



EBA/DC/090

24 January 2014

Decision of the European Banking Authority on reporting by competent authorities to the EBA

The Board of Supervisors of the European Banking Authority

Having regard to Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC¹ (the 'EBA Regulation'), in particular Articles 8 and 35 thereof,

Whereas:

- (1) The European Banking Authority's (EBA) main tasks include, among others, the identification, at an early stage, of trends, potential risks and vulnerabilities stemming from the micro-prudential level, across borders and across sectors; the monitoring and assessment of market developments; and the ongoing capacity to identify and respond to potential systemic risks.
- (2) Micro-prudential information on an institution-by-institution basis is essential for the identification of micro-prudential risks and vulnerabilities at an early stage.
- (3) Regulation (EU) No 575/2013, known as the Capital Requirements Regulation (CRR) mandates the EBA to develop draft Implementing Technical Standards on Supervisory Reporting on: own funds requirements (Article 99(5)); financial information (Article 99(5) and (6)); losses stemming from immovable property (Article 101(4)); large exposures (Article 394(4)); liquidity ratios; (Article 415(3)); leverage ratio (Article 430(2)); and asset encumbrance (Article 99(5)). These, which shall be referred to in this Decision collectively as Implementing Technical Standards (ITS) aim at ensuring uniform reporting requirements across the EU and are shortly expected to be formally adopted by the European Commission in the form of a Commission Implementing Regulation laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council.

Has decided as follows:

¹ OJ L331, 15.12.2010, p. 12.

Article 1

Definitions

- 1.1. 'Competent authority' means competent authority as defined in point 2 of Article 4 of the EBA Regulation.
- 1.2. 'COREP' means the reporting framework as referred to in Chapter 3, Section 1 of the ITS.
- 1.3. 'FINREP' means the reporting framework as referred to in Chapter 3, Section 2 of the ITS.
- 1.4. 'IP Losses' means the reporting framework as referred to in Chapter 4 of the ITS.
- 1.5. 'Large Exposures' means the reporting framework as referred to in Chapter 5 of the ITS.
- 1.6. 'Liquidity' means the reporting framework as referred to in Chapter 7 of the ITS.
- 1.7. 'Leverage Ratio' means the reporting framework as referred to in Chapter 6 of the ITS.
- 1.8. 'Asset encumbrance' means the reporting framework as referred to in Chapter 7A of the ITS.
- 1.9. 'Quality checks' means plausibility and consistency checks applied in addition to the validation rules specified in the ITS.

Article 2

Data to be reported

- 2.1. Competent authorities shall submit to the EBA the data included in the ITS collected from institutions in their jurisdictions in accordance with Article 3. FINREP shall be reported only in relation to institutions that are required to report financial information to their competent authorities according to Article 99 of the CRR.
- 2.2. The data shall be reported at the highest level of consolidation in a Member State.

Article 3

Institutions covered

- 3.1. Competent authorities shall submit data relating to COREP, FINREP, IP Losses, Large exposures, Liquidity and Leverage ratios and Asset encumbrance from institutions which fulfil at least one of the following criteria:
 - a. The institution is one of the three largest institutions in a Member State, including banking groups on highest level of consolidation and subsidiaries of foreign banking groups, measured by total assets upon which the Competent Authority has jurisdiction;

- b. The institution's total assets are in excess of €30 billion, both for institutions that represent the highest consolidation level of any given banking group and for non-EEA banking group subsidiaries;
 - c. The institution's 4 year average of total assets is in excess of 20% of the 4 year average of a Member State's GDP, both for institutions that represent the highest consolidation level of any given banking group and for non-EEA banking group subsidiaries.
- 3.2. Competent authorities shall review annually the list of institutions described in paragraph 1 based on the criteria described in paragraph 1 according to the year-end data. Competent authorities shall start reporting data from an institution the first quarter of the following year from when the institution fulfils any of the criteria in paragraph 1.
- 3.3. The reporting requirements described in paragraph 1 shall end when the institution no longer fulfils any of the criteria of paragraph 1 for three consecutive years.
- 3.4. Competent Authorities shall assess and agree with the EBA possible discontinuation of reporting obligations of institutions described in paragraph 1 which are under major restructuring, involved in mergers or acquisitions, or under resolution.
- 3.5. The EBA shall maintain and publish the list of reporting institutions on its website.
- 3.6. The EBA may request competent authorities to submit data from other institutions than those fulfilling the criteria of paragraph 1, as required by the nature of specific policy analysis, impact assessment and regulatory tasks.
- 3.7. Competent authorities may include other institutions in the list of reporting institutions after notifying the EBA.

Article 4

Reporting frequency and remittance dates

- 4.1. Competent authorities shall submit data with the frequency described in Article 3 of the ITS.
- 4.2. Reports shall be submitted by competent authorities to the EBA at the latest on the 10th business day after the reporting remittance dates described in Article 3(1) of the ITS.
- 4.3. Revised reports, where necessary, shall be submitted at the latest on the 15th business day after the reporting remittance dates described in Article 3(1) of the ITS.
- 4.4. Any further significant revisions to the data shall be submitted without undue delay by the competent authorities to the EBA.

4.5. Competent authorities shall indicate to the EBA national holidays impacting the production timelines and the EBA shall issue annually a production calendar including remittance dates for the competent authorities.

Article 5

Quality of data

5.1. With the submission of the relevant data to the EBA's central database, competent authorities warrant the data has undergone rigorous internal controls and quality checks. Where competent authorities cannot warrant this for a given table in the taxonomy, competent authorities shall highlight this to the EBA.

5.2. The EBA shall conduct additional validations and checks of the data received to ensure consistency and can require revisions from the competent authorities. Quality checks shall be made available to the competent authorities and the EBA shall provide feedback to the respective competent authorities on the results of the checks.

Article 6

Technical specifications of the reporting system

The details of the technical specifications of the reporting system shall be specified by decisions of the Executive Director of the EBA in accordance with EBA procedures.

Article 7

Confidentiality arrangements

All data submitted to the EBA according to this Decision shall be covered by the EU law framework of professional secrecy and confidentiality requirements as applicable to the EBA.

Article 8

Transitional arrangements

8.1. First reporting reference dates shall be the following:

- a. COREP, IP Losses, Large exposures, Leverage ratio, Liquidity reporting: 31 March 2014.
- b. FINREP: 30 September 2014. Until that date, competent authorities shall continue to submit data on FINREP according to EBA DC 031 on Key Risk Indicators.
- c. Asset encumbrance: 30 June 2014.

8.2. The remittance dates for the reporting in 2014 shall be adjusted in the following way:

- a. Monthly reporting: by the 15th business day after the remittance date described in the ITS Article 18 starting from 30 June 2014 and covering all the reference dates from 31 March 2014;
- b. Quarterly reporting with reporting reference date of 31 March 2014: by the 15th business day after the remittance date described in the ITS Article 18;
- c. Quarterly and semi-annual reporting with reporting reference date of 30 June 2014: by the 15th business day after the remittance date described in the ITS Article 3(1);
- d. Quarterly reporting with reporting reference date of 30 September 2014: by the 15th business day after the remittance date described in the ITS Article 3(1).

8.3. This decision shall be reviewed by the end of 2014.

Article 9

Entry into force

This Decision shall apply from the date of application of the first Implementing Act that endorses part of all of the above-mentioned ITS.

From that date it shall replace Decision EBA DC 31, which is hereby repealed, except to the extent of application of FINREP as per art. 8(1)(b).

Done at London, 24 January 2014

[signed]

Andrea Enria

Chairperson

For the Board of Supervisors