**Reply** **form: MiFIR Review**

Technical Standards related to Consolidated Tape Providers and DRSPs, and assessment criteria for the CTP selection procedure

Responding to this paper

ESMA invites comments on all matters in the Consultation Paper and in particular on the specific questions in this reply form. 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 **28 August 2024.**

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:

* Insert your responses to the questions in the Consultation Paper in this reply form.
* Please do not remove tags of the type <ESMA\_QUESTION\_CP2\_1>. Your response to each question has to be framed by the two tags corresponding to the question.
* 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.
* When you have drafted your responses, save the reply form according to the following convention: ESMA\_CP2\_nameofrespondent.

For example, for a respondent named ABCD, the reply form would be saved with the following name: ESMA\_CP2\_ABCD.

* Upload the Word reply form containing your responses to ESMA’s website (**pdf documents will not be considered except for annexes**). 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 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.

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# General information about respondent

|  |  |
| --- | --- |
| Name of the company / organisation | International Swaps and Derivatives Association (ISDA) |
| Activity | Other Financial service providers |
| Are you representing an association? |  |
| Country/Region | International |

# Questions

Section 3 – RTS on input and output data of CTPs:

**Q1: Do you agree with grounding the assessment framework of the quality of transmission protocols on the identified categories of technical criteria?**

<ESMA\_QUESTION\_CP2\_1>

ISDA supports AFME’s response to this question.

<ESMA\_QUESTION\_CP2\_1>

**Q2: Do you believe that additional categories of technical criteria should be considered for the definition of minimum requirements of the quality of transmission protocols?**

<ESMA\_QUESTION\_CP2\_2>

ISDA supports AFME’s response to this question.

<ESMA\_QUESTION\_CP2\_2>

**Q3: Do you agree with the proposal of introducing a single set of requirements across the three asset classes (equity, bonds, derivatives), or do you believe that different requirements should be tailored for each asset class?**

<ESMA\_QUESTION\_CP2\_3>

ISDA believes that there are certain considerations from an operational and cost-related point of view which suggest that some of the minimum technical requirements need to be adjusted for each asset class.

For instance, given the different approaches to the notion of ‘real time’ dissemination of trade information between equities, bonds and derivatives, the requirements for the technical criteria related to performance should be calibrated differently for each CT.

<ESMA\_QUESTION\_CP2\_3>

**Q4: Do you consider that the proposed minimum requirements for the technical criteria related to performance are technically feasible, coherent with the objective of high-quality data transmission to the CTP and in line with international standards? Please elaborate your response.**

<ESMA\_QUESTION\_CP2\_4>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_4>

**Q5: Do you consider that the proposed minimum requirements for the technical criteria related to reliability are technically feasible, coherent with the objective of high-quality data transmission to the CTP and in line with international standards? Please elaborate your response.**

<ESMA\_QUESTION\_CP2\_5>

ISDA supports the AFME response to this question.

OTC derivatives business is characterized by high levels of voice trading activity. ESMA’s recommendation for rectification of detected errors may be suboptimal, requiring more human intervention to appropriately address erroneous trades. Reliability of transmitted data can be enhanced if an appropriate balance is found between manual/human-based and automatic error correction mechanisms.

<ESMA\_QUESTION\_CP2\_5>

**Q6: Do you consider that the proposed minimum requirements for the technical criteria related to security are technically feasible, coherent with the objective of high-quality data transmission to the CTP, and in line with international standards and other EU regulatory frameworks on information security (e.g. DORA)? Please elaborate your response.**

<ESMA\_QUESTION\_CP2\_6>

Existing industry standards and comparable regulatory frameworks for determining quality of transmitted MiFID data should be leveraged to ensure efficiencies of costs and resources.

Deviations from existing market practices should be justified only where evidence demonstrates that data confidentiality arrangements currently in place are not sufficient to serve their purpose.

<ESMA\_QUESTION\_CP2\_6>

**Q7: Do you consider that the proposed minimum requirements for the technical criteria related to compatibility are technically feasible, coherent with the objective of high-quality data transmission to the CTP and in line with international standards? Please elaborate your response.**

<ESMA\_QUESTION\_CP2\_7>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_7>

**Q8: Do you agree with the proposed definition of “transmission of data as close to real time as technically possible”? If not, please explain.**

<ESMA\_QUESTION\_CP2\_8>

The calibration of ‘real time’ in the context used in this question should be structured in a way that adequately reflects what is applicable in the context of trade transparency for each asset class.

