



Service Facilitator policy



Terminology

Capitalized terms

MDP = Market Data Policies

IMDP = Indices Market Data Policies

IDA = Indices Data Agreement

JDA = JSE Data Agreement

PSF = Products and Services Form

EOD = End of Day



Service Facilitator Policy

- What is a Service Facilitator?
- Different types of Service Facilitators
- Conditions (applicable to all service facilitators)
- Additional conditions (applicable to commercial service facilitators)



What is a Service Facilitator?



What is a Service Facilitator?

Service facilitator means a third party appointed by a contracted user that has been approved by the JSE to facilitate the receipt, processing and/or delivery of data to clients and/or end users, in accordance with the data agreement.

Two categories:

- Technical service facilitator
- Commercial service facilitator



Different types of Service Facilitators



Different types of Service Facilitators

Technical service facilitator is a third party to which a contracted user outsources the responsibility for managing all, or a portion, of its technical, financial, legal, or operational role in receiving; processing and/or distributing the data.

Technical service facilitators have no right to use the data, other than in support of the contracted user.



Different types of Service Facilitators

Examples of the services which technical service facilitators may provide:

- a. Operating technical systems on behalf of the contracted user.
- b. These technical systems and services can range from providing and operating the network infrastructure to operating websites used by the contracted user to distribute the data.
- c. Assisting the contracted user in its receipt, dissemination or other use of data.
- d. Maintaining the contracted user's hardware and software.



Different types of Service Facilitators

Examples of third parties that could qualify as technical service facilitators include, among others, software developers, web services, facilities managers, equipment operators, shared infrastructure providers and technical delivery agents.



Example of a Technical Service Facilitator:



Example of a Technical Service Facilitator:

- An equities member firm that is currently licensed for internal use of JSE data to trade (paying the **live equities site licence**) decides to start distributing live equities data due to client demand.
- They approach the JSE and upgrade their **live equities site licence** to a **live equities distribution licence** and gain the permission to distribute live equities data to their clients.
- However, due to the member firm's internal IT infrastructure constraints, they decide to approach a 3rd party to assist them with the collection, processing and re-distribution of the live data to the member firm's clients.



In the scenario above:



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The 3rd party would need to become a technical service facilitator as they gain access to the live equity data only for the purposes of providing a service to the member firm and the members clients (for no other purpose).



Conditions (applicable to all Service Facilitators)



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In determining if a third party is a service facilitator, the JSE conducts an assessment whereby it considers the nature and extent of the service-related functions that the third party performs.

No third party may have access to or use any data as a service facilitator unless it is first identified as a service facilitator in the contracted user's PSF, has been approved by the JSE as a service facilitator and has signed the associated Service facilitator documentation provided by the JSE.



Conditions (applicable to all Service Facilitators)

The service facilitator may not create a database or modify the data unless it is required to support the distribution of the data, and it is approved by the contracted user and the JSE.

The contracted user must ensure that its agreement with the service facilitator gives the JSE audit rights as set out in the data agreement and audit policy.



Conditions (applicable to all Service Facilitators)

If the service facilitator is involved in enabling access to the data, the contracted distributing user must control (or must procure such control) the ability of each client and/or end user to access the data, either through technical means or by means of an effective, documented business and/or technical process with the service facilitator.

The contracted user's agreement with the service facilitator must ensure that the service facilitator may not enable or provide any data to any person that is not approved by the contracted user and entitled to receive the data under the data agreement.



Conditions (applicable to all Service Facilitators)

The contracted user must report and pay the fees due from the service facilitators' internal use; distribution and any other use of the data on behalf of the contracted user (does not form part of non-chargeable exemptions).

The contracted user is liable for the use of the data by the service facilitator. The nature and extent of this liability is set out in the general terms and conditions.



Different types of Service Facilitators



In the scenario above:

Commercial service facilitator is a third party that participates in a joint venture with a contracted distributing user where the data is distributed to a common set of clients and/or end users.



Example of a Commercial Service Facilitator:



Example of a Commercial Service Facilitator:

Company A, who's core business is providing life insurance, has recently received a demand for live equities data from their clients.



Example of a Commercial Service Facilitator:

They approach the JSE to explore the possibility of redistribution of data to their clients, but due to internal IT/Infrastructure constraints as well as the compliance/contractual responsibilities associated with the distribution of data, they decide to approach a vendor to partner with them. The vendor (who is licensed) now partners with them to jointly distribute the data to company A's clients (as company A are not a vendor and data distribution is not their core business).



Example of a Commercial Service Facilitator:

The intention is for company A and the vendor to jointly supply the data to Company A's clients who want access to live data.



Additional Conditions (applicable to Commercial Service Facilitators)



Additional Conditions (applicable to Commercial Service Facilitators)

In addition to the conditions outlined, the following criteria must be met where a contracted distributing user and a commercial service facilitator operate a joint venture to provide data to a common set of clients and/or end users:

The contracted distributing user must contract directly with each client and/or end user in relation to the supply of the data.

