





4. Terms not otherwise defined in this Notice shall have the meaning ascribed to them in the Rules and Regulations of the LME (the “**Rules**”, “**Rulebook**”, or “**LME Rulebook**”).

#### **PII required to be submitted to the LME**

5. PII may be submitted by Members to the LME in relation to the following circumstances:
  - (a) Pursuant to Article 26(5) MiFIR (and as detailed in RTS 22), the LME is required to report to its local Regulator details of transactions executed on LMEselect by a firm (including Members and Clients) that is not subject to MiFID II. Under Regulation 23.2 of Part 2 of the Rulebook, any Member that is not a firm subject to MiFID II shall provide the LME with a validated, issued and duly renewed ISO 17442 legal entity identifier (“**LEI**”) code. Under RTS 22 (and as detailed more fully in the LME Transaction Reporting Guide available on the LME website from time to time), Members are required to submit additional types of PII data relating to natural persons (including but not limited to their name and date of birth) for these purposes.
  - (b) Pursuant to Article 25 MiFIR (and as detailed in RTS 24), the LME is required to maintain certain order records and to make these available to Regulators. These records include certain PII (including the identity of the entity which submitted the order and the computer algorithm or natural person responsible for the investment decision and execution of the order).
  - (c) Pursuant to Article 58(3) MiFID II (and in accordance with the extended FIA ITS 4 format), Members are required to submit daily position reports to the LME. As part of this obligation, Members are required to submit certain PII (including the name of certain natural persons).
  - (d) Pursuant to Article 58(1)(b) MiFID II (and the associated Commodity Position Reports guidance published by the FCA), the LME is required to forward the position reports that it receives from its Members (as set out in (c) above) to its local Regulator.



6. Members must therefore submit to the LME details of anonymised short codes mapped to certain data set out in more detail in the LME Personal Identifiable Information File (PII) Interface Specification, including (but not limited to):
  - the legal entity identifier (“LEI”) of the relevant entity;
  - algorithm IDs; and
  - the identity of natural persons (including name, date of birth and national ID details).

### **Structure of a PII file**

7. The structure, content and format of a PII file can be found in the Personal Identifiable Information (PII) Interface Specification which can be found by accessing the following link:

[https://www.lme.com/-/media/Files/Regulation/Mifid-ii/Personal-Identifiable-Information-\(PII\)-Interface-Specification-v2,-d-,1.pdf](https://www.lme.com/-/media/Files/Regulation/Mifid-ii/Personal-Identifiable-Information-(PII)-Interface-Specification-v2,-d-,1.pdf)

### **Submission of a PII file to the LME**

8. PII files must be submitted via the LME’s Universal Data Gateway (“**UDG**”). In accordance with the LME Personal Identifiable Information File (PII) Interface Specification and the UDG Interface Specification. For the avoidance of doubt, Members may not delegate the submission of PII files to any other person. The testing window for the submission of PII files to the UDG commenced on 27 October 2017. The UDG will go live in production on 4 December 2017. However, Members are reminded that all PII data that is submitted to the UDG (both in the test environment and, once available, the production environment) prior to 3 January 2018 must comprise dummy data. With effect from 3 January 2018, Members must begin submitting real PII data.
9. The testing and production environments for the UDG are accessed via SFTP. Details of the SFTP testing and production environments can be found in the LME Systems Connectivity Guide as published on the LME’s website from time to time.



10. Further information regarding the UDG can also be found in the Universal Data Gateway (UDG) Interface Specification which can be found by accessing the following link:

<https://www.lme.com/About/Regulation/MiFID-II/Member-ISV-testing#tabIndex=2>

### **Frequency and timing of submission**

11. PII files must be submitted no later than 07:00 (UK time) representing data as at close of business on the previous Business Day. A PII file need only be submitted where there has been a change in a Member's PII. If there has been no change, submission of a PII file is not required as the existing PII file remains current. However, where a Member chooses to submit PII files daily even when there has been no change, the LME will not reject those files, and will take the most recently submitted file as the current file provided that the relevant file is submitted by the deadline set out above, or re-submitted in accordance with the deadline in paragraph 12 below.

