

Annex P**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1005 of 15 June 2017 laying down implementing technical standards with regard to the format and timing of the communications and the publication of the suspension and removal of financial instruments pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments**

~~(Text with EEA relevance)~~

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Article -3**Definitions**

In this Regulation, 'Exit Day' has the meaning given in the European Union (Withdrawal) Act 2018.

Article -2**Application**

This Regulation applies to:

- (1) Operators of UK trading venues as defined by article 2(1)(16A) of Regulation 600/2014; and
- (2) MiFID investment firms, as defined in accordance with the Glossary to the Handbook of Rules and Guidance published by the Financial Conduct Authority, immediately after Exit Day.

Article -1**Interpretation**

- (1) Where a term is defined in Directive 2014/65/EU that definition shall apply for the purposes of this Regulation except where (2) applies.
- (2) Where a term is defined in article 2 of Regulation 600/2014/EU, as amended by the Markets in Financial Instruments (Amendment) (EU Exit) Regulations 2018, that definition shall apply for the purposes of this Regulation.

- (3) Article 2(1)(62) of Regulation 600/2014/EU shall apply for the purposes of this Regulation.

Article 1

Scope

This Regulation sets down the format and timing for the following communications and publications:

- (a) publication by a market operator operating a regulated market or by an investment firm or a market operator operating an MTF or an OTF of its decision to suspend or remove a financial instrument and, where relevant, related derivatives from trading or to lift a suspension;
- (b) communication of the decisions referred to in point (a) to the relevant competent authority;
- (c) publication by a competent authority of its decision to suspend trading or remove from trading a financial instrument and, where relevant, related derivatives or to lift a suspension;
- ~~(d) communication by a competent authority to ESMA and other competent authorities of the decision to suspend trading or to remove from trading a financial instrument and, where relevant, related derivatives or to lift a suspension;~~
- ~~(e) communication by a notified competent authority to ESMA and other competent authorities of its decision on whether to follow a decision as referred to in point (d).~~

Article 2

Definition of the term ‘trading venue operator’

For the purposes of this Regulation, ‘trading venue operator’ means any of the following:

- (a) a market operator operating a regulated market, an MTF or an OTF;
- (b) an investment firm operating an MTF or an OTF.

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Article 4

Timing of the publications and communications by trading venue operators

1. Trading venue operators shall publish the decisions referred to in point (a) of Article 1 immediately.

2. Trading venue operators shall not publish the decisions referred to in point (a) of Article 1 by other means prior to their publication in accordance with Article 3(1).
3. Trading venue operators shall communicate the decisions referred to in point (a) of Article 1 to the ~~relevant~~ competent authority simultaneously with its publication or immediately thereafter.

Article 5

Format of the publications and communications by competent authorities

1. ~~Competent authorities~~ The competent authority shall publish the decision referred to in point (c) of Article 1 on a website in the format set out in Table 3 of the Annex.
2. ~~Competent authorities shall communicate the decisions referred to in points (d) and (e) of Article 1 in a standard machine readable format using the formats set out in Tables 3 and 4 of the Annex, respectively.~~

Article 6

Timing of the publications and communications by competent authorities

1. ~~Competent authorities~~ The competent authority shall publish the decision referred to in point (c) of Article 1 immediately.
2. ~~Competent authorities shall communicate the decision referred to in point (d) of Article 1 simultaneously with its publication or immediately thereafter.~~
3. ~~A notified competent authority shall communicate the decision referred to in point (e) of Article 1 without undue delay upon receipt of the communication referred to in point (d) of Article 1.~~

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~~This Regulation shall be binding in its entirety and directly applicable in all Member States.~~

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ANNEX

Table 3

Format of the publication and communication by the Competent Authorities Authority of the decision to suspend or remove a financial instrument and related derivatives from trading and to lift a suspension of a financial instrument and related derivatives

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Competent authority	Field to be populated with the acronym of the competent authority doing the publication / communication.	{ALPHANUM-10}
Member State of the competent authority	Field to be populated with the country-code of the Member State of the competent authority doing the publication / communication.	{COUNTRYCODE_2}
Trading venue operator as initiator of the action	Field to be populated with: — true, if the initiator of the action is a trading venue operator; or — false, if the initiator of the action is not a trading venue operator but a competent authority.	‘True’ — Trading venue initiator ‘False’ — Not a trading venue initiator
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Table 4

~~Format of the communication to ESMA and other competent authorities by competent authorities of their decisions on whether to follow a suspension, a removal or a lifting of a suspension~~

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Competent authority	Field to be populated with the acronym of the competent authority that communicated the original action.	{ALPHANUM-10}

Member State of the competent authority	Field to be populated with the country code of the Member State of the competent authority that communicated the original action.	{COUNTRYCODE_2}
Competent authority initiating the current action	Field to be populated with the acronym of the competent authority following or not following the original action.	{ALPHANUM_10}
Member State of the competent authority initiating the current action	Field to be populated with the country code of the Member State of the competent authority following or not following the original action.	{COUNTRYCODE_2}
Original action type	Field to be populated with the type of the original action.	Suspension, removal, lifting of a suspension.
Decision to follow, if applicable	Field to be populated, if applicable, with: — true if the action is followed; or — false if the action is not followed.	‘True’ — Action is followed ‘False’ — Action is not followed
Reasons for the decision not to follow a removal, suspension or lifting thereof, if applicable	Field to be populated with the reasons for the decision not to follow a removal, suspension or lifting thereof, if applicable.	{ALPHANUM_350}
Date and time of the communication	Field to be populated with the date and time of the communication of the current action.	{DATE_TIME_FORMAT}
Effective from	Field to be populated with the date and time from which the current action is effective.	{DATE_TIME_FORMAT}
Effective to	Field to be populated with the date and time until which the current action is effective.	{DATE_TIME_FORMAT}
Ongoing	Field to be populated with ‘true’ if the action is ongoing, or ‘false’ otherwise.	‘True’ — Action is ongoing ‘False’ — Action is not ongoing

Trading venue(s)	Field to be populated with the MIC or MICs of the trading venues(s) or segments thereof to which the current action relates.	{MIC} If multiple MICs have to be provided, this field shall be populated with multiple MICs separated by comma.
Issuer name	Field to be populated with the name of the issuer of the instrument to which the action relates.	{ALPHANUM 350}
Issuer	Field to be populated with the LEI of the issuer of the instrument to which the action relates.	{LEI}
Instrument identifier	Field to be populated with the ISIN of the instrument.	{ISIN}
Instrument full name	Field to be populated with the name of the instrument.	{ALPHANUM 350}
Related derivatives	Field to be populated with the ISINs of the related derivatives as specified in Delegated Regulation (EU) 2017/569, to which the action also relates.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Other related instruments	Field to be populated with the ISINs of the related derivatives affected by the action.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Comments	Field to be populated with comments.	{ALPHANUM 350}