

Chapter 5

Commission Delegated Regulation (EU) No 150/2013

Article 1 Identification, legal status and
class of derivatives

(1) An application for registration as a trade repository shall identify the applicant and the activities it intends to carry out which require it to be registered as a trade repository.

(2) The application for registration as a trade repository shall in particular contain the following information:

(a) the corporate name of the applicant and legal address within the UK;

(b) an excerpt from the relevant commercial or court register, or other forms of certified evidence of the place of incorporation and scope of business activity of the applicant, valid at the application date;

(c) information on the classes of derivatives for which the applicant wishes to be registered;

(d) ;

(e) the articles of incorporation of the applicant, and, where relevant, other statutory documentation stating that the applicant is to conduct trade repository services;

(f) the minutes from the meeting where the applicant's Board approved the application;

(g) the name and contact details of the person(s) responsible for compliance, or any other staff involved in compliance assessments for the applicant;

(h) the programme of operations, including indications of the location of the main business activities;

(i) the identification of any subsidiaries and, where relevant, the group structure;

(j) any service, other than the trade repository function, that the applicant provides or intends to provide;

any information on any pending judicial, administrative, arbitration or any other litigation proceedings irrespective of their type, that the applicant may be party to, particularly as regards tax and insolvency matters and where significant financial or reputational costs may be incurred, or any non-pending proceedings, that may still have any material impact on trade repository costs.

(3) Upon request by the FCA, the applicants shall also send to it additional information during the examination of the application for registration where such information is needed for the assessment of the applicants' capacity to comply with the requirements set out in Articles 56 and 58 of Regulation (EU) No 648/2012 and for the FCA to duly interpret and analyse the documentation to be submitted or already submitted.

(4) Where an applicant considers that a requirement of this Regulation is not applicable to it, it shall clearly indicate that requirement in its application and also provide an explanation why such requirement does not apply.