

May 10, 2007

**The Study Group
for Internationalization of Capital and Financial Markets in Japan**
**Recent Developments in Credit Derivatives
market and the Challenges for Japan**

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ISDA[®]

International Swaps and Derivatives Association, Inc.

Agenda

- Overview of Credit Derivatives
- Motivations for using credit default swaps (CDS) and the Recent Developments
- Challenges for Credit Derivatives Market in Japan

Facts about ISDA

- Incorporated in 1985 with 10 dealer member firms.
- April 2007 membership: Total 789
- Offices
 - New York: Headquarters
 - London: 1996
 - Tokyo & Singapore: 2000
 - Also, Brussels & Washington DC

ISDA's Mission

Primary purpose is to encourage the prudent and efficient development of the privately negotiated derivatives business by:

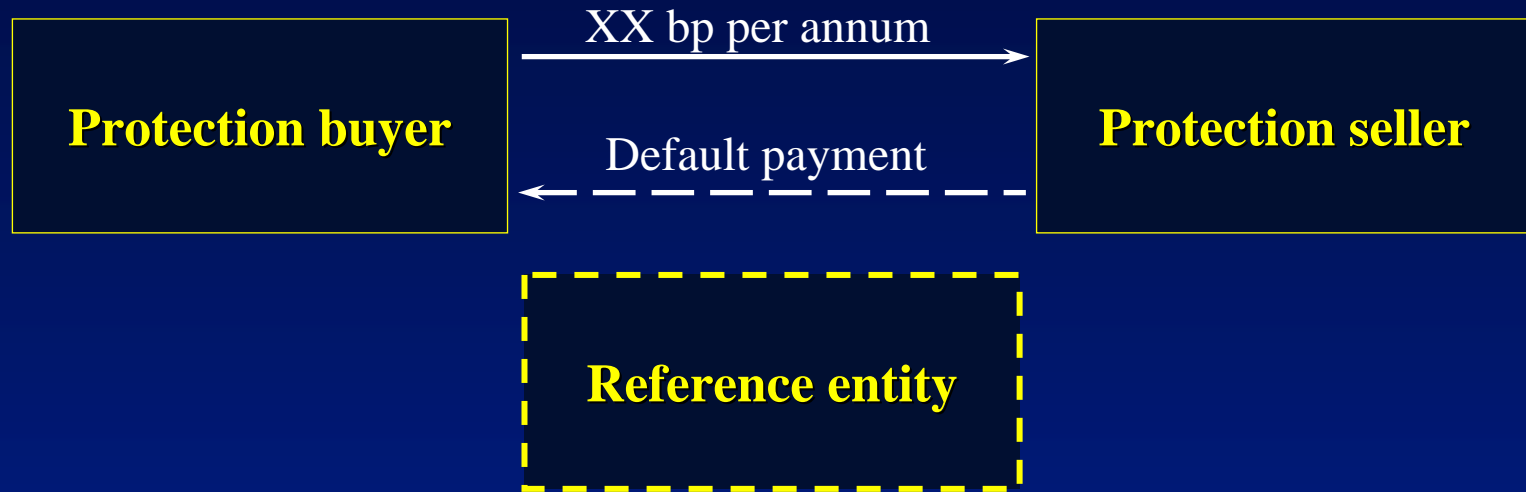
- Documentation: to promote efficient conduct of the business.
Promoting the development of sound risk management practices.
- Fostering high standards of commercial conduct
- Advancing international public understanding of the business
- Educating members and others on key issues affecting them.
- Creating a forum for the analysis and discussion of, and representing the common interest of its members on, these issues and developments.

Overview of Credit Derivatives

What are credit derivatives?

- A credit derivative is a privately negotiated, off balance sheet agreement that explicitly transfers credit risk from one party to another.
 - The buyer of credit derivative protection need not own the defaulted asset in order to receive compensation on a credit derivative.
 - The buyer of protection need not suffer an actual loss to receive compensation
- Types of contract
 - Credit default swap
 - Single name
 - Portfolio and index
 - Synthetic securitization
 - Total return swap
 - Credit spread option

Credit default swaps



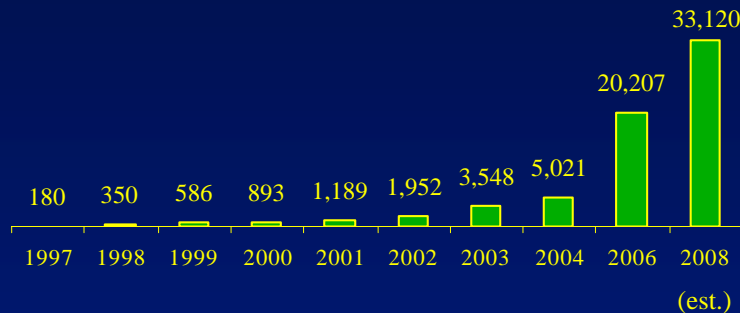
- Buyer pays premium for protection against default by Reference Entity on specified (notional) amount of exposure
 - Trade confirmation specifies the Reference Entity, the relevant credit events, the underlying notional amount, and the premium paid by the buyer
 - If reference entity defaults or other credit event occurs, seller compensates buyer with default payment equal to net loss
- Notionals are typically USD 10–20 million for investment grade credits

