Draft UK EMIR Reporting Q&As (applicable from 30 September 2024) – part two

Background

Under Article 9 of UK EMIR, the Bank of England and the Financial Conduct Authority (the FCA) (together, 'the Authorities') share responsibilities for the derivatives reporting obligation. The Bank of England is responsible for the framework for derivatives reporting as they apply to central counterparties (CCPs). The FCA is responsible for the reporting framework for all other counterparties.

The FCA is responsible for Trade Repository (TR) requirements for procedures for reconciliation and to verify how complete and correct the data are.

Any subsequent references to 'we, 'us' and 'our' in these Q&As should be read in this context and based on this split of responsibilities.

The draft Q&As should be read in conjunction with the FCA/Bank of England Policy Statement (PS 23/2) and the supporting documentation below (which are collectively referred to as "the new requirements"):

- The Bank of England Standards Instrument
    - Note, all references to Table 1, Table 2 and Table 3 in the Q&A below refer to the tables in the Annex of EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023.
- The technical specification documents:
    - XML schemas under UK EMIR (applicable from 30 September 2024), together "the XML Schemas"
        - Incoming messages to TRs (ZIP 4.4MB)
        - Outgoing messages from TRs (ZIP 8.3MB)
    - UK EMIR Validation Rules (applicable from 30 September 2024)
    - The FCA's European Market Infrastructure Regulation Rules (EMIRR) for TRs
- Part one of the finalised UK EMIR Reporting Q&A guidance

These Q&As are in draft and should be treated as indicative only and may be subject to change. They should not be read as final or indicating that any final decision has been made. These Q&A will be finalised in summer 2024, following the conclusion of this consultation process.

1. Transitional arrangements

1.12 Which combination of Action Type and Event Type field values should be used when updating an outstanding derivative report to comply with the new requirements? Additionally, what combination is suitable when additional details are subsequently added to meet the new requirements after a report has been initially updated?

When outstanding derivative reports (trades and positions that are still outstanding after 30 September 2024) are updated to comply with the new requirements, reporting counterparties should use action type ‘Modify’ and event type ‘Update’. The same action and event types (‘Modify’ and ‘Update’) should also be used for any new values that are added to an outstanding position or trade to comply with the new requirements.

We expect that a transaction or position will be updated once only.

Any corrections to reports that have previously been updated to meet the new requirements should be done with action type Correction.

We do not expect there to be any Modify/Update reports after the transition period, as we expect all outstanding positions and trades to comply with the new requirements after that period.

4. Derivative Identifiers

4.10 How should the Prior UTI field (Table 2, Item 3) be populated by the stepping in counterparty when it engages in a step-in trade and the prior UTI is not available when reporting?

The stepping-in counterparty is expected to make reasonable efforts to populate the Prior UTI field. Where this is not possible the field may initially be populated with the code ‘NOTAVAILABLE’, and then amended with the correct Prior UTI value as soon as practicable once it is available.

4.11 How should the post-trade risk reduction identifier (PTRR ID) used to populate the PTRR ID field (Table 2, Item 5) be generated?

The PTRR ID is made up of the LEI of the provider (PTRR service provider or a CCP providing the PTRR service) followed by up to 32 alphanumeric characters that uniquely identify the PTRR event. The PTRR ID should be generated by that same provider. All derivatives directly resulting from, or terminated because of, a given PTRR event, should be reported with the same PTRR ID.

4.12 How should the Report Tracking Number field (Table 2, Item 2) be populated if a Report Tracking Number (RTN) is not available when reporting?

Our expectation is that entities generating RTNs, or providing RTNs to entities responsible for reporting will make the RTN available in a timely manner so entities responsible for reporting can meet their UK EMIR reporting obligations. Where a RTN is not available at the time of reporting, entities responsible for reporting may populate the Report Tracking Number field (Table 2, Item 2) with ‘RTNNotProvided’ but should update it with the RTN as soon as practicable ones it becomes available.

4.13 Should the Report Tracking Number (Table 2, Item 2) field be populated for derivatives executed on third country organised trading platforms?

No. The UK EMIR Validations Rules (applicable from 30 September 2024) only require a RTN for derivatives executed on UK trading venues and do not permit the reporting of RTNs for derivatives not executed on UK trading venues.

5 Actions and Events

5.7 When should equity resets be reported?

Where an equity reset results in a change in reportable properties, for example, a notional increase or decrease, it should be reported. Where an equity reset does not result in a change in reportable properties, it should not be reported.

