

WFC Single Disclosure Report 2022**AGC answers**

Date submitted
25/10/2022 05:43:45

AGC: 0a Please indicate the full name of the responding institution:
Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores, S.A. Unipersonal (IBERCLEAR)

AGC: 0c Registered address:
Plaza de la Lealtad 1, 28014 Madrid. SPAIN

AGC: 0d Country of registered address:
Spain

AGC: 1
Rule 17f-7, by reference to Rule 17f-4, requires that, for a CSD to be eligible to hold securities of U.S. registered investment companies (such depositories hereinafter referred to as "Eligible Securities Depositories"), the CSD must be a "system for the central handling of securities where all securities of any particular class or series of any issuer deposited within the system are treated as fungible and may be transferred or pledged by bookkeeping entry without physical delivery of the securities." Are all securities of a particular class or series of any issuer that are deposited in your institution treated as fungible, and can they be transferred or pledged by bookkeeping entry without physical delivery of the securities?
☐ Yes ☐ No

AGC: 1a Please explain
Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores, S.A. Unipersonal (hereinafter IBERCLEAR) is the Spanish Central Depository in charge of both the Register of Securities, held in bookentry form, and the Settlement of all trades from the Spanish Stock Exchanges, the Public Debt Market, the AIAF Fixed Income Market, and Latibex - the Latin American Stock Exchange denominated in euros. All the securities listed in the Spanish Stock Exchanges and Public Debt Market are represented by book-entry. However, there are some securities listed in AIAF Fixed Income Market that are represented by certificates (less than 1% of the total amount of securities). Although they are treated on book-entry, physical delivery of these securities is needed in case of pledge.

AGC: 2

Rule 17f-7 also requires that an Eligible Securities CSD "acts as or operates a system for the central handling of securities or equivalent book-entries in the country where it is incorporated," or "acts as or operates a transnational system for the central handling of securities or equivalent book-entries." Does your institution:

- ☒ Act as or operate a system for the central handling of securities or equivalent book-entries in the country where it is incorporated?
- ☐ Act as or operate a transnational system for the central handling of securities or equivalent book-entries?
- ☐ Act in another capacity with respect to the handling of securities or equivalent book-entries?
- ☐ Not applicable
- ☐ OTHER:

AGC: 2a.

Please explain:

n/a

AGC: 2b.

Please specify the types of securities for which you act as or operate a system for the central handling of securities or equivalent book-entries:

Equities and fixed income securities listed in the Spanish Stock Exchanges and Latibex, fixed income securities listed in Public Debt Market and AIAF fixed income market and fund shares.

AGC: 3

What type of legal entity is the institution?

- ☐ Public Company
- ☐ Stock Exchange (or part thereof)
- ☐ Central Bank (or part thereof)
- ☒ Private Company
- ☐ OTHER:

AGC: 4

Is the institution operated as a "for profit" or a "not for profit" organization?"

- ☒ For profit
- ☐ Not for profit

AGC: 5

Please provide the names of the owners and their ownership interest percentages.

Bolsas y Mercados Españoles, Sociedad Holding de Mercados y Sistemas Financieros, S.A.U., (BME Holding) is the sole shareholder of IBERCLEAR as it holds 100 per cent of its share capital. It is also noted that SIX Group AG is the sole shareholder of BME Holding.

AGC: 6a

What is the date of establishment of the CSD?

Please enter the answer in DD/MM/YYYY format.

If you are filling the survey for more than one organization, please enter the name of each organization in different lines and in front of each one the corresponding date.

2003-04-01 00:00:00

AGC: 6b

What is the date that the CSD's operations began?

Please enter the answer in DD/MM/YYYY format.

If you are filling the survey for more than one organization, please enter the name of each organization in different lines and in front of each one the corresponding date.

2003-04-01 00:00:00

AGC: 7

Under what regulation or statute is the CSD established and governed?

- Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")
- Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October
- Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets
- Regulation of Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores (IBERCLEAR)
- Law 41/1999, of 12 November, on payment and securities settlement systems
- IBERCLEAR's Circulars and Instructions

AGC: 7a

Is the regulation or statute electronically available?



Yes



No

AGC: 7b

If regulation or statute is electronically available, please supply web address(es) here or upload document(s).

www.iberclear.es/ing/Regulations/Legal-Framework

AGC: 7c

filecount - Please supply document(s) here:

0

AGC: 7d

What are the roles and responsibilities of the CSD's board of directors (or equivalent), and are they clearly specified? Please provide details of the structure and composition of your Board together with their industry experience and responsibilities in governing the CSD. What are the qualifications to become a board member?

The appointment of the IBERCLEAR Board of Directors member is subject to prior authorization by Comisión Nacional del Mercado de Valores, CNMV (National Securities Exchange Commission), to ensure that candidates meet the requisites laid down in Regulation 909/2014 regarding reputation and professional experience.

AGC: 7e

What are the election procedures?

The election procedures are the general procedures of the Spanish financial entities.

AGC: 7f

What is the maximum length of time a board member can serve?

They can serve as board members for a period of four years and they can be re-elected without limit.

AGC: 7g

How are the voting powers distributed amongst the board members (i.e. does each board member have one vote or do certain members have additional voting power)?

They have the voting powers of Board. In some cases it is necessary the authorisation of Comisión Nacional del Mercado de Valores, CNMV (National Securities Exchange Commission)

AGC: 7h

What are the procedures established to review the performance of the board as a whole and the performance of the individual board members? Who is responsible for regulating the board members?

The General Meeting

AGC: 8

Rule 17f-7 requires that an Eligible Securities Depository regulated by a foreign financial regulatory authority as defined under section 2(a)(50) of the Act, with section 2(a)(50) establishing that a 'foreign financial regulatory authority' means any (A) foreign securities authority, (B) other governmental body or foreign equivalent of a self-regulatory organization empowered by a foreign government to administer or enforce its laws relating to the regulation of fiduciaries, trusts, commercial lending, insurance, trading in contracts of sale of a commodity for future delivery, or other instruments traded on or subject to the rules of a contract market, board of trade or foreign equivalent, or other financial activities, or (C) membership organization a function of which is to regulate the participation of its members in activities listed above." Who regulates the activities of the CSD?

- ☐ A membership organization which regulates the participation of its members in securities matters or other financial activities.
- ☒ A governmental body or regulatory organization empowered to administer or enforce laws related to securities matters.
- ☐ A governmental body or self-regulatory organization empowered to administer or enforce laws related to other financial activities.
- ☐ OTHER:

AGC: 8a.

Please explain:

n/a

AGC: 9

Please provide the name of regulatory authority(ies) identified in question 8:

Comisión Nacional del Mercado de Valores, CNMV (National Securities Exchange Commission).

AGC: 10

Rule 17f-7 requires that an Eligible Securities Depository is subject to periodic examination by regulatory authorities or independent accountants. Is the CSD subject to periodic examination by:

- ☒ Regulatory authorities?
- ☐ Independent accountants?
- ☐ OTHER:

AGC: 10a

Please explain:

Everyday Iberclear informs Comisión Nacional del Mercado de Valores, CNMV (National Securities Exchange Commission) about the registration and settlement activities.

AGC: 11

Name of Authority #1 (please answer 11a):

Comisión Nacional del Mercado de Valores, CNMV (National Securities Exchange Commission)

AGC: 11a.

What enforcement actions are available to regulatory authority #1 for breach of applicable statute or regulatory requirements?

- ☒ Fines
- ☐ Restrictions on CSD activities.
- ☐ Suspension of CSD activities.
- ☐ Termination of CSD activities.
- ☐ OTHER:

AGC: 11b.

Please explain:

n/a

AGC: 11c.

What enforcement actions are available to regulatory authority #2 for breach of applicable statute or regulatory requirements?

- ☐ Suspension of CSD activities.
- ☐ Restrictions on CSD activities.
- ☐ Termination of CSD activities.
- ☐ Fines
- ☒ OTHER: n/a

AGC: 11d.

Please explain:

n/a

AGC: 12

Has there been any use of such enforcement actions in the last three years?

- ☒ No
- ☐ Yes
- ☐ OTHER:

AGC: 12a.

If yes, please explain:

AGC: 13.
Capital. Are annual financial statements publicly disclosed?

☒ Yes

☐ No

AGC: 13a.
If yes, the AGC requests a copy of the institution's annual report. Is the annual report available electronically?

