

Annex 1: Citations and Defined Terms Glossary

Term	Meaning
<i>Swiss law and related citations</i>	
123 V 310	Decision of the Federal Tribunal 123 V 310, available in German at: https://www.bger.ch/ext/eurospider/live/de/php/clir/http/index.php?highlight_docid=atf%3A%2F%2F123-V-310%3Ade&lang=de&zoom=&type=show_document
116 II 525	Decision of the Federal Tribunal 116 II 525, available in German at: https://www.bger.ch/ext/eurospider/live/de/php/clir/http/index.php?highlight_docid=atf%3A%2F%2F116-II-525%3Ade&lang=de&zoom=&type=show_document
AccO	Ordinance on the Maintenance and Retention of Accounts (Accounts Ordinance), CC 221.431. An English translation can be found at: https://www.pwc.ch/en/publications/2020/information-governance-ordinance-on-the-maintenance-and-retention-of-accounts.pdf
AMLA	Federal Act on Combating Money Laundering and Terrorist Financing (Anti-Money Laundering Act), CC 955. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/19970427/index.html .
AMLO-FINMA	Ordinance of the Swiss Financial Market Supervisory Authority on the Prevention of Money Laundering and the Financing of Terrorist Activities (FINMA Anti-money Laundering Ordinance), CC 955.033.0. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/swiss-anti-money-laundering-ordinance-finma-en.pdf
BA	Federal Act on Banks and Savings Banks (Banking Act), CC 952. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/ch-banking-act-en.pdf .
BBl	Federal Gazette (“Bundesblatt”), available in German at: https://www.fedlex.admin.ch/de/fga?news_period=last_day&news_pageNb=1&news_order=desc&news_itemsPerPage=10
BO	Ordinance on Banks and Savings Banks (Banking Ordinance), CC 952.02. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/ordinance-on-banks-and-savings-banks-en.pdf .
BSK FINMAG/ FinfraG, Article 106	Francois Rayroux and Delphine Meylan, BSK FINMAG/FinfraG, 2019, Art. 106 FinfraG Aufbewahrung der Belege, available at: https://app.legalis.ch/legalis/document-view.seam?documentId=nnpwe431l5tgs3tnmfts2ztjnztheylhl5tgs3tgojqwox3boj2dcmbw (subscription required).
BSK OR II, Article 958f OR	Markus R. Neuhaus and Daniel Suter, BSK OR II, 2016, Art. 958f OR E. Führung und Aufbewahrung der Geschäftsbücher, available at: https://app.legalis.ch/legalis/document-view.seam?documentId=nnpwe431l5xxe2lj15xxex3boj2dsnjymy (subscription required).

CAO	Ordinance concerning Capital Adequacy and Risk Diversification for Banks and Securities Dealers (Capital Adequacy Ordinance), CC 952.03. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/ch-ordinance-concerning-capital-adequacy-en.pdf .
CO	Federal Act on the Amendment of the Swiss Civil Code (Part Five: The Code of Obligations), CC 220. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/19110009/index.html .
CO Explanatory Report	Federal Government's Explanatory Report on the on the Revision of the Code of Obligations, available in German at: https://www.admin.ch/ch/d/ff/2008/1589.pdf .
CC	Federal Classified Compilation.
FADP	Federal Act on Data Protection, CC 235.1. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/19920153/index.html .
FinIA	Federal Act on Financial Institutions (Financial Institutions Act), CC 954.1, An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20152662/index.html .
FinIO	Ordinance on Financial Institutions (Financial Institutions Ordinance), CC 954.1.1. An English translation can be found at: https://www.fedlex.admin.ch/eli/cc/2019/763/en
FINMA	Swiss Financial Market Supervisory Authority.
FINMA Circular 2008/4	FINMA Circular 2008/4, Securities Journals – Maintenance of Securities Journals by Securities Dealers and Participants. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/finma-circular-2008-04-en.pdf .
FINMA Circular 2008/21	FINMA Circular 2008/21, Operational Risk – Bank, capital and qualitative requirements regarding operational risks for banks. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/ch-finma-circular-2008-21-en.pdf .
FINMA Circular 2008/24	FINMA Circular 2008/24, Supervision and Internal Control of Banks. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/finma-circular-2008-24-en.pdf .
FINMA Circular 2010/1	FINMA Circular 2010/1, Remuneration schemes. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2010-01-01-07-2017.pdf?la=en
FINMA Circular 2013/3	FINMA Circular 2013/3, Auditing. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/finma-circular-2013-03-en.pdf
FINMA Circular 2013/8	FINMA Circular 2013/8, Market conduct rules, Supervisory rules on market conduct in securities trading. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2013-08-01012021_de.pdf?la=en