The Price field (Table 2, Item 48) should not change in an equity reset, as this is populated with the initial price of the underlying at the time of execution for equity swaps.

6 Venues

Entities responsible for reporting are required to report the venue where a derivative was executed in the Venue of Execution field (Table 2, Item 41). This set of Q&As provides guidance on how to accurately report the venue where a derivative was executed.

6.1 How should derivatives executed on third country organised trading platforms be reported?

In line with the definition of an OTC derivative in Article 2 of UK EMIR, derivatives executed on third country organised trading platforms should be considered OTC derivatives and reported as such unless the third country organised trading platform is considered as equivalent to a UK Regulated Market (see the list of equivalent third country markets maintained by the FCA).

Derivatives executed on third country markets considered as equivalent to a UK Regulated Market (pursuant to Article 2a of UK EMIR) should be reported as exchange traded derivatives.

6.2 Is there a machine-readable list of UK trading venues and equivalent third country markets?

Not at present.

A list of Multilateral Trading Facilities (MTFs) and Organised Trading Facilities (OTFs) authorised by the FCA along with Systematic Internalisers notified to the FCA is available on the FCA's MTF, OTF and SI Register.

A list of UK Regulated Markets is also available on the Financial Services Register and a list of third country markets considered as equivalent to a UK Regulated Market is available on the FCA website.

6.3 Should the Venue of Execution field (Table 2, Item 41) be populated when reporting at position level?

Yes. As specified in the UK EMIR Validations Rules (applicable from 30 September 2024), this field is mandatory when reporting at both transaction and position level. For details of how to populate this field when reporting at position level see question 6.4.

We are consulting on a corresponding change to the UK EMIR Validation Rules (applicable from 30 September 2024) to reflect this.

6.4 How should the Venue of Execution field (Table 2, Item 41) be populated when reporting at position level?

When reporting at position level, the Venue of Execution field should contain the Market Identifier Code (MIC) of the venue (or XXXX or XOFF where applicable) where the greatest number of derivative contracts making up the position were executed.

6.5 Should the Venue of Execution field (Table 2, Item 41) be populated with a venue's operating or segment Market Identifier Code (MIC)?

The Venue of Execution field (Table 2, Item 41) should be populated with the venue's ISO 10383 segment MIC. If a segment MIC does not exist, the operating MIC should be reported.

Operating and segment MICs are both enabled by the UK EMIR Validations Rules (applicable from 30 September 2024) to populate the Venue of Execution field, provided they are included in the list maintained and updated by ISO (column 'MIC' in the worksheet 'ISO10383_MIC_NewFormat').

6.6 How should the Venue of Execution field (Table 2, Item 41) be populated for derivatives executed pursuant to the rules of a venue but not executed on that venue?

Where derivatives are executed pursuant to the rules of a venue but not executed on the venue, the Venue of Execution field should be populated with the MIC for the venue whose rules the derivative has been executed pursuant to.

This applies to both UK trading venues and third country organised trading platforms.

6.7 Should new derivatives resulting from clearing (the beta and gamma trades) retain the original venue of execution (alpha trade)?

Yes. Derivatives resulting from clearing should be reported with the original derivative's venue of execution (or XXXX or XOFF where applicable).

Fields related to the venue of execution should also be maintained. For instance, derivatives resulting from clearing should also be reported with the original execution timestamp in the Execution Timestamp field (Table 2, Item 42).

6.8 Should new derivatives resulting from post-trade risk reduction (PTRR) events, such as portfolio compressions, retain the original venue of execution?

Yes. Derivatives resulting from PTRR events, such as portfolio compressions, should retain the original derivatives subject to the PTRR event's venue of execution (or XXXX or XOFF where applicable) to accurately reflect where the original derivatives were executed. If the derivatives subject to a PTRR event were executed on multiple venues, the Venue of Execution field (Table 2, Item 41) should be populated with the venue where the greatest number of the original derivative contracts subject to the PTRR event were executed.

7 Exchange Traded Derivatives

This section contains Q&As providing guidance on how to accurately report various fields for Exchange Traded Derivatives (ETDs).

7.1 How should the Execution Timestamp field (Table 2, Item 42) be populated for ETDs?

The Execution Timestamp field should contain the date and time a derivative was originally executed, resulting in the generation of a new Unique Transaction Identifier (UTI).

