13 December 2024
ESMA32-2009130576-3281

Reply form

Consultation Paper on the Regulatory Technical Standards (RTS) on the European Single Electronic Format (ESEF) defining marking up rules for sustainability reporting and revising the marking up rules for the Notes to the IFRS consolidated financial statements and, on the amendments to the RTS on the European Electronic Access Point (EEAP)

Responding to this paper

ESMA invites comments on all matters in the Consultation Paper and in particular on the specific questions in this reply form. Comments are most helpful if they:

- respond to the question stated;
- indicate the specific question to which the comment relates;
- contain a clear rationale; and
- describe any alternatives ESMA should consider.

ESMA will consider all comments received by **31 March 2025.**

Instructions

In order to facilitate analysis of responses to the Consultation Paper, respondents are requested to follow the below steps when preparing and submitting their response:

- Insert your responses to the questions in the Consultation Paper in this reply form.
- Please do not remove tags of the type <ESMA_QUESTION_ESEFEEAP_1>. Your response to each question has to be framed by the two tags corresponding to the question.
- If you do not wish to respond to a given question, please do not delete it but simply leave the text "TYPE YOUR TEXT HERE" between the tags.
- When you have drafted your responses, save the reply form according to the following convention: ESMA_ESEFEEAP_nameofrespondent.

  For example, for a respondent named ABCD, the reply form would be saved with the following name: ESMA_ESEFEEAP_ABCD.
- Upload the Word reply form containing your responses to ESMA's website (**pdf documents will not be considered except for annexes**). All contributions should be submitted online at www.esma.europa.eu under the heading 'Your input - Consultations'.

Publication of responses

All contributions received will be published following the close of the consultation, unless you request otherwise. Please clearly and prominently indicate in your submission any part you do not wish to be publicly disclosed. A standard confidentiality statement in an email message will not be treated as a request for non-disclosure. A confidential response may be requested from us in accordance with ESMA's rules on access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by ESMA's Board of Appeal and the European Ombudsman.

Data protection

Information on data protection can be found at www.esma.europa.eu under the headings 'Legal notice' and heading 'Data protection'.

1. General information about respondent

Name of the company / organisation	Institut des Réviseurs d'entreprises			
Are you representing an association?	☒			
Country/Region	Belgium			
Activity	☐	Information provider (issuer, undertaking or preparer) of corporate reports subject to digitalisation requirements in the EU	☐	Public interest entity (entities governed by the law of an European Union Member State whose transferable securities are admitted to trading on a regulated market of any Member State; (ii) credit institutions; (iii) insurance undertakings, or (iv) entities designated by Member States as public-interest entities)
			☐	Non-public interest entity (large non-listed EU company, including large EU company with securities only listed outside EU regulated markets)
			☐	Non-public interest entity (large non-EU company with securities listed in EU regulated markets)
			☐	Non-public interest entity (SME listed in EU regulated markets)
			☐	Other (provide comment): Click here to enter text.
	☐	User of digitalised corporate reporting from EU companies	☐	Investor
			☐	Data analyst
			☐	Data aggregator
			☐	Asset manager
			☐	Other (provide comment): Click here to enter text.
	☐	Software provider		
	☒	Auditor of corporate reporting subject to digitalisation requirements in the EU		
	☐	Other (provide comments)	Click here to enter text.	

2. Questions

1.1. Marking up sustainability reporting

Question 1: Do you agree with the assessment framework and the manner in which the various elements and factors are to be considered in developing the marking up rules and the phased approach? If not, please explain your reasons and suggest any elements or factors that should be added or removed, or propose sound alternative assessment frameworks.

<ESMA_QUESTION_ESEFEEAP_01>
Yes, the framework is logical and well documented. The focus on giving priority to marking up quantitative information is also relevant to address the most urgent needs of sustainability information users and in particular the financial sector. ESMA will need to consider the impacts of the changes implied by the Omnibus expected changes to ESRS.

<ESMA_QUESTION_ESEFEEAP_01>

Question 2: Do you agree with the phased approach and the proposed timeline? Do you concur that the first phase should be implemented for the same financial year or the following financial year depending on the publication date of amendments to the RTS on ESEF in the OJ (before or after 30 June of the given year)? If not, please provide your reasons and suggest any well-founded alternative timelines for implementation.

