



Vernehmlassung zur Änderung des Bankengesetzes (BankG)

Absender	Association of Foreign Banks in Switzerland AFBS
E-Mail	maurer@afbs.ch
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	Unterstützung	mit Vorbehalt	Ablehnung	Bemerkungen	Vorschläge
Bucheffektengesetz (BEG)					
Wie beurteilen Sie die Regelung zur Segregierungspflicht (Art. 11a VE-BEG)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The AFBS agrees to an obligation for all custodians of intermediated securities to segregate their own and clients' portfolios. If the custody chain leads abroad, the last Swiss custodian has to take measures to protect the intermediated securities booked with the FIRST foreign custodian. The duty is to be limited to the first foreign custodian, as a Swiss bank cannot assure the segregation down the chain of foreign custodians.	...
Wie beurteilen Sie die Regelung zur Datenübermittlung an ausländische Drittverwahrungstellen (Art. 11b VE-BEG)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		The article may want to replace "nicht diesem Gesetz" by a more specific, precise wording. Moreover, we would support to widen the scope for the transmission of information to include not only the first foreign custodian ("Drittverwahrungsstelle") but to the entire custody chain that exercises a function in the custodial network. Furthermore, the limitation to be able to only deliver information "if required by applicable law" ("nach dem auf sie anwendbaren Recht") seems to narrow considering

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					international standards which often rely on local self-regulations, regulatory guidance and thus foreign custodians often include information obligations in their deposit contracts that go beyond statutory laws. As such, we would suggest to delete "nach dem auf sie anwendbaren Recht" or make this broader by including the possibility that such obligation could also be embedded in the contractual terms (e.g. "oder anderen vertraglichen Abmachungen").
Wie beurteilen Sie die Regelung zu den Eigen- und Drittbeständen (Art. 12 VE-BEG)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Finanzmarktinfrastukturgesetz (FinfraG)					
Wie beurteilen Sie die Regelung zur Zulassung von Teilnehmern (Art. 34 VE-FinfraG)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		