Edgar Filing: CURRENCYSHARES SWISS FRANC TRUST - Form 10-Q

CURRENCYSHARES SWISS FRANC TRUST Form 10-Q September 10, 2012 Table of Contents

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington D.C. 20549

FORM 10-Q

X QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the quarterly period ended July 31, 2012

or

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from to

Commission File Number 001-32907

CurrencyShares® Swiss Franc Trust Sponsored by Guggenheim Specialized Products, LLC,

Edgar Filing: CURRENCYSHARES SWISS FRANC TRUST - Form 10-Q

d/b/a Guggenheim Investments

(Exact name of registrant as specified in its charter)

New York (State or other jurisdiction of

No. 20-4686336 (IRS Employer

incorporation or organization)

Identification No.)

805 King Farm Boulevard, Suite 600

Rockville, Maryland 20850

(Address of principal executive offices) (Zip Code)

(301) 296-5100

(Registrant s telephone number, including area code)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes x No "

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate Web site, if any, every Interactive Data File required to be submitted and posted pursuant to Rule 405 of Regulation S-T (d232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files). Yes x No "

Edgar Filing: CURRENCYSHARES SWISS FRANC TRUST - Form 10-Q

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer or a smaller reporting company. See definitions of large accelerated filer, accelerated filer, non-accelerated filer and smaller reporting company in Rule 12b-2 of the Exchange Act. (Check one):

Large accelerated filer " Accelerated filer $^{\circ}$ Smaller reporting company " Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes " No x

CURRENCYSHARES® SWISS FRANC TRUST

INDEX

Caption	Page
PART I FINANCIAL INFORMATION	
Item 1. Financial Statements (Unaudited)	
Statements of Financial Condition at July 31, 2012 and October 31, 2011	2
Statements of Income and Comprehensive Income for the three months ended July 31, 2012, the three months ended July 31, 2011, the nine months ended July 31, 2012 and the nine months ended July 31, 2011	3
Statements of Changes in Shareholders Equity for the nine months ended July 31, 2012 and the year ended October 31, 2011	4
Statements of Cash Flows for the nine months ended July 31, 2012 and the nine months ended July 31, 2011	5
Notes to Financial Statements	6
Item 2. Management s Discussion and Analysis of Financial Condition and Results of Operations	10
Item 3. Quantitative and Qualitative Disclosures about Market Risk	14
Item 4. Controls and Procedures	14
Part II OTHER INFORMATION	
Item 1. Legal Proceedings	15
Item 1A. Risk Factors	15
Item 2. Unregistered Sales of Equity Securities and Use of Proceeds	15
Item 3. Defaults Upon Senior Securities	15
Item 4. (Removed and Reserved)	15
Item 5. Other Information	15
Item 6. Exhibits	16
SICNATUDES	17

1

PART I FINANCIAL INFORMATION

Item 1. Financial Statements

CurrencyShares® Swiss Franc Trust

Statements of Financial Condition

	July 31, 2012 (Unaudited)	October 31, 2011
<u>Assets</u>		
Current Assets:		
Swiss Franc deposits, interest bearing	\$ 328,398,165	\$ 567,642,010
Swiss Franc deposits, non-interest bearing		
Total Current Assets	\$ 328,398,165	\$ 567,642,010
<u>Liabilities, Redeemable Capital Shares and Shareholders</u> <u>Equity</u> Current Liabilities:		
Redemptions payable	\$	\$ 51,070,092
Accrued Sponsor s fee	113,671	196,543
Total Current Liabilities	113,671	51,266,635
Commitments and Contingent Liabilities (note 8)		
Redeemable Capital Shares, at redemption value, no par value, 29,500,000 authorized 3,250,000 and 4,550,000 issued and outstanding, respectively Shareholders Equity:	328,284,494	516,375,375
Retained Earnings		
Cumulative Translation Adjustment		
Total Liabilities, Redeemable Capital Shares and Shareholders Equity	\$ 328,398,165	\$ 567,642,010

See Notes to Financial Statements.

