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| Response Form to the Consultation Paper  |
| MiFIR review report on the obligations to report transactions and reference data |

**Responding to this paper**

ESMA invites comments on all matters in this paper and in particular on the specific questions summarised in the Annex. Comments are most helpful if they:

* respond to the question stated;
* indicate the specific question to which the comment relates;
* contain a clear rationale; and
* describe any alternatives ESMA should consider.

ESMA will consider all comments received by **20 November 2020.**

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

**Instructions**

In order to facilitate analysis of responses to the Consultation Paper, respondents are requested to follow the below steps when preparing and submitting their response:

1. Insert your responses to the questions in the Consultation Paper in the present response form.
2. Please do not remove tags of the type <ESMA\_QUESTION\_CP\_TRRF\_1>. Your response to each question has to be framed by the two tags corresponding to the question.
3. If you do not wish to respond to a given question, please do not delete it but simply leave the text “TYPE YOUR TEXT HERE” between the tags.
4. When you have drafted your response, name your response form according to the following convention: ESMA\_TRRF\_nameofrespondent\_RESPONSEFORM. For example, for a respondent named ABCD, the response form would be entitled ESMA\_TRRF\_ABCD\_RESPONSEFORM.
5. Upload the form containing your responses, in Word format, to ESMA’s website ([www.esma.europa.eu](http://www.esma.europa.eu) under the heading “Your input – Open Consultations” 🡪 “Consultation paper on MiFIR review report on the obligations to report transactions and reference data”).

**Publication of responses**

All contributions received will be published following the close of the consultation, unless you request otherwise. Please clearly and prominently indicate in your submission any part you do not wish to be publicly disclosed. A standard confidentiality statement in an email message will not be treated as a request for non-disclosure. 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 not to disclose the response 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 heading [Legal Notice](http://www.esma.europa.eu/legal-notice).

**Who should read this paper?**

This document will be of interest to all stakeholders involved in the securities markets. It is primarily of interest to competent authorities and firms that are subject to MiFID II and MiFIR – in particular, investment firms and credit institutions performing investment services and activities and trading venues. This paper is also important for trade associations and industry bodies, institutional and retail investors and their advisers, and consumer groups, as well as any market participant because the MiFID II and MiFIR requirements seek to implement enhanced provisions to ensure the transparency and orderly running of financial markets with potential impacts for anyone engaged in the dealing with or processing of financial instruments.

**General information about respondent**

|  |  |
| --- | --- |
| Name of the company / organisation | Futures Industry Association (FIA) |
| Activity | Other Financial service providers |
| Are you representing an association? |[x]
| Country/Region | Europe |

**Introduction**

***Please make your introductory comments below, if any***

<ESMA\_COMMENT\_CP\_TRRF\_1>

FIA welcomes the opportunity to respond to ESMA’s Consultation Paper reviewing the obligation to report transactions and reference data. FIA’s response focuses on the reporting of Exchange Traded Derivatives (ETDs) under MiFIR. By way of executive summary, the following comments represent FIA’s feedback and key recommendations on a number of ESMA’s proposals set out within the Consultation Paper:

* As an overarching observation, many proposals set out by ESMA within the Consultation Paper would entail a change to (i) a firm’s reporting scope, (ii) the way in which existing fields are currently populated, or (ii) introduce new reportable fields. When considered cumulatively, ESMA’s proposals set out within the Consultation Paper are not accompanied by a clear cost benefit analysis that sets out proposed benefits alongside the significant impact to reporting firms in terms of both upfront and ongoing costs.
* ESMA’s proposal to implement a new code to link all transactions pertaining to the same execution poses significant challenges. FIA recommends that ESMA consider lessons learned from the TVTIC whereby the success of the TVTIC has been marred by inconsistent dissemination methods by Trading Venues which places undue burden on investment firms having to accommodate a multitude of communication channels to obtain the TVTIC.
* We support ESMA’s efforts to streamline reporting obligations by aligning MiFIR with other legislative texts, such as the BMR and EMIR. That being said, when considering the proposal to replace references to the term “index” in Article 26(2)(c) with the term “benchmark” as defined under the EU Benchmarks Regulation (BMR), ESMA should consider that the term has been subject to some interpretative uncertainty under BMR and, furthermore,the BMR is subject to change and the next fundamental review is scheduled for the end of 2022. With respect to ESMA’s efforts to adopt global standards, FIA supports these developments but we feel it is important to highlight where deficiencies in the reporting requirements for ETD have not been adequately addressed. Applying the same reporting requirements under both EMIR and MiFID II/MiFIR to OTC and ETD products fails to account for the nuances that exist between these types of derivatives.
* We recommend ESMA provide worked examples, where applicable, in order to reduce ambiguity and the need for prolonged efforts to update Q&As. Where appropriate, ESMA may consider the use of industry workshops to garner support and feedback when preparing worked examples. FIA stands ready to support such initiatives alongside industry peers.

