**European Market Infrastructure Regulation - reporting errors and omissions notification form**

**Please read carefully, before completing and submitting this form.**

**Purpose of this form**

[EMIR technical standards ITS 1247 of 2012](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02012R1247-20190411) and [RTS 148 of 2013](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R0148-20171101), and the [ESMA EMIR Q&As](https://www.esma.europa.eu/regulation/post-trading), set out rules and guidance in respect of EMIR reporting requirements.

When notifying the FCA of any errors or omissions in reports pursuant to Article 9 of EMIR, we request that firms use this form. Completing this form will help ensure that the FCA has the relevant information for handling errors or omissions in EMIR reporting. The FCA may make subsequent requests for information following review of a firm’s submission.

**When completing this form**

* To notify the FCA of a breach/issue in relating to a firm’s compliance with Article 9 of EMIR, we request that firms complete and submit this form as soon as the breach has been identified, even if sections relating to the extent of the breach or the time it will take to remediate cannot be accurately given. If this is the case, firms should submit updated and complete forms once these details are known.
* Firms may be required to provide personal data in this form. For further information on how the FCA processes personal data, please read our privacy notice available on our website: <https://www.fca.org.uk/privacy/personal-data-and-supervision>

**Submission**

Notifications should be submitted to the EMIR Team at EMIR@fca.org.uk. When sending the completed form firms should change the filename to use the format: date-in-yyyymmdd\_firm-name\_EMIR-error-and-omissions-form.docx (example 20200612\_firmabc\_EMIR-error-and-omissions-form.docx).

|  |  |
| --- | --- |
| Is this submission an update to a previously submitted form? | Choose an item. |
| If yes, when was the previous form submitted? | Click or tap to enter a date. |
| If yes, what was the name of the previously submitted file? | Click or tap here to enter text. |

1. **General details**
	1. Contact information of submitter

|  |  |
| --- | --- |
| Contact name: | Click or tap here to enter text. |
| Contact e-mail: | Click or tap here to enter text. |
| Contact telephone number: | Click or tap here to enter text. |

Choose an item.

* 1. Senior Management Function accountable for EMIR reporting
	2. Submitting entity details

*Complete this section with your details if you are;*

1. *The reporting counterparty; or*
2. *A counterparty reporting on behalf of a firm which has delegated their reporting requirements to you; or*
3. *A counterparty reporting on behalf of group entities; or*
4. *A fund manager reporting on behalf of a fund(s)*

|  |  |
| --- | --- |
| Submitting entity type | Choose an item. |
| Legal name: | Click or tap here to enter text. |
| LEI: | Click or tap here to enter text. |
| FRN (if applicable): | Click or tap here to enter text. |

1. **Delegated reporting**

Choose an item.

* 1. Does this issue affect any firms/funds for which you perform mandatory delegated reporting pursuant to Articles 9(1a) – 9(1d) under EMIR?
	2. If yes to 2.1 above, provide a list of the relevant firm(s)/group entit(ies)/fund LEIs as comma separated values.

Click or tap here to enter text.

Choose an item.

* 1. Does this issue affect any firms/funds for which you perform delegated reporting services not subject to mandatory reporting pursuant to Articles 9(1a) – 9(1d)?
	2. If yes to 2.3 above, have you notified the entities involved?

Click or tap here to enter text.

1. **Details of errors or omissions**
	1. Details of the issue and scope.

Click or tap here to enter text.

* 1. Root cause(s)?

Click or tap here to enter text.

* 1. How was the issue discovered?

Click or tap here to enter text.

* 1. Number of transactions affected[[1]](#footnote-1) by the issue if known or, if not, provide an estimate (Note only enter numerical values).

Click or tap here to enter text.

* 1. Share of reported trades affected1 by the breach over the breach period?

Choose an item.

* 1. Please complete Annex 1 on the affected fields.
1. **Timelines, Remediation and Back-reporting**
	1. Timelines

|  |  |
| --- | --- |
| When was the issue discovered? | Click or tap to enter a date. |
| When did the issue first occur? | Click or tap to enter a date. |
| Is the issue ongoing? | Choose an item. |
| When was/will the issue be resolved? | Click or tap to enter a date. |
| Further details on any of the above | Click or tap here to enter text. |

* 1. Action(s) and/or escalation(s) taken so far?

Click or tap here to enter text.

* 1. Provide details of the remediation plan?

Click or tap here to enter text.

Click or tap here to enter text.

* 1. If relevant, the number of transactions that need to be back reported (Note only enter numerical values).

Choose an item.

* 1. Has the back reporting been completed?

Click or tap here to enter text.

* 1. If no to 4.5, please add details of when this is expected
1. **On-going monitoring and governance**

Click or tap here to enter text.

* 1. Has this issue highlighted any weaknesses in your firm’s systems and controls, and, if so, your plans to address them.
1. **Other relevant information**

Click or tap here to enter text.

* 1. Name of the relevant Trade Repository.

Click or tap here to enter text.

* 1. Include details of any additional information if required.

If you have any queries in regard of this or any other EMIR related issue please contact us at EMIR@fca.org.uk.

