



Council of the  
European Union

119597/EU XXV. GP  
Eingelangt am 19/10/16

Brussels, 19 October 2016  
(OR. en)

13471/16  
ADD 1

EF 309  
ECOFIN 929  
DELECT 219

## COVER NOTE

---

From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 19 October 2016

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

---

No. Cion doc.: C(2016) 6624 final ANNEX 1

---

Subject: ANNEX to the COMMISSION DELEGATED REGULATION (EU) .../...  
amending Commission Delegated Regulation (EU) No 148/2013  
supplementing Regulation (EU) No 648/2012 of the European Parliament  
and of the Council on OTC derivatives, central counterparties and trade  
repositories with regard to regulatory technical standards on the minimum  
details of the data to be reported to trade repositories

---

Delegations will find attached document C(2016) 6624 final ANNEX 1.

---

Encl.: C(2016) 6624 final ANNEX 1



Brussels, 19.10.2016  
C(2016) 6624 final

ANNEX 1

**ANNEX**

**to the**

**COMMISSION DELEGATED REGULATION (EU) .../...**

**amending Commission Delegated Regulation (EU) No 148/2013 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories with regard to regulatory technical standards on the minimum details of the data to be reported to trade repositories**

## ANNEX

### Details to be reported to trade repositories

Table 1

#### Counterparty Data

	<b>Field</b>	<b>Details to be reported</b>
	Parties to the contract	
1	Reporting timestamp	Date and time of reporting to the trade repository.
2	Reporting Counterparty ID	Unique code identifying the reporting counterparty of the contract.
3	Type of ID of the other Counterparty	Type of the code used to identify the other Counterparty.
4	ID of the other Counterparty	Unique code identifying the other counterparty of the contract.  This field shall be filled from the perspective of the reporting counterparty. In case of a private individual a client code shall be used in a consistent manner.
5	Country of the other Counterparty	The code of country where the registered office of the other counterparty is located or country of residence in case that the other counterparty is a natural person.
6	Corporate sector of the reporting counterparty	Nature of the reporting counterparty's company activities.  If the Reporting Counterparty is a Financial Counterparty, this field shall contain all necessary codes included in the Taxonomy for Financial Counterparties and applying to that Counterparty.  If the Reporting Counterparty is a Non-Financial Counterparty, this field shall contain all necessary codes included in the Taxonomy for Non-Financial Counterparties and applying to that Counterparty.  Where more than one activity is reported, the codes shall be populated in order of the relative importance of the corresponding activities.
7	Nature of the reporting counterparty	Indicate if the reporting counterparty is a CCP, a financial, non-financial counterparty or other type of counterparty in accordance with point 5 of Article 1 or points 1, 8 and 9 of Article 2 of Regulation (EU) No 648/2012 of the European

	<b>Field</b>	<b>Details to be reported</b>
		Parliament and of the Council <sup>1</sup> .
8	Broker ID	In the case a broker acts as intermediary for the reporting counterparty without becoming a counterparty himself, the reporting counterparty shall identify this broker by a unique code.
9	Report submitting entity ID	In the case where the reporting counterparty has delegated the submission of the report to a third party or to the other counterparty, this entity has to be identified in this field by a unique code.  Otherwise this field shall be left blank.
10	Clearing member ID	In the case where the derivative contract is cleared and the reporting counterparty is not a clearing member itself, the clearing member through which the derivative contract is cleared shall be identified in this field by a unique code.
11	Type of ID of the Beneficiary	Type of the code used to identify the Beneficiary.
12	Beneficiary ID	The party subject to the rights and obligations arising from the contract.  Where the transaction is executed via a structure, such as a trust or fund, representing a number of beneficiaries, the beneficiary should be identified as that structure.  Where the beneficiary of the contract is not a counterparty to this contract, the reporting counterparty has to identify this beneficiary by a unique code or, in case of a private individual, by a client code used in a consistent manner as assigned by the legal entity used by the private individual.
13	Trading capacity	Identifies whether the reporting counterparty has concluded the contract as principal on own account (on own behalf or behalf of a client) or as agent for the account of and on behalf of a client.
14	Counterparty side	Identifies whether the reporting counterparty is a buyer or a seller.
15	Directly linked to commercial activity or	Information on whether the contract is objectively measurable as directly linked to the reporting counterparty's

