

Eidgenössische Finanzmarktaufsicht FINMA Autorité fédérale de surveillance des marchés financiers FINMA Autorità federale di vigilanza sui mercati finanziari FINMA Swiss Financial Market Supervisory Authority FINMA

Guidelines FINMA delivery platform

Bern, 12 September 2016



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Reference: b1004961-0000565

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1 Introduction

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By establishing a delivery platform, the Swiss Financial Market Supervisory Authority FINMA has met the statutory requirement which specifies that it must be possible to provide information electronically to a federal agency in accordance with the Ordinance on Electronic Transmission for Administrative Proceedings (VeÜ-VwV; SR 172.021.2)¹. A delivery platform² is an information and communication technology system which guarantees the confidentiality and integrity of messages. However, the delivery platform can be used not only for communication between agencies, but also for everyday information exchange (e.g. the submission of audit reports, other supervisory information or confidential data). All information is encrypted. Once the information has been transmitted, the sender receives an official digital confirmation of receipt. The delivery platform has three components: front end, transport and internal processing.

The purpose of the delivery platform is to reduce delivery times and boost the efficiency of information exchange with supervised institutions. These guidelines describe how the platform works.

¹ https://www.admin.ch/opc/de/classified-compilation/20100598/index.html.

² https://www.isb.admin.ch/isb/de/home/themen/sicherheit/fachinformationen/elektronischezustellplattformen.html.



2 Using the system

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The delivery platform is available on FINMA's website (www.finma.ch). Select "Contact" and "Electronic legal communication" to access the delivery platform.

Delivery platform homepage

| | | Legal basis |
|---|--|---|
| | vebsite, you can submit your entry to FINMA. Following will be transferred and sent to FINMA as an encrypted | Ordinance on electronic communication for administrative procedures |
| _ | nediate storage. You can then save an electronically signed and | Code of Obligations (Art. 14) |
| ime-tagged input ac | knowledgement message as a PDF file. | Federal Law on Certification |
| ou have the following | ng possibilities for making submissions: | Services for Electronic Signatures (ZertES) |
| | t SuisselD identification where it is possible to transfer | |
| ligital documents \ | with or without a qualified electronic signature; | Links |
| ubmission with SuisselD identification: encrypted transfer of digital | | [→ finma.ch |
| locuments with a c | qualified electronic signature. | Contact FINMA |
| submission to: | Swiss Financial Market Supervisory | F→ SuisseID |
| | Authority FINMA | - |
| | Laupenstrasse 27 CH-3003 Bern | |
| am / I am acting | CH-3003 Bern | Support |
| or:* | · | |
| Reason for | V | |
| ontacting FINMA | | |
| lease select the ty | pe of submission: | |
| Entry without Su | isseID identification | |
| Entry with Suisse | | |
| | | |
| Continue | | |
| | | |
| | | |



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You can choose one of two input options:

Input without SuisselD³ identification

This input option does not require the use of a SuisselD. The delivery platform's user interface guides you through the input process. Once you have entered your sender and contact information, you can leave a message for FINMA. You can then upload documents and files and send them to FINMA. Documents can also be signed with a qualified electronic signature. A signature must be appended if the document being transmitted to FINMA requires a signature. The rule of thumb is that documents which would have to be signed if sent by post must have a qualified electronic signature if submitted via the delivery platform (see "Qualified electronic signature" in the FAQs). The following points should be noted when uploading documents using single file upload or the drag-and-drop function:

- The maximum size of the upload is 1 GB.
- The maximum size of any single file is 100 MB.

You have an opportunity to check the information and documents before clicking on "send" to transmit the package to FINMA. The confirmation of receipt is available for download after transmission. FINMA recommends that you rename the receipt and save it to your desktop. The receipt is proof that you transmitted the package and provides a unique reference number. You can see a sample receipt in the appendix.

Input with SuisseID identification

This input method requires that you have a SuisselD for identification purposes. In the input process, you must firstly identify yourself by entering your SuisselD. Identifying information about you is then retrieved from the issuer of the SuisselD. Once this has been confirmed you are returned to the delivery platform. You can now go ahead with entering your input. The input screens which follow are the same as those for data entry without SuisselD identification. Once again, the following points should be noted when uploading documents using single file upload or the drag-and-drop function:

- The maximum size of the upload is 1 GB.
- The maximum size of any single file is 100 MB.

You have an opportunity to check the information and documents before clicking on "send" to transmit the package to FINMA. The confirmation of

³ SuisseID: Swiss standard for secure identification in electronic business processes and digital signature.



receipt is available for download after transmission. FINMA recommends that you rename the receipt and save it to your desktop. The receipt is proof that you transmitted the package and provides a unique reference number. Input using SuisseID identification is necessary if the proceedings require a unique, legally valid proof of identity.

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Important notes

Within the delivery platform you are prompted to enter information at various points. This information helps FINMA to understand the message and forward it to the correct address within FINMA. When entering information, please note the following requirements:

Subject/reference: The subject line provides important information about the contents and purpose of the message (like the subject line of an email). The more precise the subject line, the easier it is to classify and process the input. If you already have a case number, you should always include it.