☒ Yes

☐ No

AGC: 13b.
filecount - If yes, please upload the document(s) here or insert web link(s) in question 13d:

0

AGC: 13c.
filecount - If more than one document for 13b, please upload the additional document here:

0

AGC: 13d.
Please insert web link(s) for 13b here:

<http://www.bolsasymercados.es/>

AGC: 13e.
If no, and annual report and/or financial statements are not disclosed, please state your share capital, reserves, and retained earnings (or equivalents as determined under local accounting standards). Share Capital (then please answer 13f):

AGC: 13f.
Reserves (then please answer 13g):

n/a

AGC: 13g.
Retained Earnings:

n/a

AGC: 14
Internal Audit. Is an internal audit undertaken in your CSD?

☒ Yes

☐ No

AGC: 14a.
If yes, what areas does the audit cover (financials, operations, etc.) and which department in your CSD handles it?

"The internal audit function is carried out by BME Internal Audit department.

For the 2021 CSD business processes internal audit, the following objectives were covered:

- Effectiveness and efficiency of: risk management processes, internal control mechanisms, execution of operations, remuneration policy and outsourced activities.
- Reliability of financial and operational information
- Compliance with applicable laws and other regulations.

For the 2021 CSD IT internal audit, the following objectives were covered:

- Business Continuity
- Systems Infrastructure
- Information Security Framework
- Security vaults"

AGC: 14b.
Please list the date of your last internal audit and the period that the audit covered:

End date: 31/12/2021
Start date: 01/01/2021
Audit date: 24/02/2022

AGC: 14c.
How frequently does the internal audit occur?

☐ Two or more times a year

☒ Annually

☐ Less than annually

AGC: 14d.
If less than annually, please explain:

AGC: 14e.

Are the results of the internal audit publicly available?

☐ Yes☒ No

AGC: 14f.

Please select the statement that most accurately characterizes the results of the last internal audit:

☒ No material exceptions found.☐ Minor exceptions found.☐ Material exceptions found.

AGC: 14g.

If minor or material exceptions were found, what actions were taken? Please describe:

AGC: 15

Is a financial audit performed by an Audit Firm, Regulatory Authority, or other external party?

☒ Yes☐ No

AGC: 15a.

If yes, please state the name(s) of the entity(ies) who perform the financial audit.

Current financial auditors for 2022 financial audit: Ernst & Young (EY)

AGC: 15b.

Please list the date of your last financial audit performed by an Audit Firm, Regulatory Authority, or other external party:

08/04/2022

AGC: 15c.

Please list the period that the audit covered:

Start date: 01/01/2021

End date: 31/12/2021

AGC: 15d.
How frequently does the financial audit occur?

- ☐ Two or more times a year
- ☒ Annually
- ☐ Less than annually

AGC: 15e.
If less than annually, please explain:

AGC: 15f
Are the results of the financial audit publicly available?

- ☒ Yes
- ☐ No

AGC: 15g.
Please select the statement that most accurately characterizes the results of the last financial audit:

- ☒ No material exceptions found.
- ☐ Minor exceptions found.
- ☐ Material exceptions found.

AGC: 15h.
If minor or material exceptions were found, what actions were taken? Please describe:

AGC: 16
Is an operational audit performed by an Audit Firm, Regulatory Authority, or other external party?

- ☐ Yes
- ☒ No

AGC: 16a.
If yes, please state the name(s) of the entity(ies) who perform the operational audit.

AGC: 16b.

Please list the date of your last operational audit performed by an Audit Firm, Regulatory Authority, or other external party:

AGC: 16c.

Please list the period that the audit covered:

Start date:

End date:

AGC: 16d.

How frequently does the operational audit occur?

- ☐ Two or more times a year
- ☐ Annually
- ☐ Less than annually

AGC: 16e.

If less than annually, please explain:

AGC: 16f

Are the results of the operational audit publicly available?

- ☐ Yes
- ☐ No

AGC: 16g.

Please select the statement that most accurately characterizes the results of the last operational audit:

- ☐ No material exceptions found.
- ☐ Minor exceptions found.
- ☐ Material exceptions found.

AGC: 16h.

If minor or material exceptions were found, what actions were taken? Please describe:

AGC: 17, 17q

PARTICIPANTS AND PARTICIPATION. The purpose of this section is to understand issues relating to participation in the CSD, including eligibility requirements, conditions of participation, and supervision of participants. What types of entities are eligible to become participants and how many of each type are there currently?

- ☒ Foreign Institutions
- ☒ Brokers
- ☐ Individuals
- ☐ Not applicable
- ☒ Banks
- ☒ OTHER: Insurance institutions, official institutions, Bank of Spain, MEFF, CSDs

AGC: 17a.

How many Bank participants are there currently? (then please answer 17b)

45 Domestic participants and 18 Non domestic participants. Not everyone is a Bank

AGC: 17b, 17d

Please select the features included in the eligibility requirements for Banks.

- ☒ Regulatory Oversight
- ☐ Market Experience
- ☐ Financial Thresholds
- ☐ OTHER:

AGC: 17c.

Where can a description of the specific eligibility requirements for Bank participants be found?

Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")

Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October

Articles 67 and following of the Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets.

Articles 7 and following of the Regulation of Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores (IBERCLEAR)

Law 41/1999, of 12 November, on payment and securities settlement systems

IBERCLEAR Circulars and Instructions

AGC: 17d.
Please explain:

n/a

AGC: 17e.
How many Broker participants are there currently? (then please answer 17f)

45 Domestic participants and 18 Non domestic participants. Not everyone is a Bank

AGC: 17f, 17h
Please select the features included in the eligibility requirements for Brokers.

- ☐ Financial Thresholds
- ☐ Market Experience
- ☒ Regulatory Oversight
- ☐ OTHER:

AGC: 17g.
Where can a description of the specific eligibility requirements for Broker participants be found?

Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")

Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October

Articles 67 and following of the Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets.

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AGC: 17i.
How many Individual participants are there currently? (then please answer 17j)

AGC: 17j.
Please select the features included in the eligibility requirements for Individual participants.

- ☐ Market Experience
- ☒ Regulatory Oversight
- ☐ Financial Thresholds
- ☐ OTHER:

AGC: 17k.

Where can a description of the specific eligibility requirements for Individual participants be found?

Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")

Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October

Articles 67 and following of the Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets.

Articles 7 and following of the Regulation of Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores (IBERCLEAR)

Law 41/1999, of 12 November, on payment and securities settlement systems

IBERCLEAR Circulars and Instructions

AGC: 17m.

How many Foreign Institution participants are there currently?

18 Non domestic participants.

AGC: 17n, 17p.

Please select the features included in the eligibility requirements for Foreign Institution participants.

☐ Financial Thresholds

☒ Regulatory Oversight

☐ Market Experience

☐ OTHER:

AGC: 17o.

Where can a description of the specific eligibility requirements for Foreign Institution participants be found?

Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")

Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October

Articles 67 and following of the Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets.

Articles 7 and following of the Regulation of Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores (IBERCLEAR)

Law 41/1999, of 12 November, on payment and securities settlement systems

IBERCLEAR Circulars and Instructions

AGC: 17q.
If you have selected "Other entities" above, please explain:

n/a

AGC: 17r.
Indicate how many "Other entities" are currently participants?

n/a

AGC: 17s, 17u
Please select the features included in the eligibility requirements for the participants referred to above as "Other entities".

- ☐ Financial Thresholds
- ☒ Regulatory Oversight
- ☐ Market Experience
- ☐ OTHER:

AGC: 17t.
Where can a description of the specific eligibility requirements for participants described above as "Other entities" be found?

Regulation (EU) no. 909/2014, of 23 July, on improving securities settlement in the European Union and on central securities depositories ("CSDR")

Consolidated text of the Securities Market Act approved by Royal Legislative Decree 4/2015, of 23 October

Articles 67 and following of the Royal Decree 878/2015, of 2 October, on the registration, clearing and settlement of trading securities represented by book-entries, the legal regime for central securities depositories and central counterparties, and transparency requirements for issuers of securities admitted to trading on official secondary markets.

Articles 7 and following of the Regulation of Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores (IBERCLEAR)

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IBERCLEAR Circulars and Instructions

AGC: 18
Are participants required to contribute capital to the CSD that would result in ownership of the CSD?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 18a.

If yes, what fixed amount is required or what formula is used to determine the appropriate contribution level?

AGC: 19

Are prospective participants subject to an initial review and approval process regarding compliance with eligibility requirements?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 20

What governs the relationship between the CSD and the participants?

- ☒ Rules of the CSD
- ☒ Relevant law and regulation
- ☐ Not applicable
- ☐ By-laws of the CSD
- ☒ Standard participation contract
- ☒ Established terms and conditions of participation
- ☐ OTHER:

AGC: 20a

Please explain:

n/a

AGC: 21

Rule 17f-7 requires that an Eligible Securities Depository holds assets for the custodian that participates in the system on behalf of the Fund under safekeeping conditions no less favorable than the conditions that apply to other participants. Please confirm that assets of foreign investors held by custodians as participants in the CSD are held under safekeeping conditions no less favorable than the conditions that apply to other participants.

