

Attachment 1: Draft amendments to 2024 Rules—Part 2 rules and Schedule 1 items



ASIC
Australian Securities &
Investments Commission

1. Proposed additional data elements in Table S1.1(1): Transaction information

Table S1.1(1): Transaction information

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to UTI and UPI				
1a	Secondary transaction identifier	A secondary transaction identifier that may be, but is not required to be, reported at this item.	An alphanumeric code of not more than 72 characters.	The value of the secondary transaction identifier.
1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to counterparties, beneficiaries and other entities				
7a	Counterparty 2 name	If the type of identifier reported for Counterparty 2 (item 7 above) is not an LEI or Designated Business Identifier, the legal name of Counterparty 2.	An alphanumeric value of not more than 105 characters.	The value of the legal name.

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to prices				
58a	Lower or only barrier price notation	An indicator of the type of units in which Lower or only barrier price (item 59a below) is reported.	As specified in the applicable paragraph of column 5 of this item.	(a) 1—if Lower or only barrier price (item 59a below) is reported as a monetary amount; or (b) 3—if Lower or only barrier price (item 59a below) is reported as a decimal.
58b	Upper barrier price notation	An indicator of the type of units in which Upper barrier price (item 59b below) is reported.	As specified in the applicable paragraph of column 5 of this item.	(a) 1—if Upper barrier price (item 59b below) is reported as a monetary amount; or (b) 3—if Upper barrier price (item 59b below) is reported as a decimal.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
59a	Lower or only barrier price	If the OTC Derivative the subject of the Reportable Transaction is an option and the UPI that is reported for Unique product identifier (item 2 above) is a UPI for a barrier option, the value of the lower or only barrier price of the option.	<p>This data element must be:</p> <p>(a) reported as a monetary amount; or</p> <p>(b) reported as a decimal.</p> <p>If Lower or only barrier price notation (item 58a above) is reported as 1, a number of not more than 18 numerals, with no more than 13 numerals after the decimal point.</p> <p>If Lower or only barrier price notation (item 58a above) is reported as 3, a number of not more than 11 numerals, with no more than 10 numerals after the decimal point.</p>	Any numeric value.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
59b	Upper barrier price	If the OTC Derivative the subject of the Reportable Transaction is an option and the UPI that is reported for Unique product identifier (item 2 above) is a UPI for a barrier option, the value of the upper barrier price, if applicable, of the option.	<p>This data element must be:</p> <p>(a) reported as a monetary amount; or</p> <p>(b) reported as a decimal.</p> <p>If Upper barrier price notation (item 58b above) is reported as 1, a number of not more than 18 numerals, with no more than 13 numerals after the decimal point.</p> <p>If Lower or only barrier price notation (item 58b above) is reported as 3, a number of not more than 11 numerals, with no more than 10 numerals after the decimal point.</p>	Any numeric value.

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements that are other transaction reporting data elements				
105	New Derivative Trade Repository	Where a value of PRTO is reported for Action type (item 101 above), the current LEI of the Derivative Trade Repository to which the Reportable Transaction is being transferred.	As specified in ISO 17442.	The value of the current LEI.

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2. Proposed clarifications to existing data elements in Table S1.1(1): Transaction information

Table S1.1(1): Transaction information

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to UTI and UPI				
1	Unique transaction identifier	<p>For a Reportable Transaction of the kind referred to in subparagraph 1.2.5(1)(b)(i), (iii) or (iv), a UTI as referred to in Rule 2.2.9.</p> <p>For a report made under Rule 2.2.2 of the kind referred to in paragraph 2.2.2(2)(c), a UTI as referred to in Rule 2.2.9.</p> <p>For a Reportable Transaction of the kind referred to in subparagraph 1.2.5(1)(b)(ii) in relation to an OTC Derivative or for a report made under paragraph 2.2.2(2)(a) or (b) or Rule 2.4.1 in relation to an OTC Derivative:</p> <p>(a) if a UTI was reported for the initial Reportable Transaction in relation to the OTC Derivative—that UTI; and</p> <p>(b) if a UTI was not reported for the initial Reportable Transaction—a transaction identifier that was reported for the initial Reportable Transaction.</p>	<p>As specified in ISO 23897.</p> <p>As specified in ISO 23897.</p> <p>If the transaction identifier is a UTI as referred to in Rule 2.2.9, as specified in ISO 23897.</p> <p>For any other kind of transaction identifier, an alphanumeric code of not more than 72 characters.</p>	<p>Any value specified in ISO 23897.</p> <p>Any value specified in ISO 23897.</p> <p>The value of the transaction identifier, or one of the transaction identifiers (if applicable), of the Reportable Transaction about which the report is made.</p>