<sup>1</sup> Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories

	<b>Field</b>	<b>Details to be reported</b>
	treasury financing	commercial or treasury financing activity, as referred to in Article 10(3) of Regulation (EU) No 648/2012.  This field shall be left blank in the case where the reporting counterparty is a financial counterparty, as referred to in Article 2(8) of Regulation (EU) No 648/2012.
16	Clearing threshold	Information whether the reporting counterparty is above the clearing threshold referred to in Article 10(3) of Regulation (EU) No 648/2012.  This field shall be left blank in case the reporting counterparty is a financial counterparty, as referred to in Article 2(8) of Regulation (EU) No 648/2012.
17	Value of contract	Mark to market valuation of the contract, or mark to model valuation where applicable under Article 11(2) of Regulation (EU) No 648/2012. The CCP's valuation to be used for a cleared trade.
18	Currency of the value	The currency used for the valuation of the contract.
19	Valuation timestamp	Date and time of the last valuation. For mark-to-market valuation the date and time of publishing of reference prices shall be reported.
20	Valuation type	Indicate whether valuation was performed mark to market, mark to model or provided by the CCP.
21	Collateralisation	Indicate whether a collateral agreement between the counterparties exists.
22	Collateral portfolio	Whether the collateralisation was performed on a portfolio basis.  Portfolio means the collateral calculated on the basis of net positions resulting from a set of contracts, rather than per trade.
23	Collateral portfolio code	If collateral is reported on a portfolio basis, the portfolio should be identified by a unique code determined by the reporting counterparty.
24	Initial margin posted	Value of the initial margin posted by the reporting counterparty to the other counterparty.  Where initial margin is posted on a portfolio basis, this field should include the overall value of initial margin posted for the portfolio.

	<b>Field</b>	<b>Details to be reported</b>
25	Currency of the initial margin posted	Specify the currency of the initial margin posted.
26	Variation margin posted	Value of the variation margin posted, including cash settled, by the reporting counterparty to the other counterparty.  Where variation margin is posted on a portfolio basis, this field should include the overall value of variation margin posted for the portfolio.
27	Currency of the variation margins posted	Specify the currency of variation margin posted.
28	Initial margin received	Value of the initial margin received by the reporting counterparty from the other counterparty.  Where initial margin is received on a portfolio basis, this field should include the overall value of initial margin received for the portfolio.
29	Currency of the initial margin received	Specify the currency of the initial margin received.
30	Variation margin received	Value of the variation margin received, including cash settled, by the reporting counterparty from the other counterparty.  Where variation margin is received on a portfolio basis, this field should include the overall value of variation margin received for the portfolio.
31	Currency of the variation margins received	Specify the currency of the variation margin received.
32	Excess collateral posted	Value of collateral posted in excess of the required collateral.
33	Currency of the excess collateral posted	Specify the currency of the excess collateral posted.
34	Excess collateral received	Value of collateral received in excess of the required. Collateral
35	Currency of the excess collateral received	Specify the currency of the excess collateral received.

Table 2

**Common Data**

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
	<b>Section 2a - Contract type</b>		<b>All contracts</b>
1	Contract type	Each reported contract shall be classified according to its type.	
2	Asset class	Each reported contract shall be classified according to the asset class it is based on.	
	<b>Section 2b – Contract information</b>		<b>All contracts</b>
3	Product classification type	The type of relevant product classification.	
4	Product classification	For products identified through International Securities Identification Number (ISIN) or Alternative Instrument Identifier (AII), Classification of Financial Instruments (CFI) code shall be specified.  For products for which ISIN or AII are not available, endorsed Unique Product Identifier (UPI) shall be specified. Until UPI is endorsed those products shall be classified with CFI code.	
5	Product identification type	The type of relevant product identification.	
6	Product identification	The product shall be identified through ISIN or AII. AII shall be used if a product is traded in a trading venue classified as AII in the register published on ESMA's website and set up on the basis of information provided by competent authorities pursuant to Article 13(2) of	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
		<p>Commission Regulation (EC) No 1287/2006<sup>2</sup>.</p> <p>AII shall only be used until the date of application of the delegated act adopted by the Commission pursuant to Article 27(3) of Regulation (EU) No 600/2014 of the European Parliament and of the Council<sup>3</sup>.</p>	
7	Underlying identification type	The type of relevant underlying identifier.	
8	Underlying identification	<p>The direct underlying shall be identified by using a unique identification for this underlying based on its type.</p> <p>AII shall only be used until the date of application of the delegated act adopted by the Commission pursuant to Article 27(3) of Regulation (EU) No 600/2014.</p> <p>For Credit Default Swaps, the ISIN of the reference obligation should be provided.</p> <p>In case of baskets composed, among others, of financial instruments traded in a trading venue, only financial instruments traded in a trading venue shall be specified.</p>	
9	Notional currency 1	<p>The currency of the notional amount.</p> <p>In the case of an interest rate or currency derivative contract, this will be the notional currency of leg 1.</p>	