<ESMA_QUESTION_ESEFEEAP_02>
Yes, it is important to implement in phases to facilitate the tagging process for users and focus in first instance on the most relevant/useful information for stakeholders.
It is relevant to consider a different implementation timeline based on the publication date.
ESMA will need to consider the impacts of the changes implied by the Omnibus “stop the clock”
<ESMA_QUESTION_ESEFEEAP_02>

Question 3: Do you agree with only considering an additional staggered approach based on the type of large undertakings? If not, please explain your reasons and suggest alternatives or other factors that should be considered and why.

<ESMA_QUESTION_ESEFEEAP_03>
Yes, agreed
<ESMA_QUESTION_ESEFEEAP_03>

Question 4: Do you agree with the phases and the content to be marked up as outlined for each phase? If not, please provide your reasons and suggest any well-founded alternative regarding the content for each phase, together with the rationale behind your suggestions.

<ESMA_QUESTION_ESEFEEAP_04>
Yes, but to relieve the burden of non-listed large entities, it could be considered to focus on E1 and the quantitative data of S1 and G1 and then to expand to other quantitative data and Boolean in phase 2. We also believe that entity specific metrics are usually very relevant for the correct information of stakeholders so that ESMA could usefully consider adding those metrics to the first mark up phase.

<ESMA_QUESTION_ESEFEEAP_04>

Question 5: Do you think it is necessary to establish a clear timeline and content for each phase from the outset? If not, please explain your reasons and propose alternative approaches.

<ESMA_QUESTION_ESEFEEAP_05>

Yes, in order for companies to know how and when to get ready. This would certainly also help software providers to define the mark up rules in their tool.
<ESMA_QUESTION_ESEFEEAP_05>

Question 6: Do you agree with the approach to limit the creation of extension taxonomy elements for marking up sustainably reports? If not, please explain your reasons and suggest alternative approaches.

<ESMA_QUESTION_ESEFEEAP_06>
Yes, in first instance, it is more relevant to focus on the ESRS required disclosures
<ESMA_QUESTION_ESEFEEAP_06>

Question 7: Do you agree with the inclusion of a review clause that would trigger stock-taking by ESMA on the need to make necessary adjustments in response to changing circumstances? If not, please explain your reasons.

<ESMA_QUESTION_ESEFEEAP_07>
Yes,
<ESMA_QUESTION_ESEFEEAP_07>

1.2. Marking up Article 8 sustainability disclosures

Question 8: Do you agree with having a closed taxonomy for Article 8 sustainability disclosures? If not, please explain your reasons and provide examples on when entity-specific extensions might be necessary.

<ESMA_QUESTION_ESEFEEAP_08>
Yes it is logical considericing the nature of the EU Taxonomy reporting. ESMA will need to consider the changes introduced by Omnibus in the content of the EU taxonomy reporting.
<ESMA_QUESTION_ESEFEEAP_08>

Question 9: Do you agree with the proposed requirement to fully mark up the Article 8 sustainability disclosures without implementing a phased approach in relation to the content of the information to be marked up? Do you agree with only considering a staggered approach based on the type of large undertakings? If not, please explain your reasons and suggest alternative approaches.

<ESMA_QUESTION_ESEFEEAP_09>
Yes
<ESMA_QUESTION_ESEFEEAP_09>

Question 10: Do you support the requirement to mark up the Article 8 sustainability disclosures for the same financial year or the following financial year depending on the publication of the RTS on ESEF in the OJ and align it with the sustainability marking up? If not, please provide your reasons and suggest alternative approaches.

<ESMA_QUESTION_ESEFEEAP_10>
Yes
<ESMA_QUESTION_ESEFEEAP_10>

Question 11: Do you agree with the inclusion of a review clause that would trigger stock-taking by ESMA to consider any necessary adjustments in response to the evolving circumstances? If

not, please provide your reasons.

<ESMA_QUESTION_ESEFEEAP_11>
Yes
<ESMA_QUESTION_ESEFEEAP_11>

1.3. Common technical aspects: incorporating the ESRS and Article 8 digital taxonomies into the ESEF taxonomy framework

Question 12: Do you agree with the technical approach followed by ESMA with regards to incorporating ESRS and Article 8 digital taxonomies from EFRAG into the ESEF taxonomy framework?

<ESMA_QUESTION_ESEFEEAP_12>
Yes
<ESMA_QUESTION_ESEFEEAP_12>

Question 13: Should ESMA consider using the EFRAG taxonomy files ‘as-is’ and without developing a ‘technical’ extension, similar to the one developed for IFRS accounting taxonomy scope?

<ESMA_QUESTION_ESEFEEAP_13>
Yes
<ESMA_QUESTION_ESEFEEAP_13>

Question 14: Do you have any other suggestions in relation to the future ESEF taxonomy framework and how ESMA can further reduce the burden for the reporting entities?