<ESMA\_COMMENT\_CP\_TRRF\_1>

**Questions**

1. : Do you foresee any challenges for UCITS management companies and AIF managers in providing transaction reports to NCAs? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_1>

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<ESMA\_QUESTION\_TRRF\_1>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_2>

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<ESMA\_QUESTION\_TRRF\_2>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_3>

Upon reviewing ESMA’s proposal, it is not immediately clear whose responsibility it is to transmit a copy of the order to the competent authority of the host Member States for the transactions which involve branches. We suggest amending the second paragraph of Article 26(8) to: “In order to meet the obligations set out in Article 35(8) of Directive 2014/65/EU, the competent authority of the home Member State of the investment firm shall transmit a copy of the reports provided for under this Article to the competent authorities of the host Member States of the investment firm involved in the transaction.” <ESMA\_QUESTION\_TRRF\_3>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_4>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TRRF\_4>

1. : Do you envisage any challenges in increasing the scope including derivative instruments traded through an SI as an alternative to the expanded ToTV concept? Please justify your position and if you disagree please suggest alternatives.

<ESMA\_QUESTION\_TRRF\_5>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TRRF\_5>

1. : Do you agree that the extension should include all Systematic Internalisers regardless of whether they are SI on a mandatory or voluntary basis? Please justify your position.

<ESMA\_QUESTION\_TRRF\_6>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_TRRF\_6>

1. : Do you envisage any challenges with the approach described in paragraphs 45-46 on the scope of transactions to be covered by the extension? Please justify your position and indicate your preferred option for SIs under the mandatory regime explaining for which reasons. If you disagree with all of the outlined options, please suggest alternatives.

<ESMA\_QUESTION\_TRRF\_7>

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<ESMA\_QUESTION\_TRRF\_7>

1. : Do you foresee any challenges with the proposal to replace the reference to the term “index” in Article 26(2)(c) with the term “benchmark” as defined under the BMR? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_8>

We consider the replacement of references to the term “index” in Article 26(2)(c) with the term “benchmark” as defined under the EU Benchmarks Regulation (BMR) appropriate, provided that the product reporting scope extension implied by this change is clearly defined, especially given that the term has been subject to some interpretative uncertainty under BMR.  ESMA should remain cognizant of the fact that the BMR is subject to change and the next fundamental review is scheduled for the end of 2022. While replacing the term “index” with “benchmark” aims to streamline both regulations, the intention risks subjecting the definition to further changes and unnecessary implementation costs and effort in the medium-term. We would therefore urge ESMA not to make any changes to this aspect of MiFIR transaction reporting until the outcome of the BMR review is finalised.

<ESMA\_QUESTION\_TRRF\_8>

1. : Which of the three options described do you consider the most appropriate? Please explain for which reasons and specify the advantages and disadvantages of the outlined options. If you disagree with all of the outlined please suggest alternatives.

<ESMA\_QUESTION\_TRRF\_9>

Option 1 poses significant challenges where firms require access to necessary reference data for the extension as proposed under this Option. This is likely to be an ongoing challenge as instruments not subject to the BMR would be brought into scope. While Option 2 aligns transaction reporting with the BMR, this option extends the scope to include instruments not currently subject to market abuse surveillance. As a result, and in order to meet regulator’s goals of seeking information in a proportionate manner, we consider the third option most appropriate on the grounds that this is closest to the status quo and does not extend the scope to include instruments not relevant for market abuse surveillance. Additionally, this implementation option is recommended as complex logic to decompose benchmarks would not be required.

<ESMA\_QUESTION\_TRRF\_9>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_10>

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<ESMA\_QUESTION\_TRRF\_10>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_11>

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<ESMA\_QUESTION\_TRRF\_11>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_12>

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<ESMA\_QUESTION\_TRRF\_12>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_13>

FIA is concerned that ESMA’s proposals would lead to significant duplication in the reporting of reference data, including for highly standardised venue traded instruments. Duplication of reported data should be avoided as this results in great costs to industry participants and risks overwhelming ESMA’s systems with no clear benefit.

<ESMA\_QUESTION\_TRRF\_13>

1. : Did you experience any difficulties with the application of the defined list concept? If yes, please explain.

