ACER Guidance on REMIT: governance and coordination with NRAs

1st ACER – ECRB Workshop on REMIT
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Empowering the delivery of consistent REMIT breach decisions across the EU in a coordinated environment.

Governance and coordination aspects related to REMIT data are not covered in this presentation.
What does it take to ensure consistency and coordination on REMIT investigations?

- INFRASTRUCTURE
- BEST PRACTICES
- RULES
• The MoU with NRAs & the Market Monitoring Handbook `translated` into IT tools.

• Case Management Tool – The EU motorway on market abuse matters (REMIT breaches)
  ✓ Communication tool
  ✓ Workflow management
  ✓ Ensures secure storage

• Notification Platform – The EU single point of entry for suspicious transaction reports
ACER REMIT COMMITTEE

MARKET MONITORING STANDING COMMITTEE

REMIT POLICY TASK FORCE

chaired by ACER

chaired by NRAs

• 4 times a year; mostly in Ljubljana, now online

• Main aim: Updates from NRAs, coordination between ACER and NRAs on REMIT cases and policy

• Main topics discussed:
  ✓ REMIT breach cases
  ✓ Guidance on REMIT/Policy
  ✓ Market surveillance

Additional groups support the coordination on matters of REMIT data and information security.
• Market Monitoring Handbook
  ✓ ACER – NRA internal document
  ✓ Rules on responsibilities allocation and cooperation

• ACER Guidance:
  ✓ Public document
  ✓ How to apply the concepts of: inside information, insider trading, market manipulation...
MARKET MONITORING HANDBOOK

• Aims to ensure coordination and consistency in the investigations of potential REMIT breaches

• Identifies the roles of entities with monitoring powers (ACER, NRAs, PPATs)

• Provides guidance on case handling processes involving interactions between these entities

• Defines principles of efficient cooperation
DEFINITIONS

● What is market manipulation?
● What is inside information? …

HOW to COMPLY?

● with the REMIT obligations and the prohibitions

More than 30 stakeholder meetings to develop a new edition:

✓ NRAs
✓ Industry experts & Associations
✓ Surveillance experts from OMP
✓ ESMA & Financial Authorities
✓ DG Competition
GUIDANCE NOTES on SPECIFIC BEHAVIOURS

Transmission Capacity Hoarding

Intraday Timeframe

Non(-efficient) use of interconnectors

Wash Trades

Trade with yourself / in a circle

Continuous markets

Layering and Spoofing

Continuous markets

non-genuine orders
Find the guidance online at www.acer.europa.eu