Obligaciones de información de prestadores de servicios sobre criptoactivos.

DEPARTAMENTO DE MERCADOS SECUNDARIOS
9 de abril de 2025

1. Introducción

El Reglamento (UE) 2023/1114 del Parlamento Europeo y del Consejo, de 31 de mayo de 2023 (en adelante MICA) es aplicable en su totalidad desde el 30 de diciembre de 2024 (sin perjuicio del régimen transitorio previsto en el artículo 143.3 de la norma cuyo término ha fijado la CNMV para el 31 de diciembre de 2025).

Por tanto, desde el 30 de diciembre las autoridades competentes nacionales deben ejercer las competencias que, entre otras, les atribuye el Titulo VI de MICA respecto a la prevención y prohibición del abuso de mercado de criptoactivos, haciendo uso para ello de las facultades previstas en el Capítulo 1 del Título VII del reglamento europeo.

El artículo 251.h de la Ley 6/2023, de 17 de marzo, de los Mercados de Valores y de los Servicios de Inversión designa a la CNMV como autoridad competente para la supervisión del cumplimiento de MICA, sin perjuicio de las competencias del Banco de España en lo que se refiere a los emisores de fichas de dinero electrónico y a las fichas referenciadas a activos.

Entre otros aspectos, la entrada en vigor de MICA requiere que la CNMV establezca mecanismos para la recepción de información respecto a comunicación de operaciones ejecutadas y comunicación de operaciones sospechosas. En el presente escrito se describen los temporalmente habilitados para ello hasta la implantación de las soluciones informáticas definitivas que será comunicada por la CNMV con la debida antelación antes de su puesta en funcionamiento.

2. Comunicación de operaciones.

Respecto a la comunicación de operaciones, y en aplicación de las facultades otorgadas a las autoridades nacionales competentes por el apartado 1.a del artículo 94 de MICA y siguiendo lo previsto en su artículo 68.9, las entidades habilitadas por la CNMV para la prestación de servicios sobre criptoactivos, lo sean por aplicación del artículo 60 o del artículo 63 de MICA, deberán remitir mensualmente relación de operaciones sobre criptoactivos ejecutadas, por cuenta propia o de sus clientes. Dicha información será facilitada en dos archivos diferentes, el primero (TOTAL) con detalle de todas las operaciones y el segundo con información adicional para aquellas incluidas en el anterior que se hayan ejecutado en una red de registros distribuidos (ONCHAIN)

Los archivos deberán contener, al menos, junto a las operaciones realizadas por cuenta propia, todas las ejecutadas por cuenta de clientes como consecuencia de la prestación de los servicios previstos en los números 19 y 20 (canje de cripto activos por fondos u otros criptoactivos); 21

(ejecución de órdenes); 23 (recepción y transmisión de órdenes); 25 (gestión de carteras de criptoactivos); y 26 (servicios de transferencia de criptoactivos) del punto 1 del artículo 3 de MICA. Los campos de los archivos y su forma de cumplimentación se encuentran en los anexos I (TOTAL) y II (ONCHAIN) de este documento. En el anexo III se detallan los formatos a utilizar para los campos de ambos archivos. Los tres anexos se basan en las normas en elaboración que desarrollan MICA a este respecto.

Las entidades obligadas deberán presentar los archivos con la información de las operaciones del mes anterior no más tarde del día 15 de cada mes, o el hábil inmediatamente posterior caso de ser festivo, a través de la zona abierta de la sede electrónica de la CNMV (https://sede.cnmv.gob.es/SedeCNMV/SedeElectronica.aspx) mediante el trámite "Cualquier escrito, solicitud o comunicación dirigido a la CNMV", indicando como asunto "TR MICA" y señalando como destinatario al Departamento de Mercados Secundarios de la CNMV. Se presumirá que la persona de contacto en la entidad será la que remita la información salvo que en el cuerpo de la comunicación se identifique otra distinta.

