Swiss Financial Market Infrastructure Act
FMIA / FinfraG
About REGIS-TR

REGIS-TR – Your European Trade Regulatory of choice

An European Trade Repository

• REGIS-TR is a central trade repository for reporting trades and transactions covering all types of derivatives (i.e. ETD and OTC) across multiple product classes and jurisdictions. The trade repository is open to financial and non-financial institutions, and services all of the major regulatory reporting obligations in Europe.

• On 1st April 2017, REGIS-TR was recognized as a foreign TR by the Swiss Financial Market Authority FINMA for the FinfraG Regulation.

• Once the approval process has been opened for Securities Financing Transaction Regulation, REGIS-TR will apply for a license extension to become an approved TR under SFTR.

REGIS-TR’s history

• REGIS-TR was founded on 9 December 2010, and is incorporated and headquartered in the Grand Duchy of Luxembourg. REGIS-TR is a joint venture launched by the Spanish CSD, Iberclear Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores, S.A. (referred to as “Iberclear”) and Clearstream Banking S.A. (referred to as “Clearstream”).

A one-stop-shop for regulatory reporting requirements

• REGIS-TR collects and administers details of trades and transactions reported by its clients in order to give market participants and regulators an aggregated view of positions in compliance with the relevant regulations. In addition to its core services, REGIS-TR is already progressing well towards its goal of becoming a one-stop-shop for regulatory reporting requirements.

• Market neutral reporting entity, operating at the highest standards of regulatory requirements.
Trade repository reporting will begin 1st October 2017 with a phased-in approach depending on the counterparty classification.

**What is FinfraG?**
- The Financial Market infrastructure Act (FMIA), also known under the German denomination FinfraG (i.e. Finanzmarktinfrastrukturgesetz) aims at regulating derivatives trading in Switzerland
- Under supervision of the Swiss Financial Market Supervisory Authority FINMA
- Drawn on the EU regulation EMIR and the American regulation Dodd-Frank Act

**Entities in scope**
- FinfraG affects all entities, which have their registered office in Switzerland and enter into derivative trading ("Swiss counterparties")
- Includes foreign branches of Swiss counterparties
- Includes intra-group transactions
- Type of entities in scope:
  - Financial counterparties: e.g. banks, brokers, insurance companies, asset managers etc.
  - Non-financial counterparties: e.g. trading companies, corporation etc.
### What needs to be reported?

- Both ETD and OTC transactions have to be reported.
- Every event of the transaction lifecycle has to be reported: origination, modification, and termination
- Reporting of transactions, positions and valuations
- FX swaps and forwards are subject to the reporting obligation but exempted from other obligations
- Not considered as derivatives according to FinfraG, and thus out of scope:
  - structured products such as capital-protected products, capped return products and certificates
  - securities lending and borrowing

### Which information needs to be reported

- Transaction identification: UTI,…
- Counterparty identification: ID (LEI, BIC), name, seat,…
- Product identification: asset class (FX, IR,…), product type (option, swap, forward,…), notional, price, maturity date, settlement date, currency,…
- Transaction information: time of the transaction,…

### To whom do you need to report?

- To a trade repository that has been authorised or recognised by FINMA

### When do you need to report?

- Each event has to be reported the following working day (T+1) at the latest
FinfraG / FinfraV – Reporting process

- The reporting under FinfraG is single sided, i.e. only one counterparty has to report.
- Reporting obligation follows a cascade-principle: the Financial Counterparties ("FC") will report when trading with a Non-Financial Counterparty. Large counterparties report when trading with small ones.
- For trades between counterparties of the same category, the selling entity will report.
- Transactions between small non-financial counterparties ("Small NFC") are exempted from reporting obligations.
- Participants are considered small, if they do not exceed the clearing threshold as defined in the ordinance.
- Transactions cleared through a central counterparty ("CCP") need to be reported by the CCP. If the recognised foreign CCP does not submit reports, the reporting duty remains with the counterparty closest to the CCP.*

Who needs to submit the report to a trade repository?

* In accordance with Article 104 (4) of the FMIA and Article 92 (2) of the FMIO.
REGIS-TR’s FinfraG reporting services

Possibility to report directly or through delegation

- File and data validation
- Immediate and complete data record keeping
- Publication of open positions, transaction volume and values in aggregated and anonymised form
- Reporting Status Dashboard

Access to data will only be granted to authorities, which are allowed to access those data under FinfraG and for the solely purpose of enforcing financial market law under the authorities’ responsibility. Data collection is exclusively limited to data listed in Annex 2 of FinfraV/FMIO.

* Article 77 FMIA
** Foreign supervisory authorities need to comply with the data protection requirements as set forth in Article 78 FMIA
Reporting profiles: multi-entity solutions*

<table>
<thead>
<tr>
<th>Market Participants</th>
<th>Reporting Participant (account code: RF)</th>
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<tbody>
<tr>
<td></td>
<td>Direct Counterparty to a derivative transaction</td>
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<tr>
<td></td>
<td>Can report on behalf of the other counterparty (partial or full delegation)</td>
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<table>
<thead>
<tr>
<th>Clients</th>
<th>Non Member / Non Reporting Entity (account code: NF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Remain without contractual relation to REGIS-TR: reporting delegated to others</td>
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<tr>
<td></td>
<td>Or become Non-Reporting Entity for Read-only access for everything reported on their behalf, without capacity to send or modify trades</td>
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<tr>
<th>Third Parties</th>
<th>Reporting Internal Third Party (account code: TF) / Reporting External Third Party (account code: EF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reports on behalf of others, but is no direct counterparty to the trade</td>
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<tr>
<td></td>
<td>Third Parties can be within a family group (e.g. parent company, fund manager) or external providers, such as IT vendors, trading platforms or CCPs</td>
</tr>
</tbody>
</table>