<ESMA_QUESTION_ESEFEEAP_14>
More detailed guidance should be provided to companies that have no experience in tagging reports so far (non listed entities)
<ESMA_QUESTION_ESEFEEAP_14>

1.4. Marking up the Notes to the IFRS consolidated financial statements

Question 15: Do you agree that it is necessary to revise the marking up rules for the Notes to the IFRS consolidated financial statements? If not, please explain your reasons.

<ESMA_QUESTION_ESEFEEAP_15>
Yes, it is the right moment to use the feedback received from the various stakeholders to improve the tagging rules
<ESMA_QUESTION_ESEFEEAP_15>

Question 16: Do you agree with the phased-in approach and the proposed timeline? Do you also agree that the first phase should take effect with the annual financial report for the financial year when the amendment to the RTS on ESEF is published in the OJ before 30 September of the given year? If not, please explain your reasons and suggest any alternative timelines for the implementation.

<ESMA_QUESTION_ESEFEEAP_16>

Yes, this is logical
<ESMA_QUESTION_ESEFEEAP_16>

Question 17: Do you agree with the content outlined for phase one? Specifically, do you support the proposed approach to text block mark up the Notes to the IFRS consolidated financial statements? If not, please provide your reasons and suggest alternatives to marking up text blocks in the Notes to the IFRS consolidated financial statements.

<ESMA_QUESTION_ESEFEEAP_17>
Yes, this seems an approach that is coherent with the approach applied to sustainability statements
<ESMA_QUESTION_ESEFEEAP_17>

Question 18: Do you agree with the content outlined in phase two? Do you think there is added value in detailed marking up of the Notes to the IFRS consolidated financial statements, particularly for all figures in a declared currency within the tables? Do you think that detailed tagging of numerical elements for which issuers should create extensions because there is no corresponding core taxonomy element provide added value? If not, please provide your reasons and suggest alternatives to detailed-marking up the Notes to the IFRS consolidated financial statements.

<ESMA_QUESTION_ESEFEEAP_18>
Yes detailed tagging of numerical information is useful.
<ESMA_QUESTION_ESEFEEAP_18>

Question 19: Do you agree with the proposal to remove the current list of mandatory core taxonomy elements outlined in Annex II of the RTS on ESEF and replace it with a more concise and targeted list of mandatory taxonomy elements? If not, please explain your reasons.

<ESMA_QUESTION_ESEFEEAP_19>
Yes, the new list suggested makes sense
<ESMA_QUESTION_ESEFEEAP_19>

Question 20: Do you agree with the proposed list of mandatory elements? If not, please provide your reasons and suggest any elements that should be removed or added.

<ESMA_QUESTION_ESEFEEAP_20>
Yes
<ESMA_QUESTION_ESEFEEAP_20>

Question 21: Do you agree with the revised approach towards the creation of extension taxonomy elements for the Notes to the IFRS consolidated financial statements and the principles outlined? If not, please explain your reasons and suggest alternatives.
<ESMA_QUESTION_ESEFEEAP_21>
Yes
<ESMA_QUESTION_ESEFEEAP_21>

Question 22: Do you agree with the inclusion of a review clause that would trigger stock-taking by ESMA to consider any necessary adjustments in response to the changing circumstances and to bundle these adjustments with other updates where feasible? If not, please explain your reasons.

<ESMA_QUESTION_ESEFEEAP_22>
Yes, this will ensure that the issues that preparers might be facing are considered. It is important to reflect on providing the most efficient tagging system.
<ESMA_QUESTION_ESEFEEAP_22>

1.5. Targeted improvements to the existing drafting of the RTS on ESEF

Question 23: Do you agree with the proposals for the targeted amendments to the RTS on ESEF? If not, please explain your reasons and suggest alternatives. In your response, reference specific proposals by proposal number.

<ESMA_QUESTION_ESEFEEAP_23>
Yes
<ESMA_QUESTION_ESEFEEAP_23>

Question 24: Are there any additional targeted amendments that could be brought to the RTS on ESEF which are not considered in this proposed list? If yes, please provide additional comments, providing specific references to the RTS on ESEF and concrete wording proposals for ESMA to take into consideration.

<ESMA_QUESTION_ESEFEEAP_24>
We have no particular suggestion
<ESMA_QUESTION_ESEFEEAP_24>

1.6. Amendments to the RTS on the European Electronic Access Point (Delegated Regulation 2016/1437)

Question 25: Do you agree that it is necessary to amend the RTS on EEAP and with the way ESMA proposes to do so? If not, please explain your reasons.

