

1 June 2023

Circular on Regulation N° 648/2012 – The European Market Infrastructure Regulation ('EMIR'/the 'Regulation')

Public Register for the Clearing Obligation under EMIR

This Circular is being addressed to all market participants, particularly entities who enter into derivative contracts and which fall within the scope of EMIR, namely, financial counterparties ('FCs') and non-financial counterparties ('NFCs') as defined under EMIR.

This Circular should be read in conjunction with the Regulation, its Delegated Regulations and previous Circulars issued by the Authority, as the case may be.

Purpose

In accordance with Article 6 of the Regulation, ESMA shall establish, maintain and keep up to date a public register in order to identify the classes of OTC derivatives subject to the clearing obligation correctly and unequivocally.

In this respect, the industry might wish to note that ESMA has updated the Public Register as aforementioned under Article 6 of EMIR. The public register can be accessed from [here](#).

Contacts

Should you have queries on the content of the document, please do not hesitate to contact the Authority on EMIR@mfsa.mt.