

# The Association of Global Custodians - 2001 Questionnaire

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## **SCOPE, STRUCTURE, OWNERSHIP, CAPITAL, REGULATION AND AUDIT**

The purpose of this section is to understand the ownership structure and financial strength of your institution, as well as the level of regulatory and operational supervision to which it is subject.

Scope, Structure, Ownership

**1** Rule 17f-7, by reference to Rule 17f-4, requires that, for a depository to be eligible to hold securities of U.S. registered investment companies (such depositories hereinafter referred to as "Eligible Securities Depositories"), the depository 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."

In particular, 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 - then answer 1a

1a. Please explain:

**2** Rule 17f-7 also requires that an Eligible Securities Depository "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: (Choose all that apply.)

- 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? - then answer 2a

2a. Please explain:

**3** What type of legal entity is the institution? (Choose one.)

- Public Company  
 Private Company  
 Central Bank (or part thereof)  
 Stock Exchange (or part thereof)  
 Other - then answer 3a

3a. Please explain:


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

- For profit  
 Not for profit


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

Central Bank of Colombia 100%

**6** What is the date of establishment of the depository? (Press the calendar button next to the field to display a full calendar and to select a date, or alternatively, simply enter the date in the appropriate format.)

(mm/dd/yyyy)  
 

**7** What is the date that the depository's operations began? (Press the calendar button next to the field to display a full calendar and to select a date, or alternatively, simply enter the date in the appropriate format.)

(mm/dd/yyyy)  
 

**8** Under what regulation or statute is the depository established and governed?

Established by law 27/1990. Governed by rules approved by Securities Superintendency Resolution 0314 June 7th 2001  
 - then answer 8a

**8a.** Is the regulation or statute electronically available? 

- Yes - then answer 8b  
 No

**8b.** If regulation or statute is electronically available, please supply web address or upload document.

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**9** 8. Rule 17f-7 requires that an Eligible Securities Depository "is regulated by a foreign financial regulatory authority as defined under section 2(a)(50) of the Act", with section 2(a)(50) establishing that "'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 depository? (Choose all that apply.)

- 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.  
 A membership organization which regulates the participation of its members in securities matters or other financial activities.  
 Other. - then answer 9a

**9a.** Please explain:

**10**

Please provide the name of the regulatory authority(ies) identified in question 9:

Securities Supenritendy

**11**

9. Rule 17f-7 requires that an Eligible Securities Depository "is subject to periodic examination by regulatory authorities or independent accountants."

Is the depository subject to periodic examination by: (Choose all that apply.)

- Regulatory authorities?
- Independent accountants?
- Other. - then answer 11a

11a. Please explain:

**12**

What enforcement actions are available to the regulatory authority(ies) for breach of applicable statute or regulatory requirements? (Choose all that apply.)

Name of Authority (1):

Securities Superintendency  
- then answer 12a

12a.

- Fines.
- Restrictions on depository activities.
- Suspension of depository activities.
- Termination of depository activities.
- Other. - then answer 12b

12b. Please explain:

Admonition to funtionaries

12c. Name of Authority (2):

- then answer 12d

12d.

- Fines.
- Restrictions on depository activities.
- Suspension of depository activities.
- Termination of depository activities.
- Other. - then answer 12e

12e. Please explain:

**13**

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

- Yes - then answer 13a  
 No

13a. If yes, please explain:

Capital

**14**

Are annual financial statements publicly disclosed?

- Yes - then answer 14a  
 No - then answer 14c

14a. If yes, the AGC requests a copy of the institution's annual report. Is the annual report available electronically?

- Yes - then answer 14b  
 No. (If no, please send a copy of the annual report to the Washington office of Baker & McKenzie, 815 Connecticut Ave, NW, Washington, DC 20006, Attn: Kenneth Piner)

14b. If yes, please upload the document here or insert web link:

 [Estados Financieros](#)



14c. 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 answer 14d

14d. Reserves:

- then answer 14e

14e. Retained Earnings:

Audit

With respect to the depository's financial audit

**15**

Do internal auditors perform a financial audit?

- Yes - then answer 15a  
 No

15a. If Yes, which department in your depository handles the financial audit?

Audit

- then answer 15b

15b. How frequently does the financial audit occur? (Choose one.) 

- Two or more times a year - then answer 15d
- Annually - then answer 15d
- Less than Annually - then answer 15c

15c. If less than annually, please explain:

15d. Are results of the financial audit publicly available? 

- Yes - then answer 15e
- No - then answer 15e

15e. Please select the statement that most accurately characterizes the results of the last financial audit: (Choose one.) 

- No material exceptions found.
- Minor exceptions found. - then answer 15f
- Material exceptions found. - then answer 15f

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

## 16

Do independent external auditors perform a financial audit? 

- Yes - then answer 16a
- No

16a. If Yes, what is the name of the accountant/accounting firm that handles the financial audit?

- then answer 16b

16b. How frequently does the financial audit occur? (Choose one.) 

- Two or more times a year - then answer 16d
- Annually - then answer 16d
- Less than Annually - then answer 16c

16c. If less than annually, please explain:

16d. Are results of the financial audit publicly available? 

- Yes - then answer 16e
- No - then answer 16e

16e. Please select the statement that most accurately characterizes the results of the last financial audit: (Choose one.) 

- No material exceptions found.
- Minor exceptions found. - then answer 16f
- Material exceptions found. - then answer 16f

16f. If minor or material exceptions were found, what actions were taken? Please describe:

**17**

Do regulatory authorities perform a financial audit?

- Yes - then answer 17a  
 No

**17a. If Yes, what is the name of the regulatory authority that handles the financial audit?**

Banking Superintendency

- then answer 17b

**17b. How frequently does the financial audit occur? (Choose one.)**

- Two or more times a year - then answer 17d  
 Annually - then answer 17d  
 Less than Annually - then answer 17c

**17c. If less than annually, please explain:**

**17d. Are results of the financial audit publicly available?**

- Yes - then answer 17e  
 No - then answer 17e

**17e. Please select the statement that most accurately characterizes the results of the last financial audit: (Choose one.)**

- No material exceptions found.  
 Minor exceptions found. - then answer 17f  
 Material exceptions found. - then answer 17f

**17f. If minor or material exceptions were found, what actions were taken? Please describe:**

**18**

Do any other auditors perform a financial audit?

- Yes - then answer 18a  
 No

**18a. If Yes, please explain and identify by name?**

- then answer 18b

**18b. How frequently does the financial audit occur? (Choose one.)**

- Two or more times a year - then answer 18d  
 Annually - then answer 18d  
 Less than Annually - then answer 18c

**18c. If less than annually, please explain:**

**18d. Are results of the financial audit publicly available?**

- Yes - then answer 18e  
 No - then answer 18e

**18e. Please select the statement that most accurately characterizes the results of the last financial audit: (Choose one.)**

- No material exceptions found.
- Minor exceptions found. - then answer 18f
- Material exceptions found. - then answer 18f

18f. If minor or material exceptions were found, what actions were taken? Please describe:

With respect to the depository's operational audit

## 19

Do internal auditors perform an operational audit?

- Yes - then answer 19a
- No

19a. If Yes, which department in your depository handles the operational audit?

Audit

- then answer 19b

19b. How frequently does the operational audit occur? (Choose one.)

- Two or more times a year - then answer 19d
- Annually - then answer 19d
- Less than Annually - then answer 19c

19c. If less than annually, please explain:

19d. Are results of the operational audit publicly available?

- Yes - then answer 19e
- No - then answer 19e

19e. Please select the statement that most accurately characterizes the results of the last operational audit: (Choose one.)