When reporting at position level, the Execution Timestamp field should refer to the time when a position was opened for the first time using the earliest execution timestamp of the trades making up a position.

7.2 How should the Report Submitting Entity ID field (Table 1, Item 2) be populated for ETDs where a counterparty chooses to report on its own behalf rather than delegating the reporting?

In the case of ETDs where a counterparty chooses to report on its own behalf rather than delegate the submission of the report to a third party, the Report Submitting Entity ID field should contain the counterparty's own LEI as the report submitting entity. The Entity Responsible for Reporting field (Table 1, Item 3) not being applicable to ETDs does not impact how the Report Submitting Entity ID field should be populated.

7.3 How should the Effective Date field (Table 2, Item 43) be populated for ETDs when no effective date is specified in the contract?

In line with the UK EMIR Validations Rules (applicable from 30 September 2024), the Effective Date field must be populated for all derivatives as it is a mandatory field. In situations where there is no effective date specified in a derivative contract, as may be the case for ETDs, the execution date should be provided in the Effective Date field.

When reporting at position level, the Effective Date field should be populated with the earliest effective date of the trades making up the position. If there is no effective date specified in the derivative contracts making up the position, the earliest execution date of the trades making up the position should be provided.

7.4 How should the Master Agreement Type field (Table 2, Item 34) be populated for ETDs not subject to a master agreement?

For the CCP to clearing member leg of an ETD, the Master Agreement Type field should be populated with ‘OTHR’ and the Other Master Agreement Type field (Table 2, Item 35) should be populated with ‘CCPClearingConditions’.

For the clearing member to client leg of an ETD, the Master Agreement Type field should be populated with ‘BIAG’.

7.5 How should the entity responsible for reporting report the Subsequent Position UTI field (Table 2, Item 4) when the subsequent position is an intraday ETD position with no UTI?

When the subsequent position is an intraday ETD position without a position UTI, the code ‘NOTAVAILABLE’ should be used in the Subsequent Position UTI field.

8 Margin and Collateral

Collateral, or margin, is exchanged during a transaction to mitigate credit risk. Amendments to the UK EMIR reporting framework separates data on margin and collateral into a new table, including new fields for post-haircut margin values. This set of Q&As answers questions on how to report margin and collateral.

8.1 When populating the Initial and Variation Margin fields, should entities responsible for reporting report the amount of margin actually posted or received, or the amount of margin required pursuant to the margin requirements?

Entities responsible for reporting should populate the Initial Margin and Variation Margin fields with the amount of margin that was received or posted to meet the initial and variation margin requirements.

8.2 How should reporting entities identify excess collateral as opposed to initial and variation margin?

Initial margin, variation margin and excess collateral are defined by the purpose and timing in which they are posted:

- If margin is posted to meet an initial margin call, it should be reported as initial margin.
- If margin is posted to meet a variation margin call, it should be reported as variation margin.
- If collateral is posted for a reason separate and independent of initial and variation margin requirements it should be reported as excess collateral.

If subsequently an additional margin call is made and met with excess collateral that has already been posted, no change should be made to the reported collateral values. We acknowledge that excess collateral, initial margin and variation margin will not always be segregated.

8.3 How should variation margin be reported when it is posted and received on the same day?

When variation margin is posted and received on the same day and reported in a single report, the values should be netted so that the overall net margin (posted or received) that day is reported. If a report contains variation margin posted and received on the same day the UK EMIR Validations Rules (applicable from 30 September 2024) will cause it to be rejected.

8.4 When a derivative trade is uncollateralised, what daily reports should be submitted by entities responsible for reporting?

Entities responsible for reporting have an obligation to submit daily valuation updates regardless of whether the derivative is collateralised or not.

Entities responsible for reporting should submit a margin update for every uncollateralised transaction. If subsequently, there is no change to the collateral data fields from the original margin update, daily margin updates do not need to be submitted for uncollateralised transactions. However, correction reports should still be submitted if applicable.

8.5 How should collateral be reported when a derivative trade has matured, expired or been terminated?

When a derivative trade has matured, expired or been terminated, reporting counterparties are not required to report any collateral amounts that have not yet been returned. Collateral remaining unreturned after a derivative trade has matured, expired or been terminated should not be reported, unless it is reported as part of a portfolio which contains outstanding trades as of the event date.

Collateral update reports may still be submitted for non-outstanding trades which were outstanding on the event date. Collateral update reports may be submitted for non-outstanding portfolios which were outstanding on the event date.