Possibility to report directly or through TP delegation

- **Reporting Participant (RF):** Direct Counterparty to a derivative transaction. Can also report on behalf of its counterparty
- **Internal Third Party (TF) / External Third Party (EF):** Reports on behalf of others (i.e. RF, NF and non members), but is no direct counterparty to the trade
- **Non Reporting Entities (NF):** read only access to the reported trades by a TP
- **Non members:** counterparties with no access to the TR delegating in TPs
- **Superuser:** read only access to the reported data of specific accounts

*Profiles for EMIR reporting service. Similar profile structure expected for FinfraG transaction reporting solution*
REGIS-TR’s reporting scenarios*

1. Reporting counterparty reports directly to the TR

   Reporting Counterparty ➔ Non Reporting Counterparty

   MR/TS ➔ XT

2. Reporting counterparty (with Reporting Participant Account) delegates in a Third Party

   Reporting Counterparty ➔ Non Reporting Counterparty

   Reporting Counterparty with RP Account ➔ Non Reporting Counterparty

   Delegation ➔ TS ➔ MR ➔ XT

3. Non Member delegates in a Third Party

   Reporting Counterparty non member ➔ Non Reporting Counterparty

   Delegation ➔ Third Party ➔ TS ➔ MR ➔ XT

4. Reporting counterparty (with Non Reporting Entity Account) delegates in a Third Party

   Reporting Counterparty with NRE Account ➔ Non Reporting Counterparty

   Delegation ➔ Third Party ➔ TS ➔ MR ➔ XT

* Under FinfraG, the reporting is single sided. Therefore only one counterparty has to report (i.e. Reporting Counterparty)
REGIS-TR’s FinfraG reporting workflow and validation rules (1/2)
REGIS-TR’s FinfraG reporting workflow and validation rules (2/2)

Focus on validation rules

- **Inbound Message**
  - Format validation:
    - **PASSES**
    - **FAILS**
  - **FILE ACCEPTED**
  - **FILE REJECTED**

- **Business Rule validation**
  - **PASSES**
  - **FAILS**
  - **Outbound Message**
    - **ACCEPTED**
    - **PARTIALLY ACCEPTED**
    - **REJECTED**

- **Stored for 10 years**

03 January 2019
REGIS-TR’s FinfraG reporting benefits

Cost efficient
- REGIS-TR has a proven track record of implementing robust regulatory reporting solutions
- A transparent and easily understandable fee schedule

Expertise and full support
- Dedicated technical helpdesk
- Experienced Relationship Management
- Access to specialist staff

Ease of use
- Very similar message formats used for EMIR and FinfraG reporting
- Wide range inbound and outbound connectivity channels
- New connectivity and graphical user to access your FinfraG transaction data

Simple onboarding
- A streamlined onboarding process for existing REGIS-TR customers
- One single relationship to manage
- Full-featured test environment

03 January 2019
## REGIS-TR FinfraG timeline

<table>
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<th>Up to March</th>
<th>April 2017</th>
<th>May 2017</th>
<th>June - August 2017</th>
<th>October 2017</th>
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<tr>
<td><strong>Basic functionalities</strong></td>
<td><strong>Test environment</strong></td>
<td><strong>Final test environment</strong></td>
<td><strong>Live environment</strong></td>
<td></td>
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### Basic functionalities
- Fee schedule
- Definition of account structure
- Legal framework
- Customer on-boarding in the UAT environment
- GUI for clients with main functionalities
- Client connectivity handbooks

### Test environment
- All functionalities for clients available in UAT
- Available connectivity means (sFTP, web service, GUI)
- End of period reports

### Final test environment
- Regulators Access
- Public Data
- Final customer documentation
- FinfraG Request for Information

### Live environment
- Billing module
- Registration with REGIS-TR
- Account(s) set-up
- Reporting start date: 1st October 2017

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**Continuous Customer support**

40 RM across Europe; SPOCs in each region; Operational Helpdesk
How to get started

1. Contact REGIS-TR to receive support and information regarding the on boarding procedure at finfrag-onboarding@regis-tr.com

2. Access REGIS-TR’s free test environment with no commitment

3. Receive detailed technical guidance and documentation from our support teams to ensure easy data submission

4. Contact your REGIS-TR’s relationship manager to receive our fee schedule

5. Check for terms and conditions and specific FinfraG requirements (legal documentation)
Data protection and confidentiality

• REGIS-TR as a Luxembourgish trade repository, is subject to the data protection laws and regulations of the EU, Spain and Luxembourg. These laws and regulations are deemed equivalent by the Swiss Confederation and are guarantying sufficient level of data protection according to Swiss law*.

• REGIS-TR may collect certain personal data while opening and managing the Member accounts. REGIS-TR undertakes to inform the members if additional personal data is collected. REGIS-TR undertakes not to transfer data to any third party, except if required by law, authorised by the member or required by REGIS-TR group affiliates to fulfil their administrative and supportive functions (e.g. billing, account administration etc.).

• For avoidance of doubt, no information on the beneficial owner will be collected for the transaction reporting under FinfraG/FMIA, except if required by Swiss law, or by any court order.

• Supervisors will only be provided with the information related to the trading parties they supervise and according to the regulation (e.g. EMIR, FinfraG,…).

• There is no legal requirement for data to be stored in Switzerland.
Disclaimer

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