

Charter for the
Derivative Data Elements
Industry Representation Group (DDE IRG)
FINAL

I. Introduction

Pursuant to its Charter, the Regulatory Oversight Committee (ROC) established the Committee on Derivative Identifiers and Data Elements (CDIDE) as a sub-committee of the ROC.¹ The primary responsibility of the CDIDE is to evaluate the adequacy of existing standards and protocols for the Unique Product Identifier (UPI), Unique Transaction Identifier (UTI), and Critical Data Elements (CDE) in the light of the High Level Principles² and other principles of the ROC and that serve the broad public interest, and to propose to the ROC Plenary revised or additional standards/protocols as necessary. The ROC is establishing an Industry Representation Group (IRG) focused on Derivative Data Elements (DDE), comprising CDE and UTI, as well as UPI related matters, to support the CDIDE and provides the following governance policies/procedures for the DDE IRG.

II. ROC Governance for the DDE IRG

1. Background

The ROC was established by the Financial Stability Board (FSB) in November 2012 to set international standards and to oversee a worldwide framework for the issuance of legal entity identifiers (LEIs), managed by the Global LEI System (GLEIS). In October 2020, the FSB agreed to expand the mandate of the ROC to set standards for and oversee global harmonization of the UTI, UPI, and CDE for derivatives transactions (Certain Other Global Data Identifiers and Elements).³ As with the LEI, the ROC responsibilities for these Certain Other Global Data Identifiers and Elements include guidance, standards, high-level plans, policies, and protocols⁴ and their oversight, including any UPI service providers.

¹ Charter of the Regulatory Oversight Committee for the Global Legal Entity Identifier System and Governance of Certain Other Global Data Identifiers and Elements, at 8, 13-14 (Nov. 12, 2012) (hereinafter, “ROC Charter”), available at https://www.leiroc.org/publications/gls/roc_20201001-1.pdf.

² ROC Charter, Annex C.

³ ROC Charter, at 1.

⁴ ROC Charter, Section 3, at 4-7.

2. Purpose, Scope of Activities and Membership

a. Purpose/Mission/Objectives

The DDE IRG is an advisory panel called by the ROC and the CDIDE. The purpose of the DDE IRG is to provide a forum for consultation—in a solely advisory capacity—by the ROC and CDIDE. The DDE IRG will focus on the CDE and UTI, as well as UPI related regulatory matters that are ordinarily outside of the scope of the DSB Product Committee.⁵

All recommendations, or other information, transmitted by the DDE IRG to the CDIDE or ROC will be publicly available on the ROC's website. DDE IRG members and participants should have no expectation of confidentiality in relation to any activities involving their participation in the DDE IRG and related activities, including specific members' positioning on the discussed matters.

Determinations and policy to be expressed with respect to recommendations of the DDE IRG will be made solely by the CDIDE and the ROC.

b. Scope of Activities

The DDE IRG will conduct meetings, of which the agendas and minutes will be made available on the ROC's website, to assist the CDIDE in understanding the impact of various issues relating to data elements of over-the-counter (OTC) derivatives, including as such matters related to the integrity of the critical market infrastructure necessary for providing financial instrument identifiers. The CDIDE expects the DDE IRG to:

- raise to the CDIDE's attention matters related to the implementation of the UTI, CDE and UPI that, in the DDE IRG's view, may deserve clarifications and – potentially – adjustments.
- provide views, comments, and inputs on issues identified or proposed by the CDIDE.

c. Membership

Participation of industry members on the DDE IRG is voluntary. It is the goal of the CDIDE that DDE IRG members will be geographically diverse representatives of, inter alia, trade repositories, derivatives infrastructure providers (including central counterparties (CCPs) and trading platforms), sell-side and buy-side derivatives market participants, and/or market data providers.

The CDIDE will, when appropriate, issue calls for expressions of interest for representatives of market participants to serve as members of the DDE IRG. Members normally will serve three-year terms with a possibility of reappointment. The CDIDE will seek to have the DDE IRG consist of members representing a balance of various different types of market participants.⁶ The DDE IRG will have no more than 40 members.

The CDIDE, with consideration of the ROC, can appoint—and remove—members of the DDE IRG. A DDE IRG member may resign at any time, in the sole discretion of the member, by notifying the CDIDE in writing. The CDIDE, in its discretion, may dissolve the DDE IRG at any time.

⁵ See <https://www.anna-dsb.com/product-committee/>

⁶ The CDIDE also may select people who are not affiliated with market participants to serve on the DDE IRG if they have expertise or subject-matter knowledge that would be beneficial to the IRG. Such people would serve on the DDE IRG in their individual capacities and not as representatives of firms.

The CDIDE may appoint two liaisons as CDIDE intermediaries with the DDE IRG to attend DDE IRG meetings and activities in which they may participate as observers. Other CDIDE members also may attend DDE IRG meetings and activities on an ad-hoc basis as observers and may contribute to discussion.

Members and participants will not be compensated or reimbursed for any of their activities in connection with the DDE IRG.

3. Direction, Leadership and Meeting Procedures

a. Direction and Leadership

The CDIDE will determine the direction, focus, and activities of the DDE IRG. The ROC and CDIDE, in consultation with DDE IRG members, will determine the specific topics and issues that the DDE IRG will consider and discuss at the DDE IRG's meetings. DDE IRG members may raise, propose, and discuss additional topics during, inter alia, the "Other Business" part of their meetings.

CDIDE members will moderate the DDE IRG meetings while the ROC Secretariat will provide administrative support for the DDE IRG. The CDIDE and the ROC, in consultation with the DDE IRG, will determine how many meetings the DDE IRG will have each year, with the expectation that the DDE IRG likely will meet at least twice a year. The CDIDE will, in consultation with the DDE IRG, set the agenda for DDE IRG meetings. The meeting agenda will be posted on the ROC's website at least one week before each meeting.

b. Meeting Procedures

The DDE IRG will not use an explicit quorum process, however, the ROC Secretariat will help ensure that there is suitable representation from the different DDE IRG viewpoint categories represented by the attending members with respect to the topics being discussed. The DDE IRG will proceed and strive to make all recommendations by consensus but will be able to share different viewpoints among its members when consensus is not possible.

The ROC Secretariat will keep minutes of the DDE IRG meetings. Minutes will be on an attributable basis to provide appropriate transparency for all market participants. DDE IRG members will have the opportunity to opine on the accuracy of the minutes before public distribution. After a draft of meeting minutes is circulated with the DDE IRG members and the CDIDE and/or ROC observers for review, the minutes will be posted on the ROC's website no later than three weeks after each meeting.

The DDE IRG will conduct meetings virtually as much as possible, with the assistance of the ROC Secretariat. Additionally, even if the DDE IRG holds in-person meetings, members, CDIDE/ROC liaisons, and CDIDE/ROC observers are permitted to attend such meetings virtually.

III. Statement on Applicability of Jurisdictions' Laws and Regulations and Members and Representatives Responsibility to Comply with Applicable Laws and Regulations

DDE IRG members and all attendees of meetings of the DDE IRG should remember that all discussions at such meetings are subject to jurisdictions' applicable laws and regulations, including, but not limited to, their respective jurisdictions' laws and regulations concerning public records, privacy, and competition/antitrust issues.

When participating in DDE IRG meetings and activities, members and all attendees should be aware of the applicable laws, regulations, and legal obligations that apply to them, as well as their own organizations' policies, particularly, but not exclusively, those regarding competition/antitrust, transparency, privacy, and interactions with government entities. Additionally, members and attendees should be aware and understand that matters discussed at DDE IRG meetings are not confidential and that records of DDE IRG may be available to the public.