

J.P. MORGAN REGULATORY REPORTING SERVICES

INFORMATION SHEET

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Methods & Arrangements for Reporting

EMIR and UK EMIR Refit Reporting Requirements

Commission Implementing Regulation (EU) 2022/1860 of 10 June 2022 laying down implementing technical standards for the application of Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the standards, formats, frequency and methods and arrangements for reporting (ITS) [ITS 2022/1860 Article 9 \(EU EMIR\)](#) and [FCA Standards Instrument: The Technical Standards \(EMIR Reporting and Data Quality and Miscellaneous Amendments\) Instrument 2023](#) Annex B (FCA Annex B) Article 10 (UK EMIR) (together EMIR Refit) place specific obligations on the firm to have 'Methods and Arrangements' in place to govern certain reporting scenarios with its counterparties to ensure there is a clear and defined model in place on how to resolve certain issues.

This document will focus on the following regulatory requirements:

- Arrangements for the timely provision by the non-financial counterparty (NFC) of the details of the OTC derivative contracts that the financial counterparty (FC) cannot be reasonably expected to possess and where those are unknown by that FC.
- Timely notification by the NFC to the FC of any change in its legal obligations.
- Renewals by NFC of its Legal Entity Identifier (LEI) in accordance with the terms of any of the accredited Local Operating Units of the Global LEI system.
- Timely notification by the NFC to the FC of its decision to start or to cease reporting the details of OTC derivative contracts concluded with the FC.
- Notification of Errors and Omissions.
- The report submitting entity (RSE) is required to inform the RCs and Entity Responsible for Reporting (ERR) about relevant reporting and data quality issues.
- Determination of which of the counterparties is responsible for generating the Unique Trade Identifier (UTI).
- J.P. Morgan Counterparty Data.

How J.P. Morgan will fulfil the EMIR Refit reporting requirements

1. Arrangements for the timely provision by the NFC of the details of the OTC derivative contracts that the FC cannot be reasonably expected to possess and where those are unknown by that FC.

Where a FC is solely responsible and legally liable for reporting of the details of OTC derivative contracts on behalf of an NFC the following arrangements are put in place.

1.1 Exchange of information to ensure that the FC has the necessary information not later than T+1 after the conclusion, modification, or termination of a reportable derivative contract from its NFC.

J.P. Morgan will consume the necessary information from the ISDA Master Regulatory Disclosure Letter (MRDL).

- Please provide the relevant counterparty data attributes via the EU and /or U.K. tabs (as applicable) under the 'EMIR REFIT' module on [Markit's ISDA Amend](#), for all entities you manage:
 - You can share this data with J.P. Morgan by creating the correct counterparty relationship within the 'Relationship View' tab and selecting 'Create Relationship'.

- If you have an existing MRDL representation in ISDA Amend, we encourage you to review all prior submitted responses and to keep this is up to date and accurate.
- For entities where the EMIR Clearing Classification Tool has been completed previously, please complete 'EMIR REFIT' module on Markit's ISDA Amend and keep it updated.
- Alternatively, please provide this data via the bilateral [ISDA Master Regulatory Disclosure Letter](#).

1.1.2 Predefined standard values will be applied to the below field where the data is not known by J.P. Morgan:

Directly linked to commercial activity or treasury financing will be defaulted to **Yes** unless otherwise notified.

For notification of any different value please contact us via JPM Client Regulatory Reporting Services jpm.client.regulatory.reporting.services@jpmorgan.com

1.2. Timely notification by the NFC to the FC of any change in its legal obligations.

Any changes in relevant client information or reporting obligation, please update via the ISDA Master Regulatory Disclosure Letter and confirm to JPM Client Regulatory Reporting Services jpm.client.regulatory.reporting.services@jpmorgan.com

1.3. Renewals by NFC of its LEI in accordance with the terms of any of the accredited Local Operating Units of the Global LEI system.

Your LEI should be renewed on an annual basis. The relevant trade repository will reject any trades submitted by market participants with an expired LEI.

