

## **Chapter 4**

# **Commission Delegated Regulation (EU) 2019/359**

Article 1 Identification, legal status and  
types of securities financing transactions

(1) For the purposes of Article 5(5)(a) of Regulation (EU) 2015/2365, the application for registration as a trade repository shall contain the following information:

- (a) the corporate name of the applicant and legal address within the United Kingdom;
- (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 types of securities financing transactions for which the applicant wishes to be registered;
- (d) information on whether the applicant is authorised or registered by a competent authority in the United Kingdom, and in such case, the name of the authority and any reference number related to the authorisation or registration;
- (e) the articles of incorporation 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;
- (k) 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.

(2) Upon request by the FCA, the applicants shall also provide 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 Chapter III of Regulation (EU) 2015/2365 and for the FCA to duly interpret and analyse the documentation to be submitted or already submitted.

(3) 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.