

Finansinspektionen's Regulatory Code

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This translation is furnished solely for information purposes. Only the printed version of the regulation in Swedish applies for the application of the law.

Regulations amending Finansinspektionen's regulations and general guidelines (FFFS 2011:14) regarding reporting of owners' qualifying holdings and participating interests;

FFFS 2021:18

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decided on 22 June 2021.

Finansinspektionen prescribes pursuant to Chapter 7, section 2, point 60 of the Insurance Business Ordinance (2011:257), section 18, point 37 of the UCITS Ordinance (2013:588), section 4, point 14 of the Financial Instruments Trading Ordinance (2007:375), Chapter 6, section 1, point 56 of the Securities Market Ordinance (2007:572), section 6, point 6 of the Electronic Money Ordinance (2011:776), Chapter 5, section 2, point 17 of the Banking and Financing Business Ordinance (2004:329), section 12, point 2 of the Deposit Business Ordinance (2004:330), section 12, point 2 of the Reporting Obligation for Certain Holdings of Financial Instruments Ordinance (2004:331), and section 5, point 21 of the Alternative Investment Fund Managers Ordinance (2013:587) that the appendix and table to Finansinspektionen's regulations and general guidelines (FFFS 2011:14) regarding reporting of owners' qualifying holdings and participating interests shall have the following wording.

These regulations shall enter into force on 07 July 2021.

ERIK THEDÉEN

Kristina Wollter

Appendix

Reporting owners' qualifying holdings and participating interests

General register information

Contact information

Specify the street address if different than the postal address, the website if one exists, and the e-mail address.

Compliance officer

Specify the name, position, e-mail address and telephone number for the appointed compliance officers.

Complaints officer

Specify the name, position, e-mail address and telephone number for the appointed complaint officers.

Other contacts

Specify the name, e-mail address and telephone number for the persons or functions that are responsible for handling contact between Finansinspektionen and the institution.

Owners' qualifying holdings

For each owner with a qualifying holding in the institution the following information shall be reported:

- personal ID number or company identification number, alternatively foreign identification number,
- each owner's holdings expressed as a percentage of capital and votes, respectively, for both direct and indirect participations, and
- the date the owner's qualifying holding in the institution enters into effect.

If the owner is not a Swedish institution in accordance with section 1, the following information shall also be reported:

- name or business name,
- the undertaking's registered office: city and postal code,
- business code as per the table below, and
- operational description: brief summary of main business.

If the institution reports this information immediately after becoming aware of its existence, the institution has fulfilled the obligation to report owners with a qualifying holding in the institution.

If the institution confirms the information on an annual basis it has fulfilled the obligation of annually reporting owners with a qualifying holding in the undertaking.

Subsidiaries and other participating interests

Every undertaking in which the institution has a direct or indirect holding of 20 per cent or more of the votes or capital shall be placed at the correct level in the organisational structure. The institution shall also provide the following information for such an undertaking:

- Swedish company identification number or foreign identification number,
- participation expressed as a percentage of capital and votes, respectively,
- the date the institution begins to directly or indirectly hold 20 per cent or more of the capital or votes in the undertaking,
- the date the institution ceases to directly or indirectly hold 20 per cent or more of the capital or votes in the undertaking,
- consolidation in a consolidated situation pursuant to Article 18 of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 or an insurance group, i.e. if the undertaking is considered when calculating consolidated capital,
- consolidation in a consolidated situation pursuant to Article 7 of Regulation (EU) No 2019/2033 of the European Parliament and of the Council of 27 November 2019 on prudential requirements for credit institutions and amending Regulation (EU) No 600/2014, i.e. if the undertaking is considered when calculating consolidated capital,
- the date the undertaking was first included in the calculation of consolidated capital,
- the date the undertaking was removed from the calculation of consolidated capital,
- the method of consolidation: which method is used when the undertaking is included in the calculation of consolidated capital,
- group consolidation, i.e. if the undertaking is included in the consolidated accounts,
- the date the undertaking was first included in the calculation of consolidated accounts, and
- the date the undertaking was removed from the calculation of consolidated accounts,

If the undertaking is not a Swedish institution in accordance with section 1, the following information shall also be reported:

- business name,
- the undertaking's registered office: city and postal code,
- business code as per the table below, and
- operational description: brief summary of main business.

Table

Business code and operational description	
Code	Operational description
Financial institutions	An undertaking that is not a credit institution, investment firm, electronic money institution or corresponding foreign undertaking and whose core business is to a) acquire shares or participations, and b) engage in securities business without being subject to authorisation pursuant to Chapter 2, section 15 of the Securities Market Act (2007:528).
Holding companies with financial business	An undertaking that is covered by the definition set out in Article 4(1)(20) of Regulation (EU) 575/ 2013 on prudential requirements for credit institutions and that is not a mixed financial holding company.
Holding companies with mixed operations	An undertaking that is covered by the definition set out in Article 4(1)(22) of Regulation (EU) 575/ 2013 on prudential requirements for credit institutions.
Investment holding company	An undertaking that is covered by the definition set out in Article 4(1)(23) of Regulation (EU) 2019/ 2033 on prudential requirements for credit institutions.
Insurance holding companies	An undertaking that is covered by the definition in Chapter 1, section 12, point 3 of the Insurance Business Act (2010:2043).
Associated company	A Swedish or foreign undertaking whose main business is the provision of IT services or other similar services associated with its main business in one or more credit institution, investment firm, electronic money institution or corresponding foreign undertaking.
Property	A Swedish or foreign associated company that owns or manages real property.
Foreign institution	A foreign institution corresponding to a Swedish institution in accordance with section 1.
Other	