Los archivos tendrán formato de texto separado por comas (.csv) y se remitirán comprimidos en formato zip (.zip) siguiendo la siguiente convención para nombrarlos:

[LEI]_[TIPO_ARCHIVO]_[AAAAMM]

Donde:

> [LEI] Código LEI de la entidad remitente
>
> [TIPO_ARCHIVO] podrá adoptar los siguientes valores TOTAL u ONCHAIN según la información que contenga el archivo.
>
> [AAAAMM] Año y mes al que hace referencia la información.
>
> Se muestra a continuación un ejemplo de denominación:
>
> 959800T639PU4KJ4XG04_ONCHAIN_202501

Los ficheros deberán ser remitidos mensualmente, enviándose vacíos aquellos en los que, en su caso, la entidad obligada no tenga información que incluir.

2. Comunicación de operaciones sospechosas.

Respecto a la comunicación de operaciones sospechosas, los sujetos obligados por el artículo 92 de MICA deberán hacerlo mediante correo electrónico con detalle de los aspectos significativos de la operación a la dirección de correo STOR_MICA@cnmv.es. Las comunicaciones enviadas deberán identificar los datos de contacto en la entidad remitente de la persona a la que, en su caso, se podrá dirigir la CNMV para recabar cualquier información adicional.

Anexo I. Campos a remitir en el fichero TOTAL

Field no	FIELD	CONTENT TO BE RECORDED	*Details on transaction data to be provided*
1	Transaction status	Indication as to whether the transaction is new or a cancellation.	'NEWT' – New 'CANC' - Cancellation
2	Transaction Record Number	Identification number that is unique to the executing firm for each record	{ALPHANUM-52}
3	Trading platform for crypto-asset transaction identification code	This is a number generated by the trading platform for crypto-asset and disseminated to both the buying and the selling parties in accordance with Article 16 of [RTS under Article 76 of Regulation (EU) 2023/1114]. Where relevant, the transaction hash or other identification alphanumerical string which is automatically generated on the DLT that enables to uniquely identify a specific transaction.	{ALPHANUM-52}
4	Executing entity identification code	Code used to identify the entity executing the transaction.	{LEI}
5	CASP covered by MiCA	Indicates whether the entity identified in Field 4 is a crypto-asset service provider subject to Regulation (EU) 2023/1114.	'true'- yes 'false'- no
6	Buyer identification code	Code used to identify the acquirer of the crypto-asset. Where the buyer is a legal entity, the LEI code of the acquirer shall be used. Where the buyer is a natural person, the identifier specified in Article 9 of this Regulation. Where the order was transmitted for execution within the meaning of Article 1(3) (a) to a firm performing crypto-asset services outside of the Union, the MIC code of the platform or the LEI or equivalent identifier referred to in Article 14 of the firm shall be used. If the crypto-asset service provider executes the transaction on a trading platform located in a third country, the LEI of the buyer shall be recorded for entities eligible for LEIs or the National ID for entities that are not eligible for LEIs. 'INTC' shall be used to designate an aggregate client account within the crypto-asset service provider in order to report a transfer into or out of that account with an associated allocation to the individual client(s) out of or into that account respectively.	{LEI} {MIC} {NATIONAL_ID} 'INTC'
7	Country of the branch of the crypto-asset service provider for the buyer	Where the buyer is a client, this field should identify the country of the branch that received the order from the client or made an investment decision for a client in accordance with a discretionary mandate given to it by the client as required by Article 16. Where this activity was not conducted by a branch this should be populated with the country code of the home Member State of the crypto-asset service provider or the country code of the Member State where the crypto-asset	{COUNTRYCODE_2}