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 21a.

If no, other or not applicable, please explain:

AGC: 21b, 21c.

Please confirm the basis for the arrangements you have in place to ensure that the assets you hold for custodians receive the same level of safekeeping protection as the assets held for other categories of participants.

- ☐ Standard participation contract
- ☐ Rules of the CSD
- ☐ Relevant Law and Regulation
- ☐ By-laws of the CSD
- ☐ Established terms and conditions of participation
- ☒ OTHER: The aproches and arragements to ensure the same level of safekeeping protection are exactly the same in both cases since custodians are considered as participants.

AGC: 21d

For each item in Question 21b that you checked, please briefly supply references or citations to the law(s), regulation(s), or CSD rule(s), participation condition(s), or participant contract provision (s), as applicable.

The approaches and arrangements to ensure the same level of safekeeping protection are exactly the same in both cases since custodians are considered as participants.

AGC: 22

How does the CSD notify participants of material changes to the conditions of participation?

- ☐ Not applicable
- ☒ By e-mail
- ☐ By telephone
- ☒ By public announcement
- ☐ By press release
- ☐ OTHER:

AGC: 22a.

Please explain:

In the website, in the private area they have all the information released.

AGC: 23

Who enforces compliance with the CSD's conditions of participation?

- ☐ The exchange
- ☐ Not applicable
- ☒ The CSD's regulator
- ☒ The CSD
- ☐ OTHER:

AGC: 23a

Please explain:

n/a

AGC: 24

What enforcement actions are available to the enforcement authority?

- ☒ Termination of participation
- ☐ Fines
- ☐ Not applicable
- ☒ Restrictions on participation
- ☒ Suspension of participation
- ☐ OTHER:

AGC: 24a

Please explain:

n/a

AGC: 25

Has there been any such enforcement actions in the last three years?

- ☐ Yes
- ☒ No

AGC: 25a.

If yes, please explain, including information relative to any suspensions of CSD participants:

n/a

AGC: 26

CSD FUNCTIONALITY AND SERVICES, USE OF AGENTS. Certain functionalities and services reduce risk to an investor if provided in an efficient manner. The purpose of this section is to identify those functionalities that may potentially be offered by depositories and clearing systems around the world, and ascertain whether they are offered by your institution. For which of the following security types do you serve as a CSD or clearing system?

- ☐ Corporate money market
- ☐ Not applicable
- ☒ Corporate bonds
- ☒ Equities
- ☒ Government securities
- ☒ OTHER: Funds

AGC: 26a.

Please name the other security types:

Funds

AGC: 27a. (i)

Please list the instrument types for which it is not compulsory by law to: (i) settle in your CSD

It is compulsory by law to settle all the securities listed in the Spanish Stock Exchanges, Latibex Market, AIAF Fixed Income Market and Public Debt Market.

AGC: 27a. (ii)

(ii) safekeep in your CSD:

It is compulsory by law to safekeep all the securities listed in the Spanish Stock Exchanges, Latibex Market, AIAF Fixed Income Market and Public Debt Market.

AGC: 27b. (i)

Please list the instrument types for which it is not compulsory by market practice to: (i) settle in your CSD

Securities not listed in the Spanish Stock Exchanges, Latibex Market, AIAF Fixed Income Market and Public Debt Market.

AGC: 27b. (ii)

(ii) safekeep in your CSD:

n/a

AGC: 27, 27c

Is the use of the CSD in your market compulsory by law or compulsory by market practice for the settlement or safekeeping of all instrument types in your market (e.g. equities, government securities, corporate bonds, money market instruments, warrants, derivatives etc).

- ☐ Yes by market practice for safekeeping, but not for all instrument types
- ☐ Neither
- ☒ Yes by law for safekeeping, but not for all instrument type
- ☐ Yes by market practice for settlement, but not for all instrument types
- ☒ Yes by law for settlement, but not for all instrument types
- ☐ Yes by market practice for safekeeping of all instrument types
- ☐ Yes by market practice for settlement of all instrument types
- ☐ Yes by law for settlement of all instrument types
- ☐ Yes by law for safekeeping of all instrument types
- ☒ OTHER: Registry in the CSD is compulsory only for listed securities

AGC: 28 28a

Settlement and Safekeeping Percentages 28a Please list by instrument type the percentage of the total market in your jurisdiction (either volume or value) settled within your institution, exclusive of your links with third parties.

It is compulsory by law to settle all the securities listed in the Spanish Stock Exchanges, Latibex Market, AIAF Fixed Income Market and Public Debt Market. The percentage of the OTC transactions settled is not available.

AGC: 28b.

Please list by instrument type the percentage of the total market in your jurisdiction (either volume or value) held in safekeeping within your institution.

It is compulsory by law to safekeep all the securities listed in the Spanish Stock Exchanges, Latibex Market, AIAF Fixed Income Market and Public Debt Market

AGC: 29, 29i

Are there any activities performed by a third party on behalf of the CSD for the CSD participants (e.g., vaulting of physical securities, registration, entitlement processing, etc.)?

- ☒ Yes
- ☐ No
- ☐ Not applicable
- ☐ OTHER:

AGC: 29a.

If third parties are employed, please indicate which services they supply:

There are a very small amount of corporate bonds listed in AIAF Market that are still represented by physical titles. In these cases a cusodian bank is appointed for the safe custody of the titles.

AGC: 29b.

If third parties are employed, does the CSD assume liability for losses incurred by participants as a result of the actions/inactions of the third parties?

☐

Yes

☒

No

AGC: 29c, 29e.

If you acknowledge responsibility, please indicate whether your responsibility is assumed

☐ if the loss was caused by the willful default or other willful conduct on the part of the agent☐ if such loss was caused by the agent's action or inaction and such action or inaction was deemed to be gross negligence on the part of the agent☐ if such loss was caused by the agent's action or inaction and such action or inaction was deemed to be negligence on the part of the agent☐ regardless of whether such loss was caused by any action or inaction of the agent☐ OTHER:

AGC: 29f.

Please specify limit:

AGC: 29g.

Please specify limit:

AGC: 29d, 29h.

If you acknowledge responsibility for agents, your responsibility is assumed for losses

☐ without limit☐ which are not consequential losses☐ subject to a monetary limit not based on insurance limits☐ subject to a monetary limit based on insurance limits☐ OTHER:

AGC: 30, 30m

Has any participant suffered any losses in the past three years due to the CSD's performance?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 30a, 30j

If yes, please select all of the following in which loss has occurred. You will be prompted to enter the number of instances and total loss in USD thereafter.

- ☐ System Outage
- ☐ Corporate Action
- ☐ Settlement Process - Securities
- ☐ Settlement Process - Cash
- ☐ OTHER:

AGC: 30b.

Corporate Action. Please specify number of instances:

n/a

AGC: 30c.

Corporate Action. Please specify total loss in USD:

n/a

AGC: 30d.

Settlement Process - Securities. Please specify number of instances:

AGC: 30e.

Settlement Process - Securities. Please specify total loss in USD:

n/a

AGC: 30f.

Settlement Process - Cash. Please specify number of instances:

AGC: 30g.

Settlement Process - Cash. Please specify total loss in USD:

AGC: 30h.
System Outage. Please specify number of instances:

n/a

AGC: 30i.
System Outage. Please specify total loss in USD:

n/a

AGC: 30k.
For Other, please specify number of instances:

n/a

AGC: 30l.
For Other, please specify total loss in USD:

n/a

AGC: 31
Who accepts cash deposits (or makes payment credit accommodations) for CSD transactions?

- ☐ Not applicable
- ☐ Banks appointed by CSD
- ☒ Central Bank
- ☐ Neither or others (e.g. credit lines used)
- ☐ CSD
- ☐ OTHER:

AGC: 31a
Please indicate the name of the banks appointed by the CSD

AGC: 32
Who processes cash clearing (or draws on credit lines, if applicable) for CSD transactions?

- ☐ Central Bank
- ☐ Neither or others (e.g. credit lines used)
- ☐ Not applicable
- ☐ CSD
- ☐ Banks appointed by the CSD
- ☒ OTHER: Since 18/09/2017 ARCO platform settles in TARGET2-Securities

AGC: 32a

Please name banks appointed by the CSD

AGC: 33a

Please name banks appointed by the CSD

n/a

AGC: 33, 33b

Who controls the movement of cash for cash deposits (or draws on credit lines, if applicable)?