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to counterparties, beneficiaries and other entities				
13	Execution agent of Counterparty 1	If applicable, the LEI of the entity that entered into the Reportable Transaction as agent for the Reporting Entity without becoming a counterparty themselves.	As specified in ISO 17442.	The value of the LEI.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to clearing and trading				
25	Platform identifier	<p>If the OTC Derivative the subject of the Reportable Transaction was entered into on or through a financial market, the MIC of the financial market.</p> <p>If the OTC Derivative the subject of the Reportable Transaction was not entered into on or through a financial market, an indicator of whether:</p> <p>(a) the OTC Derivative the subject of the Reportable Transaction is able to be traded on or through a financial market; or</p> <p>(b) the OTC Derivative the subject of the Reportable Transaction is not able to be traded on or through a financial market; or</p> <p>(c) if the Reporting Entity is not able to determine whether the OTC Derivative the subject of the Reportable Transaction is, or is not, able to be traded on or through a financial market.</p>	As specified in ISO 10383.	<p>(a) The value of the segment MIC or, if there is no segment MIC for the financial market, the value of the operating MIC or, if there is no segment MIC or operating MIC for the financial market, XOFF;</p> <p>(b) XOFF—if the OTC Derivative the subject of the Reportable Transaction is able to be traded on or through a financial market but was not entered into on or through a financial market;</p> <p>(c) XXXX—if the OTC Derivative the subject of the Reportable Transaction is not able to be traded on or through financial market; or</p> <p>(d) BILT—if the Reporting Entity cannot determine whether the OTC Derivative the subject of the Reportable Transaction is, or is not, able to be traded on or through a financial market.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to notional amounts and quantities				
26	Notional amount—Leg 1	<p>The notional amount, or payout where a single fixed payment is made based on certain conditions being met during the term of the OTC Derivative the subject of the Reportable Transaction, taken from, or determined in accordance with, the trade confirmation of the Reportable Transaction.</p> <p>If no notional amount is specified in, or determinable in accordance with, the trade confirmation of the Reportable Transaction, the amount calculated by multiplying the amount reported as Total notional quantity—Leg 1 (item 28 below) by:</p> <ul style="list-style-type: none"> (a) if the Reportable Transaction is an option, the value reported for Strike price (item 59 below); (b) if the Reportable Transaction is not an option, the value reported for Price (item 47 below); or (c) if Strike price (item 59 below) and Price (item 47 below) are not applicable to the Reportable Transaction, the market price for the underlier at the time of the transaction. 	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point.	<p>For Reportable Transactions that are commodity derivatives, any numeric value.</p> <p>For Reportable Transactions that are not commodity derivatives, any numeric value greater than or equal to zero.</p>
27	Notional amount—Leg 2	If applicable, the notional amount taken from the trade confirmation of the Reportable Transaction and attributed by the Reporting Entity to Leg 2.	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point.	<p>For Reportable Transactions that are commodity derivatives, any numeric value.</p> <p>For Reportable Transactions that are not commodity derivatives, any numeric value greater than or equal to zero.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
32	Call amount	If the Reportable Transaction is a foreign exchange option and the UPI that is reported for Unique product identifier (item 2 above) is not a UPI for a digital option, the monetary amount that the option gives the right to buy.	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point.	Any numeric value greater than zero.
33	Put amount	If the Reportable Transaction is a foreign exchange option and the UPI that is reported for Unique product identifier (item 2 above) is not a UPI for a digital option, the monetary amount that the option gives the right to sell.	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point.	Any numeric value greater than zero.
42	Notional amount schedule amount—Leg 1	Each notional amount which becomes effective on the associated Notional amount schedule effective date—Leg 1. This data element is only required for OTC Derivatives where Notional amount—Leg 1 is not a constant value over the entire term of the OTC Derivative.	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point, repeatable for each notional amount.	For Reportable Transactions that are commodity derivatives, any numeric value. For Reportable Transactions that are not commodity derivatives, any numeric value greater than or equal to zero for each value.
45	Notional amount schedule amount—Leg 2	If applicable, each notional amount which becomes effective on the associated Notional amount schedule effective date—Leg 2. This data element is only required for OTC Derivatives where Notional amount—Leg 2 is not a constant value over the entire term of the OTC Derivative and the Notional amount schedule amount—Leg 2 amounts are not the same as the equivalent Notional amount schedule amount—Leg 1 amounts.	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point, repeatable for each notional amount.	For Reportable Transactions that are commodity derivatives, any numeric value. For Reportable Transactions that are not commodity derivatives, any numeric value greater than or equal to zero for each value.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to prices				
47	Price	The price taken from the trade confirmation of the Reportable Transaction, not including fees, taxes or commissions.	<p>This data element must be:</p> <p>(a) reported as a monetary amount; or</p> <p>(b) reported as a decimal.</p> <p>If Price notation (item 46 above) is reported as 1, a number of not more than 18 numerals, with no more than 13 numerals after the decimal point.</p> <p>If Price notation (item 46 above) is reported as 3, a number of not more than 11 numerals, with no more than 10 numerals after the decimal point.</p>	Any numeric value.
		<p>This data element is required for OTC Derivatives:</p> <p>(a) that are contracts for difference (other than foreign exchange derivatives);</p> <p>(b) that are commodity derivatives or equity derivatives where:</p> <p>(i) the UPI that is reported is for an instrument type that is a forward; or</p> <p>(ii) the UPI that is reported is for an instrument type that is a swap and the OTC Derivative includes a term that is, or is equivalent to, a fixed price or initial price; or</p> <p>(c) where a value is not reported for all of the following: Fixed rate—Leg 1 (item 50 below), Fixed rate—Leg 2 (item 51 below), Spread—Leg 1 (item 53 below), Spread—Leg 2 (item 55 below), Strike price (item 59 below), Option premium amount (item 61 below) and Exchange rate (item 64 below), and, for OTC Derivatives that are credit derivatives, a value of UFRO is not reported for Other payment type (item 75 below).</p> <p>Note: The items referred to in (c) above are items where one or more of them is required to be reported for options, interest rate swaps, forward rate agreements, commodity basis swaps, credit default swaps, credit total return swaps, foreign exchange derivatives and similar products. Where at least one of the items is reported, this item Price is not reported.</p>		

