

FINMA Circular 2023/1 Checklist

Ready for a regulatory audit?

Since 1 January 2024, the fully revised FINMA Circular 2023/1 on “operational risks and resilience – banks” has been in effect. Have you successfully achieved compliance with the circular’s requirements by the end of 2023, preparing you for a regulatory audit? Can you demonstrate to the auditing firm the measures you’ve taken and those planned or already implemented to meet compliance?

Transitional provisions have been established for ensuring operational resilience, allowing affected institutions ample time to define and implement necessary measures. Below is a checklist to assess the implementation status.

FINMA CIRCULAR 2023/1 – CHECKLIST

Are you ready for a regulatory audit of FINMA Circular 2023/1 “Operational risks and resilience – banks”? You can use our checklist to review the implementation status in your company.

1. Operational resilience requirements that must already be implemented today to ensure regulatory compliance

Implementing these requirements lays the foundation for establishing operational resilience:

- ☐ The critical functions and their tolerances for disruption have been identified and approved by the board of directors (margin no. 101).
- ☐ It is ensured that the approach for ensuring operational resilience is regularly monitored and approved by the board of directors (margin no. 101).
- ☐ It is ensured that the identified critical functions and the associated tolerances for disruption are approved at least annually by the board of directors (margin no. 103).
- ☐ Initial reporting on operational resilience to the board of directors and the executive board has taken place (margin no. 105).
- ☐ It is ensured that reporting to the board of directors and the executive board takes place annually (margin no. 105).
- ☐ It is ensured that threats to operational resilience triggered by control weaknesses or incidents are reported to the board of directors and the executive board (margin no. 105).

2. Operational resilience requirements that must be met by 31 December 2024

Based on the foundation created, operational resilience must be achieved by the end of 2024 by implementing the following requirements:

- ☐ Internal and external threats and the corresponding exploitation of vulnerabilities must be identified and assessed for the critical functions (margin no. 106).
- ☐ It is ensured that the operational risks resulting from internal and external threats are identified, assessed, limited and monitored as part of the existing operational risk management (margin no. 106).
- ☐ An inventory of critical functions must be kept, which includes the interruption tolerances as well as the connections and dependencies between the required critical processes and their resources (margin no. 107).
- ☐ It is ensured that the inventory of critical functions is reviewed and updated at least annually (margin no. 107).
- ☐ As a minimum, the significant operational risks and the key controls must be documented for the critical functions (margin no. 108).
- ☐ It is ensured that critical functions and the processes and resources required for these are covered by business continuity plans (BCPs) (margin no. 109).
- ☐ An initial scenario-based test of the ability to provide critical functions within their tolerance for disruption must be carried out (margin no. 110).
- ☐ It is ensured that scenario-based tests of the ability to provide critical functions within their tolerance for disruption are carried out regularly (margin no. 110).

It should be noted that there are no transitional periods for the requirements concerning the management of operational risks, as these were already contained in the old Circular 2008/1 and have been adopted by the new Circular 2023/1 or modified in line with current developments (in particular the threat situation).

Conformity with these requirements should have been achieved by 31 December 2023.



Could you answer **YES** to all points
with a clear conscience?

If not, please...

...contact us!

Take advantage of our experience and expertise for your compliance and preparation for a regulatory audit. Our FINMA gap assessment is the ideal starting point.

**Request a GAP-
Assessment**

Thank you for taking time to read our
«**FINMA Circular 2023/1 Checklist**».

Your InfoGuard