过渡期及其于2026年7月1日结束

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第143条规定了过渡安排。2024年12月30日前结束的发售无需白皮书。在该日期前已获准交易的加密资产，最迟须于2027年12月31日前备有白皮书，而营销规则自2024年12月30日起适用。在2024年12月30日前已根据本国法律合法经营的服务提供商，可继续经营至依第63条获得授权或被拒绝之时，但最迟不得晚于2026年7月1日。成员国可以缩短这一十八个月的期限，且有若干成员国确实这样做了：ESMA公布的清单显示，各国的祖父条款过渡期从数月到完整期限不等。[1]第143(6)条允许已根据本国法律获得授权的公司适用简化授权程序。

截至2026年6月30日，祖父条款过渡期已在整个欧盟范围内结束。凡是通过尚未获得加密资产服务提供商授权的欧盟实体为欧盟客户提供服务的公司，均属非法经营，各主管机关已表示将把该日期视为硬性截止日。对瑞士和新加坡集团而言，这改变了对欧盟交易对手的评估。楚格交易所在立陶宛的流动性提供商，或新加坡托管人在德国的次级托管人，现在都必须持有CASP授权；瑞士或新加坡公司自身根据其反洗钱和外包规则开展的尽职调查，也必须查核ESMA的获授权CASP登记册。[2]

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注释

1. Regulation (EU) 2023/1114，第143(1)至(3)条及第143(6)条。成员国须于2024年6月30日前将任何缩短的期限通知欧盟委员会和ESMA。ESMA，“List of MiCA grandfathering periods (Art. 143(3))”，2024年12月。↩
2. ESMA依第109条维护CASP及白皮书登记册。该登记册于2025年上线，是查核交易对手的参考依据。↩

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