



# Directive on the Listing Procedure for Bonds

Date of entry into force: 26 July 2021

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## **1. Purpose and subject matter**

- 1.1. In addition to the Additional Rules for the Listing of Bonds (ARB), this directive lays down the special requirements for the procedures for the listing of bonds on BX Swiss (hereinafter "BX".)

## **2. Listing application**

- 2.1. The listing application may be submitted to the admission office for review as an individual or global application (Clause 4).
- 2.2. Applications must be submitted in writing to the admission office at least ten trading days before the first trading day.
- 2.3. In the application, the applicant must prove that the issue fulfils all listing requirements in accordance with the applicable rules of BX and must provide the following declarations:
  - a) The competent bodies of the issuer or the security provider agree with the issuance.
  - b) The issuer has a valid prospectus which has been approved by a Prospectus Review Office in accordance with the Federal Act on Financial Services (FinSA), or which is deemed approved in accordance with FinSA.
  - c) Starting with the listing, all disclosure and information obligations pursuant to the applicable rules of BX are complied with in due time.
  - d) The listing fees will be paid.
- 2.4. In the event that the issuer is, in accordance with FinSA, exempted from the requirement to issue a prospectus, this fact shall be explained in the listing application and the confirmation according to Clause 2.3 lit. b is not required.
- 2.5. The following enclosures shall be submitted together with the application to the admission office:
  - a) Proof that the issuer has a prospectus that has been approved by a review body under the FinSA or is deemed to have been approved under the FinSA, unless the admission office has exempted the issuer from providing such proof. In the event that it is exempt from drawing up a prospectus under the FinSA, this must be explained in the application.
  - b) Proof from the issuer that Art. 7 and 8 of the Federal Act on the Admission and Supervision of Auditors (ASA) of 16 December 2005 are fulfilled (copy of the corresponding entry on the website of the Federal Audit Oversight Authority).
  - c) Documents containing the information essential for assessing compliance with the listing requirements (e.g. securities description, final terms, basic information sheet, etc.).

## **3. Authorisation of new issuers / security providers**

- 3.1. A new issuer is an issuer which had no securities listed on BX for over three years.

- 3.2. The issuer or its representative shall submit the application for authorisation of a new issuer and any security providers to the admission office no later than 10 trading days before the desired date of the authorisation.
- 3.3. The following enclosures shall be submitted together with the application to the admission office:
- a) Copy of the last audited annual report of which the reporting date shall not date back to more than 18 months at the time of the submission.
  - b) Interim reports and disclosures of new, price-relevant facts which have been published since the last annual report.
  - c) Copy of the current excerpt from the commercial registry or a comparable foreign registry.
  - d) Copy of the currently effective statutes.

#### **4. Global application**

- 4.1. The issuer may submit a global application for all securities to be issued under the same prospectus in the future. The prospectus must be clearly identified in the declaration.
- 4.2. Securities listed on the basis of a global application may be listed on the trading day following the submission of the master data (T+1), provided that the correct and complete data is submitted before 3.30 p.m. The submission must be made via an electronic interface recognised by BX.
- 4.3. The submission of master data without the use of an electronic interface is possible, provided that the data format and scope requirements set by BX are complied with. A deadline of three trading days (T+3) applies.
- 4.4. The admission office reserves the right to request an individual application from the issuer instead of a global application if it considers this necessary.

#### **5. Form of applications**

- 5.1. Applications and written confirmations pursuant to Clauses 2, 3 and 4 shall be duly signed or have a qualified electronic signature within the meaning of Article 14 paragraph 2<sup>bis</sup> of the Code of Obligations and shall be submitted to the admission office either in writing or electronically via email to [zulassung@bxswiss.com](mailto:zulassung@bxswiss.com).
- 5.2. BX may provide the respective forms for the electronic submission of documents on its website or provide a web portal for this purpose.

#### **6. Final provisions**

- 6.1. This directive was adopted by the admission office and enters into force on 26 July 2021.