Q1 Do market participants support removing the special process of collection and distribution of penalties by CCPs for cleared transactions? Please provide justifications, if possible supported by quantitative data.

As a Market Participant, I do not support removing the special process of collection and distribution of penalties. I even suggest increasing the amount of data collected and increase the penalties amount. Cash penalties became a cost of business for many businesses running on daily fails to deliver goods market participants expected to get. Removing penalties is like allowing the seller not to deliver goods paid for by a market participant. Not being able to meet one's trading obligations and getting no penalty for it is a terrible idea. For more data, look at what happened in 2008 where failures to deliver increased.

Q2 Do market participants support amending Article 19 of the CDR on Settlement Discipline as suggested in Annex IV? Please provide justifications, if possible, supported by quantitative data.

As a Market Participant, I do not support amending Article 19 of the CDR on Settlement Discipline as suggested in Annex IV. As stated in the Consultation Paper: preliminary discussions with market participants showed that imbalances may appear when the delivery of securities by a clearing member to the CCP is too close to the CSD cut-off time for Delivery versus Payment (DvP) settlement instructions. Or in short, the time CCP and CSD have is long, but they still often fail to deliver a share in a timely manner. It’s like buying a banana and wait for penalties to hurt the seller before he delivers them, sadly bananas X days later are already rotten.

Q3 Do market participants support delaying the application of the envisaged amendment by six months after the publication of the amending RTS in the Official Journal of the EU? If not, what would be appropriate implementation period in your view? Please provide explanations.

As a Market Participant, I do not support delaying the application of the envisaged amendment by six months after the publication of the amending RTS in the Official Journal of the EU.

I think Failures to Deliver should not exist, and that the penalties should increase. Please fix this big cassino run by CSD and its partners.