- No material exceptions found.
- Minor exceptions found. - then answer 19f
- Material exceptions found. - then answer 19f

19f. If minor or material exceptions were found, what actions were taken? Please describe:

## 20

Do independent external accountants perform an operational audit?

- Yes - then answer 20a
- No

20a. If Yes, what is the name of the accountant/accounting firm that handles the operational audit?

- then answer 20b

20b. How frequently does the operational audit occur? (Choose one.)

- Two or more times a year - then answer 20d
- Annually - then answer 20d
- Less than Annually - then answer 20c

**20c. If less than annually, please explain:**

**20d. Are results of the operational audit publicly available?**

- Yes - then answer 20e
- No - then answer 20e

**20e. Please select the statement that most accurately characterizes the results of the last operational audit: (Choose one.)**

- No material exceptions found.
- Minor exceptions found. - then answer 20f
- Material exceptions found. - then answer 20f

**20f. If minor or material exceptions were found, what actions were taken? Please describe:**

## 21

**Do regulatory authorities perform an operational audit?**

- Yes - then answer 21a
- No

**21a. If Yes, what is the name of the regulatory authority that handles the operational audit?**

- then answer 21b

**21b. How frequently does the operational audit occur? (Choose one.)**

- Two or more times a year - then answer 21d
- Annually - then answer 21d
- Less than Annually - then answer 21c

**21c. If less than annually, please explain:**

**21d. Are results of the operational audit publicly available?**

- Yes - then answer 21e
- No - then answer 21e

**21e. Please select the statement that most accurately characterizes the results of the last operational audit: (Choose one.)**

- No material exceptions found.
- Minor exceptions found. - then answer 21f
- Material exceptions found. - then answer 21f

**21f. If minor or material exceptions were found, what actions were taken? Please describe:**

**22**

Do any other auditors perform an operational audit?

- Yes - then answer 22a
- No

**22a. If Yes, please explain and identify by name:**

Internal control  
- then answer 22b

**22b. How frequently does the operational audit occur? (Choose one.)**

- Two or more times a year - then answer 22d
- Annually - then answer 22d
- Less than Annually - then answer 22c

**22c. If less than annually, please explain:**

**22d. Are results of the operational audit publicly available?**

- Yes - then answer 22e
- No - then answer 22e

**22e. Please select the statement that most accurately characterizes the results of the last operational audit: (Choose one.)**

- No material exceptions found.
- Minor exceptions found. - then answer 22f
- Material exceptions found. - then answer 22f

**22f. If minor or material exceptions were found, what actions were taken? Please describe:**

**PARTICIPANTS AND PARTICIPATION**

The purpose of the section is to understand issues relating to participation in the depository, including eligibility requirements, conditions of participation, and supervision of participants.

Participant Eligibility Requirements

**23**

What types of entities are eligible to become participants and how many of each type are there currently? (Choose all that apply.)

- Banks - then answer 23a
- Brokers - then answer 23b
- Individuals - then answer 23c
- Foreign Institutions - then answer 23d
- Other entities. - then answer 23e

**23a. How many Bank participants are there currently?**

27

- then answer 23g

**23g. Please select the features included in the eligibility requirements for Banks. (Choose all that apply.)**

- Financial Thresholds - then answer 23h
- Regulatory Oversight - then answer 23h
- Market Experience - then answer 23h

**23h. Where can a description of the specific eligibility requirements for Bank participants be found?**

Rules of the depository

**23b. How many Broker participants are there currently?**

70

- then answer 23i

**23i. Please select the features included in the eligibility requirements for Brokers. (Choose all that apply.)**

Financial Thresholds - then answer 23j

Regulatory Oversight - then answer 23j

Market Experience - then answer 23j

**23j. Where can a description of the specific eligibility requirements for Broker participants be found?**

Rules of the depository

**23c. How many Individual participants are there currently?**

350000

- then answer 23k

**23k. Please select the features included in the eligibility requirements for Individual participants. Choose all that apply:**

Financial Thresholds - then answer 23l

Regulatory Oversight - then answer 23l

Market Experience - then answer 23l

**23l. Where can a description of the specific eligibility requirements for Individual participants be found?**

Rules of the depository for indirect depositors

**23d. How many Foreign Institution participants are there currently?**

- then answer 23m

**23m. Please select the features included in the eligibility requirements for Foreign Institution participants. (Choose all that apply.)**

Financial Thresholds - then answer 23n

Regulatory Oversight - then answer 23n

Market Experience - then answer 23n

**23n. Where can a description of the specific eligibility requirements for Foreign Institution participants be found?**

**23e. If you have selected "other entities" above, please explain:**

Fiduciaries; Insurance companies, stock exchanges, other CSDs, pension funds, public institutions

- then answer 23f

**23f. Indicate how many "Other entities" are currently participants?**

210

- then answer 23o

**23o. Please select the features included in the eligibility requirements for the participants referred to above as "Other entities". (Choose all that apply.)**

Financial Threshold - then answer 23p

Regulatory Oversight - then answer 23p

Market Experience - then answer 23p

**23p. Where can a description of the specific eligibility requirements for participants describe above as "Other entities" be found?**

Rules of the depository

**24**

Are participants required to contribute capital to the depository that would result in ownership of the depository?

- Yes - then answer 24a  
 No

24a. If yes, what fixed amount is required or what formula is used to determine the appropriate contribution level?

**25**

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

- Yes  
 No

Conditions of participation

**26**

What governs the relationship between the depository and the participants? (Choose all that apply.)

- Relevant law and regulation  
 Standard participation contract  
 Established terms and conditions of participation  
 By-laws of the depository  
 Rules of the depository  
 Other - then answer 26a

26a. Please explain:

**27**

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 depository are held under safekeeping conditions no less favorable than the conditions that apply to other participants.

- Yes  
 No - then answer 27a

27a. Please explain:

**28**

How does the depository notify participants of material changes to the conditions of participation? (Choose all that apply.)

- By e-mail
- By telephone
- By public announcement
- By press release
- Other - then answer 28a

**28a. Please explain:**

Governance of participants

**29**

Who enforces compliance with the depository's conditions of participation? (Choose all that apply.)

- The depository
- The exchange
- The depository's regulator
- Other - then answer 29a

**29a. Please explain:**

**30**

What enforcement actions are available to the enforcement authority? (Choose all that apply.)

- Fines
- Restrictions on participation
- Suspension of participation
- Termination of participation
- Other - then answer 30a

**30a. Please explain:**

Notification to authorities

**31**

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

- Yes - then answer 31a
- No

**31a. If yes, please explain, including information relative to any suspensions of depository participants:**

**DEPOSITORY 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.

General

**32**

For which of the following security types do you serve as a depository or clearing system? (Choose all that apply.)

- Government Securities - then answer 32b
- Equities - then answer 32c
- Corporate Bonds - then answer 32d
- Corporate Money Market Instruments - then answer 32e
- Others - then answer 32a

**32a. Please name the other security types:**

- then answer 32f

**32f. Please name other depositories and clearing systems that handle the same securities listed in "Others" in your market:**

**32b. Please name other depositories and clearing systems that handle Government Securities in your market:**

DECEVAL

**32c. Please name other depositories and clearing systems that handle Equities in your market:**

**32d. Please name other depositories and clearing systems that handle Corporate Bonds in your market:**

**32e. Please name other depositories and clearing systems that handle Corporate Money Market Instruments in your market:**

Government Securities Settlements

**33**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the settlement of government securities?

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.)

