

# HSBC SFTR Delegated Reporting Service

## HSBC Continental Europe Procedures

### Manual

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# Introduction and general information

## 1. Introduction

This Procedures Manual contains practical information on the processes and procedures which will apply where HSBC provides Reporting Services to you.

This information is subject to modification by HSBC at any time. Any material modifications will be made available via the HSBC Website (the "Website"):

<https://www.business.hsbc.fr/fr-fr/fr/generic/sftr-en>

Please periodically check the HSBC website for updates as they are effective immediately.

This Procedures Manual should be read together with the HSBC Master Regulatory Reporting Agreement ("MRR") to which it forms part. Capitalised terms not defined in this Procedures Manual shall have the meaning given to them in the MRR. Please retain a hard copy of this Procedures Manual and the MRR for your records.

Where this Procedures Manual refers to "we", "us" or "HSBC" it refers to the HSBC Reporting Party entity, Reporting Delegate Affiliate (as applicable) and/or both of them jointly as the context may require and where this Procedures Manual refers to "you" or "your" it refers to you or your organisation.

HSBC is currently offering the Reporting Services under the MRR in respect of Relevant Transactions entered into between you and HSBC Continental Europe. Please note that the HSBC entities offering the Reporting Service may change and we may update these Procedures accordingly from time to time.

## 2. General information

### 2.1. HSBC contact details

You must provide any information in relation to the completion and/or amendment of enrolment forms to HSBC by emailing [reg-business-support.hbfr-bmo@hsbc.fr](mailto:reg-business-support.hbfr-bmo@hsbc.fr) or by any other method which HSBC will notify to you from time to time. For example, if HSBC uses a Reporting System in the course of providing Reporting Services to you, HSBC will notify you of the means by which you must provide any information through that Reporting System. Any queries relating to on-going, day-to-day Report files must be emailed to [hsbc.sftr.regulatory.ops@hsbc.com](mailto:hsbc.sftr.regulatory.ops@hsbc.com).

If you do not provide information to HSBC to the correct email address or in such other manner specified by HSBC from time to time, HSBC may not receive the information in time to include that information in any Reports made on your behalf within the timeframes specified under SFTR.

Where you provide information by email, it is your responsibility to ensure that the email arrives in time. HSBC will not be responsible for any delays in transmission or receipt.

## 2.2. Security

HSBC will implement security measures designed to protect the information that you provide to HSBC and will notify you of the relevant security measures from time to time on the HSBC Website.

Where HSBC sends information to you for verification, HSBC will seek to mask your identity in order to maintain confidentiality (for example, by labelling any data files with your client ID number rather than the name of your entity).

Any data files sent to you by HSBC will be encrypted using an encryption system that HSBC will notify to you from time to time.

Where HSBC uses a Reporting System to provide the Reporting Services, that Reporting System may have its own security measures in place. HSBC will notify you of any such security measures from time to time.

## 2.3. Information received in error

If you consider that you have received any information from HSBC in error, you must immediately notify HSBC by emailing [hsbc.sftr.regulatory.ops@hsbc.com](mailto:hsbc.sftr.regulatory.ops@hsbc.com) and destroy or permanently delete the information and confirm to HSBC that you have done so.

## 2.4. Suspension or termination of Reporting Services

HSBC may suspend or terminate its provision of the Reporting Services to you (including suspension or termination of access to any Reporting System) in accordance with the MRRRA and these Procedures. This may happen for a number of reasons, including as a result of any systems failure, complete or partial outage, or where HSBC, an HSBC Affiliate or any service provider is required to take action for regulatory or compliance reasons which results in suspension or termination of the Reporting Services.

HSBC will seek to keep you updated in relation to any suspension or termination.

## 2.5. Technology

HSBC may use one or more Reporting Systems in the course of providing the Reporting Services. Where HSBC uses a Reporting System, it will notify you in advance of the date on which HSBC intends to commence using that Reporting System and any requirements (including technology requirements) for you to access that Reporting System.

These requirements will be accessible on HSBC's Website.

## 2.6. Complaints procedure

If you wish to complain about any aspect of the Reporting Service, you should contact HSBC Delegated Reporting Service Team by emailing [hsbc.sftr.regulatory.ops@hsbc.com](mailto:hsbc.sftr.regulatory.ops@hsbc.com).

## 3. Threshold Criteria and Key Responsibilities

### 3.1. Threshold criteria

Before HSBC can start providing you with the Reporting Services and to be able to continuing such services, you must meet the following threshold criteria.

1. Adhered to and agreed to be bound by the MRRA, which includes this Procedures Manual.
2. Completed and returned the SFTR Delegated Reporting Service Form. If you have any questions about the forms or how to complete them, please contact HSBC on [reg-business-support.hbfr-bmo@hsbc.fr](mailto:reg-business-support.hbfr-bmo@hsbc.fr).
3. Obtained and retain a legal entity identifier (LEI). To obtain an LEI please visit the LEI website at <https://www.gleif.org/en/about-lei/get-an-lei-find-lei-issuing-organizations>. You can find more information on LEI and SFTR reporting obligations on HSBC's Website or contact HSBC SFTR Client support by emailing [reg-business-support.hbfr-bmo@hsbc.fr](mailto:reg-business-support.hbfr-bmo@hsbc.fr). You have the obligation to keep up to date with any requirements relating to your LEI which includes updating it annually.
4. Provide with any further information or details that HSBC requests.
5. You must have ensured that you are able to use any method or system of encryption notified to you by HSBC from time to time.