<ESMA_QUESTION_ESEFEEAP_25>
Yes
<ESMA_QUESTION_ESEFEEAP_25>

Question 26: Do you agree with content of the proposed amendments to the RTS on EEAP? If not, please explain in which regards to you disagree and illustrate any alternative proposal.

<ESMA_QUESTION_ESEFEEAP_26>
Yes
<ESMA_QUESTION_ESEFEEAP_26>

1.7. Annex II. Draft Cost/Benefit Analysis on the RTS on ESEF

Question 27: Do you agree with ESMA's high-level understanding of an approximate monetary cost associated with marking up disclosures in IFRS consolidated financial statements and the Notes to the IFRS consolidated financial statements? If you have a different view on the approximate average monetary cost per markup, please supply supporting data.

<ESMA_QUESTION_ESEFEEAP_27>
We do not have information that would contradict the information provided by ESMA.
<ESMA_QUESTION_ESEFEEAP_27>

Question 28: Do you agree with ESMA's high-level understanding of an approximate monetary cost per markup and other additional costs associated with marking up disclosures of sustainability reporting? If you have a different view on the approximate average monetary cost per

markup, please supply supporting data.

<ESMA_QUESTION_ESEFEEAP_28>
We do not have information that would contradict the information provided by ESMA, nevertheless the calculation will be impacted by the Omnibus scope reduction
<ESMA_QUESTION_ESEFEEAP_28>

Question 29: Do you agree with the above-mentioned possible costs and benefits developed by ESMA with respect to defining the rules to mark up the sustainability statements? Which other types of costs or benefits (qualitative and/or quantitative) would you consider in that context?

<ESMA_QUESTION_ESEFEEAP_29>
Yes
<ESMA_QUESTION_ESEFEEAP_29>

Question 30: Do you agree with the above-mentioned possible costs and benefits developed by ESMA with respect to the use of a list of mandatory elements for marking up the sustainability statements? Which other types of costs or benefits (qualitative and/or quantitative) would you consider in that context?

<ESMA_QUESTION_ESEFEEAP_30>
Yes
<ESMA_QUESTION_ESEFEEAP_30>

Question 31: Do you agree with the above-mentioned possible costs and benefits developed by ESMA with respect to defining the rules for marking up Article 8 sustainability disclosures in the sustainability statements? Which other types of costs or benefits (qualitative and/or quantitative) would you consider in that context?

<ESMA_QUESTION_ESEFEEAP_31>
Yes
<ESMA_QUESTION_ESEFEEAP_31>

Question 32: Do you agree with the above-mentioned possible costs and benefits developed by ESMA with respect to the review of the current marking up approach for the Notes to the IFRS consolidated financial statements? Which other types of costs or benefits (qualitative and/or quantitative) would you consider in that context?

<ESMA_QUESTION_ESEFEEAP_32>
Yes
<ESMA_QUESTION_ESEFEEAP_32>

Question 33: Do you agree with the above-mentioned possible costs and benefits developed by ESMA with respect to the review of the list of mandatory elements under Annex II to RTS on ESEF? Which other types of costs or benefits (qualitative and/or quantitative) would you consider in that context?

<ESMA_QUESTION_ESEFEEAP_33>
Yes
<ESMA_QUESTION_ESEFEEAP_33>

1.8. Annex III. Draft Cost/Benefit Analysis relating to the amendment to the RTS on the EEAP

Question 34: Do you agree with the assessment of costs and benefits developed by ESMA with respect to the review of the RTS on EEAP?

<ESMA_QUESTION_ESEFEEAP_34>
Yes
<ESMA_QUESTION_ESEFEEAP_34>

1.9. Annex IV. Legal text RTS on ESEF

Question 35: Do you agree with the proposed drafting amendments to the RTS on ESEF? If not, please explain your reasons and suggest alternatives. In your response, reference specific sections and paragraphs of the RTS on ESEF (i.e., Annex III, paragraph 1).

<ESMA_QUESTION_ESEFEEAP_35>
Yes
<ESMA_QUESTION_ESEFEEAP_35>

Question 36: Are there any additional drafting amendments that could be brought to the RTS on ESEF which are not considered in this draft legal text? If yes, please provide additional comments, providing specific references to the RTS on ESEF, underlying reasoning and concrete wording suggestions for ESMA to take into consideration.

<ESMA_QUESTION_ESEFEEAP_36>
Nothing should be added in particular
<ESMA_QUESTION_ESEFEEAP_36>