

**COMMISSION de SURVEILLANCE
du SECTEUR FINANCIER**

In case of discrepancies between the French and the English text, the French text shall prevail

Luxembourg, 31 July 2008

To the “other professionals of the financial sector” (PFS)

CIRCULAR CSSF 08/369

**Re: Electronic transmission of “Statistical ad-hoc information” (tables II.1. - II.22.) to be submitted to the CSSF by the "other professionals of the financial sector" (PFS)
Change of the ad-hoc statistics’ periodicity and adaptation of the transmission method of the PFS’ prudential reporting**

Ladies and Gentlemen,

We are pleased to refer to Circulars IML 96/124 concerning staff figures, CSSF 05/187 and CSSF 08/364 on prudential reporting to be submitted on a periodic basis by PFS, as well as Circular CSSF 05/197 regarding the electronic transmission of this financial information.

At a first stage Circular CSSF 05/197 provided for the electronic transmission of certain prudential reporting tables, i.e. the monthly financial situation (table I), the quarterly off-balance sheet (table III.1.), the quarterly profit and loss account (table III.2.) and the quarterly staff figures (table 2.9.). However, “ad-hoc” tables specific to the different PFS categories continued to be transmitted in paper form. This part of prudential reporting was to be transmitted electronically at a second stage.

As regards the transmission means for electronic files, Circular CSSF 05/197 authorised the dispatch by post of a CD-Rom or disk-type electronic media or a direct electronic transmission or any other transmission means the PFS deemed appropriate.

The first objective of this circular is to extend the **electronic transmission to all “ad-hoc” tables** specific to the different PFS categories. Consequently, tables I., III.1., III.2. and 2.9. (hereinafter “basic prudential reporting”) as well as “ad-hoc” tables II.1. to II.22. must be transmitted electronically.

The second objective of the circular is **to reduce the periodicity of the transmission** of “ad-hoc” tables from monthly to quarterly. The financial situation (table I) thus remains the only table to be transmitted on a monthly basis.

The third objective of this circular is **to replace the current transmission methods** for reporting by a secured and standardised transmission method.

I. Template to be used for the electronic transmission of “ad-hoc” tables

The PFS “ad-hoc” reporting covers tables II.1. – II.22. “Statistical ad-hoc information”. For a direct electronic transmission of these quarterly tables, the PFS are requested to download the specific “Template”, in Microsoft ®Excel format which is available on the CSSF website, section “Legal reporting / Periodic reporting / PFS Instructions”, sub-sections “except support PFS” or “support PFS” (www.cssf.lu) and which includes these “ad-hoc” tables.

The PFS are requested to fill in each specific table related to the different activities covered by their establishment authorisation.

In addition to the tables related to the activities of the registered office, the PFS which have one or more branches are requested to submit the “ad-hoc” tables regarding activities developed in each individual branch, as well as the global figures, totalising the ones of the registered office and of the branches.

Technical instructions in relation to the “ad-hoc” tables as well as explanations concerning the use of the “ad-hoc” Template are available on the CSSF website, section “**Legal reporting / Periodic reporting / PFS Instructions**”.

The Template specific to the “ad-hoc” tables shall be used, **for the first time for the tables to be transmitted as at 30 September 2008** and for which the submission deadline is 20 October 2008 at the latest.

In order to ensure a smooth transition, the PFS are invited to submit the “ad-hoc” tables as at 30 September 2008 and 31 December 2008 electronically and on hard copy.

II. Secured transmission of data to the CSSF

Given the confidential nature of certain data to be stated in the “ad-hoc” tables, it is essential to have a secured data transmission. The CSSF implemented a security concept based on **End-to-end encryption** between the institution subject to the prudential reporting and the regulator, similarly to the requirements applicable to the TAF/MIFID reporting and the prudential financial reporting of credit institutions (FINREP/COREP in XBRL format). The encryption extends also to the basic prudential reporting tables, i.e. tables I., III.1., III.2. and 2.9.

Encryption specifications applicable to the PFS prudential reporting files are identical to the ones detailed in Circular CSSF 08/334 “Encryption specifications for reporting

entities”. The PFS may refer to this circular on the CSSF website, section “**Laws and regulations / Circulars**”.

III. Use of new transmission channels to transmit basic prudential reporting and PFS “ad-hoc” reporting

The transmission means for prudential reporting authorised in Circular CSSF 05/197 have not fulfilled the CSSF’s expectations. Given the amount of the electronic files to be transmitted as of 30 September 2008 and in order to optimize the internal processing of the transmitted data, the disparate transmission means currently used need to be replaced by a standardised electronic transmission method.

Thus, the PFS shall transmit henceforth the complete prudential reporting foreseen in Circulars IML 96/124, CSSF 05/187 and CSSF 08/364 *via* one of the transmission channels commonly used at the CSSF for the transmission of TAF/MIFID reporting and prudential financial reporting of credit institutions. These channels are currently E-file and SOFiE which are offered with an encryption/decryption module compatible with the encryption specifications set out in Circular CSSF 08/334.

Technical details in relation to the transmission of reporting *via* both channels are available on the CSSF website, section “**Legal reporting / File transport and data protection**”.

For technical questions, please contact the Helpdesk of the CSSF IT department at 26 25 1 – 414.

It should be borne in mind that, **as of 15 September 2008**, before transmitting any data, the Luxtrust SSL certificate used to generate the electronic signature of reports shall be registered with the CSSF according to the procedure described in Circular CSSF 08/334.

IV. Entry into force of the new provisions regarding the electronic transmission of PFS reporting, repeal of Circular CSSF 05/197

The provisions of this circular **enter into force on 30 September 2008**. Circular CSSF 05/197 is repealed with effect from 30 September 2008.

All the dispatches which will arrive at the CSSF after this date shall thus be sent to the CSSF according to the new nomenclature and *via* the new channels, no matter which period the data sent to the CSSF is related to.

Yours sincerely,

COMMISSION DE SURVEILLANCE DU SECTEUR FINANCIER

Simone DELCOURT
Director

Arthur PHILIPPE
Director

Jean-Nicolas SCHAUS
Director General