



# **OTC B3 REGULATORY DATA DISCLOSURE POLICY**

01/12/2023

# OTC B3 REGULATORY DATA DISCLOSURE POLICY

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# OTC B3 REGULATORY DATA DISCLOSURE POLICY

## 1 PURPOSE

The purpose of this policy is to establish guidelines and procedures to be observed regarding the disclosure of regulatory data related to securities trading and registration carried out in B3's OTC environment and operated by B3 through the B3 OTC System (OTC B3), as described below in item 5.1, disclosed at the frequency defined in item 5.2 and in the format provided for in item 5.3 (OTC B3 Regulatory Data), free of charge, on its website (B3 Portal) in compliance with articles 39 and 40 of CVM Resolution No. 135, dated June 10, 2022 (Policy).

## 2 SCOPE

This Policy applies to securities (by their nature or due to public distribution) traded or registered in the B3 S.A. – Brasil, Bolsa, Balcão (B3) environment.

## 3 REFERENCES

- CVM Resolution No. 60/2021;
- CVM Resolution No. 80/2022;
- CVM Resolution No. 135/2022;
- CVM Resolution No. 160/2022;
- CVM Resolution No. 175/2022;
- Law No. 13,709/2018 – General Data Protection Law (“LGPD”);
- Complementary Law No. 105/2001 (“Bank Secrecy Law”); and
- B3 Portal Terms of Use.

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Capitalized terms that are not expressly defined herein have the meaning attributed to them in the B3 Glossary.<sup>1</sup>

## 4 PRINCIPLES

When disclosing the OTC B3 Regulatory Data under the terms set forth in this Policy, B3 must observe the following principles:

- Availability of OTC B3 Regulatory Data under the terms and for the purposes set forth in the applicable regulation;
- Free and free-of-charge access to OTC B3 Regulatory Data;
- Data transparency;
- Security, prevention and integrity of OTC B3 Regulatory Data; and
- In the form of treatment and publication of data, assure that the principles of confidentiality and secrecy are not violated.

## 5 GUIDELINES

### 5.1. Data Group:

The following data groups are considered OTC B3 Regulatory Data to be disclosed by B3 on the B3 Portal pursuant to this Policy:

- i. Reference Data (Article 39, III, CVM Resolution No. 135/2022);
- ii. Detailed Data (Article 39, IV, CVM Resolution No. 135/2022);
- iii. Aggregate Data (Article 39, V and VI, CVM Resolution No. 135/2022); and

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<sup>1</sup> Available: [Rulebooks and Manuals | B3](#)

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- iv. Procedural Data (Article 39, VII and VIII, CVM Resolution No. 135/2022).

## **5.1.1.** The following are considered Reference Data:

- i. The following occasional and periodic data from issuers of securities admitted to trading on OTC B3 received by B3:
  - i.1. If the issuer is registered with CVM: Occasional and periodic data, as defined by CVM Resolutions No. 60/2021 and No. 80/2022, as amended; and
  - i.2. If the issuer is not registered with CVM, but has publicly offered a debt security: Data defined by CVM Resolution No. 160/2022, as amended.

## **5.1.2.** The following are considered Detailed Data:

- i. The following data on each trade executed or previously registered on the OTC B3 trading platform, except derivative and COE trades registered on OTC B3 mentioned in item ii (below): The intermediary, price of the security traded, trade price, quantity traded, and time;
- ii. The following data on derivative and COE trades registered on OTC B3: The contract type, quantities, and financial volumes of trades registered on OTC B3.

## **5.1.3.** The following are considered Aggregate Data:

- i. Daily summary of executed or registered trades, except for derivatives and COEs (Structured Transaction Certificates) registered on OTC B3 containing the securities, the underlying assets' minimum, maximum, weighted average, and EOD price,

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fluctuation, if any, as well as the quantities traded or registered, the number of trades, and the financial volume.

- ii. The daily summary of derivatives and COE trades registered on OTC B3 will bring the identification related to contract type, quantities and the financial volume in Brazilian Reals (BRL) of the trades registered on OTC B3.

**5.1.4.** The following are considered Procedural Data:

- i. The announcement of the adoption of special trading procedures, as set forth in the regulations applicable to OTC B3; and
- ii. The final decision to suspend the activities of OTC B3 participants, namely, legal entities, investment funds or vehicles to whom B3 has granted authorization to trade in its trading or trade registration environments or systems, taken in accordance with the procedures provided for in the regulations applicable to OTC B3.

