

INSTRUCTION N° 2007-06 OF 10 JULY 2007

ON REPORTING TO THE AMF INFORMATION ON TRANSACTIONS ON FINANCIAL INSTRUMENTS BY INVESTMENT SERVICE PROVIDERS AND BRANCHES

Pursuant to Articles 315-46, 315-47 and 315-48 of the AMF General Regulation

This version is outdated. A more recent version is available

Article 1 - Information to be reported in relation to transactions carried out on financial instruments admitted to trading on a regulated market or an organized multilateral trading facility

Entities referred to in Article 315-46 of the AMF's General Regulation which carry out a transaction within the meaning of Article 5 of (EC) Regulation N° 1287/2006 of 10 August 2006, on a financial instrument referred to in Article L. 211-1 of the Monetary and Financial Code admitted to trading on a regulated market of a State party to the European Economic Area agreement or an organized multilateral trading facility within the meaning of Article 525-1 of the AMF's General Regulations, shall report that transaction to the AMF. The content of that report is laid down in Article 315-47 of the AMF's General Regulation.

An entity is, however, exempted from forwarding to the AMF:

- 1) information on the characteristics of the financial instruments referred to in points 8 to 15 of the fields used for reporting purposes, as set out in Annex 1, Table 1 of (EC) Regulation N° 1287/2006 of 10 August 2006;
- 2) the client identifier referred to in Article 13(4) of the same regulation.

The information referred to in Article 315-47 of the AMF General Regulations is not required if the transaction relates to a derivative financial instrument.

Article 2 - Arrangements for forwarding transaction reports relating to financial instruments admitted to trading on a regulated market of a State party to the European Economic Area agreement or an organized multilateral trading facility

Subject to the specific provisions set out below, transaction reports to the AMF using one of the means laid down out in Article 315-48 of the AMF General Regulation are to be forwarded in accordance with the arrangements and in the format prescribed in the RDT (*Reporting Direct des Transactions*) system's procedures set up by the AMF.

Article 3 - Corrections and cancellations

Reporting to the AMF of the correction or cancellation of a transaction that has already been reported shall be made as soon as possible, completing the relevant indicator, in accordance with the arrangements and in the format specified by the AMF in the RDT system's procedures.

Cancellations and corrections may be forwarded at the same time as the transaction reports of the next working day.

Article 4 - Arrangements for forwarding reports of transactions carried out/ on a regulated market or a multilateral trading facility of a European Economic Area state other than French

Entities referred to in Article 315-46 of the AMF's General Regulation which are trading as remote member of a regulated market or a multilateral trading facility of a State party to the European Economic Area agreement, other than France, are exempted from the requirement to report transactions concluded on that regulated market or multilateral trading facility if the AMF receives, directly from that regulated market or multilateral trading facility, reports on the transactions concluded in their systems by those entities.

The entity shall nevertheless ensure that the relevant transaction reports:

- 1) contain, at least, the information referred to in Article 1 of this Instruction;

2) are forwarded to the AMF via the RDT system, in accordance with the arrangements and in the format specified by the AMF in the procedures applying to that system or, as appropriate, in accordance with the technical modalities put in place for reporting purposes, in consultation with the AMF, by the market operator operating a French regulated market or the operator of a French multilateral trading facility.

Article 5 - Trade-matching or reporting systems authorised by the AMF to forward transaction reports to it.

Before authorizing a trade-matching or reporting system to forward transaction reports, the AMF ensures that the system meets the requirements set out in Article 12§2 of (EC) Regulation N° 1287/2006 of 10 August 2006.

The trade-matching or reporting system sends transaction reports via the RDT system, in accordance with the arrangements and in the format specified by the AMF in that system's procedures.

The AMF monitors compliance by the trade-matching or reporting system with the authorization conditions, and the efficient transmission of the relevant transaction reports.

Article 6 - Advising the AMF of reporting arrangements

1) If, under the provisions of point 2 of Section I of Article 315-48 of the AMF's General Regulation, an entity referred to in Article 315-46 of the General Regulation authorises a third party to forward on behalf of the entity the reports required under this Instruction, it shall so inform the AMF. A transaction report forwarded to the AMF in that case indicates the identities of both the reporting entity and the third party to which mandate has been given to report the transaction.

2) If the transaction report is forwarded to the AMF in accordance with the procedure set out in point 2 of Section II of Article 315-48 of the General Regulation, the entity referred to in Article 315-46 of the General Regulation shall so inform the AMF. The report sent indicates both the identity of the reporting entity and the identity of the trade-matching or reporting system that has been used.