- By law - then answer 33a
- By market practice - then answer 33a
- Neither/other - then answer 33b
- Not applicable

**33a. What is the percentage of the total market (either volume or value) of government securities settlements?**

100%

**33b. If neither/other, please explain:**

## Government Securities Safekeeping

**34**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the safekeeping of government securities? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 34a
- By market practice - then answer 34a
- Neither/other - then answer 34b
- Not applicable

**34a. What is the percentage of the total market (either volume or value) of government securities safekeeping?**  
100%

**34b. If neither/other, please explain:**

## Equities Settlements

**35**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the settlement of equities? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 35a
- By market practice - then answer 35a
- Neither/other - then answer 35b
- Not applicable

**35a. What is the percentage of the total market (either volume or value) of equities settlements?**

**35b. If neither/other, please explain:**

## Equities Safekeeping

**36**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the safekeeping of equities? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 36a
- By market practice - then answer 36a
- Neither/other - then answer 36b
- Not applicable

36a. What is the percentage of the total market (either volume or value) of equities safekeeping?

36b. If neither/other, please explain:

#### Corporate Bonds Settlements

**37**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the settlement of corporate bonds? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 37a
- By market practice - then answer 37a
- Neither/other - then answer 37b
- Not applicable

37a. What is the percentage of the total market (either volume or value) of corporate bonds settlements?

37b. If neither/other, please explain:

#### Corporate Bonds Safekeeping

**38**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the safekeeping of corporate bonds? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 38a
- By market practice - then answer 38a
- Neither/other - then answer 38b
- Not applicable

38a. What is the percentage of the total market (either volume or value) of corporate bonds safekeeping?

38b. If neither/other, please explain:

#### Corporate Money Market Instruments Settlements

**39**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the settlement of corporate money market instruments? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 39a
- By market practice - then answer 39a
- Neither/other - then answer 39b
- Not applicable

39a. What is the percentage of the total market (either volume or value) of corporate money market instruments settlements?

39b. If neither/other, please explain:

#### Corporate Money Market Instruments Safekeeping

**40**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the safekeeping of corporate money market instruments? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 40a
- By market practice - then answer 40a
- Neither/other - then answer 40b
- Not applicable

40a. What is the percentage of the total market (either volume or value) of corporate money market instruments safekeeping?

40b. If neither/other, please explain:

#### Other Eligible Securities Settlements

**41**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the settlement of other eligible securities? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 41a
- By market practice - then answer 41a
- Neither/other - then answer 41c
- Not applicable

**41a. What is the percentage of the total market (either volume or value) of other eligible securities settlements?**

- then answer 41b

**41b. Please provide description of the other securities:**

**41c. If neither/other, please explain:**

Other Eligible Securities Safekeeping

**42**

Is the use of the depository in your market compulsory by law or compulsory by market practice for the safekeeping of other eligible securities? (Choose one.)

(Please note that responses to questions 33 through 42 should be consistent with questions 73 and 74.) 

- By law - then answer 42a
- By market practice - then answer 42a
- Neither/other - then answer 42c
- Not applicable

**42a. What is the percentage of the total market (either volume or value) of other eligible securities safekeeping?**

- then answer 42b

**42b. Please provide description of the other securities:**

**42c. If neither/other, please explain:**

**43**

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

- Yes - then answer 43a
- No

**43a. If agents are employed, please indicate which services they supply:**

- then answer 43b

**43b. If agents are employed, do you assume responsibility for losses that may arise due to the actions or inactions of the agent(s)?**

Yes - then answer 43c

No

**43c. If you acknowledge responsibility, please indicate whether your responsibility is assumed (Choose all that apply.)**

regardless of whether such loss was caused by any action or inaction of the agent; - then answer 43d

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; - then answer 43d

if such loss was caused by the agent's action or inaction and such actin or inaction was deemed to be gross negligence on the part of the agent; - then answer 43d

if the loss was caused by the willful default or other willful conduct on the part of the agent; - then answer 43d

**43d. If you acknowledge responsibility for agents, your responsibility is assumed for losses (Choose all that apply.)**

without limit.

which are not consequential losses.

subject to a monetary limit not based on insurance limits. - then answer 43e

subject to a monetary limit based on insurance limits. - then answer 43f

**43e. Please specify limit:**

**43f. Please specify limit:**

## 44

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

Yes - then answer 44a

No

**44a. 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. (Choose all that apply.)**

Corporate Action - then answer 44b

Settlement Process - Securities - then answer 44c

Settlement Process - Cash - then answer 44d

System Outage - then answer 44e

Other - then answer 44f

**44b. Corporate Action. Please specify number of instances:**

- then answer 44g

**44g. Corporate Action. Please specify total loss in USD.**

**44c. Settlement Process - Securities. Please specify number of instances:**

- then answer 44h

**44h. Settlement Process - Securities. Please specify total loss in USD:**

**44d. Settlement Process - Cash. Please specify number of instances:**

- then answer 44i

44i. Settlement Process - Cash. Please specify total loss in USD:

44e. System Outage. Please specify number of instances:

- then answer 44j

44j. System Outage. Please specify total loss in USD:

44f. If Other, please explain:

- then answer 44k

44k. For Other, please specify number of instances:

- then answer 44l

44l. For Other, please specify total loss in USD:

Other Services

**45**

Who accepts cash deposits for depository transactions? (Choose all that apply.)

- Depository
- Central Bank
- Banks appointed by depository. - then answer 45a
- Others - then answer 45b

45a. Please name banks:

45b. If others, please explain:

**46**

Who processes cash clearing for depository transactions? (Choose all that apply.)

- Depository
- Central Bank
- Banks appointed by depository. - then answer 46a
- Others - then answer 46b

46a. Please name banks appointed by depository:

46b. If others, please explain:

**47**

Who controls the movement of cash for cash deposits? (Choose all that apply.)

- Depository
- Central Bank
- Banks appointed by depository. - then answer 47a
- Others - then answer 47b

47a. Please name banks appointed by depository:

47b. If others, please explain:

**48**

Who controls the movement of cash for cash clearing? (Choose all that apply.)

- Depository
- Central Bank
- Banks appointed by depository. - then answer 48a
- Others - then answer 48b

48a. Please name banks appointed by depository:

48b. If others, please explain:

**49**

Please indicate services you provide. (Choose all that apply.)

- Information in advance on corporate (annual or special) meetings in order that owners can vote.
- 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: - then answer 49a
- Collateral handling in support of activities including securities lending, overdraft coverage, cash management, repurchase agreements, etc. Please provide details - then answer 49c
- Same day turnaround settlements.
- Information on distribution of new issues (IPO, Privatization).
- Other. - then answer 49d

49a. Automatic securities lending facility is provided for (Choose all that apply.):

- Brokers
- Banks
- Other Financial Institutions
- Other - then answer 49b

49b. If Other, please explain:

49c. Collateral Handling: Please provide details:

Collaterals are handled for repo operations, both overnight and intraday

49d. If Other services, please explain:

## 50

What procedures are in place for the collection of corporate action entitlements? (Choose all that apply.)

- Credited to the securities account on the day indicated below regardless of whether actually collected by the depository on the scheduled date - then answer 50a
- Credited to the securities account upon actual receipt by the depository.
- Corporate action entitlements are handled by an entity separate from the depository. - then answer 50c

50a. Credited to the securities account: (Choose all that apply.)

- On pay date.
- On pay date +1.
- On pay date +2.
- Other. - then answer 50b

50b. If other, please explain:

50c. Name of entity:

## 51

What is the average percentage of entitlements that have actually been collected by the depository when the credits are made to the participant accounts?

## 52

What procedures are in place for the collection of interest and dividends? (Choose all that apply.)

