**Application form for a data reporting services provider[[1]](#footnote-1)**

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| Reference number: Date: FROM:Name of applicant: Address: Legal Entity Identifier (where applicable): (Contact details of the designated contact person at the applicant)Full name: Telephone: Email: TO:Member State: *The Netherlands*Competent Authority: *Netherlands Authority for the Financial Markets*Address: *Vijzelgracht 50, 1017 HS Amsterdam*Telephone: *Business counter: +31 (0)20 797 2000*  Dear sir, madam, In accordance with Article 2 of the Implementing Regulation (IR) 2017/1110 laying down implementing technical standards with regard to standard forms, templates and procedures for the authorisation of data reporting services providers[[2]](#footnote-2) please find attached the authorisation application. |

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| ● Person at the applicant in charge of preparing the application:Full name: Status/position: Telephone: Email: Date: Signature:● Nature of the application (tick the relevant box(es)):[ ]  Authorisation – Approved Reporting Mechanism (ARM)[ ]  Authorisation – Approved Publication Arrangement (APA)[ ]  Authorisation – Consolidated Tape Provider (CTP)CONTENTPlease insert the information referred to under Delegated Regulation 2017/571[[3]](#footnote-3). Please set out that information under the appropriate section in [Annex I](#Annex_I) to this form or make reference to the relevant annexes containing the information.**Information on the organisation** (Article 2 of Delegated Regulation 2017/571)*Please refer to* [*section 2*](#Organisation) *of Annex I***Information on corporate governance** (Article 3 of Delegated Regulation 2017/571)*Please refer to* [*section 3*](#Corporate_governance) *of Annex I***Information on conflicts of interest** (Article 5 of Delegated Regulation 2017/571)*Please refer to* [*section 4*](#Conflicts_of_interest) *of Annex I***Information on organisational requirements regarding outsourcing** (Article 6 of Delegated Regulation 2017/571)*Please refer to* [*section 5*](#Outsourcing) *of Annex I***Information on business continuity and back-up facilities** (Article 7 of Delegated Regulation 2017/571)*Please refer to* [*section 6*](#Business_continuity) *of Annex I***Information on testing and capacity** (Article 8 of Delegated Regulation 2017/571)*Please refer to* [*section 7*](#Testing_Capacity) *of Annex I***Information on security** (Article 9 of Delegated Regulation 2017/571)*Please refer to* [*section 8*](#Security) *of Annex I***Information on management of incomplete or potentially erroneous information by APAs and CTPs** (Article 10 of Delegated Regulation 2017/571)*Please refer to* [*section 9*](#Erroneous_information) *of Annex I***Information on management of incomplete or potentially erroneous information by ARMs** (Article 11 of Delegated Regulation 2017/571)*Please refer to* [*section 10*](#Erroneous_information_ARM) *of Annex I***Information on connectivity of ARMs** (Article 12 of Delegated Regulation 2017/571)*Please refer to* [*section 11*](#Connectivity) *of Annex I***Information on other services provided by CTPs** (Article 13 of Delegated Regulation 2017/571)*Please refer to* [*section 12*](#Other_services) *of Annex I***Information on publication arrangements**(Chapter III of Delegated Regulation 2017/571)*Please refer to* [*section 13*](#Publication) *of Annex I* |

**ANNEX TO THE DRSP APPLICATION FORM**

The information referred to in Delegated Regulation 2017/571 necessary to be provided to the AFM is set out below in more detail. Please include the required information or a reference to where this information can be found if included in a document attached to this application.

This Annex has been provided by the AFM to facilitate providing correct and complete information. However it is possible the AFM requires additional information.

1. General data of the data reporting services provider

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| 1.1. Name according to articles of association |   |  |
| 1.2. Commercial name |  |  |
| 1.3 Legal entity |  |  |
| 1.4. Seat according to articles of association  |  |  |
| 1.5. Number Chamber of Commerce |  |  |
| 1.6. Address |  |  |
| 1.7. Postal code and city or town  |  |  |
| 1.8. Country |  |  |
| 1.9. PO Box |  |  |
| 1.10. Postal Code and city or town PO Box |  |  |
| 1.11. Country |  |  |
| 1.12. Telephone |  |  |
| 1.13. E-Mail address |  |  |
| 1.14. Website |  |  |

1. Information on the organisation

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| 2.1. Please submit the Programme of Operations with the application.  |   | [ ]  Programme of Operations attached[*please specify if necessary*] |
| The Programme of Operations must include the following information: |  | Reference to where the information can be found in the Programme of Operations: |
| 2.2. Information on the organisational structure of the applicant, including:(i) an organisational chart(ii) a description of the human, technical and legal resources allocated to its business activities |  |  |
| 2.3. Information on the compliance policies and procedures, including:(i) name of the person or persons responsible for the approval and maintenance of those policies(ii) arrangements to monitor and enforce the compliance policies and procedures(iii) measures to be undertaken in the event of a breach which may result in a failure to meet the conditions for initial authorisation(iv) description of the procedure for reporting to the competent authority any breach which may result in a failure to meet the conditions for initial authorisation |  |  |
| 2.4. List of all outsourced functions including an explanation of the resources allocated to the control of the outsourced functions |  | [ ]  Not applicable[*OR specify/refer if applicable]* |
| 2.5. Any services offered other than data reporting services including a description of such services in the organisational chart |  | [ ]  Not applicable[*OR specify/refer if applicable]* |