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
59	Strike price	If the OTC Derivative the subject of the Reportable Transaction is an option, the value of the strike price of the option.	<p>This data element must be:</p> <p>(a) reported as a monetary amount; or</p> <p>(b) reported as a decimal.</p> <p>If Strike price notation (item 58 above) is reported as 1, a number of not more than 18 numerals, with no more than 13 numerals after the decimal point.</p> <p>If Strike price notation (item 58 above) is reported as 3, a number of not more than 11 numerals, with no more than 10 numerals after the decimal point.</p>	Any numeric value.

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to other payments				
75	Other payment type	<p>An indicator of whether the type of payment(s) reported as Other payment amount (item 74 above) is:</p> <p>(a) an upfront payment that is not a payment of an option premium, notional amount or standard fees, taxes or commissions; or</p> <p>(b) a payment made upon a partial or full termination of an OTC Derivative that is not a payment of an option premium, notional amount or standard fees, taxes or commissions.</p>	As specified in the applicable paragraph of column 5 of this item, repeatable for each Other payment amount.	<p>(a) UFRO—if the payment is an upfront payment; or</p> <p>(b) UWIN—if the payment is made upon a partial or full termination of an OTC Derivative.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to underliers				
80	Custom basket code	<p>Where the UPI that is reported for Unique product identifier (item 2 above) is a UPI which identifies that the underlier is a custom basket:</p> <p>(a) the unique code assigned by the structurer of the custom basket (<i>the structurer</i>) to link its constituents; or</p> <p>(b) if the structurer is not the Reporting Entity and the Reporting Entity does not receive the unique code from the structurer in sufficient time to enable the Reporting Entity to report that code in accordance with Rule 2.2.3:</p> <p>(i) a unique code assigned by the Reporting Entity; or</p> <p>(ii) if the Reporting Entity has not entered into, in the twelve months ending on the preceding quarter day, more than twenty OTC Derivatives that require the reporting of a Custom basket code, the value B.</p>	An alphanumeric code of not more than 72 characters.	<p>(a) For a unique code, the LEI of the entity assigning the Custom basket code followed by a unique identifier of not more than 52 characters; or</p> <p>(b) where there is no unique code, the value B.</p>
81	Basket constituent identifiers	Where an allowable value is reported for Custom basket code (item 80 above), the identifiers of the underliers that are the constituents of the custom basket.	<p>For an identifier under paragraph (a) of column 5, the format of the UPI reference data element that is the identifier.</p> <p>For an identifier under paragraph (b) of column 5, an alphanumeric code of not more than 210 characters.</p>	<p>(a) The value of an identifier that is of a kind that can be a specific identifier in a UPI that is in accordance with ISO 4914 (<i>UPI underlier</i>); or</p> <p>(b) if a UPI underlier is not available, an item 83 allowable value.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
82	Basket constituent identifier source	The identifier(s) of the sources of the underliers' identifiers that are reported as Basket constituent identifiers (item 81 above).	<p>For an identifier under paragraph (a) of column 5, the format of the UPI reference data element that is the identifier.</p> <p>For an identifier under paragraph (b) of column 5, an alphanumeric code of not more than 210 characters.</p>	<p>(a) For a UPI underlier reported for Basket constituent identifiers (item 81 above), the value of the source of the UPI identifier in accordance with ISO 4914; or</p> <p>(b) for an underlier reported for Basket constituent identifiers (item 81 above) that is not a UPI underlier, an item 84 allowable value.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