		service provider has established its registered office.	
8	Buyer - first name(s)	Full first name(s) of the buyer. In case of more than one first name, all names shall be included in this field separated by a comma.	{ALPHANUM-140}
9	Buyer - surname(s)	Full surname(s) of the buyer. In case of more than one surname, all surnames shall be included in this field separated by a comma.	{ALPHANUM-140}
10	Buyer - date of birth	Date of birth of the buyer.	{DATEFORMAT}
11	Buyer decision maker code	Code used to identify the person who makes the decision to acquire the crypto-asset. Where the decision is made by a crypto-asset service provider, this field shall be populated with the identity of the crypto-asset service provider rather than the individual making the investment decision. Where the decision maker is a legal entity, the LEI code of the decision maker shall be used. Where the decision maker is a non-legal entity, the identifier specified in Article 9 shall be used.	{LEI} {NATIONAL_ID}
12	Buy decision maker - First Name(s)	Full first name(s) of the decision maker for the buyer. In case of more than one first name, all names shall be included in this field separated by a comma.	{ALPHANUM-140}
13	Buy decision maker – Surname(s)	Full surname(s) of the decision maker for the buyer. In case of more than one surname, all surnames shall be included in this field separated by a comma.	{ALPHANUM-140}
14	Buy decision maker - Date of birth	Date of birth of the decision maker for the buyer.	{DATEFORMAT}
15	Seller identification code	Code used to identify the disposer of the crypto-asset. Where the seller is a legal entity, the LEI code of the disposer shall be used. Where the seller is not a legal entity, the identifier specified in Article 9 shall be used. Where the order was transmitted for execution within the meaning of Article 1(3) a) to a firm performing crypto-asset services outside of the Union, the MIC code of the platform or the LEI of the firm shall be used. If the crypto-asset service provider executes the transaction on a trading platform located in a third country, the LEI of the seller shall be provided for entities eligible for LEIs or the National ID for entities that are not eligible for LEIs. 'INTC' shall be used to designate an aggregate client account within the CASP in order to record a transfer into or out of that account with an associated allocation to the individual client(s) out of or into that account respectively.	{LEI} {MIC} {NATIONAL_ID} 'INTC'
16	Country of the branch for the seller	Where the seller is a client, this field should identify the country of the branch that received the order from the client or made an investment decision for a client in accordance with a discretionary mandate given to it by the client as required by Article 16. Where this activity was not conducted by a branch this should be populated with the country code of the home	{COUNTRYCODE_2}

		Member State of the crypto-asset service provider or the country code of the country where the crypto-asset service provider has established its head office or registered office (in the case of third country firms).	
17	Seller - first name(s)	Full first name(s) of the seller. In case of more than one first name, all names shall be included in this field separated by a comma.	{ALPHANUM-140}
18	Seller - surname(s)	Full surname(s) of the seller. In case of more than one surname, all surnames shall be included in this field separated by a comma.	{ALPHANUM-140}
19	Seller - date of birth	Date of birth of the seller	{DATEFORMAT}
20	Seller decision maker code	Code used to identify the person who makes the decision to sell the crypto-asset. Where the decision is made by a crypto-asset service provider, this field shall be populated with the identity of the CASP rather than the individual making the investment decision. Where the decision maker is a legal entity, the LEI code of the decision maker shall be used. Where the decision maker is a non-legal entity, the identifier specified in Article 9 shall be used.	{LEI} {NATIONAL_ID}
21	Sell decision maker - First Name(s)	Full first name(s) of the decision maker for the seller. In case of more than one first name, all names shall be included in this field separated by a comma	{ALPHANUM-140}
22	Sell decision maker – Surname(s)	Full surname(s) of the decision maker for the seller. In case of more than one surname, all surnames shall be included in this field separated by a comma	{ALPHANUM-140}
23	Sell decision maker - Date of birth	Date of birth of the decision maker for the seller	{DATEFORMAT}
24	Transmission of order indicator	'true' shall be populated by the transmitting firm within the transmitting firm's report where the conditions for transmission specified in Article 11 were not satisfied 'false' – in all other circumstances	'true' 'false'
25	Transmitting firm identification code for the buyer	Code used to identify the firm transmitting the order This shall be populated by the receiving firm within the receiving firm's report with the identification code provided by the transmitting firm.	{LEI}
26	Transmitting firm identification code for the seller	Code used to identify the firm transmitting the order. This shall be populated by the receiving firm within the receiving firm's report with the identification code provided by the transmitting firm	{LEI}
27	Trading date time	Date and time when the transaction was executed. For transactions not executed on a trading venue, the date and time shall be when the parties agree the content of the following fields: quantity, price, currencies in fields 31, 34 and 44, instrument identification code, instrument classification and underlying instrument code, where applicable. For transactions not executed on a trading venue the time recorded shall be at least to the nearest second. Where the transaction results from an order transmitted by the executing firm on behalf of a client to a third party where the conditions for transmission set out in Article 11 were not satisfied, this shall be the date and time of the transaction rather than the time of the order transmission.	{DATE_TIME_FORMAT}