We observe that paragraph 45 of the CP, which states that “*For post-trade data, regardless of asset class, data contributors should transmit data to the CTP no later than 100 milliseconds from the execution timestamp (field 1 of Table 3 of Annex I of RTS 1 and field 1 of Table 2 of Annex II of RTS 2) for transactions executed on a trading venue and, 200 milliseconds from the execution timestamp for transactions executed OTC*”, would be disproportionate in OTC derivatives, characterized to a significant extent by voice trading. Imposing the requirement on data providers (predominantly APAs) to transmit data as per ESMA’s proposal in the CP would be challenging and would create an additional, unnecessary reporting burden.

<ESMA\_QUESTION\_CP2\_8>

**Q9: Should ESMA consider specific rules for real-time transmission of transactions subject to deferred publication?**

<ESMA\_QUESTION\_CP2\_9>

Details of deferred trades should be retained by TVs and APAs throughout the duration of the deferral timeframe and disseminated to the CTP at the time when the obligation to publish those details arises. We note that the current MiFIR framework does not impose any obligations on the CTP to calculate deferral times in the context of post-trade transparency and therefore, the CTP should not be expected to do so.

This is in line with existing market practices while it also offers the advantage of enabling TVs and APAs to perform quality checks and rectify any erroneous information before publication given that APAs can use the established networks of communications with investment firms who are the original contributors of trade data to APAs.

Furthermore, if that stage is bypassed and information on deferred trades is directly transmitted to the CTP on a ‘real time’ basis, that would burden the CTP with the assessment of determining the appropriate time of publication of that information and would go beyond the current mandate and envisaged consolidation role of the CTP.

This would also increase the costs of operation of the CTP due to the additional intermediation role and duties before publication of deferred trades, leading to potentially increased charges of fees for the users of consolidated tapes. We do not support a differentiation of transmission requirements for deferred trades, given the complexities and knock-on effects on costs highlighted above.

<ESMA\_QUESTION\_CP2\_9>

**Q10: Do you agree with the baseline proposal of adopting JSON as standards and format of data to be transmitted to the CTPs, or do you prefer alternative proposals? Please justify your answer and, if needed, provide additional advantages and disadvantages related to each proposal.**

<ESMA\_QUESTION\_CP2\_10>

ISDA supports a solution on the standards and format of data that is aligned with industry standards and levels of technology. The Financial Information eXchange (FIX) protocol is the most widely used protocol among market participants at present. Furthermore, other solutions, such as JSON, could potentially also be supported by the market although we understand they have less traction than the FIX protocol.

Prescription of use of a specific protocol in level 2 – as proposed by ESMA – would leave the CTP without scope to switch to a different format of protocol if that is needed or advised by data contributors at a later stage during the award period or after the expiration of the term of first CTP and during the selection process for the new CTP. The selected protocol for each asset class should support good functionality and performance and facilitate market development and innovation. As such, ESMA should not hardwire the choice of a specific protocol into the legal text and prospective CTPs should instead be able to propose their recommended protocols in line with industry standards and expectations about functionality and performance and any minimum technical requirements set by ESMA in the relevant RTS. CTPs should also be allowed to propose the most suitable option for each asset class, based on the merits of each protocol for each asset class.

The recommendations of the expert stakeholder group established pursuant to article 2 MiFIR should also inform ESMA thinking on these issues.

<ESMA\_QUESTION\_CP2\_10>

**Q11: Do you believe that the proposed standards and formats (baseline and any alternatives) are coherent with other CTP requirements (transmission protocols, real-time transmission and presentation of output data)? Please justify your answer.**

<ESMA\_QUESTION\_CP2\_11>

We agree with the AFME response on this question. Prospective CTPs should be able to specify what protocols they intend to use provided that these are aligned with commonly accepted industry standards and minimum regulatory requirements on functionality and performance. This will enable each CTP to choose the most appropriate protocol for each asset class.

<ESMA\_QUESTION\_CP2\_11>

**Q12: Do you find more suitable to prescribe one single format across the 3 CTPs (equity, derivatives, bonds) or to prescribe distinct formats according for different asset classes?**

<ESMA\_QUESTION\_CP2\_12>

ISDA believes that it would be appropriate for protocols to be adjusted at asset class level. The characteristics of the different asset classes served by a CT may be best served by different protocols.