CurrencyShares® Swiss Franc Trust

Statements of Income and Comprehensive Income

(Unaudited)

		months ended ly 31, 2012		e months ended uly 31, 2011		months ended uly 31, 2012		months ended uly 31, 2011
<u>Income</u>								
Interest Income	\$		\$		\$		\$	
Total Income								
Expenses								
Sponsor s fee		(348,518)		(826,921)		(1,209,848)		(1,666,724)
Total Expenses		(348,518)		(826,921)		(1,209,848)		(1,666,724)
Net Loss	\$	(348,518)	\$	(826,921)	\$	(1,209,848)	\$	(1,666,724)
Other Comprehensive Income/(Loss):								
Currency translation adjustment		6,285		(59,905)		286		(100,687)
Total Comprehensive Loss	\$	(342,233)	\$	(886,826)	\$	(1,209,562)	\$	(1,767,411)
Basic and Diluted Earnings per Share	\$	(0.10)	\$	(0.12)	\$	(0.32)	\$	(0.33)
	φ	, ,	Φ	· /	Ф	(/	Ф	` ′
Weighted-average Shares Outstanding		3,363,043		7,057,609		3,802,737		5,058,608
Cash Dividends per Share	\$		\$		\$		\$	

See Notes to Financial Statements.

CurrencyShares® Swiss Franc Trust

Statements of Changes in Shareholders Equity

	Nine months ended July 31, 2012 (Unaudited)		Year ended October 31, 2011	
Retained Earnings, Beginning of Period	\$	\$		
Net Loss	(1,209	,848)	(2,501,694)	
Adjustment of redeemable capital shares to redemption value	1,209	,848	2,501,694	
Retained Earnings, End of Period	\$	\$		
Cumulative Translation Adjustment, Beginning of Period	\$	\$		
Currency translation adjustment		286	(79,401)	
Adjustment of redeemable capital shares to redemption value		(286)	79,401	
Cumulative Translation Adjustment, End of Period	\$	\$		

See Notes to Financial Statements.

CurrencyShares® Swiss Franc Trust

Statements of Cash Flows

(Unaudited)

	Nine months ended July 31, 2012		Nine months ended July 31, 2011	
Cash flows from operating activities				
Cash paid for expenses	\$	(1,272,500)	\$	(1,472,811)
Net cash used in operating activities		(1,272,500)		(1,472,811)
Cash flows from financing activities				
Cash received to purchase redeemable shares		42,334,829		629,621,053
Cash paid to redeem redeemable shares		(227,578,559)		(27,182,050)
Net cash (used in)/provided by financing activities		(185,243,730)		602,439,003
Adjustment to period cash flows due to currency movement		(52,727,615)		182,001,410
(Decrease)/Increase in cash		(239,243,845)		782,967,602
Cash at beginning of period		567,642,010		353,230,869
Cash at end of period	\$	328,398,165	\$	1,136,198,471
Reconciliation of net loss to net cash used in operating activities				
Net Loss	\$	(1,209,848)	\$	(1,666,724)
Adjustments to reconcile net loss to net cash used in operating activities:				
Currency translation adjustment		20,220		(24,191)
Accrued sponsor fee		113,671		344,332
Prior period accrued sponsor fee		(196,543)		(126,228)
Net cash used in operating activities	\$	(1,272,500)	\$	(1,472,811)

See Notes to Financial Statements.

CurrencyShares® Swiss Franc Trust

Notes to Financial Statements

(Unaudited)

1. Organization and Description of the Trust

The CurrencyShares® Swiss Franc Trust (the Trust) was formed under the laws of the State of New York on June 8, 2006 when Guggenheim Specialized Products, LLC (formerly known as Rydex Specialized Products LLC) d/b/a Guggenheim Investments (the Sponsor) deposited 100 Swiss Franc in the Trust's primary deposit account held by JPMorgan Chase Bank, N.A., London Branch (the Depository). The Sponsor is a Delaware limited liability company whose sole member is Security Investors, LLC (also d/b/a Guggenheim Investments). The Sponsor is responsible for, among other things, overseeing the performance of The Bank of New York Mellon (the Trustee) and the Trust is principal service providers, including the preparation of financial statements. The Trustee is responsible for the day-to-day administration of the Trust.