28	Trading capacity	Indicates whether the CASP undertaking the transaction is carrying out matched principal trading, as defined under Article 3(1), point 40 of Regulation (EU) 2023/1114 or exchange of crypto-assets for funds as defined under Article 3(1), point 19 of Regulation (EU) 2023/1114. Where the transaction does not result from the executing firm carrying out matched principal trading or through exchange of crypto-assets for funds, the field shall indicate that the transaction was carried out under any other capacity.	'DEAL' - Exchange of crypto-assets for funds or other crypto-assets 'MTCH' - Matched principal 'AOTC' - Any other capacity
29	Quantity	The number of units of the crypto-assets or the monetary value of the crypto asset. If the price is expressed in sub-components of that crypto-asset, it shall be nonetheless recorded in decimal notation of the price expressed in units of that crypto-asset. The information reported in this field shall be consistent with the values provided in fields 31 and 32.	{DECIMAL-18/17} in case the quantity is expressed as number of units {DECIMAL-18/5} in case the quantity is expressed as monetary or nominal value
30	Quantity currency	Currency in which the quantity is expressed. Only applicable if quantity is expressed as nominal or monetary value. The quantity shall refer to the crypto-asset units, even when the transaction is denominated in sub-components of that crypto-asset. Where the crypto-asset is traded in electronic money/e-money token, the Digital Token Identifier code shall be used.	{CURRENCYCODE_3} {DTI}
31	Price	Traded price of the transaction excluding, where applicable, commission, any other fee and accrued interest. If the crypto-asset is traded based on a currency pair the price shall express the quantity of the quote currency for one unit of the base currency. If the price is expressed in sub-components of that crypto-asset, it shall be nonetheless recorded in decimal notation of the price expressed in units of that crypto-asset Where price is recorded in monetary terms, it shall be provided in the major currency unit. Where price is not applicable, the value shall be 'NOAP' .The information recorded in this field shall be consistent with the values provided in field 30.	{DECIMAL-18/13} in case the price is expressed as monetary value {DECIMAL-11/10} in case the price is expressed as percentage or yield {DECIMAL-18/17} in case the price is expressed as basis points 'NOAP' in case the price is not applicable
32	Price Currency	Currency in which the price is expressed (applicable if the price is expressed as monetary value). Where price of the crypto-asset is expressed in monetary terms and it is expressed in a currency pair, the currency pair in which the price for the crypto-asset related to the order is expressed shall be reported. The first currency code shall be that of the base currency and the second currency code shall be that of the quote currency. The quote currency determines the price of one unit of the base currency. The ISO currency code and the DTI short name as registered according to the ISO 24165-2 data elements for registration of the DTI shall be used to represent the fiat currency and the crypto asset respectively in the currency pair.	{CURRENCYCODE_3} {DTI} {CURRENCYCODE_3} should be used for fiat currencies in a currency pair {DTI_SHORT_NAME} should be used for crypto assets in a currency pair "NOAP"
33	Trading platform for crypto-asset	Identification of the trading platform for crypto-asset where the transaction was executed. Use the ISO 10383 segment MIC for transactions executed on a trading platform for crypto-asset. Where the segment MIC does not exist, use the operating MIC. Use MIC code 'XOFF' for crypto-assets admitted to trading, or traded on a trading platform for crypto-asset or for which a request for admission was made, where the transaction on that crypto-asset	{MIC}

