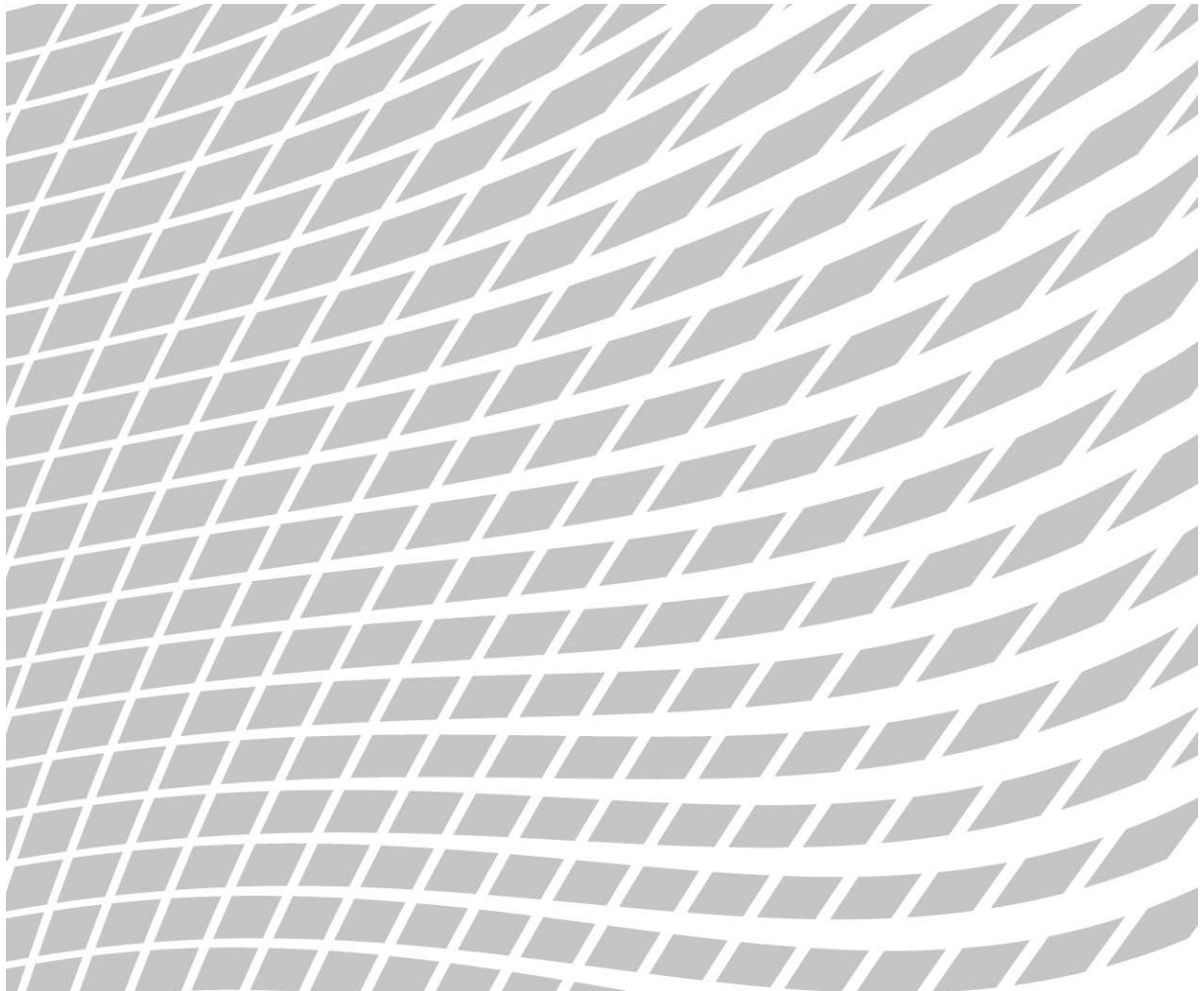


6 December 2016

Circular 2017/xx “Outsourcing – banks and insurers”

Key points



1. FINMA Circular 2008/7 “Outsourcing – banks” has undergone a full revision. It now applies to insurers as well as banks.
2. As had previously been the case for insurers, but is a new innovation for banks, intragroup outsourcing must also meet all the requirements set out in this circular.
3. For systemically important banks, the outsourcing of critical services to banks in the same financial group is no longer permitted. Systemically important banks must also ensure that outsourcing does not hinder the continuity of critical services in the event of (imminent) insolvency. Increased requirements are subsequently imposed on outsourcing contracts which include critical services.
4. As had previously been the case for insurers, but is a new innovation for banks, an inventory of outsourced services must be kept.
5. The circular’s former provisions on data protection and customer-focused requirements have been repealed to avoid duplication with the Data Protection Act.
6. All the necessary data required in the event of restructuring, resolution and liquidation must be accessible in Switzerland at all times.
7. The former circular’s appendix, which listed a number of outsourcing examples illustrating the applicable rules, has been removed. Instead, examples deemed important in this context have now been included in the circular.