Results of hedging with credit default swap

- Protection buyer (Short credit)
 - Gives up exposure to default of Reference Entity without removing reference asset from balance sheet
 - Also reduces concentration risk
 - Gives up opportunity to profit from taking on credit risk
 - Takes on counterparty credit exposure to protection seller
 - Simultaneous default by Reference Entity and protection seller
 - Default by protection seller only, necessitating replacement of protection
- Protection seller (Long credit)
 - Takes on exposure to Reference Entity without need for funding underlying position
 - Possible counterparty exposure to default by protection buyer if CDS subject to close-out (i.e., loss of remaining premium income)

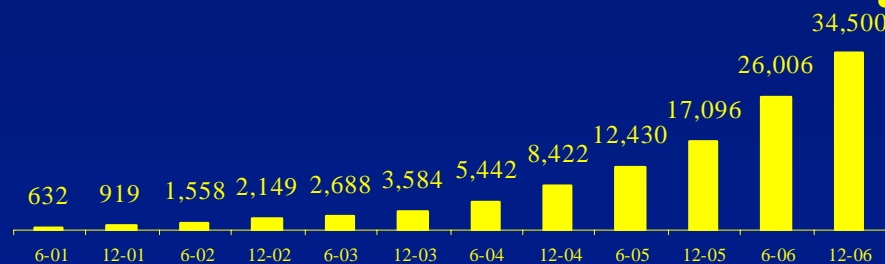
Credit derivatives market statistics

All credit derivatives (BBA)



- British Bankers' Association (BBA) Credit Derivatives Report 2006
 - Notional principal outstanding for *all credit derivatives* was over \$20 trillion at end of 2005
 - Single name CDS are 33% of market, index/tranche trades are 38%, and basket CDS are 2%
 - Most common term is 5 years, with increasing liquidity in 7 years

Credit default swaps (ISDA)



ISDA Market Survey Year 2006

- Notional principal outstanding of credit default swaps was \$34.5 trillion as of December 31, 2006
- Sample is 90 ISDA primary members (including all major dealers)

Motivations for using credit default swaps (CDS) and the Recent Developments

Motivations for using credit default swaps

- Protection buyer (Short position)
 - Hedging credit exposure through short position (previously not feasible)
 - Reducing credit concentration
 - Free up credit lines
 - Acting on a negative credit view
 - Short a credit (not feasible prior to credit derivatives)
 - Buy protection in anticipation of appreciation in price of protection (or deterioration in reference credit)
- Protection seller (Long position)
 - Diversify portfolio by adding desired credits
 - Act on a positive view of a credit (opposite of above)
 - Reduce funding costs (synthetic lending)
- Additional benefits of credit default swaps
 - Transparency: CDS provide a source of credit pricing information
 - Flexibility: CDS make it possible to unbundle credit risks from other risks

Increased Flexibility for Banks from CDS

- Traditionally, banks could only lend and hold.
- With securitization and, in some markets, an increasingly liquid secondary loan market, banks can lend and sell, but this can create relationship issues with the borrower.
- With the development of credit derivatives, banks can now:

LEND AND HEDGE

Lending and Hedging Interaction

- Two hypotheses about effect of hedging tools on bank's lending decisions:
 - Banks will, in the aggregate, lend more money
 - Banks will, on balance, lower their credit standards because they know they can lay off the risk through CDS
- Experience has shown that banks will typically lend more by virtue of the ability to hedge credit risk:
 - Frees up lines of credit with valued customers
 - More loans will, most likely, mean more defaults, but not necessarily a higher rate of default.

Do Banks Lower Lending Standards Because They Can Hedge?

- Suggestion is that banks are less rigorous in their credit review because they know they can lay off the credit risk they have taken on.
- Reality is that credit decisions are far more complex now.
 - Lending decision: all the same considerations apply
 - Hedging decision adds layers of analysis
 - Counterparty risk
 - Price of the hedge--hedge is not without cost
 - Give up any gain from an improving credit
- One credit decision becomes many, making it even more important to get it right.

Recent Developments in CDS

- Operational Issues
 - Confirmation Backlogs
 - Novations
- Settlement Process
 - Movement from physical to cash
- Diversity of Market Participants
 - Hedge funds
 - Asset managers
 - Corporates and individuals?
- Exchange-traded Credit Derivatives

Challenges for Credit Derivatives Market in Japan

Challenges for credit derivatives market in Japan

- Market factors
 - Lack of market volatility and liquidity
 - Corporate bonds/loans secondary markets are still at the early stage of development
 - buy and hold investors --- Strategies taken by end-users are biased
 - absence of hedge funds who do short-term trading
 - Credit Spread is too tight
 - No incentive to hedge with credit derivatives

Challenges for credit derivatives market in Japan

- Regulatory factors
 - Accounting mismatch
 - Loans and lending-related commitments – accrual accounting, with credit loss provisioning
 - Derivative hedging instruments – Mark-to-market accounting
 - Result is interim earnings volatility that is not reflective of a firm's economic position
 - Regulation to limit big loans to a borrower – banks cannot enjoy benefits if hedging with CDS

Challenges for credit derivatives market in Japan

- Banking Practices

- “Overbanking” – traditional loan competitions deteriorate the credit spread (→market factor)
- Relationship banking is still dominant in Japanese banks, which tend to tighten the credit spread (→market factor)
- In a traditional banking culture, laying off credit risk that a bank decided to take on tend to be considered “not appropriate”
- Lack of business recognition in trading credit risk

Challenges for credit derivatives market in Japan

- Human resources
 - Lack of (or limited number of) specialists in credit market (i.e. **Quants, Analysts, Risk Managers**)
 - Too quick personnel reshuffle
- Others
 - Systems/infrastructure
 - Lack of client knowledge of the product
 - Complexity of documentation (owing partly to the fact that it is in English)