



## ESMA PUBLISHES THE TRANSLATION OF THE GUIDELINES ON REPORTING UNDER SFTR AND UPDATES THE LEI STATEMENT ON THE IMPLEMENTATION OF LEI REQUIREMENTS FOR THIRD-COUNTRY ISSUERS UNDER THE SFTR REPORTING REGIME

Madrid, 20 April 2021

On 29 March, the European Securities and Markets Authority (ESMA) published the [translation of the Guidelines](#) for reporting under Articles 4 and 12 of the SFTR<sup>1</sup> Regulation. The [English Guidelines](#) were published on ESMA's website on 6 January 2020, together with their final report, the validation rules and a statement on the implementation of LEI requirements for third-country issuers under the SFTR reporting regime.

These guidelines apply to counterparties to securities financing transactions (SFTs) as defined in Article 3(2) of the SFTR Regulation, the trade repositories as defined in Article 3(1) of the same Regulation, and competent authorities. The CNMV also published the corresponding statement<sup>2</sup> on 27 January 2020.

The previous LEI statement published on 6 January 2020 permitted a period of up to twelve months from the entry<sup>3</sup> into force of the SFTR reporting requirements for the acceptance of reports without the LEI of third-country issuers (with no LEI) of securities which are lent, borrowed or provided as collateral in securities financing transactions. The partial relaxation of the validation rules only applies to the LEI of third-country issuers. It does not affect in any way the mandatory nature of reporting the LEI in all other cases.

This [LEI statement was updated](#) on ESMA's website on 13 April 2021. Its update extends the deadline for the reporting of LEIs of third-country issuers of securities used in Securities Financing Transactions (SFTs) until 10 October 2022. ESMA and the NCAs will continue to closely monitor the implementation of LEIs in order to assess its evolution on an on-going basis. ESMA will give advance notice to market participants regarding this measure.

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<sup>1</sup> Regulation (EU) 2015/2365 of the European Parliament and of the Council, of 25 November 2015, on transparency of securities financing transactions and of reuse.

<sup>2</sup> <http://www.cnmv.es/Portal/verDoc.axd?t={7fd425ac-780b-4e38-8488-bbabc7a69036}>

<sup>3</sup> The initiation of securities financing transaction reporting (SFTR) was established gradually from 13 April 2020 according to the type of counterparty subject to the reporting obligation. However, due to the Covid-19 crisis, ESMA issued a public statement to delay its initiation until 13 July 2020. Hence, this LEI measure, which entered into force on 13 April 2020 and remained in force until 13 April 2021, was only effective for a period of nine months.