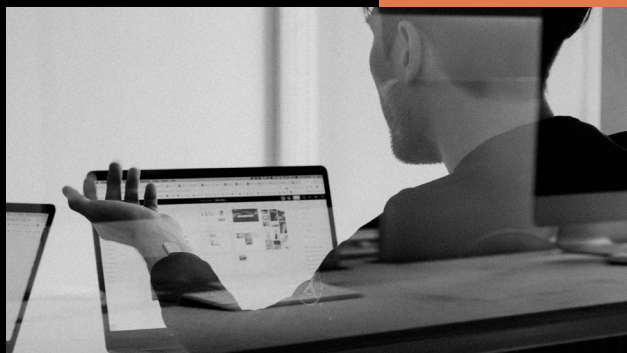


# EMIR/UK EMIR Regulatory Reporting

Where Validus and Travers Smith can help



**Under the new EMIR/UK EMIR reporting rules and the latest set of amendments to EMIR ("EMIR 3.0"), greater focus is placed on reporting and reporting errors.**

## THE REPORTING REQUIREMENT

Under Article 9 of EMIR/UK EMIR, all derivatives (including any modification or novation) must be reported to an authorised trade repository on a T+1 basis.

## RECENT AND UPCOMING CHANGES

- New EMIR/UK EMIR reporting rules came into force in 2024, introducing a significant increase in the number of reportable fields and heightening the complexity of reports. Notably, EMIR introduced a stricter requirement to notify regulators of issues that affect a "significant number" of reports.
- Under EMIR 3.0, all derivative counterparties are required to put in place "appropriate procedures and arrangements to ensure the quality of the data they report".
- EMIR 3.0 also introduces a new express requirement for NCAs to impose penalties on entities "where the details reported repeatedly contain manifest errors". NCAs are required to disclose publicly all penalties imposed for all breaches of EMIR (including reporting), unless such disclosure would seriously "jeopardise the financial markets or cause disproportionate damage" to the parties involved.
- ESMA is due to publish the final reporting RTS, expanding on the language in inverted commas above, by 25 December 2026.

## REPORTING CHALLENGES

These developments put further pressure on firms: more granular reporting, stricter validation, and higher expectations around reconciliation and oversight. These changes arrive at a time when many managers are already stretched by complex fund structures, multiple trading entities, and a reliance on delegated reporting that can obscure accountability.

Given the breadth of the reporting obligation and growing volume of data which needs to be reported, it is unfortunately one of the obligations where the market sees the most errors.

In our experience, the most common challenges are:

- Difficulties arising as a result of Brexit:
  - Under EMIR/UK EMIR, NFC-s are able to rely on their FC counterparty to report on their behalf – but only where both parties are incorporated in the EU/UK (under EMIR/UK EMIR respectively). An EU NFC- remains responsible for its own reporting when trading with a UK FC counterparty (and the same applies for an UK NFC- trading with an EU FC).
  - Certain counterparties are subject to the reporting requirement under both EMIR and UK EMIR, including EU AIFs managed by UK AIFMs and UK AIFs managed by EU AIFMs.
- Other broader issues include:
  - Fragmented or inconsistent reporting across counterparties.
  - Lack of transparency over delegated reporting flows.
  - Difficulty evidencing compliance in the face of regulator or auditor queries.
  - Limited or unavailable historical reporting data.





## HOW WE CAN HELP

TRAVERS  
SMITH



### WHY CLIENTS RELY ON VALIDUS

Specialist support makes the difference between simply meeting obligations and having true oversight. By working with Validus, funds, asset managers, corporates and institutional investors benefit from:

#### Centralisation and Visibility

All reporting is managed through a single framework, tailored to each client's regulatory classification and structure.

#### Daily Reconciliation and Issue Resolution

Trades are reconciled against counterparty submissions every day, with discrepancies identified and addressed before they become regulatory issues.

#### Full Audit Preparedness

Clients have access to consolidated data and reporting, to respond quickly to auditors, fund administrators, or regulators.

#### Adaptability to Change

Our service evolves in line with new rules, giving managers confidence that EMIR 3.0 and future requirements are fully incorporated.

#### Direct Expert Support

Dedicated EMIR experts work alongside clients, providing both technical expertise and ongoing assistance.

Managers choose Validus for an end-to-end EMIR reporting solution. They value:

- A single point of oversight for all reporting obligations.
- The ability to demonstrate compliance without gaps or exceptions.
- Reliable access to historical reporting data, often unavailable through banks.
- Daily trade reporting and valuations
  - For NFC-s, Validus reports static and counterparty information.
  - For NFC+s and FCs, Validus calculates valuations and reconciles with counterparties.
- A streamlined onboarding process that allows for a fast, low-friction transition.

### WHY CLIENTS RELY ON TRAVERS SMITH

Clients choose Travers Smith for comprehensive EMIR reporting advice, as well as broader holistic EMIR advice and derivatives documentation.

Where counterparties delegate their reporting, they remain responsible for the accuracy of the data reported on their behalf. We work closely with clients, often alongside expert commercial advisors, to ensure compliance with reporting requirements, anticipating regulatory changes and providing support should reporting errors arise.

#### Procedures and policies

We help clients develop and document internal policies and procedures to demonstrate compliance with the reporting requirements.

#### Tailored advice regarding regulator expectations

We offer guidance on evolving regulatory expectations across jurisdictions, including the growing expectation that counterparties validate and reconcile key data reported on their behalf against their internal records. We advise on practical steps for carrying out such reconciliations.

#### Complex reporting questions

We advise on bespoke and complex queries regarding reporting submissions and obligations.

#### Remediation exercises

We assist clients when reporting errors arise, working with clients to determine the scope of the error and submit any relevant notifications to the regulators.

#### Broader EMIR and ISDA documentation

We help clients address a host of EMIR compliance matters and derivatives documentation, ensuring that regulatory compliance and transactional arrangements are aligned.

### GET IN TOUCH



#### Alain Smith

Head of EMEA Client Engagement  
Validus Risk Management  
[alain.smith@validusrm.com](mailto:alain.smith@validusrm.com)



#### Jonathan Gilmour

Head of Derivatives & Structured Products  
Travers Smith  
[jonathan.gilmour@traverssmith.com](mailto:jonathan.gilmour@traverssmith.com)