**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on European Crowdfunding Service Providers (ECSP) for Business**

**1. Rapporteur:** Ashley FOX (ECR / UK)

**2. Reference numbers:** 2018/0048 (COD) / A8-0364/2018 / P8\_TA-PROV(2019)0301

**3. Date of adoption of the resolution:** 27 March 2019

**4. Legal basis:** Article 114 of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Economic and Monetary Affairs (ECON)

**6. Commission's position:** The Commission reserves its position on all the amendments of the European Parliament. However, it expresses concerns regarding the following amendments to the Commission’s proposal:

* **ECSP authorisation and supervision:** The Parliament significantly reduces the role of European Securities and Markets Authority (ESMA) in the authorisation and supervision of ECSPs, which is now given to National Competent Authorities (NCAs).
* **Threshold for crowdfunding offer issuance:** The Parliament proposes an increase of the threshold for issuance of crowdfunding offers from the proposed EUR 1 000 000 to EUR 8 000 000, in line with the maximum amount for national derogation from the need to publish a prospectus under the Prospectus Regulation.
* **Scope of services:** The Parliament’s position expands the scope of services permitted to be carried out by an ECSP to investment advice and to intermediated services that may result in individual and collective portfolio management. These business models would respectively fall under the Markets in Financial Instruments Directive and Regulation (MiFID/R) and the Alternative Investment Fund Managers Directive (AIFMD). This includes complex lending-based models, which involve packaging and pricing of loans together with the possibility for ECSPs even to act on their own account.