- Credited to the cash account on the day indicated below regardless of whether actually collected by the depository on the scheduled date - then answer 52a
- Credited to the cash account upon actual receipt by the depository.
- Income and dividend collection is handled by an entity separate from the depository. - then answer 52c

52a. Credited to the cash account (Choose all that apply.):

- On pay date.
- On pay date +1.
- On pay date +2.
- Other. - then answer 52b

52b. If other, please explain:

52c. Name of entity:

**53**

What is the average percentage of income receipts which have actually been collected by the depository from issuers or paying agents when the credits are made to the participant accounts?

100

Linkages with Other Central Securities Depositories (CSD) or International Central Securities Depositories (ICSD)

**54**

Please identify the existence and scope of electronic processing linkages with foreign depositories or settlement systems:

Do you have any electronic processing linkages with foreign depositories or settlement systems?

Yes

No >> take you to 63

**55**

If yes, identify entity, name of CSD or ICSD with which linkage has been established (if more than one, you will be prompted to enter their name at the end of this series of questions):

- then answer 55a

55a. Is the linkage Unilateral or Bilateral? (For an explanation of unilateral linkage and bilateral linkage, click on the "Help" button on the tool bar on the right side of this page.) (Choose one.)

Unilateral - then answer 55b

Bilateral - then answer 55b

55b. Does an intermediary provide interface to depository?

Yes - then answer 55c

No - then answer 55d

55c. If yes, name intermediary:

55d. Is cross listing on the other exchange mandatory for usage of depository linkages?

Yes - then answer 55e

No - then answer 55e

55e. Is Delivery-vs.-payment settlement possible?

Yes - then answer 55g

No - then answer 55f

55f. Is Free-of-payment settlements required?

Yes

No

55g. Timing of transfers: How are they effected?

Batch mode

Real time

55h. What is the percentage of all trades settled with this CSD or ICSD? (Provide a numeric answer.)

55i. Do you have any additional electronic processing linkages with foreign depositories or settlement systems?

- Yes. If so please proceed to next question.
- No >> take you to 60

## 56

If yes, identify entity, name of CSD or ICSD with which linkage has been established (if more than one, you will be prompted to enter their name at the end of this series of questions):

- then answer 56a

56a. Is the linkage Unilateral or Bilateral? (For an explanation of unilateral linkage and bilateral linkage, click on the "Help" button on the tool bar on the right side of this page.) (Choose one.)

- Unilateral - then answer 56b
- Bilateral - then answer 56b

56b. Does an intermediary provide interface to depository?

- Yes - then answer 56c
- No - then answer 56d

56c. If yes, name intermediary:

56d. Is cross listing on the other exchange mandatory for usage of depository linkages?

- Yes - then answer 56e
- No - then answer 56e

56e. Is Delivery-vs.-payment settlement possible?

- Yes - then answer 56g
- No - then answer 56f

56f. Is Free-of-payment settlements required?

- Yes
- No

56g. Timing of transfers: How are they effected?

- Batch mode
- Real time

56h. What is the percentage of all trades settled with this CSD or ICSD? (Provide a numeric answer.)

56i. Do you have any additional electronic processing linkages with foreign depositories or settlement systems?

- Yes. If so please proceed to next question.
- No >> take you to 60

**57**

If yes, identify entity, name of CSD or ICSD with which linkage has been established (if more than one, you will be prompted to enter their name at the end of this series of questions):

- then answer 57a

**57a. Is the linkage Unilateral or Bilateral? (For an explanation of unilateral linkage and bilateral linkage, click on the "Help" button on the tool bar on the right side of this page.) (Choose one.)**

- Unilateral - then answer 57b  
 Bilateral - then answer 57b

**57b. Does an intermediary provide interface to depository?**

- Yes - then answer 57c  
 No - then answer 57d

**57c. If yes, name intermediary:**

**57d. Is cross listing on the other exchange mandatory for usage of depository linkages?**

- Yes - then answer 57e  
 No - then answer 57e

**57e. Is Delivery-vs.-payment settlement possible?**

- Yes - then answer 57g  
 No - then answer 57f

**57f. Is Free-of-payment settlements required?**

- Yes  
 No

**57g. Timing of transfers: How are they effected?**

- Batch mode  
 Real time

**57h. What is the percentage of all trades settled with this CSD or ICSD? (Provide a numeric answer.)**

**57i. Do you have any additional electronic processing linkages with foreign depositories or settlement systems?**

- Yes. If so please proceed to next question.  
 No >> take you to 60

**58**

If yes, identify entity, name of CSD or ICSD with which linkage has been established (if more than one, you will be prompted to enter their name at the end of this series of questions):

- then answer 58a

**58a. Is the linkage Unilateral or Bilateral? (For an explanation of unilateral linkage and bilateral linkage, click on the "Help" button on the tool bar on the right side of this page.) (Choose one.)**

- Unilateral - then answer 58b  
 Bilateral - then answer 58b

58b. Does an intermediary provide interface to depository?

- Yes - then answer 58c  
 No - then answer 58d

58c. If yes, name intermediary:

58d. Is cross listing on the other exchange mandatory for usage of depository linkages?

- Yes - then answer 58e  
 No - then answer 58e

58e. Is Delivery-vs.-payment settlement possible?

- Yes - then answer 58g  
 No - then answer 58f

58f. Is Free-of-payment settlements required?

- Yes  
 No

58g. Timing of transfers: How are they effected?

- Batch mode  
 Real time

58h. What is the percentage of all trades settled with this CSD or ICSD? (Provide a numeric answer.)

58i. Do you have any additional electronic processing linkages with foreign depositories or settlement systems?

- Yes. If so please proceed to next question.  
 No >> take you to 60

## 59

If yes, identify entity, name of CSD or ICSD with which linkage has been established (if more than one, you will be prompted to enter their name at the end of this series of questions):

- then answer 59a

59a. Is the linkage Unilateral or Bilateral? (For an explanation of unilateral linkage and bilateral linkage, click on the "Help" button on the tool bar on the right side of this page.) (Choose one.)

- Unilateral - then answer 59b  
 Bilateral - then answer 59b

59b. Does an intermediary provide interface to depository?

- Yes - then answer 59c  
 No - then answer 59d

59c. If yes, name intermediary:

59d. Is cross listing on the other exchange mandatory for usage of depository linkages?

- Yes - then answer 59e  
 No - then answer 59e

**59e. Is Delivery-vs.-payment settlement possible?**

- Yes - then answer 59g  
 No - then answer 59f

**59f. Is Free-of-payment settlements required?**

- Yes  
 No

**59g. Timing of transfers: How are they effected?**

- Batch mode  
 Real time

**59h. What is the percentage of all trades settled with this CSD or ICSD? (Provide a numeric answer.)**

**59i. Do you have any additional electronic processing linkages with foreign depositories or settlement systems?**

- Yes. If so please proceed to next question.  
 No >> take you to 60

## 60

**What governs the relationship in cross-system settlements? (Choose all that apply.)**

- Negotiated terms and conditions of participation between the depositories  
 By-laws of each depository  
 Standard participation contracts with users of cross-system services  
 Laws of the jurisdiction where settlement occurs  
 Other - then answer 60a

**60a. Please explain:**

## 61

**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?**

- Yes - then answer 61a  
 No - then answer 61a

**61a. Please explain:**

## 62

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

- Yes  
 No

**ACCOUNT STRUCTURES AND RECORDKEEPING**

The purpose of this section is to identify the nature of accounts; the naming convention employed, the level of segregation achieved, accessibility in the event of bankruptcy and the frequency of reporting generated from them.