The investment objective of the Trust is for the Trust is shares (the Shares) to reflect the price of the Swiss Franc plus accrued interest less the Trust is expenses and liabilities. The Shares are intended to provide investors with a simple, cost-effective means of gaining investment benefits similar to those of holding Swiss Francs. The Trust is assets primarily consist of Swiss Francs on demand deposit in two deposit accounts maintained by the Depository: a primary deposit account which may earn interest and a secondary deposit account which does not earn interest. The secondary deposit account is used to account for any interest that may be received and paid out on creations and redemptions of blocks of 50,000 Shares (Baskets). The secondary account is also used to account for interest earned, if any, on the primary deposit account, pay Trust expenses and distribute any excess interest to holders of Shares (Shareholders) on a monthly basis.

The accompanying unaudited financial statements were prepared in accordance with accounting principles generally accepted in the United States of America for interim financial information and with the instructions for Form 10-Q. In the opinion of management, all material adjustments, consisting only of normal recurring adjustments, considered necessary for a fair statement of the interim period financial statements have been made. Interim period results are not necessarily indicative of results for a full-year period. These financial statements and the notes thereto should be read in conjunction with the Trust s financial statements included in the Form 10-K as filed on January 13, 2012.

2. Significant Accounting Policies

A. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of the assets, liabilities and disclosures of contingent liabilities at the date of the financial statements, the reported amounts of revenue and expenses during the period and the evaluation of subsequent events through the issuance of the financial statements. Actual results could differ from those estimates.

B. Foreign Currency Translation

The Trustee calculates the Trust s net asset value (NAV) each business day, as described in Note 4. Swiss Franc deposits (cash) are translated for NAV calculation purposes at the Closing Spot Rate, which is the USD/Swiss Franc exchange rate as determined by The World Markets Company PLC, a State Street business, at 4:00 PM (London fixing) on each day that NYSE Area is open for regular trading.

The functional currency of the Trust is the Swiss Franc in accordance with generally accepted accounting standards. For financial statement reporting purposes, the U.S. Dollar is the reporting currency. As a result, the financial records of the Trust are translated from Swiss Francs to USD. The Closing Spot Rate on the last day of the period is

used for translation in the statements of financial condition. The average Closing Spot Rate for the period is used for translation in the statements of income and comprehensive income and the statements of cash flows. Any currency translation adjustment is included in comprehensive income.

C. Federal Income Taxes

The Trust is treated as a grantor trust for federal income tax purposes and, therefore, no provision for federal income taxes is required. Interest, gains and losses are passed through to the Shareholders.

Shareholders generally will be treated, for U.S. federal income tax purposes, as if they directly owned a pro-rata share of the assets held in the Trust. Shareholders also will be treated as if they directly received their respective pro-rata portion of the Trust s income, if any, and as if they directly incurred their respective pro-rata portion of the Trust s expenses. The acquisition of Shares by a U.S. Shareholder as part of a creation of a Basket will not be a taxable event to the Shareholder.

The Sponsor s fee accrues daily and is payable monthly. For U.S. federal income tax purposes, an accrual-basis U.S. Shareholder generally will be required to take into account as an expense its allocable portion of the USD-equivalent of the amount of the Sponsor s fee that is accrued on each day, with such USD-equivalent being determined by the currency exchange rate that is in effect on the respective day. To the extent that the currency exchange rate on the date of payment of the accrued amount of the Sponsor s fee differs from the currency exchange rate in effect on the day of accrual, the U.S. Shareholder will recognize a currency gain or loss for U.S. federal income tax purposes.