### 3.2. Your key responsibilities

Although HSBC will submit Reports on your behalf, you continue to be subject to regulatory responsibilities. While SFTR permits delegation of the action of reporting, it does not permit delegation of the liability and responsibility for reporting. This liability and responsibility remains your own.

It is important that you are satisfied that you have provided the correct information to HSBC for inclusion in the Reports and that you check the information on the Reports. **It is your responsibility to ensure the accuracy and completeness of the submitted Report and that you notify us if any information in the Report is not correct.**

You will also need to ensure that you are able to comply with any record keeping obligations to which you may be subject to and that you retain a copy of the information provided to you by HSBC about the Reports (or download the information as appropriate).

The MRRA and this Procedures Manual relate to reporting under SFTR only.

Please ensure that you provide and maintain a valid email address where you can be contacted on throughout the life of the service agreement.

If you do not comply with the threshold criteria and key responsibilities, HSBC will not be able to provide you with the Reporting Services and may have to terminate the MRRA immediately.

# Reporting

## 4. About the Reporting Services

### 4.1. Contents of Reports

The trade information submitted will be driven by the information HSBC submits for its own House trading activity and subject to the same quality and completeness checks accordingly.

HSBC will rely on you to provide HSBC with your counterparty data. You should provide this information in accordance with the procedures set out in [Section 6 \(Providing Reporting Information to HSBC\)](#).

HSBC will complete its own counterparty data and common data reports and the common data reports that it makes on your behalf on the basis of the information available to HSBC (including information that HSBC holds in its capacity as your counterparty in the relevant transaction contract and information that you have provided to HSBC).

HSBC will be the generating party for the Reports and will create the Unique Trade Identifier ("UTI"), for each trade that we enter into with you.

HSBC may also report additional information (for example, because the trade repository to which HSBC makes its reports requires additional information in its standard forms, or because HSBC takes a standardised global approach to reporting, covering information required to be reported in other jurisdictions).

When a client has elected to use the Reporting Services, the client acknowledges that the quality of their submission will match the quality of HSBC's submission for the same reportable event. This means that any deficiencies either known or subsequently detected in the quality of HSBC's submissions will apply equally to the submission made for the client.

### 4.2. Reporting of information on collateral or valuations

Where SFTR requires collateral valuations to be reported, HSBC will use the same values in client's Reports as used in HSBC's own House reports. HSBC makes every effort to adhere to the recognised sources of valuations and FX rates established by the regulatory bodies when collating and reporting this information. It will not be possible to use alternate sources of pricing or valuation for a client's Report versus what is used for HSBC's own House report.

### 4.3. Reporting of information on collateral re-use

Should your firm need to report Collateral Re-Use under the SFTR framework, HSBC will not undertake to produce this report on your behalf as part of the Delegated Reporting service. If your firm is engaged in Collateral Re-Use and requires HSBC to submit it to an appointed Trade Repository, then you will need to formulate a fully enriched and completed Collateral Re-use report in the regulatory ISO20022 XML format and send it to [hsbc.sftr.regulatory.ops@hsbc.com](mailto:hsbc.sftr.regulatory.ops@hsbc.com) for onward transmission. HSBC assumes no responsibility for the content or quality of the Collateral Re-use report and will attempt submission on an "as-is" basis only.

## 4.4. Circumstances in which HSBC may not report on your behalf

HSBC will only report transaction data from the date of such commencement of your service and subject as provided below, will not report historic transaction data on your behalf:

- ◆ where not required in accordance with SFTR;
- ◆ if you do not provide an up-to-date LEI or your LEI lapses.

HSBC may decide not to submit a Report on your behalf in accordance with the MRRA.

HSBC may not be able to report any transaction for you and may have to terminate the MRRA immediately, if you have not fulfilled all Threshold Criteria at [Paragraph 3 \(Threshold Criteria and Key Responsibilities\)](#) or provided information in accordance with [Section 6 \(Providing Reporting Information to HSBC\)](#).

The MRRA does not restrict the ability of HSBC to submit a report on its own behalf, even where it has not submitted a report on your behalf.

## 4.5. Restrictions on your ability to report on your own behalf

SFTR requires counterparties to ensure that the details of their transactions are reported without duplication.

In accordance with the MRRA, you must not submit your own reports to a Trade Repository for Relevant Transactions while the MRRA is in force between you and HSBC. If for any reason you become aware that a report has been submitted by you or on your behalf in relation to a securities financing contract for which HSBC has also submitted a Report on your behalf, you must notify HSBC immediately at the following email address: [hsbc.sftr.regulatory.ops@hsbc.com](mailto:hsbc.sftr.regulatory.ops@hsbc.com).