**63**

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

- Yes - then answer 63a
- No

63a. If yes, please indicate number (Choose one.):

- An unlimited number of accounts.
- More than one account, if so please indicate below how many. - then answer 63b
- Other (e.g., subaccounts). - then answer 63c

63b. If more than one account what is the maximum?

63c. If other, please explain:

100 accounts as direct depositors.

1.000.000 as indirect depositors, for each direct depositor account

**64**

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

- Yes - then answer 64a
- No

64a. If yes, is segregation required or simply permitted?

- Required - then answer 64b
- Permitted - then answer 64b

64b. How does segregation occur? (Choose one.)

- By separately designated participant accounts.
- By sub-accounts within a single participant account.
- By separately designated beneficial owner accounts.
- Other (e.g., share registration). - then answer 64c

64c. If other, please explain:

**65**

Does the depository hold shares in a nominee name?

- Yes - then answer 65a
- No

65a. If "Yes", do laws exist which acknowledge the rights of beneficial owners with respect to shares registered in nominee name?

- Yes
- No

**66**

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

66a. By the participant's clients?

Yes - then answer 66b

No

66b. If yes, please describe briefly how clients of participants would access their holdings and whether there would be any delay in their ability to do so:

66c. By the intervening authorities controlling insolvency or other proceedings?

Yes - then answer 66d

No

66d. If yes, please describe briefly under what conditions access would be granted to the intervening authorities:

When insolvency is decreed, all possible users with access are deleted. The proper authorities shall then inform the depository the new users that will be authorized to access the accounts. The liquidator will be the judge for all commercial effects.

66e. By the participant's creditors?

Yes - then answer 66f

No

66f. If yes, please describe briefly under what conditions access would be granted to the participant's creditors:

66g. By the depository's creditors?

Yes - then answer 66h

No

66h. If yes, please describe briefly under what conditions access would be granted to the participant's creditors:

**67**

In what form does the depository maintain records identifying the assets of each participant? (Choose all that apply.) (Please refer to "Help" for clarification.)

Computer file - then answer 67b

Microfiche - then answer 67b

Hard copy - then answer 67b

Computer tape - then answer 67b

Other - then answer 67a

67a. If other, please explain:

67b. In which format is the source data maintained?

Encrypted data base

**68**

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 depository provide periodic safekeeping reports to participants, including notices of transfers to or from the participant's account?

- Yes - then answer 68b
- No (You will be asked to confirm whether you want to move on to 70 in advance of answering subquestion 68a, do not be alarmed as it will allow you to answer 68a before moving on.) - then answer 68a and >> take you to 70

**68a. If no, please explain:**

**68b. If yes, please indicate the scheduled frequency: (Choose one.)**

- Daily.
- Weekly.
- Monthly.
- Quarterly.
- Annually.
- Upon Request.
- Other. - then answer 68c

**68c. If other, please explain:**

Reports are provided automatically through the system at request by direct participants.

**69**

What is your document retention policy for documents described in previous question? (Choose one.)

- 6 months or less.
- 1 year.
- 3 years.
- 5 years.
- 7 years.
- Other. - then answer 69a

**69a. If other, please explain:**

6 years

### **SETTLEMENTS**

The purpose of this section is to identify the model of settlement employed, the relationship between cash and securities, and the basis on which participants' meet their obligations.

**70**

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 (Please refer to details on the models within the "Help" feature connected with this question): (Choose one.)

- Model 1 - Gross, Simultaneous Settlements of Securities and Funds Transfers. - then answer 70a
- Model 2 - Gross Settlements of Securities Transfers Followed by Net Settlement of Funds Transfers. - then answer 70a
- Model 3 - Simultaneous Net Settlement of Securities and Funds Transfers. - then answer 70a

**70a. How do your settlement procedures vary from the model chosen above?**

There are no differences

## 71

Are the cash and security movements simultaneous?

- Yes  
 No - then answer 71a

71a. If cash and security movements are not simultaneous, please indicate the duration of the timing gap: (Choose one.)

- 1 hour or less  
 2 hours  
 3 hours  
 4 hours  
 5 hours  
 Overnight  
 2 days  
 Other - then answer 71b

71b. If other, please explain:

### OWNERSHIP OF SECURITIES

The purpose of this section is to determine how ownership of securities is represented, the ways the depository maintains ownership or control of securities held in the depository, and the extent to which ownership of assets held by the depository is separated from the proprietary assets of the depository. This section also considers the process by which the ownership of securities is transferred in the depository and the existence of any liens or claims on depository securities (such as a clearing lien) that would affect the ownership of depository securities.

## 72

How are depository eligible securities held by the depository? (Choose one.)

- Securities in the depository are held in certificated form. - then answer 72b  
 Securities in the depository are held in dematerialized form. (You will be asked to confirm whether you want to move on to 74 in advance of answering subquestion 72c, do not be alarmed as it will allow you to answer 72c before moving on.) - then answer 72c  
 Other. - then answer 72a

72a. If other, please explain and identify percentage issued of total depository holdings:

72b. If held in certificated form, please indicate next to the type of security the percentage of the depository's total issues that each security represents. (Please provide numeric answer.)

- Government Securities in jumbo certificate form  
 Equities in jumbo certificate form  
 Corporate Bonds in jumbo certificate form  
 Corporate Money Markets in jumbo certificate form  
 Government Securities in individual certificate form  
 Equities in individual certificate form  
 Corporate Bonds in individual certificate form  
 Corporate Bonds in individual certificate form  
 Corporate Money Markets in individual certificate form

72c. If held in dematerialized form, please indicate next to the type of security the percentage of the depository's total issues that each security represents. (Please provide numeric answer.)

- Government Securities  
 Equities  
 Corporate Bonds  
 Corporate Money Markets

## 73

If depository eligible securities are certificated, can depository eligible securities be held outside of the depository? (Choose one.)

- All eligible securities must be held in the depository. - then answer 73b  
 Securities may move freely into and out of the depository. - then answer 73g  
 Once entered into the depository, eligible securities must remain in the depository. - then answer 73b  
 Certain designated securities may be held outside the depository. - then answer 73a  
 Not Applicable.

73a. If certain designated securities are held outside the depository, please indicate under which conditions these securities would be held outside the depository:

73b. If depository eligible securities are required to be centrally immobilized at the depository, where and with whom are the certificates safekept?

- then answer 73c

73c. Are these certificates:

- Bearer  
 Registered - then answer 73d

73d. If registered, how are the depository eligible securities registered? (Choose one.) (Do not be alarmed, the last two options will prompt you to ask whether you wish to proceed to 75 before allowing you to answer the subquestion but you will be given the opportunity to answer the subquestion before continuing).

- In the name of the depository.  
 In the name of the depositing participant or its nominee.  
 In the name of a separate nominee of the depository. - then answer 73f  
 Other. - then answer 73e

73e. If other, please describe:

73f. If in the name of a separate nominee, please identify by name the nominee used:

73g. If depository eligible securities may be held either in or out of the depository, are these certificates: (Do not be alarmed as the system will prompt you to confirm whether you wish to go to jump question 74 and go to 75 in advance of letting you answer 73h but will subsequently allow you to answer it before making the jump)

- Bearer - then answer 73h  
 Registered - then answer 73h

73h. What are the control features for receipt of certificates to the depository (e.g., authentication procedures, re-registration)? Please describe:

**74**

If securities are dematerialized:

May dematerialized security positions be re-certificated and held outside the depository?

- Yes - then answer 74a
- No - then answer 74a
- Not Applicable

74a. Are the securities held:

- Through book-entry at the depository
- Through book-entry at a registrar or issuer - then answer 74b

74b. Please identify which types of entities may act as registrars: (Choose all that apply.)