- ☐ Not applicable
- ☐ Neither or others (e.g. credit lines used)
- ☐ Banks appointed by CSD
- ☒ Central Bank
- ☐ CSD
- ☐ OTHER:

AGC: 34

Who controls the movement of cash for cash clearing (or for draws on credit lines, if applicable)?

- ☐ CSD
- ☒ Central Bank
- ☐ Banks appointed by CSD
- ☐ Neither or others (e.g. credit lines used)
- ☐ Not applicable
- ☐ OTHER:

AGC: 34a

Please name banks appointed by CSD

n/a

AGC: 35

Please indicate services you provide.

- ☒ Information on distribution of new issues (IPO, Privatization).
- ☐ Same day turnaround settlements.
- ☒ Own list or: AGC: Information in advance on corporate (annual or special) meetings in order that owners can vote.
- ☐ Not applicable
- ☒ Tax assistance where foreign holders may be entitled to tax relief at source or through a claim.
- ☐ In order to avoid fails, an automatic securities lending facility - if requested - is provided for.
- ☐ Collateral handling in support of activities including securities lending, overdraft coverage, cash management, repurchase agreements, etc.
- ☐ OTHER:

AGC: 35a

Automatic securities lending facility is provided for:

- ☐ Other financial institutions
- ☐ Banks
- ☐ Brokers
- ☐ OTHER:

AGC: 35c

Summary narrative for PFMI Principle 5. Please provide a summary narrative disclosure with sufficient detail and context, as well as any other appropriate supplementary information, to enable readers to understand the CSD's approach to or method for observing the principle. Please use the following questions as guidance for the points of focus and level of detail it is expected to convey in the disclosure. Cross references to publicly available documents should be included, where relevant, to supplement the discussion.)

In order to optimize the settlement process IBERCLEAR uses all the T2S tools: the use of the partial settlement, recycling, transactions links, priority and auto-collateralisation.

AGC: 35c

If collateral handling, please provide details

AGC: 35d

Other, please explain:

n/a

AGC: 36

What procedures are in place for the processing of corporate action entitlements?

- ☐ Credited to the securities account on the day indicated below regardless of whether actually collected by the CSD on the scheduled date.
- ☐ Not applicable
- ☐ Corporate action entitlements are handled by an entity separate from the CSD.
- ☒ Credited to the securities account upon actual receipt by the CSD.
- ☐ OTHER:

AGC: 36a

Credited to the securities account:

- ☐ On pay date +1.
- ☐ On pay date.
- ☐ On pay date +2.
- ☐ OTHER:

AGC: 36c

Name of entity:

AGC: 37a

Credited to the cash account:

- ☐ On pay date +1.
- ☐ On pay date.
- ☐ On pay date +2.
- ☐ OTHER:

AGC: 37c

Name of entity:

AGC: 37, 37d.

What procedures are in place for the processing of interest and dividends?

- ☐ Income and dividend collection is handled by an entity separate from the CSD.
- ☐ Not applicable
- ☐ Credited to the cash account on the day indicated below regardless of whether actually collected by the CSD on the scheduled date.
- ☒ Credited to the cash account upon actual receipt by the CSD.
- ☐ OTHER:

AGC: 38

Please list all depositories or settlement systems to which you have an electronic link.

Euronext Securities Milan
Euroclear France
Euroclear Nederland
Clearstream Banking AG
OeKB CSD
Euronext Securities Porto

AGC: 39

Are procedures and controls (firewalls) in place to avoid systemic collapse or contamination if one of the linked entities should experience business interruptions for whatever reason?

- ☐ No
- ☒ Yes
- ☐ Not applicable

AGC: 39a

Please explain

The same procedures and controls that Iberclear has for domestic securities.

AGC: 40

Has a business interruption recovery plan been developed in the event the linkages should become inoperable for any reason?

- ☐ Yes
- ☐ No
- ☐ Not applicable
- ☐ Other

The same procedures and controls that Iberclear has for domestic securities

AGC: 40a.

If no or other, please explain

The same procedures and controls that IBERCLEAR has for domestic securities.

AGC: 41

Are participants permitted to maintain more than one account at the CSD?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 41a, 41c

If yes, please indicate number:

- ☒ An unlimited number of accounts
- ☐ More than one account
- ☐ OTHER:

AGC: 41b

If more than one account what is the maximum?

AGC: 42

Are participants required/permitted to segregate assets held for their own benefit from those they hold for their clients?

- ☒ Yes
- ☐ No
- ☐ Not applicable
- ☐ OTHER:

AGC: 42a

If yes, is segregation required or simply permitted?

- ☒ Required
- ☐ Permitted

AGC: 42b, 42c

How does segregation occur?

- ☐ By sub-accounts within a single participant account.
- ☒ By separately designated participant accounts.
- ☐ By separately designated beneficial owner accounts.
- ☐ OTHER:

AGC: 43, 43b

Does the CSD permit its participants to open accounts in the participant's own nominee name(s)?

- ☐ Yes
- ☐ No
- ☐ Not applicable
- ☒ Other: Yes, it is allowed to open an individual account to a natural or legal person.

AGC: 43a

If yes, do laws exist, which define as well as protect the rights of beneficial owners with respect to securities registered in nominee name?

- ☐ Yes
- ☐ No

AGC: 44a

In the event a participant's single or main account is blocked for any reason (e.g., insolvency, penalties, violations, liens), would securities held in any account or accounts on behalf of the participant's clients be accessible: By the participant's clients?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 44b

If yes, please describe briefly how clients of participants would access their securities and whether there would be any delay in their ability to do so:

AGC: 44d.

By the intervening authorities controlling insolvency or other proceedings?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 44e.

If yes, please describe briefly under what conditions access would be granted to the intervening authorities:

AGC: 44h

If yes, please describe briefly under what conditions access would be granted to the participant's creditors:

AGC: 44g, 44i

By the participant's creditors?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 44j.

By the CSD's creditors?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 44k.

If yes, please describe briefly under what conditions access would be granted to the CSD's creditors:

AGC: 45

In what form does the CSD maintain records identifying the assets of each participant?

- ☐ Computer tape
- ☒ Computer file
- ☐ Hard copy
- ☐ Microfiche
- ☐ OTHER:

AGC: 45b

In which format is the source data maintained?

IBM DB2 Base

AGC: 46

Rule 17f-7 requires that an Eligible Securities Depository provides periodic reports to its participants with respect to its safekeeping of assets, including notices of transfers to or from any participant's account. Does the CSD make available periodic safekeeping reports to participants, including notices of transfers to or from the participant's account?

- ☒ Yes
- ☐ No

AGC: 46a.

If no or other, please explain

AGC: 46b, 46c.

If yes, please indicate the scheduled frequency:

- ☐ Annually
- ☐ Quarterly
- ☐ Monthly
- ☐ Weekly
- ☒ Daily
- ☐ Upon request
- ☐ OTHER:

AGC: 47, 47a

What is your document and record retention policy for documents and records described above in this section?

- ☐ 6 months or less
- ☐ 1 year
- ☐ 3 years
- ☐ 5 years
- ☐ 7 years
- ☒ Other: 10 years

AGC: 48

The Committee on Payment and Settlement Systems of the Bank for International Settlements (BIS) has identified three common structural approaches or models for linking delivery and payment in a securities settlement system. Please indicate which model your procedures most closely resemble.

- ☐ Not applicable
- ☐ Model3
- ☐ Model2
- ☒ Model1
- ☐ OTHER:

AGC: 48a

Please briefly describe your settlement process, including how do your settlement procedures vary from the model chosen above?

Since 2017 Arco platform follows t2s settle procedures.

AGC: 49

Are the cash and security movements simultaneous?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 49a

If cash and security movements are not simultaneous, please indicate the duration of the timing gap

- ☐ 1 hour
- ☐ 2 hours
- ☐ 3 hours
- ☐ 4 hours
- ☐ 5 hours
- ☐ Overnight
- ☐ 2 days

AGC: 50, 50a

How are CSD eligible securities held by the CSD?

- ☒ In dematerialized form
- ☒ In certificated form
- ☐ OTHER:

AGC: 51

If CSD eligible securities are certificated, can CSD eligible securities be held outside of the CSD?

- ☐ All eligible securities must be held in the CSD
- ☐ Securities may move freely into and out of the CSD
- ☐ Once entered into the CSD, eligible securities must remain in the CSD
- ☒ Certain designated securities may be held outside the CSD
- ☐ Not applicable

AGC: 51a

If certain designated securities are held outside the CSD, please indicate under which conditions these securities would be held outside the CSD:

Physical titles are excluded from the system when required by investor and when they are pledged.