83	Underlier ID (Other)	<p>Where the UPI that is reported for Unique product identifier (item 2 above) is a UPI which does not identify the specific underlier for the OTC Derivative and Custom basket code (item 80) does not apply, an identifier which identifies the specific underlier.</p> <p>Otherwise, the identifier of the specific underlier may be, but is not required to be, reported for this item.</p>	<p>For an identifier under paragraph (a) of column 5, the format of the UPI reference data element that is the identifier.</p> <p>For an identifier under paragraphs (b) to (g) of column 5, an alphanumeric code of not more than 210 characters.</p>	<p>(a) The UPI underlier; or one of the following values:</p> <p>(b) if the underlier has an ISIN or RIC, the ISIN or RIC;</p> <p>(c) if the underlier is traded on a facility, the code assigned to the underlier by the operator of the facility;</p> <p>(d) if the value of the underlier is determined by reference to other things traded on a facility, the code assigned to the underlier by the operator of the facility;</p> <p>(e) the code assigned to the underlier by the publisher of the reference rate, price or measure of the underlier;</p> <p>(f) the short name or abbreviation, or, if there is no short name or abbreviation, the name assigned to the underlier by the publisher of the reference rate or price of the underlier; or</p> <p>(g) any alphanumeric value.</p>
85	Maturity date of the underlier	Where Contract type (item 4 above) is reported as SWPT, the unadjusted date of the expiration date of the swap that is the underlier to the option.	YYYY-MM-DD in accordance with ISO 8601.	Any valid date.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
86	Indicator of the floating rate—Leg 2	Other than for OTC Derivatives that are interest rate derivatives and, if applicable, the indicator of the interest rate reference rate used to determine the interest payment amounts at predetermined intervals.	As specified in the ISO 20022 code set ExternalBenchmarkCurveName1 Code.	The value of the applicable code in the ISO 20022 code set ExternalBenchmarkCurveName1 Code.
87	Floating rate reference period—Leg 2	Where an allowable value is reported for Indicator of the floating rate—Leg 2 (item 86 above), the time unit associated with the term of item 86 that is the interest rate reference rate of Leg 2 of the OTC Derivative the subject of the Reportable Transaction.	As specified in the applicable paragraph of column 5 of this item.	(a) DAIL—if the time unit is daily; (b) WEEK—if the time unit is weekly; (c) MNTH—if the time unit is monthly; or (d) YEAR—if the time unit is annually.
88	Floating rate reference period multiplier—Leg 2	Where an allowable value is reported for Indicator of the floating rate—Leg 2 (item 86 above), the number of time units (in the units reported for item 87 above) that determines the term of item 86 that is the interest rate reference rate of Leg 2 of the OTC Derivative the subject of the Reportable Transaction.	A number of not more than 3 numerals without any decimal places.	Any value greater than or equal to zero.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to packages and links				
99	Prior UTI	<p>For a Reportable Transaction that arises due to a lifecycle event on a single predecessor OTC Derivative, and</p> <p>(a) Reporting Entity (item 5 above) was reported as Reporting Entity for that predecessor OTC Derivative;</p> <p>(b) Counterparty 1 (item 6 above) was reported as Counterparty 1 for that predecessor OTC Derivative; or</p> <p>(c) Event type (item 102 below) is reported as ALOC, the transaction identifier of that single predecessor OTC Derivative.</p> <p>For a report made under Rule 2.2.2 of the kind referred to in paragraph 2.2.2(2)(c), the first UTI reported for the OTC Derivative.</p>	An alphanumeric code of not more than 52 characters.	Any alphanumeric value.

