SECURITIES LENDING AND REPOS :

MARKET OVERVIEW AND FINANCIAL STABILITY

ISSUES

Amundi is the leading French asset manager and, with 658 billions € under management at the end of 2011, it ranks 2nd in Europe and among the to ten largest asset managers in the world. Amundi manages about 2500 funds of different types implementing different investment strategies in different countries. Amundi welcomes the opportunity offered by the Financial Stability Board to comment on the *Interim Report on Securities Lending and Repos* circulated last April and currently open for comments.

Amundi understands that this interim report is largely a description of market activities that concern asset managers to a small extent and shall not be in a position to comment on all issues raised. Nevertheless it intends to draw the regulator's attention to some points that are of relevance for its business.

Generally, Amundi fears that the buy side's reasonable use of repos or securities lending might be very much harmed by a regulation attempting to refrain excessive and risky attitudes that the fund management industry never can nor wishes to adopt. When speaking of fund management:

- Collateralised transaction is far less risky than non-collateralised; as a consequence Amundi supports the view that EMIR and Dodd Frank route towards collateralisation of standardised and liquid OTC derivatives is appropriate; in other words, one should not take secondary considerations for prime objectives;

For example, it is safer for a money market fund to invest cash in a reverse-repo than to deposit it at a bank or buy a CD: it offers a senior collateralised debt safer than a senior non collateralized debt. For longer term investment reverse-repo even offers certain safety benefits compared to covered bonds (which are another type of collateralised debt). Indeed the collateral received in a reverse repo is by nature more transparent and more accessible because the investor knows exactly which assets he receives and can sell them directly in case of default, since these assets property was already transferred to him and not pledged in a separate vehicle.

- Proper and reasonable use of securities lending and repo by funds that are already heavily regulated should not be assimilated to improper and excessive use of the same instruments by non regulated shadow banking entities; in other words, shadow banking has to be regulated but not forbidden;

For example, the report recommends the tri party repo as a better practice. It is probably not the case for asset managers who use repo only as a safe instrument. Bilateral transaction without the intervention of a third party agent allows a greater room for negotiation on a case by case basis of criteria for eligible collateral without having to refer to standardized templates issued by an agent. Furthermore, bilateral repo gives the beneficiary a direct access to securities in case of default of the counterparty without having to ask the third party agent for details of the collateral posted and it allows a quick and efficient sale if necessary. Bilateral repo in that sense is more protective…and less expensive for investors.

- There are cases when investor's protection and performance would not be increased but reduced if a collateral requirement were to be introduced; in other words, a principle of appropriateness should be introduced when considering the implementation of a new regulation.

For example, many funds, called formula funds, offer the subscribers a performance equal to the application of a formula (with a reference to a well known market index for example); the subscribers to these formula funds already benefit from a protection from a guarantor insuring that the final performance of the fund will be equal to the formula. Therefore the collateral used to secure the investment of those funds is not a second but a third recourse security for the subscribers. The guarantor of the fund is the first to be exposed to any investment failure from the fund and in second recourse to the quality of the collateral that would have been received. Any regulation narrowing the collateral eligibility in those fund will increase their cost and make them more difficult or impossible to launch, therefore leading to the development of non guaranteed formula funds that would in the end lower investor's protection in that field. Furthermore these formula funds may have to increase their risk and use synthetic structure if they are restricted to lend their portfolio and re-use cash received as collateral for their interest rate swaps.

- Some issues which are discussed in the report are not specific to repos and securities lending; they should be considered in the appropriate framework of their specific characteristics and in light of their possible contribution to systemic risk. The following two examples will illustrate the point.

In section 5.2.1, the report underlines the risks of investing in MMF cash received as collateral of securities lending. Eventually if the lent securities fall in value, collateral will drop and shares in MMF will be sold. It can not be disputed, but the suggested conclusion that MMF thus participate to the systemic risk resulting from securities lending is misconceived. What other possibilities are available for the beneficiary of cash? Keep a balance in cash at the bank with a large, undiversified counterparty risk? Manage by himself the investment in CDs and other short term instruments as the MMF manager would do? Renounce and not require any collateral? All other possibilities are less efficient than investing cash in MMF.

When the report in section 5.4 describes the damage of a fire sale of collateral, it insists on the impact on illiquid assets. However, the idea of concentrating collateral on supposedly liquid assets is even more frightening. The fire sale of collateral appears when a counterparty defaults, stressing the market conditions at once. At that time confidence is no longer high and market liquidity disappears on all segments. A run towards a very limited number of high quality assets will go together with a desperate move to sell at any price assets formerly considered as sufficiently safe to be eligible collateral and turning uncertain. Concentration of collateral on a limited number of assets that may at any time be considered as non longer prime quality creates a risk of transforming a financial crisis into a sovereign debt crisis. Allowing for a large freedom in the choice of eligible collateral, together with adapted haircut (evolving gradually and not discontinuously), seems paradoxically a way to reduce systemic risk.

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Contact at AMUNDI:
Frédéric BOMPAIRE
Frederic.bompaire@amundi.com
Public Affairs
33 1 7637 9144