<sup>2</sup> Commission Regulation (EC) No 1287/2006 of 10 August 2006 implementing Directive 2004/39/EC of the European Parliament and of the Council as regards record-keeping obligations for investment firms, transaction reporting, market transparency, admission of financial instruments to trading, and defined terms for the purposes of that Directive (OJ L 241, 2.9.2006, p. 1).

<sup>3</sup> Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).



	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
10	Notional currency 2	The other currency of the notional amount.  In the case of an interest rate or currency derivative contract, this will be the notional currency of leg 2.	
11	Deliverable currency	The currency to be delivered.	
	<b>Section 2c - Details on the transaction</b>		<b>All contracts</b>
12	Trade ID	Until global UTI is available, a Unique Trade ID agreed with the other counterparty.	
13	Report tracking number	A unique number for the group of reports which relate to the same execution of a derivative contract.	
14	Complex trade component ID	Identifier, internal to the reporting firm, to identify and link all the reports related to the same derivative contract composed of a combination of derivative contracts. The code must be unique at the level of the counterparty to the group of transaction reports resulting from the derivative contract.  Field applicable only where a firm executes a derivative contract composed of two or more derivative contracts and where this contract cannot be adequately reported in a single report.	
15	Venue of execution	The venue of execution of the derivative contract shall be identified by a unique code for this venue.  Where a contract was concluded OTC and the respective instrument is admitted to trading or traded on a trading venue, MIC code 'XOFF' shall be used.  Where a contract was concluded OTC	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
		and the respective instrument is not admitted to trading or traded on a trading venue, MIC code 'XXXX' shall be used.	
16	Compression	Identify whether the contract results from a compression operation as defined in Article 2(1)(47) of Regulation (EU) No 600/2014.	
17	Price / rate	The price per derivative excluding, where applicable, commission and accrued interest.	
18	Price notation	The manner in which the price is expressed.	
19	Currency of price	The currency in which the Price / rate is denominated.	
20	Notional	The reference amount from which contractual payments are determined. In case of partial terminations, amortisations and in case of contracts where the notional, due to the characteristics of the contract, varies over time, it shall reflect the remaining notional after the change took place.	
21	Price multiplier	The number of units of the financial instrument which are contained in a trading lot; for example, the number of derivatives represented by the contract.	
22	Quantity	Number of contracts included in the report.  For spread bets, the quantity shall be the monetary value wagered per point movement in the direct underlying financial instrument.	
23	Up-front payment	Amount of any up-front payment the reporting counterparty made or received.	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
24	Delivery type	Indicates whether the contract is settled physically or in cash.	
25	Execution timestamp	Date and time when the contract was executed.	
26	Effective date	Date when obligations under the contract come into effect.	
27	Maturity date	Original date of expiry of the reported contract.  An early termination shall not be reported in this field.	
28	Termination date	Termination date in the case of an early termination of the reported contract.	
29	Settlement date	Date of settlement of the underlying.  If more than one, further fields may be used.	
30	Master Agreement type	Reference to any master agreement, if existent (e.g. ISDA Master Agreement; Master Power Purchase and Sale Agreement; International ForEx Master Agreement; European Master Agreement or any local Master Agreements).	
31	Master Agreement version	Reference to the year of the master agreement version used for the reported trade, if applicable (e.g. 1992, 2002, etc.).	
	<b>Section 2d - Risk mitigation / Reporting</b>		<b>All contracts</b>
32	Confirmation timestamp	Date and time of the confirmation, as set out in Article 12 of Commission Delegated Regulation (EU) No 149/2013 <sup>4</sup> .	