AGC: 51b

If CSD eligible securities are required to be centrally immobilized at the CSD, where and with whom are the certificates safekept? (then please answer 51c)

AGC: 51c

Are these certificates:

- ☒ Bearer
- ☐ Registered
- ☐ OTHER:

AGC: 51d

If registered, how are the CSD eligible securities registered?

- ☐ In the name of the CSD
- ☐ In the name of the depositing participant or its nominee
- ☐ In the name of a separate nominee of the CSD
- ☐ OTHER:

AGC: 51f

If in the name of a separate nominee, please identify by name the nominee used:

AGC: 51h

If CSD eligible securities may be held either in or out of the CSD, are these certificates:

- ☐ Bearer
- ☐ Registered

AGC: 51i

What are the control features for receipt of certificates to the CSD (e.g., authentication procedures, re-registration)? Please describe:

AGC: 52

If securities are dematerialized: May dematerialized security positions be re-certificated and held outside the CSD?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 52a, 52k

Are the securities held:

- ☒ Through book-entry at the CSD
- ☐ Through book-entry at a registrar or issuer
- ☐ OTHER:

AGC: 52b

Please identify which types of entities may act as registrars:

- ☐ Issuers
- ☐ Separate companies that perform registrar functions
- ☐ CSD
- ☐ OTHER:

AGC: 52d

If the securities held by the CSD are recorded by book entry at the registrar, are the securities registered only to the CSD, with the CSD providing the function of recording ownership on a centralized basis for the market?

- ☐ Yes
- ☐ No
- ☒ Other: Legal requirement for registration at least at CSD participant client level (two-tier registration system). The securities book-entry system in Spain is set up on a two-level registration system. Keeping the Central Registry corresponds to IBERCLEAR, and the detailed (or second-level) Registry is carried out by its participants.

AGC: 52e

If yes, how are securities held at the registrar for the account of the CSD?

- ☐ In the name of the CSD
- ☐ In the name of a separate nominee of the CSD

AGC: 52f

Please describe:

n/a

AGC: 52g

If the securities held with the CSD are recorded by book-entry at the registrar but are not registered exclusively to the CSD, may they be registered to:

- ☐ The beneficial owner
- ☐ A nominee

AGC: 52h

Please describe:

n/a

AGC: 52i

If the securities held with the CSD are recorded by book-entry at the registrar, what are the control features at the registrar for transfer of registrar positions to and from the CSD (e.g., authentication procedures, reconciliation, confirmation of position at registrar)? Please describe:

Accounting registration is structured in the form of a central registry, which is under the responsibility of Iberclear, that records all aggregated securities balances for each of the participants, and a detailed registry, which is under the responsibility of these entities, where securities are recorded in the name of each holder. Iberclear has its own internal procedures in order to verify the securities movement.

AGC: 53

Does the CSD maintain records that identify the assets of each participant and segregate the system's own assets from the assets of participants?

- ☐ No
- ☒ Yes
- ☐ Not applicable
- ☐ OTHER:

AGC: 53a

If answer to question 'G23Q031' is other or not applicable, please explain

AGC: 54

Does the law protect participant assets from claims and liabilities of the CSD?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 55

Can the CSD assess a lien on participant accounts? (A lien would entitle the CSD to take and hold or sell the securities of the participant in payment of a debt.)

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 55a

If yes, for what reasons are liens or similar claims imposed?

- ☐ To secure payment for purchased securities
- ☐ Collateralization of overdrafts
- ☐ Fees and expenses
- ☐ OTHER:

AGC: 55b

Please describe:

n/a

AGC: 55c

Please indicate the limits of this lien as indicated below:

- ☐ The lien is limited to securities in the participant's proprietary account
- ☐ The lien is limited to securities in the course of purchase and sale transactio
- ☐ The lien may extend to settled client positions

AGC: 55d

Please explain:

AGC: 55e

If a lien is placed on a participant's account which has been designated for its clients, will the CSD select certain securities to be subject to the lien?

- ☐ Yes
- ☐ No

AGC: 55f

If yes, please indicate whether:

- ☐ The lien is placed on the most liquid securities in the account
- ☐ The lien is placed on the securities with the greatest value in the account

AGC: 55g

Please explain:

n/a

AGC: 55h

If no, please indicate whether the entire account will be subject to the lien.

- ☐ Yes
- ☐ No

AGC: 55j

For accounts designated as client accounts, do procedures exist to restrict the placement of liens only to obligations arising from safe custody and administration of those accounts?

- ☐ Yes
- ☒ No

AGC: 55k

If yes, are the restrictions accomplished by:

- ☐ Contract between the CSD and the participant

AGC: 55l

Please explain:

n/a

AGC: 56, 56e

Transfer of Legal Ownership. Does the CSD have legal authority to transfer title to securities?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 56a

When does title or entitlement to CSD securities pass between participants?

- ☐ At the end of the business day on which the transfer occurs
- ☐ When corresponding money or other consideration is transferred
- ☐ When the transaction is processed on an intra-day basis
- ☒ Other: As soon as the transaction is settled on an intraday basis.

AGC: 56b

Please describe:

As soon as the transaction is settled on an intraday basis.

AGC: 56c

Where does title or entitlement to CSD securities pass between participants?

- ☐ On the CSD books
- ☐ On the registrars books

AGC: 56d

Please describe:

n/a

AGC: 57, 57a

How are eligible securities lodged in the CSD system?

- ☐ A registered certificate in the name of the CSD is delivered to the CSD.
- ☐ A participant delivers the security with a valid transfer deed or stock power or other transfer document to the CSD which then effects registration.
- ☐ A registrar re-registers the security in the name of the CSD.
- ☐ Not applicable
- ☒ OTHER: Nearly all spanish securities are in dematerialized form. However, since there is still a small percentage of securities represented by means of certificate, the subsequent responses will be given for these securities.

AGC: 58, 58a

When are securities lodged into the CSD reflected in a participant's CSD account?

- ☐ Securities are re-registered prior to being reflected in the participant CSD account.
- ☐ Not applicable
- ☒ Securities are reflected in the participant's CSD account immediately upon delivery to the CSD.
- ☐ OTHER:

AGC: 59a

Please specify

AGC: 59, 59b

How long does it usually take to lodge securities with the CSD?

- ☒ 1 to 2 days
- ☐ 3 days to 1 week
- ☐ 2 to 4 weeks
- ☐ More than 4 weeks
- ☐ Not applicable

AGC: 60

During the process of lodging securities into the CSD, can the securities be traded?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 60a

During the process of lodging securities into the CSD, can the securities be settled?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 60b

During the process of lodging securities into the CSD, can the securities have ownership transferred?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 60c

If they cannot be traded, or if you answered other, please explain

AGC: 60d

If they cannot be settled, or if you answered other, please explain

They need to be previously inscribed in the system.

AGC: 60e

If ownership cannot be transferred, or if you answered other, please explain

They need to be previously inscribed in the system.

AGC: 61a

If no: Securities are unavailable for

- ☐ 1 to 2 days
- ☐ 3 days to 1 week
- ☐ 2 to 4 weeks
- ☐ More than 4 weeks
- ☐ Not applicable

AGC: 61b

If more than 4 weeks, please specify

AGC: 61c

If not applicable, please explain

n/a

AGC: 61, 61d

Are securities immediately available for delivery upon transfer to the CSD?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 62

Please describe briefly the arrangements / procedures / facilities you maintain to ensure that eligible securities held at the CSD are handled at least as efficiently as compared to securities held outside the CSD, particularly in relation to income, corporate actions and proxy services.

IBERCLEAR has a Users' Committee composed of representatives of settlement participants and issuers to analyse proposed policies and issue technical opinion about IBERCLEAR's performance.

In addition to the Users' Committee, IBERCLEAR offers participants dialogue and innovation environments to address the more technical issues that, although they do not form part of the Users' Committee's remit, may be of interest to entities and users. Specifically, the Technical Monitoring Groups for the operational evolution of the registration and settlement system, hereinafter TMG. The main goal of the TMGs is to contribute to improving the efficiency, security and competitiveness of the registration and settlement system of the Spanish market. In this connection, these forums serve to pool, analyse and, where appropriate, define, from a technical and operational perspective, the opportunity for procedural changes and ongoing initiatives, whether regulatory, operational or strictly technical in nature.

IBERCLEAR also participates in international groups of T2S and ECSDA.

AGC: 63, 63a

What transfer process steps are involved when eligible securities are withdrawn from the CSD for safekeeping?

