

Finansinspektionen's Regulatory Code

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

FFFS 2014:23

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decided on 26 June 2014.den 26 June 2014.

Finansinspektionen prescribes pursuant to Chapter 7, section 2, point 35 of the Insurance Business Ordinance (2011:257), section 18, point 33 of the Investment Funds Ordinance (2013:588), section 4, point 16 of the Trading with Financial Instruments Ordinance (2007:375), Chapter 6, section 1, point 63 of the Securities Market Ordinance (2007:572), section 6, point 6 of the Electronic Money Ordinance (2011:776), Chapter 5, section 2, point 11 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 Certain Financial Operations (Reporting Duty) Ordinance (2004:331) and section 5, point 17 of the Alternative Investment Fund Managers Ordinance (2013:587) that the appendix and table of 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 2 August 2014.

ANNIKA ZERVENS

Camilla Edvardsson

Appendix

Reporting owners' qualifying holdings and participating interests

General register information

Contact information

Specify the street address, if different than the postal address, and the website and 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 complaints officers.

Other contacts

Specify the name, e-mail address and telephone number for the persons or functions that have specific responsibility for handling contacts 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 registration 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.

Subsidiary undertakings and other participating interests

Each 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 registration 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 in accordance with Article 18 of Regulation (EU) No 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 or for an insurance group, i.e. if the undertaking is included in the calculation of 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 institution	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 company with financial business	An undertaking covered by the definition in Article 4(1) (20) in Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms and that is not a mixed financial holding company.
Holding company with mixed operations	An undertaking covered by the definition in Article 4(1) (22) in Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms.
Insurance holding company	An undertaking covered by the definition in 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 institutions, investment firms, electronic money institutions or corresponding foreign undertakings.
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	