<sup>4</sup> Commission Delegated Regulation (EU) No 149/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
33	Confirmation means	Whether the contract was electronically confirmed, non-electronically confirmed or remains unconfirmed.	
	<b>Section 2e - Clearing</b>		<b>All contracts</b>
34	Clearing obligation	Indicates, whether the reported contract belongs to a class of OTC derivatives that has been declared subject to the clearing obligation and both counterparties to the contract are subject to the clearing obligation under Regulation (EU) No 648/2012, as of the time of execution of the contract.	
35	Cleared	Indicates, whether clearing has taken place.	
36	Clearing timestamp	Time and date when clearing took place.	
37	CCP	In the case of a contract that has been cleared, the unique code for the CCP that has cleared the contract.	
38	Intragroup	Indicates whether the contract was entered into as an intragroup transaction, defined in Article 3 of Regulation (EU) No 648/2012.	
	<b>Section 2f - Interest Rates</b>		<b>Interest rate derivatives</b>
39	Fixed rate of leg 1	An indication of the fixed rate leg 1 used, if applicable.	
40	Fixed rate of leg 2	An indication of the fixed rate leg 2 used, if applicable.	
41	Fixed rate day count leg 1	The actual number of days in the relevant fixed rate leg 1 payer calculation period, if applicable.	

---

standards on indirect clearing arrangements, the clearing obligation, the public register, access to a trading venue, non-financial counterparties, and risk mitigation techniques for OTC derivatives contracts not cleared by a CCP (OJ L OJ L 52, 23.2.2013, p. 11).

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
42	Fixed rate day count leg 2	The actual number of days in the relevant fixed rate leg 2 payer calculation period, if applicable.	
43	Fixed rate payment frequency leg 1 – time period	Time period describing frequency of payments for the fixed rate leg 1, if applicable.	
44	Fixed rate payment frequency leg 1 – multiplier	Multiplier of the time period describing frequency of payments for the fixed rate leg 1, if applicable.	
45	Fixed rate payment frequency leg 2 – time period	Time period describing frequency of payments for the fixed rate leg 2, if applicable.	
46	Fixed rate payment frequency leg 2 – multiplier	Multiplier of the time period describing frequency of payments for the fixed rate leg 2, if applicable.	
47	Floating rate payment frequency leg 1 – time period	Time period describing frequency of payments for the floating rate leg 1, if applicable.	
48	Floating rate payment frequency leg 1 – multiplier	Multiplier of the time period describing frequency of payments for the floating rate leg 1, if applicable.	
49	Floating rate payment frequency leg 2 – time period	Time period describing frequency of payments for the floating rate leg 2, if applicable.	
50	Floating rate payment frequency leg 2 – multiplier	Multiplier of the time period describing frequency of payments for the floating rate leg 2, if applicable.	
51	Floating rate reset frequency leg 1 – time period	Time period describing frequency of floating rate leg 1 resets, if applicable.	
52	Floating rate reset frequency leg 1 – multiplier	Multiplier of the time period describing frequency of floating rate leg 1 resets, if applicable.	
53	Floating rate reset frequency leg 2 – time period	Time period of frequency of floating rate leg 2 resets, if applicable.	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
54	Floating rate reset frequency leg 2 – multiplier	Multiplier of the time period describing frequency of floating rate leg 2 resets, if applicable.	
55	Floating rate of leg 1	An indication of the interest rates used which are reset at predetermined intervals by reference to a market reference rate, if applicable.	
56	Floating rate reference period leg 1 – time period	Time period describing the reference period for the floating rate of leg 1.	
57	Floating rate reference period leg 1 – multiplier	Multiplier of the time period describing the reference period for the floating rate of leg 1.	
58	Floating rate of leg 2	An indication of the interest rates used which are reset at predetermined intervals by reference to a market reference rate, if applicable.	
59	Floating rate reference period leg 2 – time period	Time period describing the reference period for the floating rate of leg 2.	
60	Floating rate reference period leg 2 – multiplier	Multiplier of the time period describing the reference period for the floating rate of leg 2.	
	<b>Section 2g – Foreign Exchange</b>		<b>Currency derivatives</b>
61	Delivery currency 2	The cross currency, if different from the currency of delivery.	
62	Exchange rate 1	The exchange rate as of the date and time when the contract was concluded. It shall be expressed as a price of base currency in the quoted currency.	
63	Forward exchange rate	Forward exchange rate as agreed between the counterparties in the contractual agreement. It shall be expressed as a price of base currency in the quoted currency.	
64	Exchange rate basis	Quote base for exchange rate.	
	<b>Section 2h – Commodities</b>		<b>Commodity and</b>