<ESMA\_QUESTION\_TRRF\_14>

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<ESMA\_QUESTION\_TRRF\_14>

1. : Do you foresee any challenges with the approach as outlined in the above proposal? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_15>

We disagree with ESMA’s proposal to extend the defined list approach to all Trading Venues and SIs. In order to address the issues that have been observed by ESMA, we believe it is more important for competent authorities to liaise with Trading Venues/SIs to ensure that they are accurately submitting reference data correctly and updating such data as required under the current rules, rather than taking the more drastic approach of expanding the rules to all Trading Venues/SIs, including those which have undefined lists. As ESMA acknowledges in paragraph 69 of its consultation, requiring these Venues/SIs to report reference data on all financial instruments that are potentially tradable every day would be disproportionate and arguably unnecessary if the current rules are properly enforced.

<ESMA\_QUESTION\_TRRF\_15>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_16>

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<ESMA\_QUESTION\_TRRF\_16>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_17>

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<ESMA\_QUESTION\_TRRF\_17>

1. : Do you foresee any challenges with the approach outlined in paragraphs 75 and 76? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_18>

It is important for ESMA to be aware of existing issues relating to the dissemination of the TVTIC to the parties involved in a transaction chain. Inconsistent methods of generation and dissemination ultimately impacts the accuracy of reported data. We encourage ESMA to consider ways to resolve this issue as part of this review.

<ESMA\_QUESTION\_TRRF\_18>

1. : Do you foresee any difficulties with the implementation of an additional code generated by the trading venue to be disseminated down the transaction chain in order to link all transactions pertaining to the same execution? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_19>

ESMA’s proposal to implement an additional code, generated by the Trading Venue and disseminated down the transaction chain, poses significant challenges. FIA recommends that ESMA consider such proposal from a cost-benefit perspective. In addition, any proposal must be complimented with guidance and rules for the consistent generation and dissemination of such codes. Thus far, the success of the TVTIC has been marred by inconsistent dissemination methods by Trading Venues which places additional burden on investment firms having to accommodate a multitude of communication channels to obtain the TVTIC. With best efforts, successfully obtaining and reporting the TVTIC remains extremely burdensome.

When considering ESMA’s proposal against the existing model, FIA considers the existing model to be appropriate given that NCAs are able to link transactions though surveillance and inquire with investment firms in the event that more information on a chain of transactions is required.

Further to this, ESMA’s proposal for an additional code appears to revisit the field ESMA initially suggested in its May 2014 Discussion Paper for a Report Matching Number, which would link all transaction reports relating to the same execution. We note that industry feedback to this initial proposal highlighted significant cost and complexity, and as a result, ESMA concluded that it was not appropriate to require such a field. In our view, the same concerns highlighted in 2014 with such a proposal remain valid today. To reiterate: it is impossible to match multiple market executions to often multiple client transactions, using a single reference number. FIA suggests that it only makes practical and useful sense for this field to be populated on the market-side executions and that it can only be populated by firms where a Trading Venue makes the value available on the execution file and that the Trading Venue makes this available to both sides of the transaction. Furthermore, there may be issues with the population of this field, where a transaction is made on a reportable instrument, yet on a venue outside of the EEA. Firms should not be expected to send linking IDs down an order routing chain to firms who have transmitted orders.

As alluded to above, ESMA’s proposal becomes even more complex when considering trades executed on ‘Trading Platforms outside of the Union’. ESMA is encouraged to consider this and clarify its expectations as to whether such trades should have a value:

1. specifically for the purpose of populating field 36, provided by the non-EEA venue and passed on via the non-MiFID investment Firm to the MiFID Investment Firm(s) at the end of the chain. If this is the case, how does ESMA intend to enforce this for non-MiFID, non-EEA firms and Venues?
2. derived externally by the EEA MiFID Investment Firm (potentially an execution ID but not necessarily provided for that purpose by the venue or the non-EEA Firm), populated in field 36 and passed to other Firms in the chain?
3. which is an internal value, derived by the EEA MiFID Investment Firm, populated in field 36 and passed to other Firms in the chain? This option would see Field 36 left blank for all transactions in the chain? Regarding the use of an Internal ID linking groups of market executions and the subsequent allocations, clarity would be welcome as to the exact scenarios in which this additional ID is required.

<ESMA\_QUESTION\_TRRF\_19>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_20>

FIA questions the usability of such reported data as set out in ESMA’s proposal. Such data may be limited or even have the ability to undermine comparative analysis of data by regulators because:

* different reporting firms may, for valid reasons, have assigned different MiFID classifications to the same LEI or natural person (for instance if different opt-up elections have been made, or different evidence or trading history have been presented by the client, or due to timing issues of communicating such data). This creates uncertainty as to whether firms should be reporting their elected classification or the classification they naturally fall into.
* a client’s MiFID classification with a single investment firm can change over time. As such, ESMA should clarify that such reporting is only ever to be at a point in time, and firms should not be required to account for differing reporting in respect of the same counterparties.