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3. Proposed clarifications to existing data elements in Table S1.1(2): Valuation information

Table S1.1(2): Valuation information

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to UTI				
1	Unique transaction identifier	<p>For a report made under Rule 2.2.2:</p> <p>(a) if a UTI was reported for the initial Reportable Transaction for the OTC Derivative—that UTI; or</p> <p>(b) if a UTI was not reported for the initial Reportable Transaction—a transaction identifier that was reported for the initial Reportable Transaction.</p>	<p>If the transaction identifier is a UTI as referred to in Rule 2.2.9, as specified in ISO 23897.</p> <p>For any other kind of transaction identifier, an alphanumeric code of not more than 72 characters.</p>	The value of the transaction identifier of the Reportable Transaction about which the report is made.

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to valuation				
7	Valuation amount	<p>The unadjusted value of the OTC Derivative the subject of the Reportable Transaction, calculated as the amount that would be paid to terminate the OTC Derivative in an orderly market on the valuation date.</p> <p>A value greater than zero is reported if the amount would be paid by Counterparty 2 to Counterparty 1.</p> <p>A value less than zero is reported if the amount would be paid by Counterparty 1 to Counterparty 2.</p> <p>A value of zero is reported if no amount would be paid by either Counterparty 1 or Counterparty 2.</p>	A number of not more than 25 numerals, with no more than 5 numerals after the decimal point.	Any numeric value.

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4. Proposed clarifications to existing data elements in Table S1.1(3): Collateral information

Table S1.1(3): Collateral information

1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to UTI				
1	Unique transaction identifier	<p>For a report made under Rule 2.2.2:</p> <p>(a) if a UTI was reported for the initial Reportable Transaction for the OTC Derivative—that UTI; or</p> <p>(b) if a UTI was not reported for the initial Reportable Transaction—a transaction identifier that was reported for the initial Reportable Transaction.</p> <p>This data element is required in a report about:</p> <p>(a) if the Reportable Transaction is collateralised in a portfolio, the collateral portfolio code(s) of the collateral portfolio(s)—Collateral portfolio code (initial margin) (item 10 below) and, if applicable, Collateral portfolio code (variation margin) (item 11 below); or</p> <p>(b) if the Reportable Transaction is collateralised but not in a portfolio, the applicable collateral information in items 4 and 6–21 below.</p> <p>Note: A Derivative Trade Repository's requirements for an ISO 20022 XML message under Rule 2.2.4 may include that this data element is required to be reported to indicate for a Reportable Transaction that there is no code for a collateral portfolio or a collateral portfolio is not applicable, including for Reportable Transactions that are not collateralised.</p>	<p>If the transaction identifier is a UTI as referred to in Rule 2.2.9, as specified in ISO 23897.</p> <p>For any other kind of transaction identifier, an alphanumeric code of not more than 72 characters.</p>	<p>The value of the transaction identifier of the Reportable Transaction about which the report is made.</p>

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements related to collateral arrangements				
11	Collateral portfolio code (variation margin)	<p>If the OTC Derivative the subject of the Reportable Transaction is collateralised and collateral is reported on a Portfolio Basis, a unique code, determined by the Reporting Entity to identify the collateral portfolio of amounts of variation margin, unless the collateralisation does not involve amounts of variation margin.</p> <p>This data element is reported as the same code as Collateral portfolio code (initial margin) (item 10 above) if there is only one collateral portfolio and the amounts of initial and variation margin are distinguished within that portfolio.</p> <p>This data element is not reported if there is only one collateral portfolio of amounts of margin that does not distinguish between margin that is initial margin and margin that is variation margin, and the collateral portfolio code of the collateral portfolio is reported as Collateral portfolio code (initial margin) (item 10 above).</p>	An alphanumeric code of no more than 52 characters.	Any alphanumeric value.

