

Finansinspektionen's Regulatory Code

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Finansinspektionen's regulations regarding the obligation of firms conducting securities business through branches in Sweden to report certain information;

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decided on 22 June 2021.

Finansinspektionen prescribes¹ the following pursuant to Chapter 6, section 1, point 56 of the Securities Market Ordinance (2007:572).

Scope and definitions

Section 1 These regulations apply to an undertaking domiciled outside of the EEA that conducts securities business from a branch in Sweden with authorisation pursuant to Chapter 4, section 4 of the Securities Market Act (2007:528).

Section 2 Terms and expressions in these regulations have the same meaning as in the Securities Market Act (2007:528).

Information to Finansinspektionen

Section 3 An undertaking in accordance with section 1 shall provide Finansinspektionen on an annual basis with information concerning

1. the scale and scope of the services and activities carried out by the branch in Sweden,
2. the turnover and the aggregated value of the assets corresponding to the services and activities referred to in point 1,
3. a detailed description of the investor protection arrangements available to the clients of the branch, including their rights from the investor protection set out in Chapter 4, section 4, point 7 of the Securities Market Act (2007:528),
4. the policy and the arrangements for risk management that the branch applies for the services and operations referred to in point 1,
5. how the branch is governed, including which persons maintain key functions for the branch's operations, and

¹Cf. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU as worded according to Directive (EU) 2019/2034 of the European Parliament and of the Council.

6. the total number of clients of the branch.

Section 4 An undertaking pursuant to section 1 that trades on its own account corresponding to such operations as referred to in Chapter 2, section 1, point 3 of the Securities Market Act (2007:528) shall submit to Finansinspektionen on an annual basis information regarding its minimum, average and maximum exposure to counterparties in the EEA, broken down by month.

Section 5 An undertaking pursuant to section 1 that underwrites financial instruments or investments in financial instruments with fixed commitments corresponding to operations such as those referred to in Chapter 2, section 1, point 6 of the Securities Market Act (2007:528) shall submit to Finansinspektionen on an annual basis information about the total value of financial instruments originating from counterparties in the EEA and that have been underwritten or invested on the basis of a fixed commitment during the previous 12 months.

Section 6 An undertaking shall submit information to Finansinspektionen pursuant to sections 3–5 in the manner specified in more detail on the authority’s website.

These regulations shall enter into force on 07 July 2021.

ERIK THEDÉEN

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