		is not executed on a trading platform for crypto-asset Use MIC code 'XXXX' for crypto-assets that are not admitted to trading or traded on a trading platform for crypto-asset or for which no request for admission has been made..	
34	Country of the branch membership	Code used to identify the country of a branch of the crypto-asset service provider whose trading platform for crypto-asset membership was used to execute the transaction. Where a branch's trading platform for crypto-asset membership was not used, this field shall be populated with the country code of the home Member State of the crypto-asset service provider or the country code of the country where the firm has established its head office or registered office (in the case of third country firms). This field shall only be populated for the market side of a transaction executed on a trading platform for crypto-asset.	{COUNTRYCODE_2}
35	Up-front payment	Monetary value of any up-front payment received or paid by the seller. Where the seller receives the up-front payment, the value populated is positive. Where the seller pays the up-front payment, the value populated is negative.	{DECIMAL-18/5}
36	Up-front payment currency	Currency of the up-front payment.	{CURRENCYCODE_3} {DTI}
37	Complex trade component id	Identifier, internal to the crypto-asset service provider, to identify all the transaction records related to the same execution of a combination of crypto-assets. The code must be unique at the level of the firm for the group of transaction records related to the execution.	{ALPHANUM-35}
38	Crypto-asset identification code	Code used to identify the crypto-asset This field applies to crypto-assets for which a request for admission to trading has been made, that are admitted to trading ~~or traded~~ on a trading platform for crypto-asset.	{DTI}
39	Crypto-asset full name	Full name of the crypto-asset.	{ALPHANUM-350}
40	Crypto-asset classification	Taxonomy used to classify the crypto-asset. A complete and accurate CFI code shall be provided when available.	ART EMT OT {CFI_CODE}
41	Investment decision within the crypto-asset service provider	Code used to identify the person or algorithm within the crypto-asset service provider taking the investment decision. The code shall be unique over time for each set of code or trading strategy that constitutes the algorithm and shall be used consistently when referring to the algorithm or version of the algorithm once assigned to it. For natural persons, the identifier specified in Article 9 shall be used If the investment decision was made by an algorithm automatically determining individual parameters of orders such as whether to initiate the order or its timing, price or quantity, the field shall be populated as set out in Article 8. Field only applies for investment decision within the firm. Where the transaction is for a transmitted order that has met the conditions for transmission set out in Article 11,	{NATIONAL_ID} - Natural persons {ALPHANUM-50} - Algorithms

		this field shall be populated by the receiving firm within the receiving firm's record using the information received from the transmitting firm.	
42	Country of the branch responsible for the person making the investment decision	Code used to identify the country of the branch of the crypto-asset service provider for the person taking the investment decision, as set out in Article 16. Where the person taking the investment decision was not supervised by a branch, this field shall be populated with the country code of the home Member State of the crypto-asset service provider or the country code of the Member State where the crypto-asset service provider has established its registered office. Where the transaction is for a transmitted order that has met the conditions for transmission set out in Article 11, this field shall be populated by the receiving firm within the receiving firm's record using the information received from the transmitting firm. This field is not applicable when the investment decision was made by an algorithm automatically determining individual parameters of orders such as whether to initiate the order or its timing, price or quantity.	{COUNTRYCODE_2}
43	Execution within firm	Code used to identify the person or algorithm automatically determining individual parameters within the crypto-asset service provider for the execution of orders such as whether to initiate the order or its timing, price or quantity. For natural persons, the identifier specified in Article 9 shall be used If the execution was made by an algorithm automatically determining individual parameters of orders such as whether to initiate the order or its timing, price or quantity, the field shall be populated as set out in Article 8.	{NATIONAL_ID} - Natural persons {ALPHANUM-50} - Algorithms CLIENT - Client
44	Country of the branch supervising the person determining the conditions for execution	Code used to identify the country of the branch of the crypto-asset service provider for the person determining the execution of the transaction, as set out in Article 16. Where the person responsible was not supervised by a branch, this field shall be populated with the country code of the home Member State of the crypto-asset service provider, or the country code of the country where the crypto-asset service provider has established its registered office This field is not applicable when the execution was made by an algorithm automatically determining individual parameters of orders such as whether to initiate the order or its timing, price or quantity.	{COUNTRYCODE_2}
45	Short selling indicator	Designation to identify any sale of a crypto-asset which the seller does not own at the time of entering into the agreement to sell including such a sale where at the time of entering into the agreement to sell the seller has borrowed or agreed to borrow the share or debt instrument for delivery at settlement.	'true' 'false'