Collateral update reports should not be submitted for trades and portfolios which were not outstanding on the event date.

8.6 How should collateral be reported where a portfolio no longer contains any outstanding derivative trades?

Where a portfolio no longer contains any outstanding derivative trades, reporting counterparties are not required to report collateral amounts that have not been returned.

Collateral should only be reported for outstanding portfolios where there is at least one outstanding transaction.

Collateral update reports can be submitted for non-outstanding portfolios which were outstanding on the event date.

8.7 Should collateral which is not required to be exchanged be reported and, if so, how should it be reported?

Yes. In line with Article 6 of the UK EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023, counterparties (excluding non-financial counterparties which do not exceed the clearing threshold) are required to report all posted and received collateral regardless of whether that collateral is required to be received or posted. This includes where counterparties voluntarily collateralise transactions exempt from the margin requirements.

Initial or variation margin posted or received that exceed the required margins should be reported as part of the initial or variation margin posted or received. Any additional collateral posted or received independently of the initial and variation margins should be reported as excess collateral.

8.8 How should the Collateralisation Category field (Table 3, Item 11) be populated if the collateral exchanged at the time of reporting does not match what is stipulated in the collateral agreement?

The Collateralisation Category field should always reflect what is in the agreement between counterparties, irrespective of what collateral is exchanged in practice.

It is our expectation that any collateral exchanged should be consistent with the collateral agreement in place between the counterparties.

Nevertheless, the entity responsible for reporting should report the collateral that has been exchanged in practice in the initial and variation margin fields, even if it is contrary to the collateral agreement. In this case:

a. Where the collateral agreement states that margin should be exchanged, but margin is not exchanged, the relevant margin fields should be populated with zero and the associated currency fields with GBP.
b. Where the collateral agreement states that margin should not be exchanged, but margin is exchanged, the associated margin fields should be populated (unless the value is netted off).

We are consulting on corresponding changes to the UK EMIR Validation Rules (applicable from 30 September 2024) to allow the initial and variation margin fields to be populated when collateral is exchanged contrary to what is stipulated in the collateral agreement.

8.9 How should the variation margin be reported when the Settle-to-Market model applies?

The net variation margin that is posted and collected that day should be reported in daily margin updates. This is not expected to be zero.

8.10 How should the Valuation Amount field (Table 2, Item 21) be reported when the Settle-to-Market model applies?

The daily change in valuation should be reported in daily valuation updates.

8.11 How should collateral be reported for uncleared derivatives where an entity responsible for reporting has multiple Credit Support Annexes (CSAs) under a single ISDA Master Agreement with a given counterparty?

For uncleared derivatives where there are multiple CSAs under a single ISDA Master Agreement, collateral should be reported in a single report, with the Master Agreement Type field (Table 2, Item 34) populated with 'ISDA'.

To avoid the risk of reportable margin amounts being duplicated across several trades or within a portfolio, an entity responsible for reporting should ensure the same initial or variation margin is not reported against more than one transaction or portfolio.

8.12 Can daily margin updates be submitted where the portfolio code contains special characters?

No. From 30 September 2024, all portfolio codes should not contain special characters. The UK EMIR Validation Rules (applicable from 30 September 2024) will not permit portfolio codes containing special characters.

8.13 Should contingent variation margin be reported?

No. As set out in Table 3 of the UK EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023, contingent variation margin should not be included in calculations of variation margin.

9 Clearing

Clearing occurs when a CCP stands between two transacting counterparties to be the buyer to the seller, and the seller to the buyer. This set of Q&As provides guidance on populating fields related to clearing, such as the Clearing Obligation, Cleared and Clearing Member fields.

9.1 How should the Clearing Obligation field (Table 2, Item 30) be populated when a derivative trade is cleared at a CCP?

When an OTC derivative trade is cleared by a CCP, i.e. the CCP is a counterparty to the trade, it is no longer subject to the clearing obligation (UK EMIR, Article 4).

The Clearing Obligation field is then populated based on whether the derivative being cleared belongs to a class of OTC derivatives that has been declared subject to the clearing obligation as set out in the public register maintained by the Bank.

- Where the contract belongs to a class of OTC derivatives that has been declared subject to the clearing obligation, the Clearing Obligation field value should be reported as 'FLSE'.
- Where the derivative trade **does not** belong to a class of OTC derivatives that has been declared subject to the clearing obligation, the Clearing Obligation field should be reported as 'UKWN'.