Such contract must be in place before the client and/or end user is enabled for any data.

The service facilitator is forbidden from providing data to any client and/or end user who is not a client and/or end user of the contracted distributing user.



Additional Conditions (applicable to Commercial Service Facilitators)

Where the brand on the data product is solely that of the contracted distributing user, and all the above criteria are met, no redistribution licence fees are applicable to the service facilitator.

BUT

Where the brand on the data product is not solely that of the contracted distributing user, and all the above criteria except for point 19.3.1.3 are met, then:



Additional Conditions (applicable to Commercial Service Facilitators)

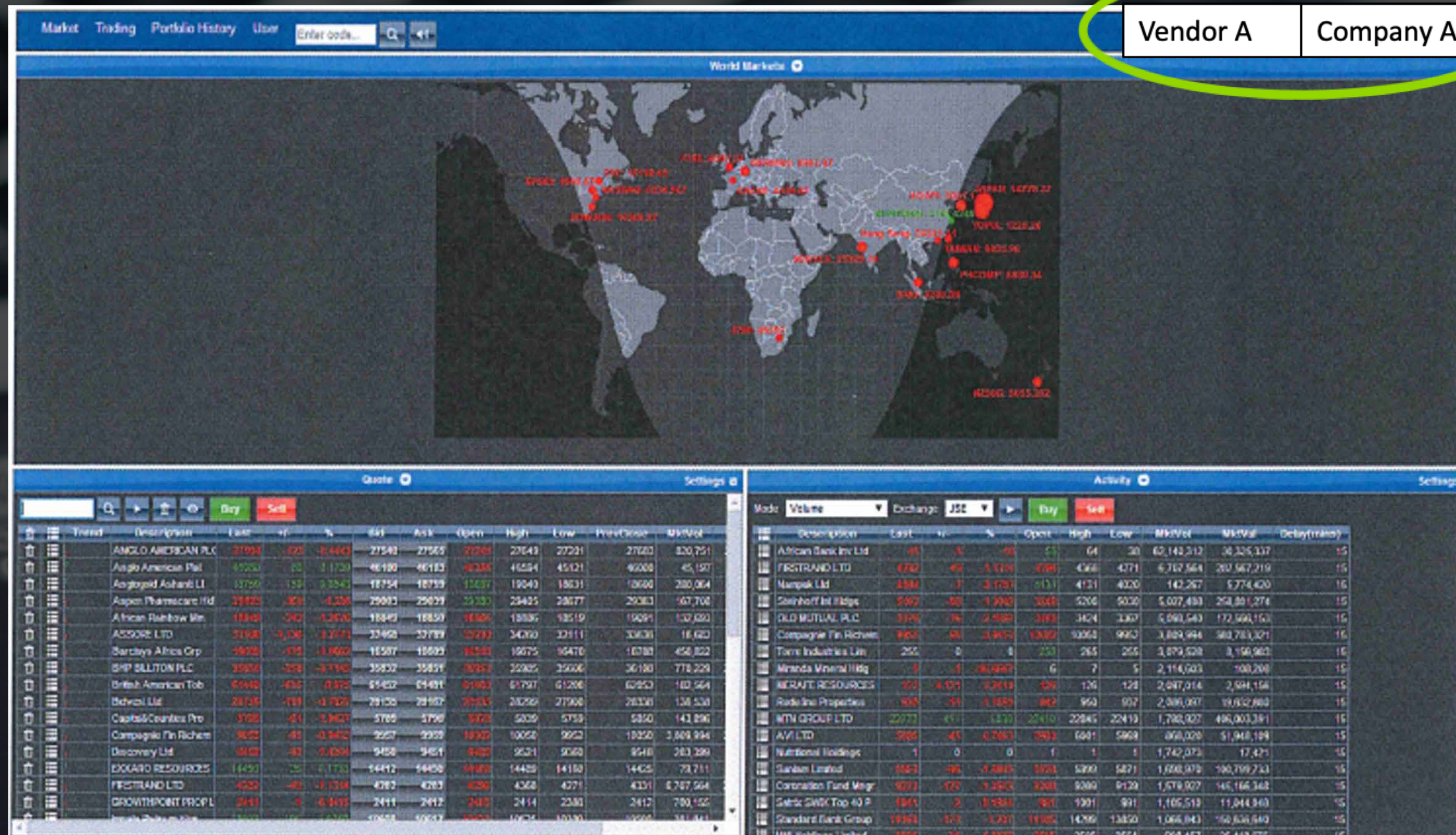
- a. Service facilitator data fees are applicable as per the Price List.
- b. The data product must be co-branded for both parties on each screen that displays the data, with the co-branding equally prominent.
- c. The provision of the data must be prominently attributed to the contracted distributing user.
- d. The contracted distributing user must provide an example of the proposed data products display screen(s) to the JSE for review as part of the approval process.



Examples of Commercial Service Facilitators



Examples of Commercial Service Facilitators





Examples of Commercial Service Facilitators





Thank you



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