



ESMA GUIDELINES ON STANDARD FORMS, FORMATS AND TEMPLATES TO APPLY FOR PERMISSION TO OPERATE A DLT MARKET INFRASTRUCTURE

Reference text: Regulation (EU) 2022/858 of the European Parliament and of the Council of 30 May 2022 on a pilot regime for market infrastructures based on distributed ledger technology, Articles L. 421-10, II and L. 441-1, IV of the Monetary and Financial Code.

The Autorité des marchés financiers (AMF) complies with the ESMA guidelines on standard forms, formats and templates to apply for permission to operate a DLT market infrastructure .

These guidelines apply to competent authorities as defined in Article 2(21) of Regulation (EU) 2022/858 and to applicants for specific permissions to operate DLT market infrastructures as defined in Article 2(5) of Regulation (EU) 2022/858 . In this regard, they are relevant to the legal entities referred to in Articles L. 421-10, II and L. 441-1, IV of the Monetary and Financial Code.

These guidelines concern the standard forms, formats and templates to be used to submit information to apply for any specific permission to operate a DLT MI as required by Articles 8 to 10 of Regulation (EU) 2022/858.

The AMF applies these guidelines in the process of granting specific authorizations and exemptions to actors for which it is the competent authority under the terms of Articles L. 421-10, II and L. 441-1, IV of the Monetary and Financial Code¹.

These guidelines are available on the ESMA websites hereafter :

- In English :

https://www.esma.europa.eu/sites/default/files/library/ESMA70-460-213_DLTR_GLs_on_application_standard_forms_formats_templates.pdf

- In French :

https://www.esma.europa.eu/sites/default/files/library/ESMA70-460-213_DLTR_GLs_on_application_standard_forms_formats_templates_FR.pdf

¹ Pursuant to Article L. 421-10, II of the Monetary and Financial Code, the legal persons applying for recognition as a regulated market or already recognized market operators applying for a specific permission to operate a “DLT Multilateral Trading Facility” or a “DLT Trading and Settlement System” and related exemptions, under Articles 8 and 10 of Regulation (EU) 2022/858 respectively.

Pursuant to Article L. 441-1, IV of the Monetary and Financial Code, the legal persons applying for authorization as central securities depositories and the already authorized central securities depositories applying for a specific permission to operate a “DLT Settlement System” or a “DLT Trading and Settlement System” and related exemptions, under Articles 9 and 10 of Regulation (EU) 2022/858 respectively.