Anexo II. Campos a remitir en el fichero *ONCHAIN*

Field no	FIELD	CONTENT TO BE RECORDED	*Details to be provided*
1	Transaction hash	Identifier enabling the unique identification of a specific transaction occurring on the network.	{ALPHANUM-140}
2	Wallet addresses	Code uniquely identifying the wallet, belonging to the buyer/seller, to which the crypto-asset is transferred.	{ALPHANUM-140}
3	Smart Contract Addresses	Code uniquely identifying the smart contract address.	{ALPHANUM-140}
4	Timestamp	Timestamp of the creation of the block.	{DATE_TIME_FORMAT}
5	Quantity/ Current Total Supply	Ratio between the transferred quantity and the current floating amount of the asset.	
6	Token ID	Digital Token Identifier	{DTI}
7	Gas fee	Fees which are requested to cover the costs for the creation of a new block.	
8	Gas limit	This is the maximum amount of "gas" that an on-chain user is willing to pay for the executions of a specific transaction.	
9	Data size	This field is connected to the above. On-chain transaction can contain "attachments" in a specific *data* field that affect the "gas" required to process the transaction.	
10	To	The unique identifiers for buyer and seller are usually generated by the DLT protocol on the basis of the buyer/seller wallet addresses.	{ALPHANUM-140}
11	From	The unique identifier for seller usually generated by the DLT protocol on the basis of the seller wallet addresses.	{ALPHANUM-140}
12	Currency	Currency code	{CURRENCYCODE_3} {DTI}
13	Transaction Record Number	Identification number reported in Field 2 of Section 3 that is unique to the executing firm for each record to ensure that a link can be made between the on-chain report and the off-chain one.	{ALPHANUM-140}

Anexo III. Descripción de los formatos a emplear en los campos de ambos ficheros.

SYMBOL	DATA TYPE	DEFINITION
{ALPHANUM-n}	Up to n alphanumerical characters	Free text field.
{CFI_CODE}	6 characters	ISO 10962 CFI code
{COUNTRYCODE_2}	2 alphanumerical characters	2 letter country code, as defined by ISO 3166-1 alpha-2 countrycode
{CURRENCYCODE_3}	3 alphanumerical characters	3 letter currency code, as defined by ISO 4217 currency codes
{DATE_TIME_FORMAT}	ISO 8601 date and time format	Date and time in the following format: YYYY-MM-DDThh:mm:ss.dddddd Z. 'YYYY' is the year; 'MM' is the month; 'DD' is the day; 'T' – means that the letter 'T' shall be used 'hh' is the hour; 'mm' is the minute; 'ss.dddddd' is the second and its fraction of a second; Z is UTC time. Dates and times shall be recorded in UTC.
{DATEFORMAT}	ISO 8601 date format	Dates shall be formatted in the following format:YYYY-MM-DD.
{DECIMAL-n/m}	Decimal number of up to n digits in total of which up to m digits can be fraction digits	Numerical field for both positive and negative values. decimal separator is '.' (full stop); negative numbers are prefixed with '-' (minus);Values are rounded and not truncated.
{DTI}	9 alphanumerical characters	Digital token identifier as defined in ISO 24165 standard
{DTI_SHORT_NAME }	n alphanumeric characters	DTI short name as registered according to the ISO 24165-2 data elements for registration of the DTI
{INTEGER-n}	Integer number of up to n digitsin total	Numerical field for both positive and negative integer values.
{ISIN}	12 alphanumerical characters	ISIN code, as defined in ISO 6166
{LEI}	20 alphanumerical characters	Legal entity identifier as defined in ISO 17442
{MIC}	4 alphanumerical characters	Market identifier as defined in ISO 10383
{NATIONAL_ID}	35 alphanumerical characters	The identifier is derived in accordance with Article 9 and Annex II of Commission Delegated Regulation (EU) 2017/590