



**TO:**  
**[NCA details]**

**Date:**  
**[Placeholder for date of the statement]**

**FIA Template EMIR Article 7a(3) Written Statement**  
**Version 1 (Clearing Member for house activities)**

**February 2026**

[Name and LEI of Clearing Member], ('we' or 'us') is a clearing member of an authorised CCP and subject to the obligations set out in EMIR Article 7a(1) ('Active Account Requirement'). Pursuant to the EMIR Active Account Requirement RTS<sup>1</sup> Article 2(1)(e), we are required to provide our competent authority with a written statement confirming that we have the operational capacity to clear in the account which we hold at an authorised CCP for these purposes up to either

- (i) three times the gross notional value cleared in that account by us for the previous 12 months in the derivative contracts referred to in Article 7a(6) of EMIR; or
- (ii) the total gross notional value cleared at any CCP by us for the previous 12 months in the derivative contracts referred to in Article 7a(6) of EMIR,

in each case within a 1-month period.

**We hereby confirm that we are in a position to satisfy the operational capacity conditions under (i) [and]/[or] (ii) set out above as of [the date of this statement] [or specific date preceding the date of this statement to be inserted].**

This statement assumes that any third parties, including any trade affirmation service providers, have the capacity to accept and confirm the relevant trades and that the authorised CCP at which the relevant account is set up is in a position to accept such positions for clearing.

---

<sup>1</sup> Commission Delegated Regulation (EU) 2026/305 of 29 October 2025 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards specifying the operational conditions, the representativeness obligation and the reporting requirements related to the active account requirement. [Delegated regulation - EU - 2026/305 - EN - EUR-Lex](#)



[Name of Clearing Member]

Name of authorised signatory:

---

[Qualified electronic] Signature:

---

**Disclaimer:** FIA has published this EMIR Article 7a(3) Written Statement Template for use by member and non-member firms in their capacity as clearing service providers or counterparties subject to the Active Account Requirement in EMIR Article 7a to assist them with compliance with EMIR Article 7a(3) and the associated RTS Article 2(1)(e). Market participants are free to use the EMIR Article 7a(3) Written Statement in whatever form they wish, provided that, to the extent any amendments are made, users must highlight (as set out below) that FIA has not reviewed, and is not responsible for, the amendments made to the EMIR Article 7a(3) Written Statement.

Any firm using this EMIR Article 7a(3) Written Statement should carefully consider the full scope of legal, regulatory and commercial requirements that may apply to its particular circumstances and consult with legal counsel and any other advisors or consultants as appropriate before using this document. While care has been taken to assure that the content is accurate as of the date of publication, this EMIR Article 7a(3) Written Statement is not intended to constitute legal, regulatory or other advice and should not be taken or construed as such. FIA specifically disclaims any legal responsibility for any errors or omissions and disclaim any liability for losses or damages incurred through the use of this document. FIA may from time to time publish amended versions of this EMIR Article 7a(3) Written Statement but undertakes no obligations to update this document following the date of publication.

The EMIR Article 7a(3) Written Statement is protected by copyright. Subject to the inclusion of the copyright notice below, FIA hereby grants to users of this document a non-exclusive and worldwide licence, for the term of the copyright, to use, adapt and modify the EMIR Article 7a(3) Written Statement in connection with the user's business needs. All other uses are specifically prohibited, including, but not limited to, the sale of the EMIR Article 7a(3) Written Statement. This licence is strictly subject to the FIA members retaining the following copyright notice on each page of any document containing any part of the EMIR Article 7a(3) Written Statement language:

*'Copyright © 2026 by Futures Industry Association, Inc. FIA has not reviewed or endorsed any modifications that may have been made to this document.'*