that a confidential response may be requested from us in accordance with ESMA’s rules on access to documents. We may consult you if we receive such a request. Any decision we make is reviewable by ESMA’s Board of Appeal and the European Ombudsman.

***Data protection***

Information on data protection can be found at [www.esma.europa.eu](http://www.esma.europa.eu) under the headings ‘Legal notice’ and ‘Data protection’.

# General information about respondent

|  |  |
| --- | --- |
| Name of the company / organisation | Click here to enter text. |
| Activity | Choose an item. |
| Are you representing an association? |[ ]
| Country/Region | Choose an item. |

# Introduction

Please make your introductory comments below, if any:

<ESMA\_COMMENT\_TATR\_1>

TYPE YOUR TEXT HERE

<ESMA\_COMMENT\_TATR\_1>

1. [Do you agree with the proposed harmonisation of approaches to dealing with surpluses and deficits for the purposes of fees calculation under EMIR and SFTR? Please elaborate on the reasons for your response.](#_Toc469499914)

<ESMA\_QUESTION\_TATR\_1>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_1>

1. [Do you agree with the proposed approach to classify TRs? If not, what other aspects should be taken into account? Please elaborate.](#_Toc469499915)

<ESMA\_QUESTION\_TATR\_2>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_2>

1. [Do you agree with the proposed criterion to classify TRs? If not, what other aspects should be taken into account? Please elaborate.](#_Toc469499916)

<ESMA\_QUESTION\_TATR\_3>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_3>

1. [Do you agree with the proposed types and amounts of registration fees? Please elaborate.](#_Toc469499917)

<ESMA\_QUESTION\_TATR\_4>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_4>

1. [Do you agree with the proposed type and amount of fees for extension of registration under SFTR? Please elaborate.](#_Toc469499918)

<ESMA\_QUESTION\_TATR\_5>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_5>

1. [Do you agree with this proposal? Please elaborate on the reasons for your response.](#_Toc469499919)

<ESMA\_QUESTION\_TATR\_6>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_6>

1. [Do you agree with maintaining under SFTR the same approach as under EMIR for allocation of supervisory fees as proportion of the TR’s specific turnover to the total turnover of all registered TRs? Please elaborate on the reasons for your response.](#_Toc469499920)

<ESMA\_QUESTION\_TATR\_7>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_7>

1. [Do you agree with the proposed methodology to calculate the annual turnover of TRs under SFTR based only on the core revenues from SFT reporting? Please elaborate on the reasons for your response.](#_Toc469499921)

<ESMA\_QUESTION\_TATR\_8>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_8>

1. [Alternatively, do you consider that to calculate the annual turnover of TRs under SFTR all revenues related to SFT reporting, i.e. core and ancillary services related to SFTs, should be taken into account? Please elaborate on the reasons for your response.](#_Toc469499922)

<ESMA\_QUESTION\_TATR\_9>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_9>

1. [Do you agree to amend and simplify the methodology to calculate the annual turnover of TRs under EMIR? Please elaborate on the reasons for your response.](#_Toc469499923)

<ESMA\_QUESTION\_TATR\_10>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_10>

1. [Do you agree with the proposed minimum supervisory fee? Please elaborate on the reasons for your response.](#_Toc469499924)

<ESMA\_QUESTION\_TATR\_11>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_11>

1. [Which alternative for supervisory fees do you prefer? Please elaborate on the reasons for your response.](#_Toc469499925)

<ESMA\_QUESTION\_TATR\_12>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_12>

1. [Do you agree with the proposed types and amounts of recognition fees? Please elaborate on the reasons for your response.](#_Toc469499926)

<ESMA\_QUESTION\_TATR\_13>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_13>

1. [Do you agree with the proposal related to the payment of fees related to registration, extension of registration and recognition? Please elaborate on the reasons for your response.](#_Toc469499927)

<ESMA\_QUESTION\_TATR\_14>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_14>

1. [Do you agree with the proposal related to reimbursement of fees? Please elaborate on the reasons for your response.](#_Toc469499928)

<ESMA\_QUESTION\_TATR\_15>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_15>

1. [Do you agree with the proposed frequency of payments of the annual supervisory fees for the purposes of SFTR? Please elaborate on the reasons for your response.](#_Toc469499929)

<ESMA\_QUESTION\_TATR\_16>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_16>

1. [Do you agree with the harmonising the frequency of payments of the annual supervisory fees under EMIR with SFTR? Please elaborate on the reasons for your response.](#_Toc469499930)

<ESMA\_QUESTION\_TATR\_17>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_17>

1. [Do you agree with the suggested approach on annual recognition fees? Please elaborate on the reasons for your response.](#_Toc469499931)

<ESMA\_QUESTION\_TATR\_18>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TATR\_18>

1. [Do you agree with the proposed approach to dealing with the reimbursement of costs to the competent authorities in case of delegation of ESMA tasks under Article 9(1) SFTR? Please elaborate on the reasons for your response.](#_Toc469499932)

<ESMA\_QUESTION\_TATR\_19>

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<ESMA\_QUESTION\_TATR\_19>