FINMA Circular 2015/1	FINMA Circular 2015/1, Accounting – Banks, Accounting rules for banks, securities dealers, financial groups and conglomerates (ARB). An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2015-01.pdf?la=en .
FINMA Circular 2016/1	FINMA Circular 2016/1, Disclosure Banks, Disclosure obligations regarding capital and liquidity requirements, available in German at: https://www.finma.ch/de/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2016-01-20210506.pdf?la=de
FINMA Circular 2017/1	FINMA-Circular 2017/1, Corporate Governance –banks, Corporate governance, risk management and internal controls at banks, available in German at: https://www.finma.ch/de/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2017-01-20200101.pdf?la=de .
FINMA Circular 2017/7	FINMA Circular 2017/7, Credit Risk banks, Capital requirements for credit risks, available in German at: https://www.finma.ch/de/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2017-07-01012021_de.pdf?la=de
FINMA Circular 2018/2	FINMA Circular 2018/2, Duty to report securities transactions, Duty to report securities transactions. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2018-02.pdf?la=en .
FINMA Circular 2018/3	FINMA Circular 2018/3, Outsourcing – banks and insurers, Outsourcing at banks and insurance companies. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/rundschreiben/finma-rs-2018-03-01012021_de.pdf?la=en
FINMA Circular 2020/1	FINMA Circular 2020/1, Accounting – Banks, Accounting rules for banks, securities dealers, financial groups and conglomerates. An English translation can be found at: https://assets.kpmg/content/dam/kpmg/ch/pdf/finma-2020-01-en.pdf
FINMA Guidance 01/2016	FINMA Guidance 01/2016, Financial Market Infrastructure Act: FINMA's next steps. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/myfinma/4dokumentation/finma-aufsichtsmittelungen/20160707-finma-aufsichtsmittelung-01-2016.pdf?la=en
FINMA Newsletter 31	FINMA Newsletter 31 (2011), 13 December 2011, Unauthorised Trading. An English translation can be found at: https://www.finma.ch/en/~media/finma/dokumente/dokumentencenter/4dokumentation/finma-mittelungen/finma-mittelung-31-2011.pdf?la=en
FINMASA	Federal Act on the Swiss Financial Market Supervisory Authority (Financial Market Supervision Act), CC 956.1. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20052624/index.html .
FinMIA	Federal Act on Financial Market Infrastructures and Market Conduct in Securities and Derivatives Trading (Financial Market Infrastructure Act), CC 958.1. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20141779/index.html .