<ESMA\_QUESTION\_CP2\_12>

**Q13: Do you support the proposals on core and regulatory data? In particular, are there other relevant fields to be added to the regulatory data? Furthermore, would you propose the inclusion of supplementary fields for input core market data beyond those intended for dissemination by the CTP?**

<ESMA\_QUESTION\_CP2\_13>

ISDA believes that different models on the treatment of core and regulatory data should apply between the bond, equity and derivatives CTs. For example, in the case of the equities CT, there would be a wider scope of data to be reported than for bonds, particularly due to the inclusion of pre-trade transparency data.

Therefore, we agree with ESMA’s approach to outline in section 3.2.2.3 of the CP its proposals on core and regulatory data for the bond CT only, and to specify the requirements for other CTs at a later stage.

We otherwise align with AFME’s response to this question.

<ESMA\_QUESTION\_CP2\_13>

**Q14: Do you support the proposal of machine-readable and human-readable formats outlined in this section?**

<ESMA\_QUESTION\_CP2\_14>

ISDA agrees with the AFME response to this question.

<ESMA\_QUESTION\_CP2\_14>

**Q15: Do you agree with the proposal of data quality measures and enforcement standards for input data?**

<ESMA\_QUESTION\_CP2\_15>

ISDA agrees with the AFME response to this question.

<ESMA\_QUESTION\_CP2\_15>

**Q16: Do you agree with the proposal of data quality measures for output data?**

<ESMA\_QUESTION\_CP2\_16>

ISDA agrees with the AFME response to this question.

<ESMA\_QUESTION\_CP2\_16>

Section 4 – RTS on the revenue distribution scheme of CTPs:

**Q17: On the basis of the issue presented in the above paragraph, what do you think is the right approach to identify a trading venue and group? How could a trading venue and a group be identified? How should the links with investment firms be determined?**

<ESMA\_QUESTION\_CP2\_17>

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<ESMA\_QUESTION\_CP2\_17>

**Q18: Do you agree with the above assessment? If not, please explain.**

<ESMA\_QUESTION\_CP2\_18>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_18>

**Q19: For the identification of the venue of first admission to trading, do you prefer option (A) use of FIRDS, option (B) the CTP collects the relevant information itself? Please explain and provide any alternative option you consider more appropriate.**

<ESMA\_QUESTION\_CP2\_19>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_19>

**Q20: Do you agree that a flag indicating that the transaction was subject to an LIS waiver should be information to be sent to (but not published by) the CTP? If not, please explain.**

<ESMA\_QUESTION\_CP2\_20>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_20>

**Q21: Could the determination of the pre-trade volume be done differently by the CTP (e.g. proxy this volume with the pre-trade data received) but at the same time sufficiently accurately? If yes, please explain.**

<ESMA\_QUESTION\_CP2\_21>

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<ESMA\_QUESTION\_CP2\_21>

**Q22: Do you agree that the methodology to distribute the revenues should require the conversion of the values into percentages? If not, please explain.**

<ESMA\_QUESTION\_CP2\_22>

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<ESMA\_QUESTION\_CP2\_22>

**Q23: Do you agree with the transactions to include and exclude for the determination of the volume for criteria #1 and #2? If not, please explain.**

<ESMA\_QUESTION\_CP2\_23>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_23>

**Q24: What would be your view on the frequency of redistribution? Which issues do you foresee in the redistribution process? How could those issues be solved? Please explain.**

<ESMA\_QUESTION\_CP2\_24>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_24>

**Q25: Do you agree with the proposed timeline for the update of the list of data contributors and the identified issues? How could the issues be solved? Please explain.**

<ESMA\_QUESTION\_CP2\_25>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_25>

**Q26: What would be your view on the issues for the first year of operations of the CTP? How could those issues be solved? Please explain.**

<ESMA\_QUESTION\_CP2\_26>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_26>

**Q27: Do you agree with ESMA preferred proposal to set the weights of the revenue redistribution scheme to 4.5, 4.0 and 1.5 for the small trading venue criterion, the young instruments criterion and the transparent instruments criterion, respectively? If not, please explain.**

<ESMA\_QUESTION\_CP2\_27>

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<ESMA\_QUESTION\_CP2\_27>

**Q28: Would you consider appropriate that the weight (percentages) sum to 10 (100%)? If not, please explain and provide your alternative proposal for the weights (percentages).**

