

Frequently asked questions about the distribution platform

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1 What is the FINMA distribution platform?

FINMA can send documents in encrypted format in real time (electronically) to supervised institutions, audit firms and other recipients via the distribution platform. FINMA uses Swiss Post's IncaMail platform as the basis of the distribution platform. The platform meets the requirements stipulated in the Recognition Ordinance for Delivery Platforms (SR 272.11) and can therefore be used for the secure transmission of rulings and other messages relating to administrative procedures conducted by FINMA (e.g. enforcement or authorisation procedures).

In order to receive electronic correspondence from FINMA via the distribution platform, the recipient must have notified FINMA in advance of its agreement to the use of the distribution platform (see answers to questions 3 and 4).

2 What is the benefit of the distribution platform?

The recipient notably benefits in the following ways from receiving electronic correspondence via the distribution platform:

- Communication sent via the distribution platform is encrypted;
- the message from FINMA arrives more quickly (shortly following dispatch) than it would via normal post;
- the receipt of documents via the distribution platform is free of charge (further information on enhancement options for a fee are included in the form mentioned in the answer to question 4 and the answer to question 11).

3 What action is required from the recipient to qualify as a user of the distribution platform?

Written declaration of consent: FINMA requires prior written consent from the recipient (incl. a valid email address) to send supervised institutions, audit firms and other recipients rulings and other messages electronically via the distribution platform. The consent should preferably be given in the form mentioned in the answer to question 4. However, consent thus granted does not normally extend to any administrative proceedings conducted by FINMA (e.g. FINMA authorisation or enforcement procedures, see also the answer to question 5).

Technical requirements: The recipient has to register, a one-time procedure free of charge, on the IncaMail platform to receive emails via the distribution platform (<https://www.incamail.ch/>). This is not necessary if the recipient has already registered or already has IncaMail in its email application. The recipient has to activate the relevant option in IncaMail settings to use the "Registered" delivery option.

4 How can FINMA be notified of consent to the receipt of electronic correspondence via the distribution platform?

There is a consent form on the FINMA website www.finma.ch ("FINMA" > "Extranet" > "The Distribution platform"). See the answer to question 8 for details of how to withdraw consent.

5 Does written consent apply in all instances?

Consent (preferably via the form on the FINMA website) does not normally apply to an administrative procedure involving FINMA, for example authorisation or enforcement proceedings. Only one person

- who is regularly involved in FINMA administrative proceedings (e.g. a supervised institution that repeatedly submits licensing applications), or
- regularly represents parties to a certain authority (in particular a practising lawyer),

may, as a rule, give prior consent to the electronic receipt of rulings and other messages from FINMA for future administrative procedures. Otherwise consent is to be given to FINMA with regard to specific administrative proceedings (see Art. 8 cl. 1 and 2 of the Ordinance on Electronic Transmission for Administrative Procedures [VeÜ-VwV; SR 172.021.2]).

6 Is it also possible to receive registered domestic messages?

Yes, it is possible. In addition to providing written consent and registering in IncaMail, the recipient needs to activate the corresponding settings for registered domestic messages in "[Settings for Registered](#)". That enables the relevant office at the Swiss Post to verify the registered email address. In the absence of this address verification, recipients can only receive non-registered correspondence from FINMA via the distribution platform.

7 Will recipients who have given their consent to the use of the distribution platform continue to receive hardcopy post from FINMA?

Subject to completion of the following conditions, FINMA will send its rulings and other messages electronically via the distribution platform whenever possible:

- FINMA must have written consent from all recipients (incl. any parties on cc.) to the receipt of electronic correspondence via the distribution platform and FINMA needs the designated email address(es) to which the correspondence is to be sent;
- all recipients must be registered on www.incamail.ch;
- all recipients who want to receive registered electronic mail must activate their settings accordingly (see the answer to question 6);

- when sending a message in Switzerland.

If one or more of these conditions have not been met or if electronic delivery is not opportune for some other reason (due to technical issues for example), FINMA reserves the right to issue its rulings and other messages by normal post. Please also note the proviso in the answer to question 5.

8 Is it possible to revoke consent to receiving rulings and other FINMA messages via the distribution platform?

Yes, it is possible to revoke such consent given to FINMA, either conditionally or in full, at any time by sending an email to digital@finma.ch.

9 How do you change an email address provided to FINMA?

Changes to an email address for the receipt of electronic deliveries can be notified to FINMA by sending an email to digital@finma.ch.

10 How is it possible to verify the authenticity of the qualified electronic signature(s) provided by FINMA?

FINMA adds a qualified electronic signature (with a qualified time stamp) where necessary to its rulings and other messages sent electronically via the distribution platform. The Federal Administration provides a validation service (<http://www.validator.ch/>) that enables the verification of the qualified electronic signatures added to rulings and other messages sent by FINMA.

11 Is there a solution that enables the opening of an electronic message from FINMA directly in a separate email application?

Yes, you can integrate IncaMail into your own email application and use it to open messages sent by FINMA (plus any attachments) via the distribution platform directly in your own email application. This IncaMail Mailgateway integration is subject to a fee and does not require the IncaMail password. Further details are contained in the form referred to in the answer to question 4.

12 Can messages from FINMA be sent to several recipients?

FINMA can only send electronic messages to one email address per receiving entity and dispatch method via the distribution platform (see the form referred to in the answer to question 4). The recipient can, however, forward the message to other persons provided they have compatible email software. FINMA has no influence on any forwarded emails and they are the responsibility of the recipient.

13 Is there an inbox on the IncaMail platform where all the messages can be accessed?

There is no inbox on the IncaMail platform where all the messages can be accessed. Each message is individually encrypted and can be individually decrypted and read via the IncaMail platform – either by opening the "IncaMail.html" attachment or clicking the link in the email.

The answer to question 11 outlines how to simplify the receipt of IncaMail messages.

14 How can recipients report technical problems?

In the event of technical problems when receiving rulings and/or other messages from FINMA via the distribution platform, you can contact FINMA during normal office hours at digital@finma.ch .