Under EMIR Refit, there is an express obligation on RCs and ERRs to ensure that their LEI is appropriately renewed.

J.P. Morgan expects counterparties to renew their LEI ahead of any annual date to ensure continuous reporting of transactions.

For notification of any issues or intent not to renew please contact us via JPM Client Regulatory Reporting Services jpm.client.regulatory.reporting.services@jpmorgan.com

1.4. Timely notification by the NFC to the FC of its decision to start or to cease reporting the details of OTC derivative contracts concluded with the FC.

Any intent to start or to cease the reporting activity by the NFC needs to be notify to J.P. Morgan via JPM Client Regulatory Reporting Services jpm.client.regulatory.reporting.services@jpmorgan.com

The notification needs to be done in writing or by other equivalent electronic means at least 10 working days before the date on which the NFC wants to start or to cease reporting.

2. Notification of Errors and Omissions

2.1 EU EMIR: The ERR shall notify its competent authority and, if different, the competent authority of the reporting counterparty (each the “Relevant NCA”) of any of the following instances:

2.1.1. ERR to notify the Relevant NCA of any significant/material errors or omissions in reporting as soon as it becomes aware of them.

In accordance with [ITS 2022/1860 Article 9\(1\)](#) J.P. Morgan, as RSE, will inform its Relevant NCA of any significant/material errors or omissions.

Where such significant/material error or omission impacts clients that are NFC- and in scope for mandatory reporting, J.P. Morgan will inform the Relevant NCA of the NFC- entity, utilising the ESMA notification template.

Identification of the Relevant NCA will be made by assessing the country of incorporation of the relevant LEI.

2.1.2. The RSE is required to inform the RC and ERR about relevant reporting and data quality issues.

As above, in accordance with [ITS 2022/1860 Article 9\(1\)](#) J.P. Morgan, as RSE, will inform clients that have a Client Delegated Reporting Agreement in place where a significant/material error or omission has occurred, utilising the ESMA notification template.

To complete the significance assessment, J.P. Morgan will be adhering to the guidance provided by ESMA in the [Final Report \(Dec 2022\)](#), section 4.29 (395): table 23.

	Average monthly number of submissions (AverageMonthNum)		
	0<=A<100 000	100 000<=A<1 000 000	1 000 000<=A
X	100	20000	150000
Y %	20%	15%	10%

2.2 UK EMIR: The ERR shall notify the relevant regulator of any material errors or omissions in its reporting as soon as it becomes aware of them.

For the purposes of the first sub-paragraph, the relevant regulator is the Bank of England in the case of central counterparties (CCPs), and the FCA in all other cases.

J.P. Morgan will maintain the pre-existing process for assessment and notification of reporting and data quality issues.

In summary this process is as follows:

- Any identified issues that impact reporting to the FCA on behalf of J.P. Morgan are subject to an internal materiality assessment.
- Where the threshold for materiality is breached J.P. Morgan will self report the issue to the FCA, using the current standard reporting form (UK *European Market Infrastructure Regulation (UK EMIR) – reporting errors and omissions notification form*)
- Where any reported issue has an impact to clients that have a Client Delegated Reporting Agreement in place J.P. Morgan will inform those clients so that they may make their own determination of materiality and report as required.
- J.P. Morgan will not quantify the impact at an individual client entity level.