<ESMA\_QUESTION\_CP2\_28>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_28>

**Q29: Do you agree with the proposed (i) frequency of the determination of the weights (ii) timing of determination of the weights (iii) timing of application of the weights? If not, please explain.**

<ESMA\_QUESTION\_CP2\_29>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_29>

**Q30: Do you agree with the proposed text? Have you identified any missing points or issues?**

<ESMA\_QUESTION\_CP2\_30>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_30>

**Q31: Do you agree with ESMA’s proposal on the criteria for a potential suspension of redistribution in case of serious and repeated breach by the CTP? If not, which alternative or/and additional criteria would you consider relevant?**

<ESMA\_QUESTION\_CP2\_31>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_31>

**Q32: Do you agree with ESMA’s proposal on the procedure for the suspension and the resumption of redistribution? If not, which alternative approach would you consider suitable?**

<ESMA\_QUESTION\_CP2\_32>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_32>

**Q33: Do you agree with ESMA’s proposal on the timing of the procedure for the suspension and the resumption of redistribution? If not, which alternative approach would you consider suitable?**

<ESMA\_QUESTION\_CP2\_33>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_33>

**Q34: Do you agree with ESMA’s proposal regarding a one-week timeframe for data contributors to furnish evidence of non-breaches? If you disagree, could you suggest an alternative approach that you find appropriate?**

<ESMA\_QUESTION\_CP2\_34>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_34>

**Q35: Do you agree with ESMA’s expectation on the notification to be made by the CTP to the competent authority of the data contributor once a suspension has been triggered?**

<ESMA\_QUESTION\_CP2\_35>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_35>

**Q36: Do you agree with ESMA’s proposal on the approach to the retained revenue? In your view, which rate should apply to compound the interest on retained revenue?**

<ESMA\_QUESTION\_CP2\_36>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_36>

Section 5 – RTS on the synchronisation of business clocks

**Q37: Do you agree with the proposed approach on synchronisation to reference time? If not, please explain.**

<ESMA\_QUESTION\_CP2\_37>

ISDA members agree with the approach proposed by ESMA.

<ESMA\_QUESTION\_CP2\_37>

**Q38: Do you support a timestamp granularity of 0.1 microseconds for operators of trading venues whose gateway-to-gateway latency is smaller than 1 millisecond? If not, please explain. Would you argue for an even smaller granularity? If yes, please explain.**

<ESMA\_QUESTION\_CP2\_38>

ISDA agrees with AFME that the granularity set in RTS 25 of 1 microsecond or better (option 1) in table 1 of the annex to the draft RTS should be maintained, on the basis that article 2 applies only to trading venues. Systematic internalisers and DPEs should be subject to a maximum divergence of 1 second.

<ESMA\_QUESTION\_CP2\_38>

**Q39: Do you support the proposed approach on the level of accuracy for trading venue members, participants or users? If not, please explain.**

<ESMA\_QUESTION\_CP2\_39>

ISDA agrees with the AFME response to this question.

<ESMA\_QUESTION\_CP2\_39>

**Q40: Do you agree with the proposed approach on traceability to UTC? If not, please explain.**

<ESMA\_QUESTION\_CP2\_40>

Yes.

<ESMA\_QUESTION\_CP2\_40>

**Q41: Do you agree with the proposed accuracy levels for APAs, SIs, DPEs and CTPs? If not, please explain.**

<ESMA\_QUESTION\_CP2\_41>

ISDA is concerned that when extending business clock synchronisation rules to systematic internalisers (“SIs”), ESMA is treating SIs as if they are equivalent to trading venues (“TVs”) by including SIs within article 2 of the draft RTS. We believe this is inappropriate on technical and operational grounds. An SI is an investment firm acting in the capacity of an SI. This capacity is not a venue, nor is the investment firm operating a venue. An investment firm has a fundamentally different design and purpose to that of a TV, including when acting as an SI. SI activity comprises several component systems and processes, some of which includes activity completed manually. SIs cannot be treated as if they have a gateway-to-gateway model comparable to that of TVs nor, therefore, is it appropriate to apply to these systems the same gateway-to-gateway latency obligations. Applying the same granularity requirements to SIs and TVs would not recognise these crucial differences.