- ☐ Securities are re-registered into the name of the beneficial owner or a nominee.
- ☐ Securities are re-certificated and re-registered into the name of the beneficia
- ☐ Securities are re-certificated and delivered as bearer instruments.
- ☐ Securities are transferred as is any physical delivery in the market.
- ☐ Not applicable
- ☒ Other: For titles, the investor has to claim the securities to the depositary through the participant. Once the depositary has checked the securities it will inform the custodian to give the requested titles to the investor

AGC: 64a

If more than 4 weeks, please specify

AGC: 64, 64b

How long does it usually take to remove securities from the CSD?

- ☐ 1 to 2 days
- ☒ 3 days to 1 week
- ☐ 2 to 4 weeks
- ☐ More than 4 weeks
- ☐ Not applicable

AGC: 65a

While the securities are being removed from the CSD, can they be traded? (Choose one)

- ☒ No
- ☐ Not applicable
- ☐ Yes

AGC: 65b

If they cannot be traded please explain

They need to be included in the system to be traded in the market

AGC: 65c

While the securities are being removed from the CSD, can they be settled? (Choose one)

- ☒ No
- ☐ Not applicable
- ☐ Yes

AGC: 65d

If they cannot be settled, please explain

They need to be included in the system to be settled.

AGC: 65e

While the securities are being removed from the CSD, can they have ownership transferred? (Choose one)

- ☐ No
- ☐ Not applicable
- ☒ Yes

AGC: 65f

If ownership cannot be transferred, please explain

AGC: 66, 66a, 66d

Does the CSD accept liability (independent of any insurance coverage) for the following: Reconciliation errors with the registrar and/or the issuer that result in direct damages or losses to participants?

- ☐ No
- ☒ Not applicable
- ☐ Yes

AGC: 66b 66c

If yes, please check all of the following that apply:

- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ The CSD assumes liability for direct losses
- ☐ OTHER:

AGC: 66e, 66g, 66h

Theft of securities (either physical certificate or electronically from accounts at the CSD) from the CSD that results in direct damages or losses to participants?

- ☐ No
- ☐ Yes
- ☒ Not applicable

AGC: 66f

If yes, please check all of the following that apply:

- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☐ The CSD assumes liability for direct losses
- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ OTHER:

AGC: 66i, 66l.

Failure of the CSD's systems that result in direct damages or losses to participants because they cannot use either securities or funds?

- ☐ No
- ☐ Yes
- ☒ Not applicable

AGC: 66j, 66k

If yes, please check all of the following that apply:

- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ The CSD assumes liability for direct losses
- ☐ OTHER:

AGC: 66m, 66p.

Any direct damages or losses to participants caused by the CSD due to its errors, omissions or fraud?

- ☒ Yes
- ☐ No
- ☐ Not applicable
- ☐ OTHER:

AGC: 66n.

If yes, please check all of the following that apply:

- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☒ The CSD assumes liability for direct losses
- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ OTHER:

AGC: 66q.

Does the CSD accept liability (independent of any insurance coverage) for the following: Any direct damages or losses to participants caused by the CSD in its capacity as a central counterparty?

- ☐ Yes
- ☐ No
- ☒ Not applicable

AGC: 66r.

If yes, please check all of the following that apply:

- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☐ The CSD assumes liability for direct losses
- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ OTHER:

AGC: 66u.

Does the CSD guaranty settlement?

- ☒ No
- ☐ Yes
- ☐ Not applicable

AGC: 66v.

Please explain how this is accomplished. What are the procedures and safeguards that permit the CSD to guaranty settlement?

AGC: 66x.

Any direct damages or losses to participants caused by the CSD as a result of force majeure events, acts of God, or political events, etc.?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 66y.

If yes, please check all of the following that apply:

- ☐ The CSD assumes liability for indirect or consequential losses
- ☐ The CSD assumes liability for direct losses
- ☐ Financial limits are imposed on the amount of liability assumed by the CSD
- ☐ OTHER:

AGC: 66+

In all cases where the CSD assumes responsibility for direct or indirect or consequential losses, is the CSD's liability limited by a standard of care determination?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 66*

Please define the standard of care applied:

AGC: 67a, 67b.

Do the CSD's written contracts, rules, or established practices and procedures provide protection against risk of loss of participant assets by the CSD in the form of indemnification?

- ☐ Not applicable
- ☐ Yes
- ☒ No
- ☐ OTHER:

AGC: 67b.

Please explain (then please answer 67c):

AGC: 67c.

Please provide details of the relevant sections of the contracts, rules or practices where this information is found

- Article 8.4 of Securities Market Act
- Article 28 of RD 878/2015

AGC: 67d.

Insurance

- ☐ Yes
- ☐ No
- ☒ Not applicable
- ☐ OTHER:

AGC: 67e.

Please explain (then please answer 67f):

n/a

AGC: 67f.

Please provide details of the relevant sections of the contracts, rules or practices where this information is found

n/a

AGC: 67g.

Acknowledgement of liability for losses caused by CSD's own actions.

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 67h.

Please explain (then please answer 67i):

Article 8.4 of Securities Market Act and Article 28 of RD 878/2015

AGC: 67i.

Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

Article 8.4 of Securities Market Act and Article 28 of RD 878/2015

AGC: 67j.
Other

☐ Yes

☒ No

AGC: 67k.
Please explain (then please answer 67l:

AGC: 67l.
Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

n/a

AGC: 68
Is the CSD immune from legal action in its own jurisdiction?

☐ Yes

☒ No

AGC: 69
Security Control. How do participants receive information (view actual settlement of trades, movement of securities on their accounts, etc.) and see the status of their accounts?

☐ Not applicable

☐ By receipt of physical account holding statements

☒ By direct electronic link

☐ OTHER:

AGC: 69a.
Please explain:

n/a

AGC: 70

Do participants have access to affect their holdings, including confirming and affirming trades, movement of securities on their accounts, etc.?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 70a.

How is access given to participants?

- ☒ By direct electronic link
- ☐ OTHER:

AGC: 70b.

Please select type of electronic link:

- ☒ Secured, leased, dedicated telephone line
- ☐ Dial-up modem
- ☐ Internet
- ☐ Fax

AGC: 70c.

Please explain:

n/a

AGC: 71 71a.

Regarding data security: Are passwords used by participants to access their accounts?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 71c.
Does each user have a unique user ID?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 71e.
Are passwords regularly changed?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 71f.
How often?

At least monthly

AGC: 71h.
Is there a user lock-out after a pre-set number of unsuccessful User ID attempts?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 71i.
How many?

AGC: 72
Does the CSD communicate with other market entities such as stock exchanges, payment systems, clearing houses, etc., by secured linkages?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 72a
Please explain:

Stock Exchanges, Central Bank and clearing houses.

AGC: 73 73a
How does the CSD communicate with Stock Exchanges?

- ☐ Dial-up modem
- ☐ other
- ☐ Paper
- ☐ Fax
- ☐ Not applicable
- ☒ Secured, leased, dedicated telephone line
- ☐ Internet
- ☐ OTHER:

AGC: 73b
How does the CSD communicate with Payment Systems?

- ☐ Dial-up modem
- ☒ Secured, leased, dedicated telephone line
- ☐ Internet
- ☐ Fax
- ☐ Paper
- ☐ other
- ☐ Not applicable
- ☐ OTHER:

AGC: 73c

How does the CSD communicate with Clearing Houses?

- ☐ Dial-up modem
- ☒ Secured, leased, dedicated telephone line
- ☐ Internet
- ☐ Fax
- ☐ Paper
- ☐ other
- ☐ Not applicable
- ☐ OTHER:

AGC: 73d

How does the CSD communicate with Registrars?

- ☐ Dial-up modem
- ☒ Secured, leased, dedicated telephone line
- ☐ Internet
- ☐ Fax
- ☐ Paper
- ☐ other
- ☐ Not applicable
- ☐ OTHER:

AGC: 74

How is access to the physical building controlled?

- ☒ By guards
- ☒ By alarm system
- ☒ personal ID card
- ☒ By electronic keys
- ☐ OTHER:

AGC: 74a.

Please explain:

n/a

AGC: 75

What are the vault security procedures for the safekeeping of physical paper?

- ☐ Fire alarms
- ☐ Intrusion alarms
- ☐ Vault counts
- ☐ Visitor logs
- ☐ Dual access control
- ☐ Electronic keys or combinations
- ☒ Not applicable, no vault is maintained
- ☐ Guards
- ☐ OTHER:

AGC: 75a.

Please indicate frequency of vault counts:

AGC: 75b

Please explain:

Participants have their own safeguard measures

AGC: 76, 76d

Participant Default Protections Resulting from a Participant Failure. If a participant defaults, how is the loss covered? (Choose all that apply?)