- Issuers
- Separate companies that perform registrar functions
- Depository
- Other - then answer 74c

74c. Please explain:

74d. If the securities held by the depository are recorded by book entry at the registrar, are the securities registered only to the depository, with the depository providing the function of recording ownership on a centralized basis for the market?

- Yes - then answer 74e
- No - then answer 74g

74e. If yes, how are securities held at the registrar for the account of the depository? (Choose one.)

- In the name of the depository
- In the name of a separate nominee of the depository
- Other - then answer 74f

74f. Please describe:

74g. If the securities held with the depository are recorded by book-entry at the registrar but are not registered exclusively to the depository, may they be registered to:

- The beneficial owner
- A nominee
- Other - then answer 74h

74h. Please describe:

74i. If the securities held with the depository 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 depository (e.g., authentication procedures, reconciliation, confirmation of position at registrar)? Please describe:

**75**

Rule 17f-7 requires that an Eligible Securities Depository "maintains records that identify the assets of each participant and segregate the system's own assets from the assets of participants."

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

- Yes  
 No

**76**

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

- Yes  
 No

**77**

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

- Yes - then answer 77a  
 No

**77a. If yes, for what reasons are liens or similar claims imposed? (Choose all that apply.)**

- Fees and expenses  
 Collateralization of overdrafts  
 To secure payment for purchased securities  
 Other - then answer 77b

**77b. Please describe:**

**77c. Please indicate the limits of this lien as indicated below: (Choose one.)**

- 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 transactions, but does not extend to settled positions.  
 The lien may extend to settled client positions. - then answer 77d

**77d. Please explain:**

**77e. If a lien is placed on a participant's account which has been designated for its clients, will the depository select certain securities to be subject to the lien?**

- Yes - then answer 77f  
 No - then answer 77h

**77f. If yes, please indicate whether: (Choose one.)**

- 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  
 other selection criteria is used. - then answer 77g

**77g. Please explain:**

77h. If no, please indicate whether the entire account will be subject to the lien.

- Yes
- No

77i. 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 - then answer 77j
- No

77j. If yes, are the restrictions accomplished by:

- contract between the depository and the participant
- other procedures - then answer 77k

77k. Please explain:

## 78

### Transfer of Legal Ownership

Does the depository have legal authority to transfer title to securities?

- Yes - then answer 78a
- No

78a. When does title or entitlement to depository securities pass between participants? (Choose one.)

- At the end of the business day on which the transfer occurs. - then answer 78c
- When corresponding money or other consideration is transferred. - then answer 78c
- When the transaction is processed on an intra-day basis. - then answer 78c
- Other. - then answer 78b

78b. Please describe:

78c. Where does title or entitlement to depository securities pass between participants? (Choose one.)

- On the depository books.
- On the registrars books.
- Other. - then answer 78d

78d. Please describe:

#### **HANDLING OF SECURITIES OUTSIDE THE DEPOSITORY ENVIRONMENT**

The purpose of this section is to consider the process (and any risk inherent within such a process) that involves the safekeeping of client assets while they are being removed from a depository or being lodged into a depository.

**79**

How are eligible securities lodged in the depository system? (Choose all that apply.)

- A registered certificate in the name of the depository is delivered to the depository.
- A participant delivers the security with a valid transfer deed or stock power or other transfer document to the depository which then effects registration.
- A registrar re-registers the security in the name of the depository.
- Other. - then answer 79a

**79a. Please describe:**

All securities are issued dematerialized within DCV

**80**

When are securities lodged into the depository reflected in a participant's depository account? (Choose one.)

- Securities are reflected in the participant's depository account immediately upon delivery to the depository.
- Securities are re-registered prior to being reflected in the participant's depository account.
- Other. - then answer 80a

**80a. Please explain:**

Securities are issued dematerialized within DCV

**81**

How long does it usually take to lodge securities with the depository? (Choose one.)

- 1 to 2 days.
- 3 days to 1 week.
- 2 to 4 weeks.
- More than 4 weeks. - then answer 81a
- Not applicable.

**81a. Please specify:**

**82**

During the process of lodging securities into the depository, can the securities:

Be traded?

- Yes
- No - then answer 82c
- Not applicable

**82a. During the process of lodging securities into the depository, can the securities:**

Be settled?

- Yes
- No - then answer 82d
- Not applicable

**82b. During the process of lodging securities into the depository, can the securities:**

Have ownership transferred?

- Yes
- No - then answer 82e
- Not applicable

82e. If ownership can not be transferred, please explain:

82d. If they can not be settled, please explain:

82c. If they can not be traded, please explain:

## 83

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

- Yes
- No - then answer 83a
- Not applicable

83a. If no: Securities are unavailable for:

- 1 to 2 days
- 3 days to 1 week
- 2 to 4 weeks
- More than 4 weeks - then answer 83b

83b. If more than 4 weeks, please specify:

## 84

Are eligible securities held through the depository afforded the same or greater efficiencies as securities held outside the depository with respect to:

84a. Income? (Choose one.)

- Not applicable
- No - then answer 84b
- Yes - for all instrument types
- Yes - for the following instrument types only: - then answer 84c

84b. Please explain:

84c. Name instrument types:

84d. Corporate actions?

- Not applicable
- No - then answer 84e
- Yes - for all instrument types
- Yes - for the following instrument types only: - then answer 84f

84e. Please explain:

84f. Name instrument types:

84g. Proxy Services?

- Not applicable
- No - then answer 84h
- Yes - for all instrument types
- Yes - for the following instrument types only - then answer 84i

84h. Please explain:

84i. Name instrument types:

## 85

Can securities held outside of the depository:

85a. Be traded without being lodged at the depository?

- No - then answer 85b
- Not applicable
- Yes

85b. Please explain:

85c. Be settled without being lodged at the depository?

- No - then answer 85d
- Not applicable
- Yes - then answer 85e

85d. Please explain:

85e. If yes, do settlements of depository-eligible securities occurring outside the depository take longer to settle?

- Yes
- No

85f. Have ownership transferred without being lodged at the depository?

- No - then answer 85g
- Not applicable
- Yes

85g. Please explain:

**86**

How are eligible securities removed from the depository? (Choose one.)

- 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 beneficial owner or a nominee.
- Securities are re-certificated and delivered as bearer instruments.
- Securities are transferred as is any physical delivery in the market.
- Other - then answer 86a
- Not applicable

**86a. Please specify:**

**87**

How long does it usually take to remove securities from the depository? (Choose one.)

- 1 to 2 days
- 3 days to 1 week
- 2 to 4 weeks
- More than 4 weeks - then answer 87a
- Not applicable

**87a. Please specify:**

**88**

While the securities are being removed from the depository, can they:

**88a. Be traded? (Choose one.)**

- No - then answer 88b
- Not applicable
- Yes

**88b. Please explain:**

**88c. Be settled?**

- No - then answer 88d
- Not applicable
- Yes

**88d. Please explain:**

**88f. Have ownership transferred?**

- No - then answer 88g
- Not applicable
- Yes

**88g. Please explain:**

**89**

Where are securities that are outside the depository held in safekeeping? (Choose all that apply.)

- Securities are dematerialized; ownership of securities is identified through the records of the company registrar.
- Securities are held physically, registered on behalf of the beneficial owner or a nominee and physically safekept by subcustodian banks.
- Securities are held physically in bearer form in subcustodian banks.
- Securities may be held physically by brokers, the registrar, or beneficial owner.
- Other - then answer 89a

**89a. Please specify:**

NA

### **STANDARD OF CARE**

The purpose of this section is to understand the responsibility and liability that the depository has in providing services to its participants/members in the settlement and clearing of securities and/or cash, and to understand what type of protections exist for participants in the event of a participant failure/default.