Article 22c (1) of MiFIR requires SIs (as well as APAs, CTPs and DPEs) to synchronise their business clocks but, critically, does not compel ESMA to treat SIs and TVs as if they are equivalent under regulatory technical standards. We believe that requiring SIs to conform to the granularity requirements of TVs would, in practical terms, represent a significant change to the business clock synchronisation rules based on a false equivalence between SIs and TVs, unnecessarily raising considerable costs for investment firms.

Further, the majority of firms that will become DPEs will do so precisely because they are currently SIs, to ensure they have the obligation to report for post-trade transparency under MiFIR Article 21 as a service to their clients. As such, they will typically share the same infrastructure and use the same protocols at firm level and should be treated in the same way.

Accordingly, we recommend that ESMA proceed with option 1 of the application of TV accuracy requirement as outlined in table 1 of the annex of the draft RTS.

However, in light of the above concerns regarding SIs and DPEs, we propose that article 4 be extended for SIs, accompanied by a new table 3 inserted to the annex to outline accuracy obligations for both SIs and DPEs for their off-venue activity. All activity that is voice or RFQ should continue to be subject to a maximum divergence from UTC and timestamp granularity of 1 second, as it is when conducted on-venue. Other equities activity that is electronic should be at millisecond granularity/divergence, and all other activity, which would be fixed income activity, should be at 1 second granularity/divergence.

<ESMA\_QUESTION\_CP2\_41>

**Q42: Do you think that more stringent requirements should be set for SIs compared to DPEs considering they have pre-trade transparency obligations? If not, please explain.**

<ESMA\_QUESTION\_CP2\_42>

ISDA observes that the derogation referred to in Article 4.3 of the draft RTS on Business Clock Synchronization (see page 140 of the consultation paper) appears redundant in the case of OTC derivatives. The SI concept has been removed in revised MiFIR Level 1, so DPEs in OTC derivatives will not be able to acquire the status of SI.

As such, DPEs would – under these draft RTS - be required to synchronize clocks for their voice trading systems to the standard set out in Art 4.1 and 4.2 i.e. one millisecond, rather than the less onerous requirements set out in Art 2.2 i.e. at one second. Given that much DPE business is voice-traded, the draft RTS should be amended to apply the Article 2 standard to DPEs for voice systems:

<ESMA\_QUESTION\_CP2\_42>

Section 6 – RTS/ITS on the authorisation and organisational requirements for DRSPs

**Q43: Do you agree with the approach proposed by ESMA?**

<ESMA\_QUESTION\_CP2\_43>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_43>

**Q44: Do you agree to include new authorisation provisions on ownership structure and internal controls for APAs and ARMs?**

<ESMA\_QUESTION\_CP2\_44>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_44>

**Q45: Do you have any further comments or suggestions on the draft RTS? Please elaborate your answer.**

<ESMA\_QUESTION\_CP2\_45>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_45>

**Q46: Do you agree with the approach proposed by ESMA?**

<ESMA\_QUESTION\_CP2\_46>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_46>

**Q47: Do you foresee specific conflicts of interests that may arise between (i) CTP and data contributors and (ii) CTP and clients and users?**

<ESMA\_QUESTION\_CP2\_47>

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<ESMA\_QUESTION\_CP2\_47>

**Q48: What other elements, if any, should be included in the RTS on authorisation of CTPs?**

<ESMA\_QUESTION\_CP2\_48>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_48>

**Q49: What other elements, if any, should be included in the RTS on authorisation of CTPs?**

<ESMA\_QUESTION\_CP2\_49>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_49>

Section 7 – Criteria to assess CTP applicants

**Q50: How would you define retail investors, academics and civil society organisations for the purpose of the CTP?**

<ESMA\_QUESTION\_CP2\_50>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_50>

**Q51: What are in your view the most important elements that should be taken into account when defining the governance structure of the CTP?**

<ESMA\_QUESTION\_CP2\_51>

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<ESMA\_QUESTION\_CP2\_51>

**Q52: Should the CTP include representation of other stakeholders within their governance structure?**

<ESMA\_QUESTION\_CP2\_52>

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<ESMA\_QUESTION\_CP2\_52>

**Q53: Do you agree with the proposed approach on the assessment of necessity of joint application?**

<ESMA\_QUESTION\_CP2\_53>

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<ESMA\_QUESTION\_CP2\_53>

**Q54: Which minimum requirements on identifying and addressing potential conflicts of interest would you consider relevant?**

