
TO : Regulated Entities
i. Cyprus Investment Firms ('CIFs') active in commodity derivatives

FROM : Cyprus Securities and Exchange Commission

DATE : February 1st, 2017

CIRCULAR No : C180

SUBJECT : Data collection exercise by the European Banking Authority for the potential reform of prudential requirements applicable to MiFID investment firms including the extent to which the new regime would also be suitable for or adaptable to specialised commodity derivatives firms

The Cyprus Securities and Exchange Commission (the 'CySEC') wishes to inform the Regulated Entities about the following:

1. The European Banking Authority (the 'EBA') launched on December 20, 2016, a [data collection](#), in response to the European Commission's call for technical advice on the design of a new prudential regime for investment firms, including the extent to which the new regime would also be suitable for or adaptable to specialised commodity derivatives firms.
2. CIFs whose main business consists exclusively of the provision of investment services or activities in relation to the commodity derivatives or derivatives contracts listed in points 5,6,7,9 and 10 of Section C of Annex I of Directive 2004/39/EC (MIFID) ('commodities derivatives firms'), fall within the scope of the aforementioned data collection exercise launched by the EBA.
3. The Regulated Entities, if they wish to participate in this data collection exercise (i.e. on a voluntary basis), should use the templates and instructions provided by the EBA for the purpose of the said data collection (please follow the hyperlink in point 1).
4. The Regulated Entities should fill in and submit the relevant template(s) at the electronic address supervision@cysec.gov.cy by **February 20, 2017, the latest**, quoting at the email subject the '(Name of the Regulated Entity) - EBA data collection'. The CySEC will then forward the data to the EBA.
5. The Regulated Entities should name their Excel file in accordance to the following naming convention:

a. CIFs

“TRS Username_YYYYMMDD_EBA Data Collection (Solo/Consolidated)”

For example, in the case of a hypothetical CIF by the name of ‘XX Investment Firm Ltd’, and assuming that:

- its two-letter TRS username is XX,
- it reports on a solo basis,
- its end of year reporting period is set as at 31/12/2015,

then the excel file to be submitted should be saved as “XX_20151231_ EBA Data Collection_Solo”

6. It should be noted that, where Regulated Entities report on a consolidated basis, they should also submit a separate file on a solo basis.
7. In case of any queries on the completion of the relevant EBA excel template, please send an email to supervision@cysec.gov.cy. However, the Regulated entities are kindly requested to go through the relevant instructions document first before submitting any queries.

Yours sincerely

Demetra Kalogerou
Chairman, Cyprus Securities and Exchange Commission