# 5. Reporting

## 5.1. Timing for HSBC Reports

In the normal course, HSBC will submit Reports to the trade repository on the day of the conclusion, modification or termination of a transaction ("**T0**").

Under SFTR, you and HSBC are required to ensure that the details of any transaction and of any modification or termination of that transaction are reported to a trade repository no later than the working day following the conclusion, modification or termination of the transaction ("**T+1**").

HSBC will make any report on the basis of the data and any other information HSBC has received from you.

HSBC will only report on days on which the markets are open for business and on which the relevant trade repositories are open for business.

## 5.2. Reporting start dates

HSBC will start reporting relevant transactions from the relevant reporting start dates specified under SFTR and subject to the threshold criteria being satisfied.

Although a reporting start date may be specified under SFTR for particular types of transaction, there may be a different reporting start date for particular types of information to be reported in relation to a transaction. As a result, while HSBC may report a transaction by or before the deadline specified under SFTR, it may not be required to report certain information in relation to that transaction until a later date.

### 5.3. Notification of trade repositories to which HSBC may report

HSBC is able to submit Reports to the trade repositories agreed in the Delegating Reporting Service Form.

### 5.4. Notification of delegation by HSBC

HSBC may delegate any of its functions in accordance with the MRRRA. Where that delegation may have an impact on any of the processes set out in this Procedures Manual, HSBC will update this Procedures Manual accordingly.

## 6. Providing Reporting Information to HSBC

HSBC will report on your behalf Relevant Data constituted by Counterparty Data and Common Data and may request information from you, including the following:

- ◆ Counterparty (including Static Data) Data;
- ◆ information specific to a particular Report;
- ◆ updates, amendments or corrections to information previously provided by you; and
- ◆ ad hoc requests for information where HSBC considers this to be necessary or appropriate.

If HSBC requests information from you, and no timeframe for providing the information is set out in this Procedures Manual, HSBC will specify a timeframe within which the information must be provided. You must ensure that this information is received by HSBC within that timeframe or the timeframe set out in this Procedures Manual, whichever is the shorter.

All information provided to HSBC for these purposes must be sent to HSBC in the manner prescribed in this Procedures Manual, or otherwise as notified by HSBC to you from time to time.

### 6.1. Static Data

HSBC may request Static Data as per this Procedures Manual and in the Delegated Reporting Service Form.

You should complete the fields in the Delegated Reporting Service Form which contain information that HSBC requires to include in any Report it makes on your behalf. If you have provided HSBC with Static Data, HSBC will report that information in any Report it makes on your behalf, until you notify HSBC otherwise.

If you need to amend the Static Data for any Report, you will need to contact HSBC for assistance. If you wish to amend the Static Data for all Reports going forward, you should provide HSBC with a revised Delegated Reporting Service Form, specifying the date on which the information changed. For more details about updates, amendments and corrections, please refer to [paragraph 6.2](#).

### 6.2. Updates, amendments or corrections

You should notify HSBC in the manner prescribed in this Procedures Manual, or otherwise as notified by HSBC to you from time to time of any updates, amendments or corrections to information that you have provided to HSBC.

Any such notifications should be made as soon as possible but if HSBC does not receive the information before it submits a Report, HSBC may not be able to correct or amend that Report and it may be necessary to submit a further Report to the relevant trade repository correcting the Report which has already been made.



HSBC may need to amend or correct a Report which has been made, this will be subject to its own discretion and depending on the materiality of the required amendment or correction and if it's operationally feasible. HSBC may, in its own discretion, notify you within a reasonable period of any Report which has been amended or corrected due to an error that HSBC considers material and will also notify you of any fees incurred in relation to that amendment or correction for which you are responsible in accordance with the MRRA.

### 6.3. Ad hoc requests for information

HSBC may request additional information from you from time to time. Any such requests will specify the timeframe within which the information must be provided.

## 7. Checking Reports Submitted by HSBC

It is your responsibility to ensure the accuracy and completeness of the submitted Report and that you notify us if any information in the Report is not correct.

These Procedures refer you to the information contained in the Delegated Reporting Service Form about the trade repository to which HSBC reports the transactions entered into between you and HSBC so that you may make your own arrangements to access the trade repository to verify the information held by the trade repository against your own records for accuracy and completeness. Please contact HSBC to check this information in your Reports. HSBC may need to amend or correct a Report which has been made. HSBC may, in its own discretion, notify you within a reasonable period of any Report which has been amended or corrected due to an error that HSBC considers material and will also notify you of any fees incurred in relation to that amendment or correction for which you are responsible in accordance with the MRRA.

# Miscellaneous

## 8. Miscellaneous

### 8.1. Record keeping

The Reporting Services only cover reporting on your behalf. The Reporting Service does not cover record keeping of your trade reports. You should ensure that you maintain records of your trade reports in accordance with SFTR.

### 8.2. Termination

If the MRRA is terminated for any reason, HSBC will cease to report on your behalf.

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