FinMIA Commentary	Sethe/Favre/Hess/Kramer/Schott (Ed.), Kommentar zum Finanzmarktinfrastrukturgesetz FinfraG, Zurich, 2017, available at: https://www.schulthess.com/buchshop/detail/ISBN-9783725571284/Sethe-Rolf-Hrsg.-Favre-Olivier-Hrsg.-Hess-Martin-Hrsg.-Kramer-Stefan-Hrsg.-Schott-Ansgar-Hrsg./Kommentar-zum-Finanzmarktinfrastrukturgesetz-FinfraG
FinMIA Explanatory Report	Federal Government's Explanatory Report on the Financial Market Infrastructure Act, available in German at: https://www.admin.ch/ch/d/ff/2014/7483.pdf .
FinSA	Federal Act on Financial Services (Financial Services Act), CC 950.1. An English translation can be found at: https://www.fedlex.admin.ch/eli/cc/2019/758/en
FISA	Federal Act on intermediated Securities (Federal Intermediated Securities Act), CC 957.1. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20061735/index.html .
FMIA Agreement	The form agreement published by the Swiss Banking Association. The English version is available at: https://www.swissbanking.ch/Resources/Persistent/1/d/1/c/1d1ce7f37cb17934965c7f26ec45540df37a8ce0/SBAFinfraG_Vereinbarung_Formular_EN.pdf
FMIO	Ordinance on Financial Market Infrastructures and Market Conduct in Securities and Derivatives Trading (Financial Market Infrastructure Ordinance), CC 958.11. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20152105/index.html .
FMIO-FINMA	Ordinance of the Swiss Financial Market Supervisory Authority on Financial Market Infrastructures and Market Conduct in Securities and Derivatives Trading (FINMA Financial Market Infrastructure Ordinance), CC 958.111. An English translation can be found at: https://www.admin.ch/opc/en/classified-compilation/20151784/index.html .
FMIO Explanatory Report	Department of Finance's Explanatory Report on the Financial Market Infrastructure Ordinance (Nov. 25, 2015), available in German at: https://www.news.admin.ch/news/message/attachments/41938.pdf .
FSIL	Federal Act on the General Part of the Social Insurance Law, CC 830.1, available in German at: https://www.fedlex.admin.ch/eli/cc/2002/510/de
FUIA	Federal Act on the Unemployment Insurance, CC 837, available in German at: https://www.fedlex.admin.ch/eli/cc/1982/2184_2184_2184/de
Liquidity Ordinance	Ordinance on the Liquidity of Banks (Liquidity Ordinance), CC 952.06, available in German at https://www.admin.ch/opc/de/classified-compilation/20122528/index.html . An English translation of the 2015 version (which has since been amended three times in 2017, 2018, and 2020) can be found at: https://home.kpmg/ch/en/home/insights/2013/11/liquidity-ordinance.html
Marg.	Marginal, which denote specific sections or paragraphs in any particular FINMA Circular.
SCC	Swiss Civil Code of 10 December 1907, CC 210. An English translation can

	be found at: https://www.admin.ch/opc/en/classified-compilation/19070042/index.html
Swiss Official Bulletin	Swiss Official Bulletin, available in German at: https://www.fedlex.admin.ch/de/oc
<i>Other defined terms</i>	
BCBS	Basel Committee on Banking Supervision.
BoD	Board of directors.
CCO	Chief compliance officer.
Cons.	Consideration
CEO	Chief executive officer.
CRO	Chief risk officer.
CEA	Commodity Exchange Act of 1936.
CFTC	Commodity Futures Trading Commission.
Commission or SEC	U.S. Securities and Exchange Commission.
EMIR	European Market Infrastructure Regulation.
ESMA	European Securities and Markets Authority
EU	European Union.
Exchange Act	Securities Exchange Act of 1934.
FDIA	Federal Deposit Insurance Act
Internal Risk Control, Compliance, and Internal Audit	Business units that are part of the three line of defenses required of Swiss firms pursuant to FINMA Circular 2017/1, as described in Section [4.a.1].
ISDA Master Agreement	Standard contracts published by the International Swaps and Derivatives Association and regularly used to govern over-the-counter derivatives transactions.
ISDA EMIR PRDR Protocol	ISDA 2013 EMIR Portfolio Reconciliation, Dispute Resolution and Disclosure Protocol, available at: https://www.isda.org/protocol/isda-2013-emir-port-rec-dispute-res-and-disclosure-protocol/
OTC derivatives	Over-the-counter derivatives
SBS	Security-based swap.
SBSD	Security-based swap dealer.
<i>References to the Federal Register</i>	
Comparability Determination for the European Union: Certain Transaction-Level Requirements, 78 Fed. Reg. 78,878 (Dec. 27, 2013).	
Comparability Determination for Switzerland: Certain Entity-Level Requirements, 78 Fed. Reg. 78,899 (Dec. 27, 2013).	
Business Conduct Standards for Security-Based Swap Dealers and Major Security-Based Swap Participants, 81 Fed. Reg. 29,960 (May 13, 2016).	

Trade Acknowledgment and Verification of Security-Based Swap Transactions, 81 Fed. Reg. 39,807 (June 17, 2016).

Recordkeeping and Reporting Requirements for Security-Based Swap Dealers, Major Security-Based Swap Participants, and Broker-Dealers, 84 Fed. Reg. 68,550 (Dec. 16, 2019).

Risk Mitigation Techniques for Uncleared Security-Based Swaps, 85 Fed. Reg. 6,359 (Feb. 4, 2020).