9.2 How should a trade that is subject to the clearing obligation but not yet cleared be reported?

In line with the requirements of the clearing obligation (UK EMIR, Article 4), our expectation is that any trade which is subject to the clearing obligation will be cleared. Once a trade is cleared, it should then be reported with Cleared field (Table 2, Item 31) as 'Y' and the Clearing Obligation field (Table 2, Item 30) as 'FLSE', as set out in Question 9.1.

If a trade has not yet been entered into clearing with a CCP by close of business the Cleared field should be reported 'N' and the Clearing Obligation field should be reported as 'TRUE'.

Once the trade has been entered into clearing with a CCP another report should be submitted, with Action Type Terminate, Event Type Clearing and Cleared 'Y'. The Clearing Obligation field remains 'TRUE' for the terminated, or alpha, trade.

9.3 How should the Clearing Obligation field (Table 2, Item 30) be populated when a non-financial counterparty (NFC) chooses to clear all trades instead of performing the clearing threshold calculation?

A NFC performs a clearing threshold calculation to determine if it is subject to the clearing obligation (see Article 10 of UK EMIR). The threshold levels are different depending on the asset class. If an NFC finds that it is below the clearing threshold in the asset class relevant to that transaction or position, it is not subject to the clearing obligation. In this scenario, for OTC derivatives it reports:

- ‘FLSE’ if the contract belongs to a class of OTC derivatives that has been declared subject to the clearing obligation
- ‘UKWN’ if the contract does not belong to a class of OTC derivatives that has been declared subject to the clearing obligation

If an NFC does not perform the clearing obligation threshold calculation it will be deemed to be subject to the clearing obligation. In this scenario, NFCs should populate the Clearing Obligation field as set out in questions 9.1 and 9.2.

9.4 How should the Clearing Member field (Table 1, Item 16) be populated when a CCP temporarily assumes both sides of a derivatives contract following a clearing member default?

When a clearing member defaults, and a CCP temporarily assumes both sides of a contract, the Clearing Member field should continue to be populated with the original clearing member until the transaction is terminated, matures, expires or the CCP transfers the transaction to another clearing member.

If a CCP transfers the derivative trade to another clearing member, where feasible the Prior UTI field (Table 2, Item 3) should be populated by the CCP with the UTI of the predecessor transaction. See question 10.5 for further details.

10 Position Level Reporting

As described in Article 5 of the UK EMIR Technical Standards on the Minimum Details of the Data to be Reported to Trade Repositories 2023, a counterparty can report many outstanding derivatives together as a position, dependent on certain conditions. This set of Q&As provide further guidance for this activity.

10.1 How should positions be reported when opened and closed on the same day?

The position should not be reported in this scenario. However, the underlying transactions must still be reported. The Subsequent Position UTI field (Table 2, Item 4) should be populated with the position UTI even though the position itself is not reported.

When the subsequent position does not have a UTI (for example, an intraday ETD position without a position UTI), the code ‘NOTAVAILABLE’ should be used in the Subsequent Position UTI field.

10.2 How should a position be reported when netted to zero?

If the position is netted to zero temporarily due to changes in the underlying transactions, the position should be reported daily with a zero valuation until the valuation increases.

If the position is netted to zero due to an account closure, the position should be terminated. If a terminated position is subsequently reopened, the position should be reported with a new UTI.

10.3 How should the Execution Timestamp field (Table 2, Item 42) be modified for positions netted to zero that are subsequently reopened?

If a position was netted to zero and reported each day as zero, the Execution Timestamp field should maintain the original value and not be modified.

If a position that was netted to zero and terminated is subsequently re-opened, the Execution Timestamp field should be populated with the time the position was re-opened.

10.4 What event types are permitted when a new position is made due to multiple events on the same day?

The Event Type should be populated with the type of the first event that creates the position. Step-in, Inclusion in Position and Corporate Event are the permitted event types for new positions.

10.5 How should the Prior UTI field (Table 2, Item 3) be populated in the event of a position transfer?

The Prior UTI of a report describing a new position following a position transfer should be populated with the UTI of the original position (the position the transfer came from).

Our expectation is that each entity responsible for reporting will make all reasonable efforts to populate this correctly. Where this is not possible the field may initially be populated with the code 'NOTAVAILABLE' and then amended as soon as practicable once the correct Prior UTI value becomes available.