## **5.2. Disclosure:**

OTC B3 Regulatory Data will be disclosed and will remain available for free public access, while observing the principles indicated above, subject to the following terms and conditions:

**5.2.1.** Reference Data will be disclosed as soon as they are received by B3.

**5.2.2.** Detailed Data:

- i. Detailed Data will be disclosed throughout daily sessions, continuously and publicly, with a maximum delay of 15 minutes, when they correspond to data on trades carried out on OTC B3 and on trades previously registered on the OTC B3 trading platform

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(a) For the purposes of the disclosure addressed in this Policy, participants in the trades carried out on OTC B3 and in the trades registered on the OTC B3 trading platform who hold more than one Account type on OTC B3 will be identified, in line with B3 regulations<sup>2</sup>, whereas the following must not be disclosed under any circumstances:

- (i) National Film Industry Financing Fund (Funcine);
- (ii) Individual Programmed Retirement Fund – FAPI;
- (iii) Conversion Fund;
- (iv) Investment Fund;
- (v) Investment Club;
- (vi) Miscellaneous Services and Miscellaneous Administrative Services<sup>3</sup>;
- (vii) Non-Financial Legal Entity;
- (viii) Management and Participation Companies;
- (ix) Non-Resident Investor;
- (x) Capitalization Corporation; and,
- (xi) Securities Portfolio.

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<sup>2</sup> Exhaustive list of intermediaries subject to disclosure covered by this Policy:

1. Multiple Bank 1 to 22;
2. Investment Bank,
3. Commercial Bank;
4. Cooperative Bank;
5. Development Bank;
6. Foreign Exchange Bank;
7. Brazilian Federal Savings Bank (Caixa Econômica);
8. Foreign Exchange Brokerage Company
9. Commodities Brokerage Company;
10. Securities Brokerage Company;
11. Securities and Foreign Exchange Brokerage Company; and
12. Securities Distribution Company.

<sup>3</sup> Nature of services assigned in cases where the nature of the Participant is not included in the Registration list, such as companies and asset managers.

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- ii. On a daily basis until trading starts on the following day, when they correspond to data on trades previously carried out and registered on OTC B3, due to the particularities and specificities of these trades; and
- iii. Will remain available for 20 business days.

## 5.2.3. Aggregate Data:

- i. Will be published daily until trading starts on the following day; and
- ii. Will remain available for 18 months.

## 5.2.4. Procedural Data:

- i. Procedural Data will be disclosed:
  - (a) Prior to their disclosure, as set forth in B3's regulations and manuals, in the event of announcements of adoption of special trading procedures; or
  - (b) Until the end of the day on which the decision is made, in the event of suspension of an OTC B3 participant's activities; and
- ii. Will remain available for 5 years.

## 5.3. Format:

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OTC B3 Regulatory Data will be available on the B3 Portal in a format that allows the general public to clearly identify their content, according to OTC B3 specific characteristics, and will remain available until the deadlines indicated above.

## 5.4. Changes:

Upon CVM approval, B3 will communicate to the general public via the B3 Portal any changes in the content and/or format used for disclosing OTC B3 Regulatory Data prior to their implementation.

## 6 B3'S RESPONSIBILITIES

The following is incumbent upon B3:

- Ensure the availability of OTC B3 Regulatory Data on the B3 Portal under the terms and conditions of this Policy;
- Carry out the necessary updates when disclosing OTC B3 Regulatory Data on the B3 Portal, whenever there are new services, products or changes that may reflect on OTC B3 Regulatory Data;
- Announce to the market, in advance and upon CVM approval, any change in the content and format used for disclosing OTC B3 Regulatory Data on the B3 Portal; and
- Assist clients regarding any queries and incidents related to OTC B3 Regulatory Data.

## 7 FINAL PROVISIONS

This Policy is effective on the date of its publication on the B3 Portal.

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## 8 CHANGE LOG

**Effective:** As of December 01, 2023.

**1st draft:** As of December 01, 2023.

### Areas responsible for the document:

Responsible for	Area
Drafting	Data Governance and Operations Regulation and Capital Markets
Revision	Governance and Integrated Management Department Tariff and Market Intelligence Department Legal Department OTC Products Department Corporate Governance and Nomination Committee
Approval	Executive Board Board of Directors
Acknowledgment	Data Work Group

### Updates:

Version	Changed Section	Reason	Date
01	First Draft	Compliance with CVM Resolution No. 135/2022 (Articles 39 and 40)	December 01, 2023