Depository Liability

**90**

Does the depository accept liability (independent of any insurance coverage) for the following:

**90a. Reconciliation errors with the registrar and/or issuer?**

- No
- Not applicable
- Yes - then answer 90b

**90b. If yes, please check all of the following that apply:**

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

**90c. Theft of securities (either physical certificate or electronically from accounts at the depository) from the depository?**

- No
- Yes - then answer 90d

**90d. If yes, please check all of the following that apply:**

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

**90e. Failure of the depository's systems that result in direct damages or losses to participants because they cannot use either securities or funds?**

- No
- Yes - then answer 90f

**90f. If yes, please check all of the following that apply:**

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

90g. Any loss caused by the depository due to errors, omissions or fraud that cause direct damages or losses to participants?

- No  
 Yes - then answer 90h

90h. If yes, please check all of the following that apply:

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

90i. The depository acting as the central counterparty?

- No  
 Not applicable  
 Yes - then answer 90j

90j. If yes, please check all of the following that apply:

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

90k. Does the depository guaranty settlement?

- No  
 Yes - then answer 90l

90l. Please explain how this is accomplished. What are the procedures and safeguards that permit the depository to guaranty settlement?

90m. Force majeure events, acts of God, or political events, etc.?

- No  
 Yes - then answer 90n

90n. If yes, please check all of the following that apply:

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

90o. In all cases where the depository assumes responsibility for direct or indirect or consequential losses, is the depository's liability limited by a standard of care determination?

- No  
 Yes - then answer 90p  
 Not applicable

90p. Please define the standard of care applied:

Due diligence

**91**

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

91a. Indemnification

Yes - then answer 91b

No

91b. Please explain:

- then answer 91i

91i. Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

91c. Insurance

Yes - then answer 91d

No

91d. Please explain:

Insurance for USD175 million per transaction

- then answer 91j

91j. Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

91e. Acknowledgement of liability for losses caused by depository's own actions.

Yes - then answer 91f

No

91f. Please explain:

- then answer 91k

91k. Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

91g. Other

Yes - then answer 91h

No

91h. Please explain:

- then answer 91l

91l. Please provide details of the relevant sections of the contracts, rules or practices where this information is found.

**92**

Is the depository immune from legal action in its own jurisdiction?

Yes

No

## Security Control

**93**

How do participants receive information (view actual settlement of trades, movement of securities on their accounts, etc.) and see the status of their accounts? (Choose all that apply.)

- By direct electronic link
- By receipt of physical account holding statements
- Other - then answer 93a

93a. Please explain:

**94**

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

- Yes - then answer 94a
- No

94a. How is access given to participants?

- By direct electronic link - then answer 94b
- Other - then answer 94c

94b. Please select type of electronic link: (Choose one.)

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

94c. Please explain:

**95**

Regarding data security:

95a. Are passwords used by participants to access their accounts?

- Yes
- No

95b. Does each user have a unique user ID?

- Yes
- No

95c. Are passwords regularly changed?

- Yes - then answer 95d
- No

95d. How often?  
Every three (3) months

95e. Is there a user lock-out after a pre-set number of unsuccessful User ID attempts?

- Yes - then answer 95f  
 No

95f. How many?

3

## 96

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



- Yes - then answer 96a  
 No >> take you to 98

96a. Please explain:  
encrypted secured lines

## 97

How does the depository communicate with other market entities?

97a. Stock Exchanges (Choose all that apply.)

- Dial-up modem  
 Secured, leased, dedicated telephone line  
 Internet  
 Fax  
 Paper/other

97b. Payment Systems (Choose all that apply.)

- Dial-up modem  
 Secured, leased, dedicated telephone line  
 Internet  
 Fax  
 Paper/other

97c. Clearing Houses (Choose all that apply.)

- Dial-up modem  
 Secured, leased, dedicated telephone line  
 Internet  
 Fax  
 Paper/other

97d. Are there any other entities?

- Yes - then answer 97e  
 No

97e. Please identify:  
Brokers and local CSD  
- then answer 97f

97f. How does the depository communicate with this/these other market entity/entities? (Choose all that apply.)

- Dial-up modem
- Secured, leased, dedicated telephone line
- Internet
- Fax
- Paper/other

**98**

How is access to the physical building controlled? (Choose all that apply.)

- By guards
- By electronic keys/personal ID card
- By alarm system
- Other - then answer 98a

**98a. Please explain:**

By alarm system in designated areas

**99**

What are the vault security procedures for the safekeeping of physical paper? (Choose all that apply.)

- Not applicable; no vault is maintained
- Electronic keys/combinations
- Dual access control
- Visitor logs
- Vault counts - then answer 99a
- Intrusion alarms
- Fire alarms
- Guards
- Other - then answer 99b

**99a. Please indicate frequency of vault counts:**

**99b. Please explain:**

Participant Default Protections Resulting from a Participant Failure

**100**

If a participant defaults, how is the loss covered? (Choose all that apply?)

- Depository insurance covers the loss - then answer 100a
- The depository guaranty fund covers the loss
- Loss is shared among participants - then answer 100b
- Other - then answer 100c

**100a. Please explain the process:**

100b. Please explain the process of how the loss is shared: (Choose one.)

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

100c. Please explain:

Losses are minimized by DVP Model 1 & RTGS

## 101

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

- Yes - then answer 101a
- No

101a. How was the situation resolved?

## 102

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

- Yes - then answer 102a
- No >> take you to 103

102a. If yes, please respond to the following questions:

What is the size of the fund?

- then answer 102b

102b. How is the size of the fund determined? (Choose one.)

- By participant volume
- By asset value
- A fixed amount
- Other - then answer 102f

102f. If other, please explain:

102c. How is the fund financed? (Choose one.)

- Contributions from owners - then answer 102g
- Contributions from participants - then answer 102h
- Funding from retained earnings
- Other - then answer 102i

102g. If so, what is the amount or percentage per owner?

102h. If so, what is the amount or percentage per participant?

102i. If other, please explain:

**102d. Who is covered by the fund? (Choose all that apply.)**

- Direct depository participants only
- The beneficial owner also
- Other - then answer 102j

**102j. If other, please explain:**

**102e. When is the guaranty fund used? (Choose all that apply.)**

- When a broker defaults
- When a direct participant defaults
- Other - then answer 102k

**102k. If other, please explain:**

## **103**

**Does the depository have forms of oversight management for assessing and monitoring of the following? (Choose all that apply.)**

- Participant eligibility requirements
- Participant volumes
- Participant financial strength
- Other loss or default protections the depository maintains - then answer 103a
- Collateral requirements for participants - then answer 103b
- Debit caps for participants - then answer 103c
- Settlement controls that minimize or eliminate the risk of default by a participant - then answer 103d
- Blocking of securities movement before receipt of payment
- Blocking payment until securities are moved
- Other forms of risk management used for assessing and monitoring participant exposures - then answer 103e

**103a. Please explain other loss or default protections:**

**103b. Please explain the requirements:**

**103c. Please explain how these debit caps work:**

**103d. What type or types of settlement controls (Choose all that apply.)**

- Blocking or freezing of securities positions - then answer 103f
- Controlling DVP settlement - then answer 103g
- Simultaneous DVP - then answer 103h
- Other - then answer 103i

**103f. Please explain:**

**103g. Please explain:**

**103h. Please explain:**

The DCV is connected to reserve Central Bank accounts through an interface. We use DVP model 1& RTGS

**103i. Please identify and explain:****103e. Please explain briefly how these work:****104**

Does the stock exchange have default protections that extend to the depository, such as the following? (Choose all that apply.)

