## Regulation (EU) No 648/2012 of the European Parliament and the Council

# Notification of exemption from the reporting obligation

Counterparties must use this form to submit a notification of exemption from the reporting obligation pursuant to Article 9(1) of Regulation (EU) No 648/2012 on OTC derivatives, central counterparties and trade repositories (EMIR, as amended through Regulation (EU) 2019/834).

Each counterparty must notify their respective competent authority. This means that, in the event the notification refers to a counterparty established in another EU country, that counterparty must submit a separate notification to its competent authority. Counterparties established in Sweden may choose to allow the joint parent undertaking or one of the Swedish counterparties to submit a joint notification for all Swedish counterparties. The conditions for the reporting exemption must be met for all counterparty constellations to which the notification refers. The parent undertaking does not need to be a counterparty or established in Sweden to submit a notification. The parent undertaking must however be established in the EEA.

If the need arises to notify exemption for transactions with other counterparties within the group, relevant counterparties must submit a new notification.

If a change occurs that results in any of the conditions for the reporting exemption no longer being met, Finansinspektionen must be informed immediately.

Please note that a fee has to be paid. The payment must be registered with us before we can begin handling the matter. Upon receiving your notification we will provide you with the payment details. Do not pay the fee until you have received the payment details.

## Information about the notifying party

The notifying party must be one of the following: 1) a counterparty established in Sweden or 2) a parent undertaking (counterparty or not a counterparty) established in the EEA.

Fill in the information below about the undertaking submitting the notification. The undertaking’s classification refers to its classification as either a financial or non-financial counterparty (required if the notifying party is a counterparty).

Undertaking:

CIN:

LEI:

Address:

Classification:

The notifying party is

[ ]  a counterparty,

[ ]  a counterparty and the parent undertaking in the group in question, or

[ ]  the parent undertaking in the group in question but not a counterparty.

## The notification refers to the following counterparties

Please note: A counterparty within the group that is established outside of Sweden shall notify its competent authority.

Provide the following information about the counterparties to which the notification refers (including the notifying party if it is a counterparty). *Classification* refers to the classification as either a financial or a non-financial counterparty. *Country* refers to the country in which the counterparty is established. *Other competent authority* is required for counterparties that are established outside of Sweden. Specify the foreign competent authority that has been or will be notified about the transactions between the foreign counterparty in question and another counterparty in this notification. Provide the LEI if relevant.

Undertaking:

CIN:

LEI:

Classification:

Country:

Other competent authority:

Undertaking:

CIN:

LEI:

Classification:

Country:

Other competent authority:

Undertaking:

CIN:

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Classification:

Country:

Other competent authority:

Undertaking:

CIN:

LEI:

Classification:

Country:

Other competent authority:

## Establishment of the parent undertaking

A requirement for the exemption to be applicable is that the parent undertaking is established in the EEA. Therefore, please state in what country the parent undertaking is located.

Establishment of the parent undertaking:

## Fulfilment of the requirements for the reporting exemption

Confirm that the following is correct by checking each box. If the notification refers to several counterparties, the following must be fulfilled with regard to all counterparty constellations to which the notification refers.

[ ]  both counterparties belong to the same group,

[ ]  at least one of the counterparties is a non-financial counterparty or would be qualified as a non-financial counterparty if it was established in the EU,

[ ]  both counterparties are included in the same consolidation on a full basis,

[ ]  both counterparties are subject to appropriate centralised risk evaluation, measurement and control procedures, and

[ ]  the parent undertaking is not a financial counterparty.

Finansinspektionen may at any time request documentation that verifies the fulfilment of the above conditions, including a description of the centralised risk evaluation, measurement and control procedures and a description of which counterparty constellations there are for the counterparties that utilise the exemption.

## Signature and confirmation

Person submitting the notification:

First name:

Last name:

Title:

Telephone number:

Email:

[ ]  I have filled in this form on behalf of all notifying counterparties, and I am authorised to submit this notification in the name of the counterparties.

I hereby certify that the information provided in this form is accurate and complete.

Date:

Signature:………..……………………………………………………….

Name in print:

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The notification should be sent by email to finansinspektionen@fi.se.