10.6 How should the event of two positions merging be reported?

In a scenario where two positions have merged, one position continues and the other terminates. Both counterparties must agree which position continues and which terminates.

This event does not change the Prior UTI or UTI of the continuing position. The terminating position should be reported with an Action Type 'Terminate' and Event Type 'Inclusion in position'.

10.7 How should the Option Premium Amount field (Table 2, Item 139) be populated in position level reports?

The Option Premium Amount field should be populated in position level reports with the total monetary amount paid by the option buyer/s for the derivative trades that make up the position.

10.8 How should the Option Premium Payment Date field (Table 2, Item 141) be populated for a position where the derivative trades underlying the position have different option premium payment dates?

The entity responsible for reporting should populate the Option Premium Payment Date field with the earliest option premium payment date of the trades underlying the position.

11 Asset Class and Product Specific

This section contains Q&As specific to derivative asset classes and certain derivative products.

11.1 How should package transactions, which include transactions not subject to the UK EMIR reporting obligations (eg FX spot transactions), be reported?

Only transactions subject to the UK EMIR reporting obligations need to be reported. If a package contains transactions which are not required to be reported under UK EMIR, only the transactions in the package subject to the UK EMIR reporting obligations must be reported.

However, for transactions that are reported as part of a package, all package transaction related fields should be populated with details applicable to the whole package including both reportable and non-reportable transactions. For example, the Package Transaction Price field (Table 2, Item 53) should be populated with the traded price for the entire package in which the reported derivative is a component, including transactions which are part of the package but not required to be reported under UK EMIR.

11.2 How should the payer and receiver be reported for FX non-deliverable forwards where this is not known at the time of reporting?

In circumstances where the payer and receiver are not known at the point of reporting, the counterparty receiving the currency which appears first when sorted alphabetically by ISO 4217 standard should be identified as the receiver for leg 1 and the payer for leg 2. The counterparty delivering the currency should be identified as the payer for leg 1 and the receiver for leg 2.

11.3 How should the Derivative Based on Cryptoassets field (Table 2, Item 12) be populated?

As defined in the Financial Services and Markets Act 2023, a cryptoasset is any cryptographically secured digital representation of value or contractual rights that can be transferred, stored or traded electronically, and that uses technology supporting the recording or storage of data. Where a derivative is based on an underlying meeting this definition, the Derivative Based on Cryptoassets field should be populated with ‘True’. Otherwise, it should be populated with ‘False’.

Noting that the regulatory regime for cryptoassets is developing, the Authorities will monitor regulatory developments and consider if further guidance is needed.

11.4 What asset class should derivatives based on cryptoassets be reported as?

Derivatives based on cryptoassets should be reported under the asset class of the cryptoasset they are based on. For example, derivatives based on security tokens akin to traditional shares (see FCA’s Guidance on Cryptoassets (PS19/22)) would be reported as equity derivatives. Derivatives not clearly falling into one of the specified asset classes should be reported under the asset class most closely resembling the derivative. Derivatives based on cryptoassets should not, however, be reported under the currency asset class, since cryptoassets don’t have an ISO 4217 currency code required for currency derivatives.

Derivatives based on unregulated exchange tokens that don’t clearly fall into one of the specified asset classes, such as Bitcoin and Ether, should be reported under the commodity asset class. This is the asset class that most closely resembles these derivatives.

Noting that the regulatory regime for cryptoassets is developing, the Authorities will monitor regulatory developments and consider if further guidance is needed.

11.5 How should commodity swaps referencing two underlying commodities be reported?

The UK EMIR Validation Rules (applicable from 30 September 2024) do not permit derivatives to be reported with two underlying commodities. Commodity swaps referencing two commodities should be reported as package transactions made up of two commodity forwards linked via a package identifier.

The Price (Table 2, Item 48) and Package Transaction Price (Table 2, Item 53) fields are mandatory for commodity forwards with a package identifier, but commodity swaps may not have a price at execution. When reporting a commodity swap as a package transaction made up of two commodity forwards, these fields should be populated with the default value '99999999999999999' (for monetary values) or '99999999999' (for percentage values) and updated once the price is available.

11.6 Should the Spread of Leg 1 (Table 2, Item 93) and Spread of Leg 2 (Table 2, Item 109) fields be populated for swaps in asset classes other than interest rates?

Yes, where a spread is present it should be reported for all asset classes.

We are consulting on a corresponding change to the UK EMIR Validation Rules (applicable from 30 September 2024) to reflect this.