<ESMA\_QUESTION\_CP2\_54>

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<ESMA\_QUESTION\_CP2\_54>

**Q55: To score the applicants on their development expenditure and operating costs, ESMA intends to look at the costs the applicant will need to cover on an annual basis. Do you agree with this approach? If not, which alternative approach would you deem more appropriate?**

<ESMA\_QUESTION\_CP2\_55>

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<ESMA\_QUESTION\_CP2\_55>

**Q56: The simplicity of the fee structure and licensing models can be scored by taking into account the number of tiers, fee types and licensing models. Does this accurately reflect simplicity? If not, would you propose a different approach to assess simplicity? Please elaborate.**

<ESMA\_QUESTION\_CP2\_56>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_56>

**Q57: The approach proposed for the assessment of the ability of CTP applicants to process data is grounded on the assessment of the technological infrastructure in ensuring scalability, low-latency, accuracy and security throughout the data lifecycle. Do you agree with this approach, or would you consider additional elements to be assessed?**

<ESMA\_QUESTION\_CP2\_57>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_57>

**Q58: Which is the minimum speed of dissemination you would consider appropriate for the CTP? Please distinguish between asset classes (and for the case of the equity CTP, between pre- and post-trade date).**

<ESMA\_QUESTION\_CP2\_58>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_58>

**Q59: The proposed approach to data quality would reward additional commitments and measures that CTP applicants intend to put in place. Do you agree with this approach ? What additional commitments and measures would you consider appropriate?**

<ESMA\_QUESTION\_CP2\_59>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_59>

**Q60: The proposed approach to modern interface and connectivity is grounded on the assessment of the interface technology in terms of reliability, scalability, low latency and security. Do you agree with this approach, or would you consider additional elements to be assessed?**

<ESMA\_QUESTION\_CP2\_60>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_60>

**Q61: Do you agree with the proposed approach to record keeping, based on the provision of document supporting intended compliance?**

<ESMA\_QUESTION\_CP2\_61>

Yes.

<ESMA\_QUESTION\_CP2\_61>

**Q62: The proposed approach to resilience, business continuity and cyber risks is grounded in assessing mandatory DORA requirements applicable to CTPs as a first step (selection criterion), to then reward additional commitments and measures CTPs applicants intended to put in place to mitigate and address outages and cyber-risk . Do you agree with this approach? What additional commitments and measures would you consider appropriate?**

<ESMA\_QUESTION\_CP2\_62>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_62>

**Q63: Do you agree with the use of the Power Utilisation Effectiveness (PUE) as the metric to assess the energy consumption of the CTP? If not, which alternative approach would you favour?**

<ESMA\_QUESTION\_CP2\_63>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_63>

Annex II – Cost Benefit Analysis:

**Q64: What costs do you expect in order to comply with the proposed minimum requirements for the quality of transmission protocols? What benefits do you expect? Please indicate to what role (data contributor, CTP, or CT user) your response refers.**

<ESMA\_QUESTION\_CP2\_64>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_64>

**Q65: What costs do you expect in order to comply with the proposed data format for input and output data? What benefits do you expect? Please indicate to what role (data contributor, CTP, CT user) your response refers.**

<ESMA\_QUESTION\_CP2\_65>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_65>

**Q66: Do you expect the benefits from the proposed real time data transmission requirement for input data to outweigh the operational costs borne by data contributors?**

<ESMA\_QUESTION\_CP2\_66>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_66>

**Q67: Do you think that the input and output data fields strike a balance between reporting burden for data contributors/CTPs and benefits for CT users?**

<ESMA\_QUESTION\_CP2\_67>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_67>

**Q68: Do you think that the proposed data quality requirements are sufficient to achieve the CT’s objectives without generating excessive compliance burdens? Please explain.**

<ESMA\_QUESTION\_CP2\_68>

ISDA supports the AFME response to this question.

<ESMA\_QUESTION\_CP2\_68>

**Q69: Which costs do you expect to implement the revenue distribution scheme? Please differentiate between one-off and on-going costs, between fixed and variable costs as well as between direct and indirect costs.**

<ESMA\_QUESTION\_CP2\_69>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_69>

**Q70: Which costs do you expect to implement the suspension and the resumption of the revenue distribution scheme? Please differentiate between one-off and on-going costs, between fixed and variable costs as well as between direct and indirect costs.**

<ESMA\_QUESTION\_CP2\_70>

TYPE YOUR TEXT HERE

<ESMA\_QUESTION\_CP2\_70>