- ☐ CSD insurance covers the loss
- ☐ The CSD guaranty fund covers the loss
- ☐ Loss is shared among participants
- ☒ Not applicable
- ☐ OTHER:

AGC: 76a

Please explain the process:

AGC: 76b

Please explain the process of how the loss is shared:

- ☐ Equally, among participants
- ☐ Pro-rata based on participant's volume
- ☐ Limited to participants with transactions with failing counterparty

AGC: 76d

Please explain:

There is not guaranty since it is real time gross settlement.

AGC: 77

During the past three years, has there been a situation where a participant defaulted which resulted in a significant loss?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 77a

How was the situation resolved? Or if you answered "Other," then please explain:

AGC: 78

Does the CSD have a guaranty fund independent of stock exchange or other market guarantees?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 78a.

If yes, please respond to the following questions: What is the size of the fund?

AGC: 78b.
How is the size of the fund determined?

- ☐ By participant volume
- ☐ By asset value
- ☐ A fixed amount

AGC: 78d.
How is the fund financed?

- ☐ Contributions from owner
- ☐ Contributions from participants
- ☐ Funding from retained earnings
- ☒ Other: n/a

AGC: 78e.
If so, what is the amount or percentage per owner?

AGC: 78f.
If so, what is the amount or percentage per participant?

AGC: 78h.
Who is covered by the fund?

- ☐ Direct CSD participants only
- ☐ The beneficial owner also
- ☒ OTHER: n/a

AGC: 78j.
When is the guaranty fund used?

- ☐ When a broker defaults
- ☐ When a direct participant defaults
- ☒ OTHER: n/a

AGC: 79

Does the CSD have forms of oversight management for assessing and monitoring of the following?

- ☐ Collateral requirements for participants
- ☒ Blocking of securities movement before receipt of payment
- ☐ Other loss or default protections the CSD maintains
- ☒ Settlement controls that minimize or eliminate the risk of default by a participant
- ☒ Participant financial strength
- ☐ Blocking payment until securities are moved
- ☐ Not applicable
- ☐ Debit caps for participants
- ☒ Participant volumes
- ☒ Participant eligibility requirements
- ☐ OTHER:

AGC: 79a

Please explain other loss or default protections:

AGC: 79a

Please explain other loss or default protections:

n/a

AGC: 79b

Please explain the requirements:

AGC: 79c

Please explain how these debit caps work:

AGC: 79d.

What type or types of settlement controls

- ☒ Blocking or freezing of securities positions
- ☐ Controlling DVP settlement
- ☒ Simultaneous DVP
- ☒ OTHER: All settlement controls of T2S

AGC: 79e.
Please explain:

n/a

AGC: 79f.
Please explain:

n/a

AGC: 79g.
Please explain:

n/a

AGC: 79h
Please identify and explain:

n/a

AGC: 79i
Please explain briefly how these work:

n/a

AGC: 80
Does the stock exchange have default protections that extend to the CSD, such as the following?

- ☐ Margin requirements for stock exchange members
- ☐ Guaranty fund for stock exchange members
- ☐ Financial requirements for stock exchange membership
- ☐ No
- ☐ Not applicable
- ☐ OTHER:

AGC: 80a
Please explain:

n/a

AGC: 81
BUSINESS RECOVERY PLAN. This section is intended to identify key aspects of the CSD's Business Recovery Plan (BRP), including testing requirements and past results, expected recovery time periods, and the independent review and validation (if any) of the BRP. Do you have a formal business recovery plan?

- ☒ Yes
- ☐ No

AGC: 81b.

Please identify both the frequency and the last date of testing for the following third party: CSD participants/members

Annually. During 2021 a Ciberattack exercise was performed. The results of the test were analysed and the correspondent implementations were taken into account and included in the BRP.

AGC: 81c.

Please identify both the frequency and the last date of testing for the following third party: Stock exchange

Annually. During 2021 a Ciberattack exercise was performed. The results of the test were analysed and the correspondent implementations were taken into account and included in the BRP

AGC: 81d.

Please identify both the frequency and the last date of testing for the following third party: Central bank

Annually. During 2021 a Ciberattack exercise was performed. The results of the test were analysed and the correspondent implementations were taken into account and included in the BRP

AGC: 81e.

Please identify both the frequency and the last date of testing for the following third party: Local brokers

n/a

AGC: 81f.

Please identify both the frequency and the last date of testing for the following third party: Any other third party

n/a

AGC: 81a, 81h.

Does your Business Recovery Plan include:

- ☒ Back-up of all computer files
- ☒ Back-up files stored and locked
- ☒ Off-site operations facility
- ☒ Off-site data storage
- ☐ OTHER:

AGC: 82

How quickly can the main system be reactivated in the event of an outage?

- ☒ 1 - 4 hours
- ☐ 4 - 8 hours
- ☐ 8 - 24 hours
- ☐ Longer than 24 hours
- ☐ Not applicable

AGC: 83

If a back-up system exists, how quickly can the back-up system be activated in the event of the main system failing?

- ☒ 1 - 4 hours
- ☐ 4 - 8 hours
- ☐ 8 - 24 hours
- ☐ Longer than 24 hours
- ☐ Not applicable

AGC: 84

Will the CSD publicly announce any system interruption?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 84a.

To whom will the CSD disclose any system interruptions?

- ☒ To all direct participants
- ☒ To the CSD regulators
- ☐ To direct and indirect participants
- ☐ To the public via the internet
- ☐ In the press
- ☒ OTHER: To the Spanish Stock Exchanges and other Markets and Platforms.

AGC: 84b.

If so, please list webpage address:

AGC: 84c.

If so, please list all publications:

AGC: 84d.

Please explain:

To the Spanish Stock Exchanges and other Markets and Platforms.

AGC: 84e.

How will the CSD disclose any system interruptions?

- ☐ Public announcement
- ☒ By e-mail
- ☒ By telephone
- ☐ Press release
- ☐ OTHER:

AGC: 84f.

Please explain:

website (www.iberclear.es), private domain

AGC: 85

In the past three years, has it been necessary to activate the recovery plan in a live situation?

- ☐ Yes
- ☐ No
- ☐ Not applicable
- ☒ Other: Yes, due to COVID 19 employees performed their duties from home. It was implemented in two steps during one week.

AGC: 85a.

If yes, how much time was needed to implement the recovery plan?

- ☐ Less than 1 hour
- ☐ 1 - 2 hours
- ☐ 2 - 4 hours
- ☐ Longer than 4 hours

AGC: 85b.

How much time was needed to recover and restore business to normal operations?

- ☐ 1 - 4 hours
- ☐ 4 - 8 hours
- ☐ 8 - 24 hours
- ☐ Longer than 24 hours

AGC: 85c, 85d.

What was the impact to the market?

- ☐ As a result of the system failure, all fines and penalties for late settlements were waived
- ☐ All cash settlements took place more than one business day late
- ☐ All securities settlements took place more than one business day late
- ☐ All cash settlements took place one business day late with value one day late
- ☐ All securities settlements took place one business day late with value one day late
- ☐ All cash settlements took place one business day late with good value
- ☐ All securities settlements took place one business day late with good value
- ☐ Even though there was a system failure, all fines and penalties for late settlements were still assessed
- ☒ All cash settlements took place as scheduled on the same day with good value
- ☒ All securities settlements took place as scheduled on the same day with good value
- ☒ OTHER: n/a

AGC: 86

Has there been any material loss by the CSD during the past three years?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 86a.

If there has been a loss, please describe the cause, the final impact and the action taken to prevent a recurrence:

AGC: 87

Has the CSD been subject to any litigation involving a participant during the past three years?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 87a.

Please explain the circumstances and resolution:

AGC: 88, 88a

Has the CSD realized revenues sufficient to cover expenses during the past three years?

- ☒ Yes for all three years
- ☐ Yes for two of the last three years
- ☐ Yes for one of the last three years
- ☐ None of the last three years
- ☐ Not applicable

AGC: 89, 89b

Does the CSD maintain a reserve for operating losses?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 89a.

Please describe and indicate reserve (for operating losses) amount:

n/a

AGC: 90

Has the regulatory body with oversight responsibility for the CSD issued public notice that the CSD is not in current compliance with any capital, solvency, insurance or similar financial strength requirements imposed by such regulatory body?

- ☐ Yes
- ☒ No
- ☐ Not applicable

AGC: 90a.

Please describe:

AGC: 90b.

In the case of such a notice having been issued, has such notice been withdrawn, or, has the remedy of such noncompliance been publicly announced by the CSD?

- ☐ Yes
- ☐ No
- ☒ Other: n/a

AGC: 90c.

If yes, please describe:

AGC: 90d.

If no, why not?

