

## Chapter 2

# Recognition requirements

## 2.9 Transaction recording

2.9.1 **UK** Schedule to the Recognition Requirements Regulations, Paragraph 4(2)(e)

Without prejudice to the generality of sub-paragraph [4(1)], the [UK RIE] must ensure that-

satisfactory arrangements are made for recording transactions effected on the [UK RIE], and transactions (whether or not effected on the [UK RIE ]) which are cleared or to be cleared by means of its facilities;

[Note: article 25 of MiFIR requires the operator of a trading venue to keep relevant data relating to all orders in financial instruments which are advertised through their systems at the disposal of the FCA]

2.9.2 **UK** [deleted]

2.9.3 **G** In determining whether a UK recognised body has satisfactory arrangements for recording the transactions effected on its facilities, or cleared or to be cleared by another person by means of, its facilities, the FCA may have regard to:

- (1) whether the UK recognised body has arrangements for creating, maintaining and safeguarding an audit trail of transactions for at least five years; and
- (2) the type of information recorded and the extent to which the record includes:
  - (a) for each transaction traded on or completed through its facilities which the UK recognised body is responsible for reporting in accordance with article 26 of MiFIR, the details set out in:
    - (i) article 26(3) of MiFIR;
    - (ii) MiFID RTS 22 on the reporting of transactions to competent authorities;
    - (iii) article 27(1) of MiFIR; and
    - (iv) MiFID RTS 23 on the data standards and formats for financial instrument reference data;
  - (b) for other transactions effected on the UK recognised body's facilities, details of:
    - (i) the name of the investment (and if relevant, the underlying asset) and the price, quantity and date of the transaction;
    - (ii) the identities and, where appropriate, the roles of the counterparties to the transaction;

- (iii) if the *UK recognised body's* rules make provision for transactions or *clearing facilitation services* to be effected, in more than one type of *facility*, or under more than one part of its rules, the type of *facility* in which, or the part of its rules under which, the transaction or *clearing facilitation service* was effected; and
- (iv) the date and manner of settlement of the transaction.

2.9.4

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