We also note that ESMA’s proposal does not reference Eligible Counterparties (ECPs). Further, the proposal is not clear on the intended approach to reporting of this information for transactions with 3rd country firms, and we suggest that if ESMA proceeds with this proposal, it should clarify that reporting is only required in respect of EEA counterparties. We also welcome further clarity on which aspect of Art 24 of MiFIR is intended to determine the reporting of categorisation.

<ESMA\_QUESTION\_TRRF\_20>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_21>

FIA appreciates ESMA’s openminded assessment that the majority of NCAs do not use this data. We feel obliged to stress that every data element has an associated cost/resource implication to maintain the accuracy and completeness of reported data. We recommend ESMA reconsiders the need for investment firms to report the algorithm as ESMA acknowledges that this data is of limited use.

<ESMA\_QUESTION\_TRRF\_21>

1. : Which of the two approaches do you consider the most appropriate? Please explain for which reasons.

<ESMA\_QUESTION\_TRRF\_22>

FIA agrees with the removal of this information as it is both duplicative in nature and inconsistent with SSR obligations.

<ESMA\_QUESTION\_TRRF\_22>

1. : Do you foresee any challenges with the outlined approaches? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_23>

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<ESMA\_QUESTION\_TRRF\_23>

1. : Do you foresee any challenges with the outlined approach to pre-trade waivers? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_24>

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<ESMA\_QUESTION\_TRRF\_24>

1. : Have you experienced any difficulties with providing the information relating to the indicators mentioned in this section? If yes, please explain and provide proposals on how to improve the quality of the information required.

<ESMA\_QUESTION\_TRRF\_25>

Investment Firms have experienced difficulty with obtaining this information from Trading Venues. As such, FIA recommends an alternative approach based on one of the following options:

1. only those parties that are responsible for the pre-trade transparency waiver for on-venue executions should be required to populate the Waiver Indicator on their transaction reports, or;
2. ESMA should adopt a simple and coordinated approach to the provision of the Waiver Indicator flag from Trading Venues to Investment Firms, with direct linkage to the current industry-wide pre-trade transparency waivers that apply and are captured within the FIX methodology. To ensure a consistent approach is adopted by Trading Venues, ESMA should clarify exactly what data Trading Venues must provide and how such data is to dissemniated. ESMA may consider aligning the pre-trade transparency waivers required with the industry-wide ‘FIX’ schema of TAGs 2668, 2669, 2670 and/or the ‘flattened’ format in 8013. In addition, MiFIR should be aligned with the actual pre-trade transparency waivers used in practice. For example, there is a ‘Large in Size’ pre-trade transparency waiver for Cash Equity trades, but this is not permitted by the regulation and this leads to unnecessary complexity. Furthermore, there is both a ‘Large in Scale’ pre-trade transparency waiver and a separate ‘Size’ pre-trade transparency waiver, but only one value is expected for non-Equity trades under the regulation.

In summary, FIA foresees challenges given that the eligibility criteria for pre-trade transparency is not the same as that for transaction reporting. This misalignment could lead to complications when mapping pre-trade quotes and orders with transaction reportable executions. ESMA is encouraged to provide more clarity on what benefits this data provides to NCAs and work with industry participants to ensure that reported data is accurate and used for its intended purpose.

<ESMA\_QUESTION\_TRRF\_25>

1. : Do you foresee any challenges with this proposal? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_26>

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<ESMA\_QUESTION\_TRRF\_26>

1. : Do you agree with this approach? If not, please clarify your concerns and propose alternative solutions

<ESMA\_QUESTION\_TRRF\_27>

The existing requirement for an agreement serves to ensure receiving firms are in a position to process and validate orders transmitted to them, before being obligated to report, and also permits an assessment of the sophistication and control framework on the side of the transmitting party before agreeing to be responsible for their reports. Removing this control places receiving firms in the position of having to monitor all inbound order messages for completeness and accuracy and ensure technological solutions are in place to process them, putting them almost in the enforced position of an ARM. We believe this change is not appropriate. Investment Firms cannot be responsible for the accuracy of the data transmitted to them by the transmitting firm and such requirement as proposed by ESMA places a further burden on receiving firms, at considerable risk to the overall accuracy and timeliness of data being reported to NCAs.