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
	<b>and emission allowances</b>		<b>emission allowance derivatives</b>
	<b>General</b>		
65	Commodity base	Indicates the type of commodity underlying the contract.	
66	Commodity details	Details of the particular commodity beyond field 65.	
	<b>Energy</b>	Fields 67 – 77 apply only to derivative contracts related to natural gas and electricity delivered in the Union.	
67	Delivery point or zone	Delivery point(s) of market area(s).	
68	Interconnection Point	Identification of the border(s) or border Point(s) of a transportation contract.	
69	Load type	Identification of the delivery profile.	
	Repeatable section of fields 70 - 77		
70	Load delivery intervals	The time interval for each block or shape.	
71	Delivery start date and time	Start date and time of delivery.	
72	Delivery end date and time	End date and time of delivery.	
73	Duration	The duration of the delivery period.	
74	Days of the week	The days of the week of the delivery.	
75	Delivery capacity	Delivery capacity for each delivery interval specified in field 70.	
76	Quantity Unit	Daily or hourly quantity in MWh or kWh/d which corresponds to the underlying commodity.	
77	Price/time interval quantities	If applicable, price per quantity per delivery time interval.	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
	<b>Section 2i – Options</b>		<b>Contracts that contain an option</b>
78	Option type	<p>Indication as to whether the derivative contract is a call (right to purchase a specific underlying asset) or a put (right to sell a specific underlying asset) or whether it cannot be determined whether it is a call or a put at the time of execution of the derivative contract.</p> <p>In case of swaptions it shall be:</p> <ul style="list-style-type: none"> <li>- “Put”, in case of receiver swaption, in which the buyer has the right to enter into a swap as a fixed-rate receiver;</li> <li>- “Call”, in case of payer swaption, in which the buyer has the right to enter into a swap as a fixed-rate payer.</li> </ul> <p>In case of Caps and Floors it shall be:</p> <ul style="list-style-type: none"> <li>- “Put”, in case of a Floor;</li> <li>- “Call”, in case of a Cap.</li> </ul>	
79	Option exercise style	Indicates whether the option may be exercised only at a fixed date (European, and Asian style), a series of pre-specified dates (Bermudan) or at any time during the life of the contract (American style).	
80	Strike price (cap/floor rate)	The strike price of the option.	
81	Strike price notation	The manner in which the strike price is expressed.	
82	Maturity date of the underlying	In case of swaptions, maturity date of the underlying swap.	
	<b>Section 2j – Credit derivatives</b>		
83	Seniority	Information on the seniority in case of contract on index or on a single name	



	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
		entity.	
84	Reference entity	Identification of the underlying reference entity.	
85	Frequency of payment	The frequency of payment of the interest rate or coupon.	
86	The calculation basis	The calculation basis of the interest rate.	
87	Series	The series number of the composition of the index if applicable.	
88	Version	A new version of a series is issued if one of the constituents defaults and the index has to be re-weighted to account for the new number of total constituents within the index.	
89	Index factor	The factor to apply to the Notional (Field 20) to adjust it to all the previous credit events in that Index series.  The figure varies between 0 and 100.	
90	Tranche	Indication whether a derivative contract is tranced.	
91	Attachment point	The point at which losses in the pool will attach to a particular tranche.	
92	Detachment point	The point beyond which losses do not affect the particular tranche.	
	<b>Section 2k - Modifications to the contract</b>		
93	Action type	Whether the report contains:  - a derivative contract for the first time, in which case it will be identified as 'new';  - a modification to the terms or details of a previously reported derivative contract, but not a correction of a report, in which case it will be	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
		<p>identified as 'modify'. This includes an update to a previous report that is showing a position in order to reflect new trades included in that position;</p> <ul style="list-style-type: none"> <li>- a cancellation of a wrongly submitted entire report in case the contract never came into existence or was not subject to Regulation (EU) No 648/2012 reporting requirements but was reported to a trade repository by mistake, in which case, it will be identified as 'error';</li> <li>- an early termination of an existing contract, in which case it will be identified as 'early termination';</li> <li>- a previously submitted report contains erroneous data fields, in which case the report correcting the erroneous data fields of the previous report shall be identified as 'correction';</li> <li>- a compression of the reported contract, in which case it will be identified as 'compression';</li> <li>- an update of a contract valuation or collateral, in which case it will be identified as 'valuation update';</li> <li>- a derivative contract that is to be reported as a new trade and also included in a separate position report on the same day, in which case it will be identified as a 'position component'. This value will be equivalent to reporting a new trade followed by an update to that report showing it as compressed.</li> </ul>	
94	Level	<p>Indication whether the report is done at trade or position level.</p> <p>Position level report can be used only as a supplement to trade level reporting to report post-trade events</p>	

	<b>Field</b>	<b>Details to be reported</b>	<b>Applicable types of derivative contracts</b>
		and only if the individual trades in fungible products have been replaced by the position.	