### **Error Handling**

12. Where a Member identifies an error in PII data that has been submitted to the LME, a corrected file must be submitted via the UDG no later than 11:00am on the same date the original file was submitted. An example of an error includes but is not limited to the use of a valid but incorrectly mapped short code. The UDG can process more than one PII file from a single Member on the same date if required.
13. Where a PII file fails LME validation and is rejected, the submitting entity must immediately investigate the reason for the unsuccessful submission and submit a corrected PII file via the UDG no later than 11:00 am on the same date the original file was submitted. Submitting entities must poll the Outbound folder of the UDG to monitor for submission messages. Further information regarding the UDG can be found in the Universal Data Gateway (UDG) Interface Specification which can be found by accessing the following link:

<https://www.lme.com/About/Regulation/MiFID-II/Member-ISV-testing#tabIndex=2>



14. Where the submitting entity is experiencing difficulty in the submission of a PII file, the submitting entity must immediately contact LME Market Surveillance:

Telephone: +44 (0)20 7113 8203  
Email: [market.surveillance@lme.com](mailto:market.surveillance@lme.com)

### **Data protection considerations**

15. PII data includes certain “personal data”, as defined in the Data Protection Act 1998, and in the General Data Protection Regulation which takes effect on 25 May 2018.

16. The LME will use the personal data provided solely for the purposes of:

- a) in relation to order records, storing the personal data and making it available to Regulators upon request (pursuant to MiFIR Article 25(2) and RTS 24);
- b) in relation to transaction reporting, submission of transaction reports to Regulators in respect of firms who are not subject to MiFID II (pursuant to MiFIR Article 26(5) and RTS 22);
- c) in relation to daily position reports, submission of position reports to the LME’s local Regulator on a daily basis and to provide to Regulators (including, for the avoidance of doubt, the Financial Conduct Authority and the European Securities and Markets Authority) upon request; and
- d) in general, to meet our legal and regulatory obligations, to comply with requests from Regulators, or to perform market surveillance.

17. Members are encouraged to make the data subjects to whom the personal data relates aware of:

- a) the purposes for which the LME will process the personal data (as set out in paragraph 16; and
- b) the other information about how the LME’s processing of the personal data (as set out in the Appendix to this Notice).

18. Further information about how the LME processes personal data can be found in the privacy statement on the LME’s website (as updated from time to time).



## **Questions**

19. If Members or any other interested parties have any questions or requests for further clarification regarding this Notice, please contact the LME Market Surveillance department at [market.surveillance@lme.com](mailto:market.surveillance@lme.com).

**Peter Mason**  
**Head of Market Surveillance**

cc: Board Directors



## APPENDIX

### INFORMATION TO BE MADE AVAILABLE TO DATA SUBJECTS

Identity of the data controller:	The London Metal Exchange, 10 Finsbury Square, London EC2A 1AJ
Purposes of the processing of personal data:	<p>a) in relation to order records, storing the personal data and making it available to Regulators upon request (pursuant to MiFIR Article 25(2) and RTS 24);</p> <p>b) in relation to transaction reporting, submission of transaction reports to Regulators in respect of firms who are not subject to MiFID II (pursuant to MiFIR Article 26(5) and RTS 22);</p> <p>c) in relation to daily position reports, submission of position reports to the LME's local Regulator on a daily basis and to provide to Regulators (including, for the avoidance of doubt, the Financial Conduct Authority and the European Securities and Markets Authority) upon request; and</p> <p>d) in general, to meet our legal and regulatory obligations, to comply with requests from Regulators, or to perform market surveillance.</p>
Contact details of the data protection officer, where applicable:	N/A (Queries to be directed to <a href="mailto:market.surveillance@lme.com">market.surveillance@lme.com</a> in the first instance.)
Legal basis for processing personal data:	Processing is necessary for compliance with a legal obligation / Processing is necessary for the purposes of legitimate interests pursued by the controller in operating an orderly market, performing market surveillance and co-operating with Regulators.
Categories of personal data concerned:	Names, dates of birth and national ID details
Recipients or categories of recipients of	Potential recipients may include



the personal data:	Regulators, and the LME's auditors and other professional advisors
International data transfers:	The LME does not intend to transfer personal data to any recipient outside of the EEA.

Further information about how the LME processes personal data can be found in the privacy statement on the LME's website (as updated from time to time).