

## The new way to negotiate ISDA Documentation

First launched in January 2019, ISDA Create is a collaboration between the **International Swaps and Derivatives Association, Inc. (ISDA)** and **Linklaters**.

ISDA Create is an online solution that allows organisations to **generate, negotiate, execute** and **capture** valuable data from derivatives documentation completely online. It comes with an extensive **Document Library** and a rich set of **features**, bringing benefits to users across an organisation.

### Generate



### Negotiate



#### Draft

Simple and flexible digital drafting process.



#### Advisors

Invite external advisors to draft and negotiate on your behalf.



#### Presets

Customise unlimited presets with different negotiation parameters.



#### Collaborate

Work online with colleagues and negotiate with counterparties through a single digital platform.



#### Compare

Easily compare your negotiation position against the counterparty's.



#### Comment

Include and track negotiation comments.



### Execute



### Capture



#### Approve

Manage and log approval requests.



#### Audit Trail

Complete record of user activity, approvals and negotiation history.



#### Finalise

Automatically generate execution versions of your contracts.



#### Operationalise

Downstream data using APIs for commercial, risk and resource management.



#### Reports

Generate analytics and reports for legal data intelligence.



#### Monitor

Track the status of your negotiations.



For more information about ISDA Create or to arrange a demonstration, contact [ISDACreate@isda.org](mailto:ISDACreate@isda.org) or [ISDACreate@nakhoda.ai](mailto:ISDACreate@nakhoda.ai).



The next stage of ISDA Create will see the release of three new document packs. This fact sheet sets out the key features of each of these agreements.

## 1 Standard amendment agreements

The standard amendment agreement will be available in two forms to allow parties to make amendments to one (the single version) or more (the multiple version) ISDA published documents. The form of each amendment agreement has been adapted from the published March 2003 ISDA Amendment Agreement to enable it to be used in the following ways whilst maximising the structured data retained:



1 General amendments to one or more documents



2 Adding new entities to one or more umbrella documents



3 Removing existing entities from one or more umbrella documents



4 Amendments in respect of any specific entity(ies) in one or more umbrella documents

## 2 IBOR related amendment agreements

ISDA is drafting a number of documents to assist entities with their transition from interbank offered rates (IBORs) to alternative risk-free rates (RFRs). The EONIA Bilateral Amendment Agreement is one such document that enables parties to amend one or more of their existing Confirmations, Credit Support Documents and/or Master Agreements to update references to EONIA in light of the anticipated permanent cessation of EONIA on January 3, 2022.

ISDA is committed to digitising other documents to assist ISDA Create users with their transition from IBORs to RFRs as and when they are published.

## 3 ISDA Master Agreement Schedules

The schedules to the 1992 ISDA Master Agreement (Multicurrency – Cross Border) and the ISDA 2002 Master Agreement will be available in the fourth quarter of 2020. The schedules to the 2002 forms of the Master Agreement under French and Irish law will follow soon after. The digitised forms of these schedules will also provide users with the ability to add clauses from the ISDA Clause Library, which significantly enhances the user experience of drafting templates for and negotiating these new documents through ISDA Create, while broadening the scope of 'business as usual' activity that can be conducted on the platform.

Additionally, as the ISDA Clause Library is updated over time to reflect changes to market and legal practices, these changes will be reflected on ISDA Create for users to include in their agreements.