1. Information on Corporate governance

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| 3.1. Information on the internal corporate governance policies and the procedures which govern the management body, senior management and committees |   |   |
| 3.2. Description of the processes for selection, appointment, performance evaluation and removal of senior management and members of the management body |  |  |
| 3.3 Description of the reporting lines and the frequency of reporting to the senior management and the management body |  |  |
| 3.4. Description of the policies and procedures on access to documents by members of the management body |  |  |

1. Information on Conflicts of interest

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| 4.1. Administrative arrangements to prevent conflicts of interest with clients and other entities using the services of the DRSP  |   |  |
| 4.2. Policies and procedures for identifying, managing and disclosing existing and potential conflicts of interest, including:(a) An inventory of existing and potential conflicts of interest, setting out their description, identification, prevention, management and disclosure(b) The separation of duties and business functions within the data reporting services provider including:(i) measures to prevent or control the exchange of information where a risk of conflicts of interest may arise(ii) the separate supervision of relevant persons whose main functions involve interests that are potentially in conflict with those of a client(c) Description of the fee policy for determining fees charged by the data reporting services provider and undertakings to which the data reporting services provider has close links(d) Description of the remuneration policy for the members of the management body and senior management(e) Rules regarding the acceptance of money, gifts or favours by staff of the data reporting services provider and its management body |  |  |

1. Information on Outsourcing

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| 5.1. Specification of activities that are to be outsourced, including a specification of the level of human and technical resources needed to carry out each of those activities |   |  [ ]  Not applicable[ ]  Specification attached[*please specify if necessary*] |
| 5.2. Organisational measures ensuring:1. that it assesses whether the third party service provider is carrying out outsourced activities effectively and in compliance with applicable laws and regulatory requirements and adequately addresses identified failures
2. the identification of the risks in relation to outsourced activities and adequate periodic monitoring
3. adequate control procedures with respect to outsourced activities, including effectively supervising the activities and their risks within the data reporting services provider
4. adequate business continuity of outsourced activities
 |  | [ ]  Not applicable[ ]  Organisational measures attached[*please specify if necessary*] |
| 5.3 In case of any outsourced critical functions:1. the identification of the third party service provider
2. the organisational measures and policies with respect to outsourcing and the risks posed by it as specified in paragraph 4 of Article 6 of Commission Delegated Regulation C(2016) 3201)
3. internal or external reports on the outsourced activities
 |  | [ ]  No critical functions outsourced[ ]  Required information attached[*please specify if necessary*] |

1. Information on Business continuity and back-up facilities

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| 6.1. Information on the review procedures for evaluating technical infrastructures and associated policies and procedures, including business continuity arrangements |   |  [ ]  Corporate governance policies and procedures attached[*please specify if necessary*] |
| The corporate governance policies and procedures must include the following: |  | Reference to where the information can be found: |
| 6.2. Business continuity arrangements in place to address disruptive incidents, including:1. the processes which are critical to ensuring the services of the data reporting services provider, including escalation procedures, relevant outsourced activities or dependencies on external providers
2. specific continuity arrangements, covering an adequate range of possible scenarios, in the short and medium term, including system failures, natural disasters, communication disruptions, loss of key staff and inability to use the premises regularly used
3. duplication of hardware components, allowing for failover to a back-up infrastructure, including network connectivity and communication channels
4. back-up of business-critical data and up-to-date information of the necessary contacts, ensuring communication within the data reporting services provider and with clients
5. the procedures for moving to and operating data reporting services from a back-up site;
6. the target maximum recovery time for critical functions, which shall be as short as possible and in any case no longer than six hours in the case of approved publication arrangements (APAs) and consolidated tape providers (CTPs) and until the close of business of the next working day in the case of approved reporting mechanisms (ARMs)
7. staff training on the operation of the business continuity arrangements, individuals’ roles including specific security operations personnel ready to react immediately to a disruption of services
 |  | [ ]  Arrangements attached*Please include below a specific reference for each items (a) to (g)* |
| 6.3 Programme for periodically testing, reviewing and, where needed, modifying the business continuity arrangements |  |  |

1. Information on testing and capacity

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| 7.1. Development and testing methodologies that ensure:1. the operation of the IT systems satisfies the data reporting services provider’s regulatory obligations;
2. compliance and risk management controls embedded in IT systems work as intended;
3. the IT systems can continue to work effectively at all times
 |   |   |
| 7.2. Programme for periodically reviewing and, where needed, modifying the development and testing methodologies |  |  |
| 7.3 Information on periodically stress tests and measures to address identified shortcomings in the systems |  |  |
| 7.4 Information on capacity for the DRSP to perform its functions and scalability to accommodate without undue delay any increase in the amount of information to be processed and in the number of access requests from its clients |  |  |