The Trust does not expect to generate taxable income except for interest income (if any) and gain (if any) upon the sale of Swiss Francs. A non-U.S. Shareholder generally will not be subject to U.S. federal income tax with respect to gain recognized upon the sale or other disposition of Shares, or upon the sale of Swiss Francs by the Trust, unless: (1) the non-U.S. Shareholder is an individual and is present in the United States for 183 days or more during the taxable year of the sale or other disposition, and the gain is treated as being from United States sources; or (2) the gain is effectively connected with the conduct by the non-U.S. Shareholder of a trade or business in the United States.

A non-U.S. Shareholder s portion of any interest income earned by the Trust generally will not be subject to U.S. federal income tax unless the Shares owned by such non-U.S. Shareholder are effectively connected with the conduct by the non-U.S. Shareholder of a trade or business in the United States.

D. Revenue Recognition

Interest on the primary deposit account, if any, accrues daily as earned and is received on a monthly basis.

E. Dividends

To the extent that the interest earned by the Trust exceeds the sum of the Sponsor s fee for the prior month plus other Trust expenses, if any, the Trust will distribute, as a dividend (herein referred to as dividends or distributions), the excess interest earned in Swiss Francs effective on the first business day of the subsequent month. The Trustee will direct that the excess Swiss Francs be converted into USD at a prevailing market rate and the Trustee will distribute the USD as promptly as practicable to Shareholders on a pro-rata basis (in accordance with the number of Shares that they own).

3. Swiss Franc Deposits

Swiss Franc principal deposits are held in a Swiss Franc-denominated, interest-bearing demand account. The interest rate in effect as of July 31, 2012 was an annual nominal rate of 0.00%. For the nine months ended July 31, 2012, there were Swiss Franc principal deposits of 39,486,372, Swiss Franc principal redemptions 167,794,327 and Swiss Franc withdrawals (to pay expenses) of 1,186,881, resulting in an ending Swiss Franc principal balance of 320,335,990. This equates to 328,398,165 USD. For the year ended October 31, 2011, there were Swiss Franc

7

principal deposits of 777,065,512, Swiss Franc principal redemptions of 672,485,065 and Swiss Franc withdrawals (to pay expenses) of 2,152,179, resulting in an ending Swiss Franc principal balance of 449,830,826. This equates to 516,571,918 USD (which includes USD redemptions payable).

Net interest associated with creation and redemption activity is held in a Swiss Franc-denominated non-interest-bearing account, and any balance is distributed in full as part of the monthly income distributions, if any.

4. Redeemable Capital Shares

Shares are classified as redeemable for financial statement purposes, since they are subject to redemption. Shares are issued and redeemed continuously in Baskets in exchange for Swiss Francs. Individual investors cannot purchase or redeem Shares in direct transactions with the Trust. Only Authorized Participants (as defined below) may place orders to create and redeem Baskets. An Authorized Participant is a Depository Trust Company (DTC) participant that is a registered broker-dealer or other institution eligible to settle securities transactions through the book-entry facilities of DTC and which has entered into a contractual arrangement with the Trust and the Sponsor governing, among other matters, the creation and redemption process. Authorized Participants may redeem their Shares at any time in Baskets.

Due to expected continuing creations and redemptions of Baskets and the three-day period for settlement of each creation or redemption, the Trust reflects Shares created as a receivable. Shares redeemed are reflected as a liability on the trade date. Outstanding Shares are reflected at a redemption value, which is the NAV per Share at the period end date. Adjustments to redeemable capital Shares at redemption value are recorded against retained earnings or, in the absence of retained earnings, by charges against the cumulative translation adjustment.

Activity in redeemable capital Shares is as follows:

	•	31, 2012	Year ended October 31, 2011		
	(Una	udited)			
	U.S. Dollar			U.S. Dollar	
	Shares	Amount	Shares	Amount	
Opening balance	4,550,000	\$ 516,375,375	3,500,000	\$ 353,104,641	
Shares issued	400,000	42,334,829	7,850,000	867,149,319	
Shares redeemed	(1,700,000)	(179,898,626)	(6,800,000)	(750,445,049)	
Adjustment to period Shares due to currency movement and other		(50,527,084)		46,566,464	
Ending balance	3,250,000	\$ 328,284,494	4,550,000	\$ 516,375,375	