AGC: 91

Does the CSD have insurance to cover losses in the event of Default on settlement commitments by the CSD or a participant?

- ☐ Yes
- ☐ No
- ☒ Not applicable

AGC: 91a

What is the amount of the coverage?

AGC: 91b

What is the amount of the deductible?

AGC: 92

Does the CSD have Fidelity insurance (that is, insurance to cover loss of securities or money resulting, for example, from acts such as forgery, theft, fraud and/or employee dishonesty)?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 92a.
What is the amount of the coverage?

Restricted information

AGC: 92b.
What is the amount of the deductible?

Restricted information

AGC: 93
Does the CSD have insurance for Operational Errors?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 93a.
What is the amount of the coverage?

Restricted information

AGC: 93b.
What is the amount of the deductible?

Restricted information

AGC: 94
Does the CSD have Errors and Omissions insurance?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 94a.
What is the amount of the coverage?

Restricted information

AGC: 94b.
What is the amount of the deductible?

Restricted information

AGC: 95
Does the CSD have insurance for the Premises?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 95a.
What is the amount of the coverage?

Restricted information

AGC: 95b.
What is the amount of the deductible?

Restricted information

AGC: 96a.
If so, what is it for?

Restricted information

AGC: 96b.
What is the amount of the coverage?

Restricted information

AGC: 96c.
What is the amount of the deductible?

Restricted information

AGC: 96, 96d
Does the CSD have any other insurance?

- ☒ Yes
- ☐ No
- ☐ Not applicable

AGC: 97
Who is the insurance carrier? If more than one insurance carrier, please list each carrier here and provide your responses to questions 97a and 97b in corresponding order.

AXA XL INSURANCE COMPANY (ZURICH BRANCH)

AGC: 97a.

Who is the insurance carrier's parent company, if applicable? (If inapplicable, simply type n/a.)

AXA XL INSURANCE COMPANY SE

AGC: 97b.

What is the term of the policy?

Annually

AGC: 97c, 97d

Who does the insurance cover?

- ☐ CSD
- ☒ Direct CSD participants
- ☒ Final investors
- ☐ Not applicable
- ☐ OTHER:

AGC: 98

If you feel that you would like to provide additional details on any of the given answers, feel free to provide any additional comments here (maximum of 5,000 characters) or prepare an additional document identifying the question(s) you are commenting on and upload the document under 98a:

n/a

AGC: 98a.

filecount - Upload document here:

0

AGC: 99

The WFC, the AGC, CPMI and IOSCO encourage respondents to make their disclosure reports publicly available. Do you agree to make your response publicly available?

- ☐ Yes, my full response will be publicly available. I agree that my response can be published on the website of the WFC and on the website of the regional CSD association(s) which my CSD is a member of.
- ☒ Yes, my response will be public, but only for my answers to AGC questions.
- ☐ Yes, my response will be public, but only for my answers to PFMI questions.
- ☐ No, I do not wish my response to be publicly available.

AGC: 99a
How will you be making your answers publicly available?

☐ Upon request

☒ Website

☐ OTHER:

AGC: 99b
This disclosure can also be found at the following web address(es):

www.iberclear.es/ing/Regulations/Documents

AGC: 99c
First and Last Name of the contact person:

David Belio Salinas

AGC: 99d
How do you prefer to be contacted?

☐ mail/air courier

☐ Fax

☐ Telephone

☒ e-mail

AGC: 99e
Telephone number (please include the international country code):

00 34 91 709 57 04

AGC: 99f
Fax number

AGC: 99g
What is the preferred street address for mailing requests?

Plaza de la Lealtad 1, 28014 Madrid. SPAIN

AGC: 99h
Email address of the contact person:

productoiberclear@grupobme.es

AGC: 100

AGC members from time to time receive requests from their direct investor-clients for an informational copy of a CSD's completed questionnaire. Such requests typically lead to interactions between personnel at the CSD in question and member personnel or client personnel, or both. Those interactions take time and impose costs on both members and depositories. Do you approve of AGC members delivering a copy of your completed questionnaire to the member's direct client in response to the client's request?

☒ Yes☐ No

AGC: 101

Does your organization have a documented cyber security policy in place?

☒ Yes☐ No

There is an Information Security Policy in place.

AGC: 102

Please confirm that your staff receive relevant training about this policy.

☒ Yes☐ No

New staff have to read and sign the policy during the enrolment. Training actions performed regularly

AGC: 103

Please provide an overview of your policy for continuity of business in the event of a large data breach or cyber attack against your organization.

The Business Continuity Management System is based on scenarios. One of this continuity scenarios is cyber-attacks. The BCP include the different continuity procedures needed to face any of those scenarios. The procedure to manage the cyber-attack scenario is de Security Incident Response Procedure.

Our SOC team is ready to manage those kind of situations but if needed we have a contract with an external specialist to better manage the incident or the forensic investigation.

AGC: 104

In the last 12 months have there been any changes to the policy?

☐ Yes☒ No

December 2021, last review

AGC: 105

Please advise how often you review the policy.

- ☒ Annually
- ☐ Semi-annually
- ☐ Other

AGC: 106

filecount - Please provide (as an attachment) a diagram showing where your cyber security function resides and who it reports to.

0

AGC: 107

How does your organization identify which business functions carry a cyber risk

All the threats faced are identified during the risk assessments. We have a risk assessment double approach, based on processes and based on assets.

This assessments are based in the BIAs performed by the senior management in which the critical functions and services are identified as well as all the information resources needed from the business point of view.

AGC: 108

Do you conduct ongoing testing and monitoring processes to ensure that all internal and external connectivity and system configurations are not at risk of cybersecurity breaches?

- ☒ Yes
- ☐ No

Ethical Hacking process is performed quarterly from an external consutor. Internal assets are regularly scanned, under the Vulnerabilities Management Procedure. Compromise assessment and Red Team exercises performed eventually.

AGC: 109

What technological controls and protections are in place for your systems and networks?

There are several controls, organized in different layers to protect the systems and networks. Including different firewalls, anti-malwares, SIEM, IDS, etc.

AGC: 110

Does your organization use multi-factor authentication

- ☒ Yes
- ☐ No

Multi factor authentication is used for remote access, to authenticate on office computer through the use of smartcards, and in some internally developed applications.

AGC: 111

Where your organization has outsourced activities or functions to a third-party provider, is your cyber risk exposure documented?

☒ Yes☐ No

There is a Third Party Risk Project ongoing, including the risk exposure documentation. Any case, a previous evaluation was performed before outsourcing.

AGC: 112

What measures does your organization have to ensure early detection of a cyber attack?

IDS, anti-DDoS monitoring, email gateway and antimalware and EDR deployment in endpoints and servers

AGC: 113

What is the agreed resumption time for critical operations following a cyber attack?

The established RTO time is 2 hours, but as Cyber attacks are sometimes complex and difficult to evaluate, resumption time could be longer.

AGC: 114

How would you advise clients of a successful cyber attack against your organization?

If a Cyber-attack affect the provision of the critical services the BCP is activated. As soon as the BCP is activated the communication procedure included on it is triggered. This communication procedure include both, the internal tree call as all the external contacts to be informed: clients, regulators and third parties involved.

AGC: 115

In the last 12 months has your organization been subject to a cyber attack that impacted the service you provide to us? If yes, please provide details.

☐ Yes☒ No

AGC: 116

Are the following elements of your cybersecurity framework tested pre and post deployment of changes?

☒ Vulnerability assessment☒ Scenario based penetration tests☒ Testing of incident response process and technical/business/operations (e.g. table-top exercise)☐ OTHER:

AGC: 117

For cloud technology and associated cyber security risks, do you have procedures and controls in place to protect our information from mishandling or theft?

In the comments section could you please explain how these procedures and controls tie back to your record retention policy?

☐ Yes

☐ No

N/A. Cloud technology is not used to provide services for clients or critical services.

AGC: 118

Does your organization conduct dark web searches for signs of a breach (internet protocol or customer/client personally identified information for sale)?

☒ Yes

☐ No

There is a 360 Digital Surveillance service in place to detect those.

AGC: 119

Is your organization aware of SWIFT's Customer Security Program (CSP)?

☒ Yes

☐ No

Our organization is under the CSP program and auto-assessments are performed annually.

AGC: 120

Does your organization ensure compliance with SWIFT's CSP controls?

☒ Yes

☐ No

Auto-assessments are performed annually

AGC: 121

Does your organization respond to requests for your institution's attestations?

☒ Yes☐ No

Yes for our counterparties. Other request shall be evaluated.

AGC: 122

Does your organization request the attestation details of your counterparties and incorporate the responses into ongoing relationship and risk management programs?

☐ Yes☒ No