Message: This should be understood as a cover letter. Here you can inform FINMA about the purpose of the delivery, reference relevant documents or communicate your concerns.

| ntry without SuisselD identification | | Legal basis |
|--------------------------------------|---|---|
| oncerns (50 characters max.)* | | Ordinance on electronic communication for administrative procedures |
| | | Code of Obligations (Art. 14) |
| lessage (2000 characters max.)* | 0 | Federal Law on Certification Services for Electronic Signatures (ZertES) |
| | | Links |
| | | [→ finma.ch |
| | | Contact FINMA |
| | | SuisselD |
| | | E→ System availability |
| B / U ARC II II Format | | C→ Support |
| Back Continue | | |

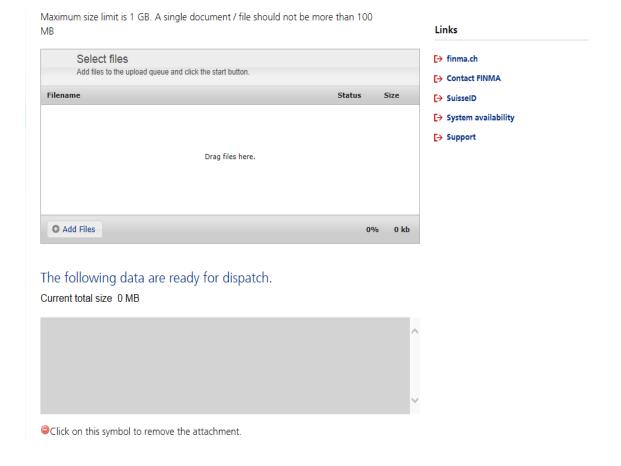


Attaching files: Before sending your message, you can also upload documents (e.g. audit reports or applications for authorisation). The following requirements should be noted when using single file upload or the drag-and-drop function:

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- Use short, meaningful names which describe the contents of the files.
- Do not use special characters.
- Do not send password-protected files (all files are encrypted in any case).
- Use machine-readable PDF formats (OCR PDF) whenever possible.
- Use a ZIP file if you want to send FINMA a complete directory structure or if FINMA requires the original saving date and time of the files.
- Not all file formats are supported. Files using formats which are not supported will be rejected; the sender will be unable to upload them. The appendix contains a list of the approved file formats.

Once the package has been sent, the files are checked for viruses and malware. Infected files will not be delivered to FINMA. The system informs FINMA that infected files have been detected. This enables FINMA to inform the sender that some files have not been received. At the same time, the delivery platform is effectively protected against targeted attacks.





3 Support

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If you have any questions or encounter problems when entering your input, please contact Support. The contact address for Support can be found in the right-hand navigation bar under Links **>** help.zustellplattform@finma.ch.

Please provide the following information when submitting questions to Support:

- description of the error (provide a screenshot if possible);
- date and time of attempted transmission;
- receipt (if available);
- contact information (e.g. preferred contact method).

Support will then contact you as soon as possible to answer your question and/or fix the error(s). Support is available on weekdays from 08:00 to 17:00.

If you have any non-technical questions, please do not hesitate to contact *digital@finma.ch.* We will try to answer your questions as soon as possible.



4 FAQs Reference: b1004961-0000565

Question: What can FINMA's delivery platform be used for?

Answer: The delivery platform can be used for correspondence with FINMA. The platform is intended specifically for the secure and efficient transmission of data and documents. The delivery platform makes it possible to submit documents with a qualified electronic signature. Please be aware that documents with a qualified electronic signature will be only accepted when they are transmitted via delivery platform. The table below shows the ways in which information is currently exchanged with FINMA and the facilities provided by the delivery platform:

| Example | Without the delivery platform | With the delivery platform |
|---|---|---|
| Sending audit reports to FINMA | Audit reports are signed by hand and sent to FINMA by post. | Audit reports can be sent with a qualified electronic signature via the delivery platform. The delivery process is quicker. |
| Delivery of confidential files | The files are copied to a CD or encrypted USB memory stick and sent to FINMA by post. | |
| Application or request for changes in authorisation | Applications or requests for changes in authorisation are signed by hand and sent incl. all mandatory annexes to FINMA by post. | mandatory annexes with a qualified |

Question: How can the user tell if the delivery has been successful?

Answer: FINMA's delivery platform is officially recognised as a platform by the federal authorities. If it is possible to download and save the receipt, you can be assured that the transmission was successful. The package is then encrypted and forwarded to FINMA.

Question: When should you use the "Input with SuisseID identification" option?



Answer: If FINMA requires proof of identity in the context of proceedings, this can only be provided by selecting the "Input with SuisseID identification" option. In this case, the delivery platform checks whether the sender is in fact also the person providing the input.

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Question: What is a qualified electronic signature?