**Annex 1: Identification of misreported fields**

Please complete this electronically by clicking on the relevant box.

|  |
| --- |
| **Parties to the contract** |
|[ ]  Reporting timestamp |[ ]  Reporting Counterparty ID |[ ]  Type of ID of the other Counterparty |
|[ ]  ID of the other Counterparty |[ ]  Country of the other Counterparty |[ ]  Corporate sector of the reporting counterparty |
|[ ]  Nature of the reporting counterparty |[ ]  Broker ID |[ ]  Report submitting entity ID |
|[ ]  Clearing member ID |[ ]  Type of ID of the Beneficiary |[ ]  Beneficiary ID |
|[ ]  Trading capacity |[ ]  Counterparty side |[ ]  Directly linked to commercial activity or treasury financing |
|[ ]  Clearing threshold |[ ]  Value of contract |[ ]  Currency of the value |
|[ ]  Valuation timestamp |[ ]  Valuation type |[ ]  Collateralisation |
|[ ]  Collateral portfolio |[ ]  Collateral portfolio code |[ ]  Initial margin posted |
|[ ]  Currency of the initial margin posted |[ ]  Variation margin posted |[ ]  Currency of the variation margins posted |
|[ ]  Initial margin received |[ ]  Currency of the initial margin received |[ ]  Variation margin received |
|[ ]  Currency of the variation margins received |[ ]  Excess collateral posted |[ ]  Currency of the excess collateral posted |
|[ ]  Excess collateral received |[ ]  Currency of the excess collateral received |  |  |
| **Section 2a — Contract type** |
|[ ]  Contract type |[ ]  Asset class |  |  |
| **Section 2b — Contract information** |
|[ ]  Product classification type |[ ]  Product classification |[ ]  Product identification type |
|[ ]  Product identification |[ ]  Underlying identification type |[ ]  Underlying identification |
|[ ]  Notional currency 1 |[ ]  Notional currency 2 |[ ]  Deliverable currency |
| **Section 2c — Details on the transaction** |
|[ ]  Trade ID |[ ]  Report tracking number |[ ]  Complex trade component ID |
|[ ]  Venue of execution |[ ]  Compression |[ ]  Price/rate |
|[ ]  Price notation |[ ]  Currency of price |[ ]  Notional |
|[ ]  Price multiplier |[ ]  Quantity |[ ]  Up-front payment |
|[ ]  Delivery type |[ ]  Execution timestamp |[ ]  Effective date |
|[ ]  Maturity date |[ ]  Termination date |[ ]  Settlement date |
|[ ]  Master Agreement type |[ ]  Master Agreement version |  |  |
| **Section 2d — Risk mitigation/Reporting** |
|[ ]  Confirmation timestamp |[ ]  Confirmation means |  |  |
| **Section 2e — Clearing** |
|[ ]  Clearing obligation |[ ]  Cleared |[ ]  Clearing timestamp |
|[ ]  CCP |[ ]  Intragroup |  |  |
| **Section 2f — Interest Rates** |
|[ ]  Fixed rate of leg 1 |[ ]  Fixed rate of leg 2 |[ ]  Fixed rate day count leg 1 |
|[ ]  Fixed rate day count leg 2 |[ ]  Fixed rate payment frequency leg 1 — time period |[ ]  Fixed rate payment frequency leg 1 — multiplier |
|[ ]  Fixed rate payment frequency leg 2 — time period |[ ]  Fixed rate payment frequency leg 2 — multiplier |[ ]  Floating rate payment frequency leg 1 — time period |
|[ ]  Floating rate payment frequency leg 1 — multiplier |[ ]  Floating rate payment frequency leg 2 — time period |[ ]  Floating rate payment frequency leg 2 — multiplier |
|[ ]  Floating rate reset frequency leg 1 — time period |[ ]  Floating rate reset frequency leg 1 — multiplier |[ ]  Floating rate reset frequency leg 2 — time period |
|[ ]  Floating rate reset frequency leg 2 — multiplier |[ ]  Floating rate of leg 1 |[ ]  Floating rate reference period leg 1 — time period |
|[ ]  Floating rate reference period leg 1 — multiplier |[ ]  Floating rate of leg 2 |[ ]  Floating rate reference period leg 2 — time period |
|[ ]  Floating rate reference period leg 2 — multiplier |  |  |  |  |

|  |
| --- |
| **Section 2g — Foreign Exchange** |
|[ ]  Delivery currency 2 |[ ]  Exchange rate 1 |[ ]  Forward exchange rate |
|[ ]  Exchange rate basis |  |  |  |  |
| **Section 2h — Commodities and emission allowances - General** |
|[ ]  Commodity base |[ ]  Commodity details |  |  |
| **Section 2h — Commodities and emission allowances – Energy** |
|[ ]  Delivery point or zone |[ ]  Interconnection Point |[ ]  Load type |
| **Section 2h — Commodities and emission allowances – Repeatable fields** |
|[ ]  Load delivery intervals |[ ]  Delivery start date and time |[ ]  Delivery end date and time |
|[ ]  Duration |[ ]  Days of the week |[ ]  Delivery capacity |
|[ ]  Quantity Unit |[ ]  Price/time interval quantities |  |  |
| **Section 2i — Options** |
|[ ]  Option type |[ ]  Option exercise style |[ ]  Strike price (cap/floor rate) |
|[ ]  Strike price notation |[ ]  Maturity date of the underlying |  |  |
| **Section 2j — Credit derivatives** |
|[ ]  Seniority |[ ]  Reference entity |[ ]  Frequency of payment |
|[ ]  The calculation basis |[ ]  Series |[ ]  Version |
|[ ]  Index factor |[ ]  Tranche |[ ]  Attachment point |
|[ ]  Detachment point |  |  |  |  |
| **Section 2k — Modifications to the contract** |
|[ ]  Action type |[ ]  Level |  |  |

1. Estimate should include any reports affected related to the reporting entity and any firms/funds for which you perform mandatory delegated reporting. [↑](#footnote-ref-1)