

Chapter 2

Commission Delegated Regulation (EU) 2019/357

Article 5 Operational arrangements for access to details of SFTs

(1) A trade repository shall establish and maintain the necessary technical arrangements to enable the entities listed in Article 12(2) of Regulation (EU) 2015/2365 to connect with the trade repository using a secure machine-to-machine interface.

For the purpose of the first subparagraph, a trade repository shall use the SSH File Transfer Protocol and standardised XML messages developed in accordance with the ISO 20022 methodology to communicate through that interface.

(2) A trade repository shall establish and maintain the necessary technical arrangements to enable the entities listed in Article 12(2) of Regulation (EU) 2015/2365 to establish predefined periodic requests to access, in accordance with Articles 1, 2 and 3, details of SFTs, that are necessary for those entities to fulfil their responsibilities and mandates.

(3) Upon request, a trade repository shall provide the entities listed in Article 12(2) of Regulation (EU) 2015/2365 with access to any SFT falling under their responsibilities and mandates in accordance with Article 3, based on any combination of the following fields as referred to in Annex I to Implementing Regulation (EU) 2019/363;

- (a) reporting timestamp;
- (b) reporting counterparty;
- (c) other counterparty;
- (d) branch of the reporting counterparty;
- (e) branch of the other counterparty;
- (f) sector of the reporting counterparty;
- (g) nature of the reporting counterparty;
- (h) broker;

- (i) report submitting entity;
- (j) beneficiary;
- (k) type of SFT;
- (l) type of collateral component;
- (m) trading venue;
- (n) execution timestamp;
- (o) maturity date;
- (p) termination date;
- (q) CCP;
- (r) action type.

(4) A trade repository shall establish and maintain the technical capability to provide direct and immediate access to the details of SFTs that are necessary for the entities listed in Article 12(2) of Regulation (EU) 2015/2365 to fulfil their mandates and responsibilities. The access to those details of SFTs shall be provided in accordance with the following deadlines:

- (a) where access is requested to details of outstanding SFTs, or of SFTs which have either matured or for which reports with action types "Error", "Termination/Early termination", or "Position component" as referred to in Field 98 of Table 2 of Annex I to Implementing Regulation (EU) 2019/363 were made not more than one year before the date on which the request was submitted: no later than 12:00 Universal Coordinated Time on the first calendar day following the day on which the request to access is submitted.
- (b) where access is requested to SFT details which have either matured or for which reports with action types "Error", "Termination/Early termination", or "Position component" as referred to in Field 98 of Table 2 of Annex I to Implementing Regulation (EU) 2019/363 were made more than one year before the date on which the request was submitted: no later than three working days after the request to access has been submitted.
- (c) where access is requested to SFT details falling under both points (a) and (b): no later than three working days after the request to access is submitted.

(5) A trade repository shall confirm receipt and verify the correctness and completeness of any request to access to details of SFTs submitted by the entities listed in Article 12(2) of Regulation (EU) 2015/2365 and shall notify those entities of the result of that verification no later than sixty minutes after the submission of the request.

(6) A trade repository shall use electronic signature and data encryption protocols to ensure the confidentiality, integrity and protection of the data made available to the entities listed in Article 12(2) of Regulation (EU) 2015/2365.