In addition to the concerns highlighted above, such proposal would result in significant investment for Investment Firms in order to be able to implement such requirements along with the appropriate reconciliations and documentation to receive transmitted data. There are also concerns around the timing for data transfer, specifically in being able to ensure that the firm can report within its required deadline.

Forcing larger firms to take responsibility for reporting on behalf of transmitting parties does not solve the issues for smaller firms given that the smaller counterparty would still be required to provide the accurate transmitted data, in a timely fashion, and perform reconciliations as outlined above. This could result in such firms making assumptions that they do not need to report and therefore positive affirmation would be crucial.

FIA notes that investment firms have not received a request for an RTO agreement and believe that given the majority of firms conduct more varied business than purely ‘RTO to MiFID firms’, ESMA’s proposal would potentially only help a minority of counterparties. We are concerned that the proposal might conflict with ESMA’s previous statement in the transaction reporting guidelines around transaction chains: “The Investment Firm should only report its ‘part’ within the chain and therefore does not have to look forwards or backwards in the chain beyond its immediate counterparty and client”. Although the proposal would not specifically require each firm to look through the chain, it would require more cohesion throughout the chain which may result in additional burden on firms, outweighing any potential benefits for small counterparties as considered by ESMA.

<ESMA\_QUESTION\_TRRF\_27>

1. : Do you agree with this analysis? If not, please clarify your concerns and propose alternative solutions.

<ESMA\_QUESTION\_TRRF\_28>

Agreed.

<ESMA\_QUESTION\_TRRF\_28>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_29>

FIA encourages ESMA to consider this proposal in the context of reporting ETD derivatives. FIA supports the development of global data standards but it is important to highlight where deficiencies in the reporting requirements for ETD have not been adequately assessed. Applying the same reporting rules in EMIR and MiFID II/MiFIR to OTC and ETD products fails to account for the nuances that exist between OTCs and ETDs. Under EMIR Article 9, reporting transaction-level data for ETDs offers little or no benefit for regulatory authorities in assessing systemic risk in ETD markets while it places a significant burden, cost and impact on resources for reporting firms. For the reporting of ETDs, ESMA should consider placing priority on the reporting of position data over transaction-level data for EMIR. This would create significant benefits to reporting firms while having little or no impact to regulators’ ability to monitor systemic risk under EMIR and assess market abuse under MiFIR.

<ESMA\_QUESTION\_TRRF\_29>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_30>

FIA agrees with ESMA’s assessment that the UTI is not viable for reporting under MiFIR. With respect to ESMA’s views of the UPI, it should be noted that all derivatives traded on, or admitted to trading on, a Trading Venue are expected to have a valid ISIN. Furthermore, the concept of the UPI was designed for complex, customisable contracts (OTCs). As such, FIA remains confident that the ISIN provides the most granular method of identification for ETD reporting. Where available, the ISIN should be used to accurately identify the exchange traded derivative.

<ESMA\_QUESTION\_TRRF\_30>

1. : Are there any specific aspects relating to the ISIN granularity reported in reference data which need to be addressed? Is the current precision and granularity of ISIN appropriate or is (for certain asset classes) a different granularity more appropriate?

<ESMA\_QUESTION\_TRRF\_31>

FIA recommends that ESMA take further steps to harmonise the reporting requirements under EMIR with MiFID II so that reporting parties are only required to report the underlying instrument data in such instances where an ISIN is not reported. This would reduce the existing myriad of matching fields and help to address a number of existing matching issues such as ‘Maturity Date’. Furthermore, this would ease the burden on reporting firms where they are required to obtain extensive Commodity Reference data that is not widely available.

As noted in our answer to a previous question, ESMA must account for the differences between OTC and ETD. One size does not always fit all. In summary, due to the nature of OTC derivatives, they are not suited to be aggregated by ISIN as currently defined and therefore any efforts to measure system risk by product, or characteristics of the product, would be severely limited. Therefore, the UPI is the most appropriate identifier for OTC derivatives, regardless of where they are traded. ISIN, on the other hand, can be used for ETD where multiple trades are executed using the same ISIN and where the ISIN itself can easily be aggregated.

<ESMA\_QUESTION\_TRRF\_31>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_32>

We recommend that ESMA provides worked examples, where applicable, in order to reduce ambiguity and the need for prolonged efforts to update Q&A. Where appropriate, ESMA should consider industry workshops to garner support and feedback when preparing technical standards.

<ESMA\_QUESTION\_TRRF\_32>

1. : Do you foresee any challenges with the outlined approach? If yes, please explain and provide alternative proposals.

<ESMA\_QUESTION\_TRRF\_33>

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<ESMA\_QUESTION\_TRRF\_33>