

## 8 Annex III - Procedure for transfer of data at the request of a TR participant under SFTR

<p><b>A. Planning and preparation</b></p>
<p>After signing the relevant contractual agreement with the TR participant, the new TR communicates to and agrees with the old TR the migration plan elaborated in accordance with Guideline 3.</p> <p>The new TR notifies by email the relevant authorities about the transfer.</p>
<p>The old TR determines and agrees with the TR participant the following aggregate information regarding the SFTs of the TR participant subject to transfer:</p> <ul style="list-style-type: none"> <li>○ The total number of outstanding SFTs</li> <li>○ The total number of reports relating to lifecycle events of these SFTs for transaction, margin, and re-use reports</li> <li>○ The total number of records relating to terminated and matured SFTs (in case those are transferred)</li> <li>○ The total number of records relating to errored SFTs (in case those are transferred)</li> </ul>
<p>The old TR should request the TR participant's confirmation of the accuracy of the information above vis-à-vis the TR participant's own records as per Guideline 34. In case of a mismatch, the old TR should reconcile the relevant numbers with the TR participant and agree on the final list of SFT reports that will be migrated. The old TR should solve all discrepancies <i>at the earliest convenience and in no later than five working days</i>.</p>
<p><b>B. Execution of transfer</b></p>
<p>Once the number of SFTs and records are confirmed, the old TR should proceed with generating the relevant file(s) in accordance with Guideline 5 and the relevant generic principles.</p>
<p>The old and new TRs execute the migration plan. The old TR should transfer the files generated to the new TR which acknowledges the file transfer.</p> <p>In case the volume of files is manageable, the old TR should transfer at the same time the outstanding SFT file(s) as well as the corresponding lifecycle activity file(s).</p> <p>In case the volume of files does not allow the simultaneous transfer, the sequence included in Guideline 15 should be followed.</p> <p>In this respect the outstanding SFTs should be transferred within a predetermined weekend while lifecycle events at the earliest opportunity within the next calendar week.</p>
<p><b>C. Verification of the data transferred</b></p>

<p>The new TR should determine the following figures and information for the received records and verify the completeness of the transfer:</p> <ul style="list-style-type: none"> <li>○ The latest state of the outstanding SFTs received, i.e. the “trade state”</li> <li>○ The total number of outstanding SFTs</li> <li>○ The total number of records relating to lifecycle events corresponding to these SFTs for transaction, margin, and re-use reports</li> <li>○ The total number of records relating to terminated and matured SFTs (in case those are transferred)</li> <li>○ The total number of records relating to errored SFTs (in case those are transferred)</li> </ul>
<p>The new TR should request the TR participant’s confirmation of the accuracy of the information above vis-à-vis the TR participant’s own records as per Guideline 34. In case there is a mismatch, the two TRs should try to reconcile the relevant numbers with the TR participant until an agreement is achieved.</p>
<p><b>D. Final notifications</b></p>
<p>The new TR should inform all the TRs that the reporting participant has switched to it. This information should be used to facilitate the reconciliation process for the relevant SFTs which have been migrated to the new TR.</p>
<p>The new TR should inform the relevant NCA(s) and ESMA about the finalisation of the transfer of data of the TR participant and identify the types of SFTs involved.</p>
<p><b>E. Recordkeeping and secure data deletion</b></p>
<p>The old TR should remove the migrated outstanding SFTs from any data aggregations.</p>
<p>The old TR should maintain the data transferred for as long as prescribed by the general principles and according to SFTR requirements as before the transfer.</p>
<p>The old TR should retain the reporting log for at least 10 years following the termination of the relevant contracts.</p>
<p>The old TR will destroy/delete the transferred data when this is permitted by following the relevant general principles for secure deletion/destruction.</p>

**Q52. Do you agree with the procedure described in Annex III? Which other aspects need to be considered? Please elaborate on the reasons for your response.**