- Margin requirements for stock exchange members
- Guaranty fund for stock exchange members
- Financial requirements for stock exchange membership
- Other - then answer 104a
- No

**104a. Please explain:**

Operations are guaranteed at stock exchange

**BUSINESS RECOVERY PLAN**

This section is intended to identify key aspects of the depository'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.

**105**

Do you have a formal business recovery plan?

- Yes - then answer 105a
- No

**105a. Does your Business Recovery Plan include: (Choose all that apply.)**

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

**105b. Please identify the frequency of testing for the following 3rd Party:**

**Depository Participants/Members**

Four (4) times a year

**105c. Please identify the frequency of testing for the following 3rd Party:**

**Stock Exchange**

Two (2) times a year

**105d. Please identify the frequency of testing for the following 3rd Party:**

**Central Bank**

Two (2) times a year

105e. Please identify the frequency of testing for the following 3rd Party:

**Local Brokers**

Two (2) times a year


105f. Please identify any Other 3rd Party and identify their frequency of testing:

## 106

How quickly can the main system be reactivated in the event of an outage? (Choose one.) 

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

## 107

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

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

## 108

Will the depository publicly announce any system interruption? 

- Yes - then answer 108a
- No

108a. To whom will the depository disclose any system interruptions? (Choose all that apply.)

- To the depository regulators
- To all direct participants
- To direct and indirect participants
- To the public via the internet - then answer 108c
- In the press - then answer 108d
- Other - then answer 108e

108b. How will the depository disclose any system interruptions? (Choose all that apply.)

- By e-mail
- By telephone
- Public announcement
- Press release
- Other - then answer 108f

108f. Please explain:

108c. If so, please list webpage address:



108d. If so, please list publications:

108e. Please explain:

## 109

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

- Yes - then answer 109a
- No

109a. If yes:

How much time was needed to implement the recovery plan? (Choose one.)

- Less than 1 hour - then answer 109b
- 1 - 2 hours - then answer 109b
- 2 - 4 hours - then answer 109b
- Longer than 4 hours - then answer 109b

109b. How much time was needed to recover and restore business to normal operations? (Choose one.)

- 1 - 4 hours - then answer 109c
- 4 - 8 hours - then answer 109c
- 8 - 24 hours - then answer 109c
- Longer than 24 hours - then answer 109c

109c. What was the impact to the market? (Choose all that apply.)

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

### **PERFORMANCE, INSURANCE AND LOSS**

This section is intended to identify the level of insurance maintained by the depository, and the extent to which coverage would extend to financial loss incurred by participants and their clients, including but not limited to losses resulting from operating performance, security breaches, and employee negligence or misconduct.

**110** Has there been any material loss by the depository during the past three years?

- Yes - then answer 110a  
 No

110a. If there has been a loss, please describe the cause, the final impact and the action taken to prevent a recurrence:

**111** Has the depository been subject to any litigation involving a participant during the past three years?

- Yes - then answer 111a  
 No

111a. Please explain the circumstances and resolution:

**112** Has the depository realized revenues sufficient to cover expenses during the past three years? (Choose one.)

- 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

**113** Does the depository maintain a reserve for operating losses?

- Yes - then answer 113a  
 No

113a. Please describe and indicate reserve amount:

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

- Yes - then answer 114a  
 No

114a. Please describe:

- then answer 114b

114b. 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 depository?

- Yes - then answer 114c  
 No - then answer 114d

114c. If Yes, please describe:

114d. If No, why not?

## 115

Does the depository have insurance for Default? 

- Yes - then answer 115a  
 No

115a. What is the amount of the coverage?

- then answer 115b

115b. What is the amount of the deductible?

## 116

Does the depository have insurance for Fidelity? 

- Yes - then answer 116a  
 No

116a. What is the amount of the coverage?

- then answer 116b

116b. What is the amount of the deductible?

## 117

Does the depository have insurance for Operational Errors? 

- Yes - then answer 117a  
 No

117a. What is the amount of the coverage?

USD175.000.000

- then answer 117b

117b. What is the amount of the deductible?

USD100.000 per event

## 118

Does the depository have insurance for Errors and Omissions? 

- Yes - then answer 118a  
 No

118a. What is the amount of the coverage?

- then answer 118b

118b. What is the amount of the deductible?

**119**

Does the depository have insurance for Computer Fraud?

- Yes - then answer 119a  
 No

**119a. What is the amount of the coverage?**

USD175.000.000

- then answer 119b

**119b. What is the amount of the deductible?**

USD100.000

**120**

Does the depository have insurance for the Premises?

- Yes - then answer 120a  
 No

**120a. What is the amount of the coverage?**

- then answer 120b

**120b. What is the amount of the deductible?**

**121**

Does the depository have any other insurance?

- Yes - then answer 121a  
 No

**121a. If so, what is it for?**

- then answer 121b

**121b. What is the amount of the coverage?**

- then answer 121c

**121c. What is the amount of the deductible?**

**122**

**Who is the insurance carrier?**

Classified confidential information

- then answer 122a

**122a. Who is the insurance carrier's parent company, if applicable? (If inapplicable, simply type n/a.)**

na

- then answer 122b

**122b. What is the term of the policy?**

Classified confidential information

- then answer 122c

**122c. Who does the insurance cover? (Choose all that apply.)**

- Depository
- Direct depository participants
- Final investors
- Other - then answer 122d

**122d. If other, please identify:**  
Indirect participants

## 123

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 123a:

Regarding question 14th: The financial statement of DCV are embedded within the central bank balance sheet. DCV does not have balance sheet of its own.  
Regarding question 17th: The financial statement of the central bank are audited by the Banking Superintendency.

**123a. Upload document here:**



### PUBLIC AVAILABILITY

## 124

The AGC encourages respondents/depositories to make their answers to this questionnaire publicly available. Will you be making your response publicly available? (For additional guidance, please review the help feature to this question.)

- Yes - then answer 124a
- No

**124a. If yes, how will you be making it publicly available: (Choose all that apply.)**

- Web site - then answer 124b
- By individual request with depository - then answer 124c
- Other - then answer 124i

**124b. Please provide web site address of publicly available questionnaire:**

[The Association of Global Custodians - 2001 Questionnaire](#)

**124c. Please provide name of contact at depository who has been designated to receive such requests.**

Dionisio Valdivieso  
- then answer 124d

**124d. How would they prefer to be contacted? (Choose all that apply.)**

- Telephone - then answer 124e
- Facsimile - then answer 124f
- By mail/air courier - then answer 124g
- By e-mail - then answer 124h

**124e. Please provide telephone number:**

**124f. Please provide facsimile number:**

124g. What is the preferred street address for mailing requests?

124h. What is the preferred e-mail address for such requests:  
dvaldibu@banrep.gov.co

124i. If other, please describe how you will be making the questionnaire publicly available:

## 125

Have you updated your contact details on the home page of this questionnaire? If not, please be sure to do so. Simply click on the "Home" button in the right tool bar and it will return you to the home page containing your contact detail information.

You have reached the end of the questionnaire. Please be sure to print your responses and review them prior to submitting your questionnaire. It is important that you ensure the accuracy of your draft responses before submitting the responses as submission will finalize your response. When you are prepared to submit your answers, please return to this question and select "save" which will then take you to the submission option provided all the necessary questions have been answered.

The members of The Association of Global Custodians thank you for your time and for your helpful response. 

[close](#)