Answer: Many business documents are produced in hardcopy format because legally they require one or more signatures. A qualified electronic signature can be used to sign documents with the same legal validity. A signature of this kind is similar to a seal in so far as it guarantees both the integrity of the document (i.e. the contents of the document cannot be altered) and the identity of the sender. In Switzerland, only SuisseID meets this requirement. A signature using SuisseID therefore meets Switzerland's highest legal standard. It is regulated in the Federal Act on Certification Services relating to Electronic Signatures (ZertES) and is deemed to be equivalent to a handwritten signature under the Swiss Code of Obligations. See also "Qualified electronic signature" in the FAQs.

Question: What should I do if I experience an error?

Answer: FINMA provides a support function which helps and supports users. See Section 3 of this document for further details.

Question: Why are file formats rejected even though they are listed as approved? Or why does an HTTPS error occur?

Answer: It may be that internal technical standards prevent certain file formats from leaving your company's network. In particular, certain companies have an HTTPS Traffic Inspection in place which blocks the URL of the delivery platform. Contact your company's IT department and find out whether the delivery platform needs to be unlocked or put on a whitelist before it can be used.



5 Appendix

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List of approved file formats:

| File type | Description |
|-----------|---|
| .doc | MS Word up to 2007 |
| .docx | MS Word from 2007 onwards |
| .xls | MS Excel up to 2007 |
| .xlsx | MS Excel from 2007 onwards |
| .ppt | MS PowerPoint up to 2007 |
| .pptx | MS PowerPoint from 2007 onwards |
| .vsd | MS Visio up to 2013 |
| .vsdx | MS Visio from 2013 onwards |
| .avi | Video format (includes XVID) |
| .mpg | Video format |
| .mp4 | Video-/Audio format |
| .wav | Audio format |
| .mp3 | Audio format |
| .wma | Audio format |
| .tif | Image format |
| .tiff | Image format |
| .png | Image format |
| .jpg | Image format |
| .jpeg | Image format |
| .gif | Image format |
| .zip | Compressed format |
| .rar | Compressed format |
| .pdf | Adobe PDF Format |
| .csv | Text (comma-separated values) file format |
| .rtf | Rich Text Format |
| .txt | Text, plain text file format |
| .msg | MS Outlook file |



| .xml | Extensible Markup Language |
|------|----------------------------|
| .db | Database format |
| .mdb | Database format |
| .rdl | Database format |

Reference: b1004961-0000565



Sample of a receipt:

Reference: b1004961-0000565

| Einfache Eingabe / (Demande simple / R Richiesta simplice / Communication / Re | eçu Ricevuta | Digitally signed by CHE-450.974.828 Bern - Switzerland, 2016-01-12 Reception confirmed |
|--|--|--|
| Empfänger Destinataire Destinatario Recipient | Eidgenössische Finanzmarktaufsicht FINMA Laupenstrasse 27 CH-3003 Bern | |
| Einheit / Kontaktperson Unité / Personne de contact Unitá / Persona di contatto Unit / Person | eine Börse | |
| Grund der Eingabe [fr]Grund der Eingabe [it]Grund der Eingabe [en]Grund der Eingabe | Sonstiges | |
| Eingangsdatum / ID Data de réception / ID Data ricezione / ID Reception date / ID | 2016-01-12 08:45:11 (YYYY-MM-DD, CE(S)T) 3eda4265-7703-4940-8103-b2c28f862a90 | |
| Aktenzeichen / Betreff Référence / Concerne Riferimento / Oggetto Reference / Subject | -/- Bewilligungsantrag Fondsleitung Bank Fantasia | |
| Mitteilung Message Communicazione Communication | Sehr geehrte Damen und Herren In den Beilagen sende ich Ihnen den bzw. die Bewilligungsanträge für eine Zulassung als Fondsleitung. Bei Fragen bin ich jederzeit unter der E-Mail Adresse oder telefonisch erreichbar. Mit freundlichen Grüssen M.Mustermann | |
| Beilagen Annexes Allegati Attachments Hashes (SHA-256) | | |
| | Zustellplattform_Pilotuser.pptx b84b36d7d12cbf7e08bb1ef735f29c754 Protokoll KT Fach _01_10_2014.pdf e57b290ba0ef5f7abbb9cf3386584c516 | |
| Identität des Senders Identité de l'expéditeur Identitàdel mittente Identity Sender | / | |
| Kontaktinformationen Coordonnées de l'expéditeur Dettagli di contatto Contact details | Bank Fantasia Herr Max Muster Beispielstrasse 22 3014 Bern T: 0313279185 | |
| E-Mail / Zustellplattform Courriel / Plateforme de messagerie E-Mail / Piataforme di consegna E-Mail / Data exchange platform | max.mustermann@bank-fantasia.ch Kein Konto auf einer Zustellplattform | |
| Antwort Réponse Risposta Answer | Auf Papier per Post an die oben stehende Postadresse | |
| Code / Codice | 208083 | |

Note: The code is the unique reference number of the receipt and can be used to trace the package.