

REGULATION

**Amending and Supplementing Regulation No. 3/2013 of the Financial Supervisory Authority for the Authorisation and Operation of Central Counterparties, issued in compliance with the provisions of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories,**

**Approved by Resolution No. 28/2013 of the Financial Supervisory Authority's Board**

Based on the provisions of Art. 1 Para (2), Art. 2 Para (1) Letters a) and d), Art. 3 Para (1) Letter b), Art. 6 Para (2), and Art. 14 of Government Emergency Ordinance No. 93/2012 on the establishment, organization and operation of the Financial Supervisory Authority, as subsequently amended and supplemented, approved by Law No. 113/2013, as subsequently amended and supplemented,

Having regard to the provisions of Art. 17 Para (3) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories,

In accordance with the Resolution of the Financial Supervisory Authority's Board of 20 February 2014,

**The Financial Supervisory Authority** issues this regulation:

**Art. I.** - Regulation No. 3/2013 of the Financial Supervisory Authority for the authorisation and operation of central counterparties, issued in compliance with the provisions of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories, approved by Resolution No. 28/2013 of the Financial Supervisory Authority's Board, published in the Official Journal of Romania, Part I, No. 552 of 30 August 2013, is hereby amended and supplemented as follows:

**1. Under article 4, paragraph (6) is hereby amended and shall read as follows:**

"(6) For the application of the provisions of Art. 17 Para (3) of Regulation (EU) No 648/2012, the central counterparty shall submit to FSA additional information within maximum 6 months from FSA's request"

**2. Under article 4, after paragraph (6) a new paragraph, paragraph (6<sup>1</sup>), is hereby introduced and shall read as follows:**

"(6<sup>1</sup>) If the central counterparty fails to submit to FSA the additional information within the term provided under Para (6), FSA shall issue a decision rejecting the application for authorisation within maximum 30 days from the expiry of such term."

**3. Under article 58 paragraph (4), Letter b) is hereby amended and shall read as follows:**

"b) as of the rejection by FSA of the application for authorisation."

**Art. II.** – This regulation shall enter into force upon its publication in the Official Journal of Romania, Part I.

For the President of the Financial Supervisory Authority,

**Daniel Dăianu**

Bucharest, 20 February 2014.

No. 2.