1. Information on security

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| 8.1. Procedures and arrangements for physical and electronic security designed to:1. protect its IT systems from misuse or unauthorised access;
2. minimise the risks of attacks against the information systems as defined in Article 2(a) of Directive 2013/40/EU of the European Parliament and of the Council;
3. prevent unauthorised disclosure of confidential information;
4. ensure the security and integrity of the data
 |   |   |
| 8.2. Measures and arrangements to promptly identify and manage the risks identified in paragraph 1 of Article 9 of Commission Delegated Regulation  |  |  |
| 8.3 In case of investment firms using a submitting firm to submit information to an ARM, procedures and arrangements in place to ensure that the submitting firm does not have access to any other information about or submitted by the reporting firm to the ARM which may have been sent by the reporting firm directly to the ARM or via another submitting firm |  | [ ]  Not applicable[ ]  Procedures and arrangements attached[*please specify if necessary*] |

1. Information on Management of incomplete or potentially erroneous information by APAs and CTPs (not applicable to ARMs)

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| 9.1. Arrangements to ensure that APAs and CTPs accurately publish the trade reports received without themselves introducing any errors or omitting information and that information shall be corrected where they have themselves caused the error or omission |   |   |
| 9.2. Information on continuously monitoring in real-time the performance of IT systems |  |  |
| 9.3 Information on periodic reconciliations between trade reports received and trade reports published |  |  |
| 9.4. (For APAs only:) arrangements to identify on receipt of trade reports that are incomplete or contain information that is likely to be erroneous.These arrangements shall include automated price and volume alerts, taking into account:1. the sector and the segment in which the financial instrument is traded;
2. liquidity levels, including historical trading levels;
3. appropriate price and volume benchmarks;
4. if needed, other parameters according to the characteristics of the financial instrument
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| 9.5. (For APAs only) policies on information cancellation and amendments in trade reports which set out the penalties that APAs may impose on investment firms providing trade reports where the incomplete or erroneous information has led to the cancellation or amendment of trade reports |  |  |

1. Information on Management of incomplete or potentially erroneous information by ARMs (not applicable to APAs and CTPs)

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| 10.1. Arrangements to identify transaction reports that are incomplete or contain obvious errors caused by clients |   |   |
| 10.2. Arrangements to identify transaction reports which contain errors or omissions caused by that ARM itself and to correct, including deleting or amending, such errors or omissions |  |  |
| 10.3 Information on monitoring in real-time the performance of the systems ensuring that a transaction report received has been successfully reported to the competent authority in accordance with Article 26 of Regulation (EU) No 600/2014 |  |  |

1. Information on connectivity of ARMs (not applicable to APAs and CTPs)

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| 11.1. Policies, arrangements and technical capabilities to comply with the technical specification for the submission of transaction reports |   |   |
| 11.2. policies, arrangements and technical capabilities to receive transaction reports from clients and to transmit information back to clients |  |  |

1. Information on other services provided by CTPs (not applicable to APAs and ARMs)

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| 12.1. please specify which of the following additional services will be provided:1. provision of pre-trade transparency data;
2. provision of historical data;
3. provision of reference data;
4. provision of research;
5. processing, distribution and marketing of data and statistics on financial instruments, trading venues, and other market-related data;
6. design, management, maintenance and marketing of software, hardware and networks in relation to the transmission of data and information
 |   |   |
| 12.2. Please specify whether any services other than those listed in paragraph 1 of Article 13 of Delegated Regulation 2017/571 will be provided |  |  |

1. Information on publication arrangements

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| 13.1. Information on machine readability (Article 14 of Delegated Regulation 2017/571 |   |   |
| 13.2. information on scope of the consolidated tape for shares, depositary receipts, ETFs, certificates and other similar financial instruments (Article 15 of Delegated Regulation 2017/571 |  |  |
| 13.3. information on identification of original and duplicative trade reports in shares, depositary receipts, ETFs, certificates and other similar financial instruments (Article 16 of Delegated Regulation 2017/571 |  |  |
| 13.4. Information on publication of original reports in shares, depositary receipts, ETFs, certificates and other similar financial instruments (Article 17 of Delegated Regulation 2017/571 |  |  |
| 13.5. information on details to be published by the APA (Article 18 of Delegated Regulation 2017/571 |  |  |
| 13.6. information on non-discrimination (Article 19 of Delegated Regulation 2017/571 |  |  |
| 13.7. information on details to be published by the CTP (Article 20 of Delegated Regulation 2017/571 |  |  |

1. This application form is based on Implementing Regulation (IR) 2017/1110: Implementing Regulation under Article 61(5) of Directive 2014/65/EU. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. Commission Delegated Regulation 2017/571 of 2 June 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards on the authorisation, organisational requirements and the publication of transactions for data reporting services providers [↑](#footnote-ref-3)