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1. Item	2. Label	3. Derivative Transaction Information	4. Format	5. Allowable Values
Data elements that are other transaction reporting data elements				
22	Action type	<p>An indicator of whether the report being made relates to:</p> <ul style="list-style-type: none"> (a) reporting collateral arrangements information in a Reportable Transaction that is the entry into an OTC Derivative; (b) the modification of collateral arrangements information in a report previously made; (c) an update of collateral amounts information; or (d) a correction to collateral arrangements information or collateral amounts information in a report previously made. 	As set out in the applicable paragraph of column 5 of this item.	<ul style="list-style-type: none"> (a) NEWT—for reporting collateral arrangements information of items 8, 10 and 11 above in a Reportable Transaction that is the entry into an OTC Derivative; (b) MODI—for the modification of collateral arrangements information of items 8, 10 and 11 above in a report previously made; (c) MARU—for an update of collateral amounts information; or (d) CORR—for a correction to collateral arrangements information or collateral amounts information in a report previously made.

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5. Proposed consequential changes in Chapter 2 : Reporting Requirements

2.2.1 Transaction Reporting Requirements

Core Transaction Reporting Requirements

(1) Subject to subrules (2) to (4), Rule 2.2.8 and Part 2.4, a Reporting Entity must report, for each of its Reportable Transactions, the Derivative Transaction Information set out in Part S1.3 of Schedule 1 to a Licensed Repository, or, if there is no Licensed Repository, to a Prescribed Repository and must report the information in accordance with the requirements of this Part.

...

Exception for incomplete ISO 20022 message definition

(4) A Reporting Entity is not required to comply with the requirements of subrule (1) and this Part that would otherwise apply to the Reporting Entity in relation to one or more items of Derivative Transaction Information set out in Part S1.3 of Schedule 1 about a Reportable Transaction to the extent that, at the time the Reporting Entity is required to comply with the requirements, the ISO 20022 message definition used in accordance with subrule 2.2.4(2) does not include those items of Derivative Transaction Information.

2.2.4 Reporting Requirement—Format

...

(2) A Reporting Entity is required to report the information referred to in subrule (1):

- (a) in a machine-readable form;
- (b) subject to subrule 2.2.1(4), in accordance with an ISO 20022 message definition whose message elements include the Derivative Transaction Information set out in Part S1.3; and
- (c) using the XML tags specified in the ISO 20022 message definition utilised by the Reporting Entity.

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6. Proposed minor changes to references to the *Corporations Act 2001* resulting from the *Treasury Laws Amendment (2023 Law Improvement Package No. 1) Act 2023* and other minor amendments

1.2.3 Definitions

In these Rules:

...

AFS Licence means an Australian financial services licence within the meaning of section 9 of the Act.

CS Facility Licensee has the meaning given by section 9 of the Act.

Derivative Trade Repository has the meaning given by section 9 of the Act.

Derivative Transaction has the meaning given by section 9 of the Act.

Licence means an Australian derivative trade repository licence within the meaning of section 9 of the Act.

Licensed CS Facility has the meaning given by section 9 of the Act.

Operating Rules has the meaning given by section 9 of the Act.

Prescribed Repository means a prescribed derivative trade repository as defined in section 9 of the Act.

1.2.4 OTC Derivatives

...

(2) In these Rules a Derivative is not an *OTC Derivative* if:

- (a) the Derivative is able to be traded (within the meaning of section 9 of the Act) on a Part 7.2A Market or a Regulated Foreign Market; and
- (b) in the case of a Part 7.2A Market, the entry into of the arrangement that is the Derivative:
 - (i) takes place on the Part 7.2A Market in accordance with the Operating Rules of the Part 7.2A Market; or

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- (ii) is reported to the operator of the Part 7.2A Market in its capacity as operator of the Part 7.2A Market, in accordance with the Operating Rules of the Part 7.2A Market; or
- (c) in the case of a Regulated Foreign Market, the entry into of the arrangement that is the Derivative takes place on the Regulated Foreign Market.

...

(5) A determination by ASIC for the purposes of subrule (3):

- (a) may be withdrawn by ASIC, from a date specified in a notice of withdrawal that is not less than 1 calendar month after the date the notice of withdrawal is registered under the *Legislation Act 2003*; and
- (b) once withdrawn ceases to have effect.

Note 1: A Derivative is an OTC Derivative under this Rule regardless of whether it is cleared through a Licensed CS Facility.

Note 2: Determinations and notices of withdrawal under this Rule will be registered by ASIC on the Federal Register of Instruments (FRI) and take effect under the *Legislation Act 2003*.

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