3. Further arrangements:

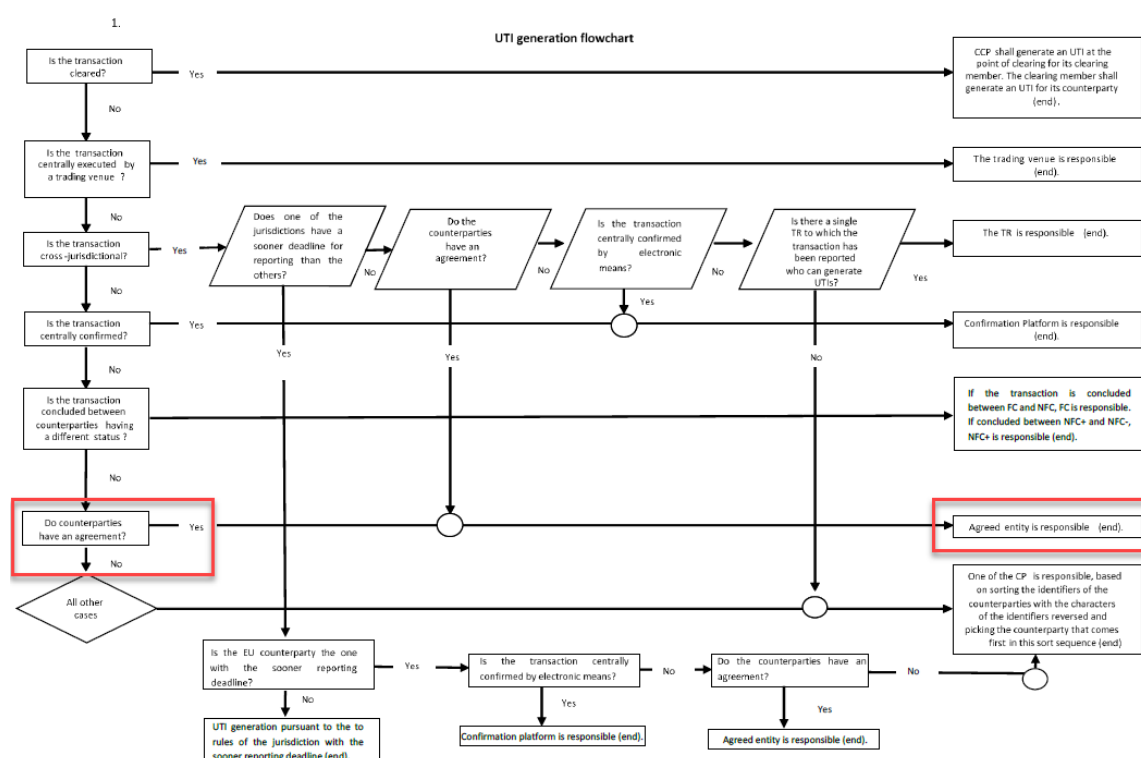
3.1. Determination of which of the counterparties is responsible for generating the UTI.

J.P. Morgan is following the UTI generation flowchart (below) to determine the entity responsible for the UTI generation in accordance with ITS Article 7 ([EMIR Refit Implementing Technical Standards Article 7](#)) and [FCA Annex B Article 8](#).

When the process leads to the 'counterparty agreement' step, the parties agree that **always one of them** will be generating the UTI, to ensure clear determination of the entity responsible for the UTI generation **in all cases**.

Upon request, J.P. Morgan will make available our standard template and annex to acknowledge who will be the generating party.

For this please contact us via JPM Client Regulatory Reporting Services - jpm.client.regulatory.reporting.services@jpmorgan.com



3.2. J.P. Morgan Counterparty Data

The below J.P. Morgan counterparty data fields may be required for your own trade reporting obligation. This is also available to clients via the MRDL on Markit's ISDA Amend.

Entity Name	LEI	Reporting Obligation	Nature of counterparty	Clearing Threshold of counterparty	Corporate sector of the counterparty
J.P. Morgan SE	549300ZK53CNGEEI6A29	Yes – EU (ESMA)	F	TRUE	CDTI, INV
J.P. Morgan Securities LLC	ZBUT11V806EZRVTWT807	No	F	TRUE	INV
J.P. Morgan Securities PLC	K6Q0W1PS1L1O4IQL9C32	Yes – UK (FCA)	F	TRUE	INV, CDTI
J.P. Morgan Chase Bank N.A.	7H6GLXDRUGQU57RNE97	No	F	TRUE	INV, CDTI