

**GUIDELINE (EU) 2020/497 OF THE EUROPEAN CENTRAL BANK
of 20 March 2020**

**on the recording of certain data by national competent authorities in the Register of Institutions and
Affiliates Data (ECB/2020/16)**

the governing council of the European Central Bank,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions ⁽¹⁾, and in particular Article 6 (1), Article 6(2) and Article 6(7) thereof,

Having regard to the proposal of the Supervisory Board and in consultation with the national competent authorities,

Whereas:

- (1) The European Central Bank (ECB) maintains the Register of Institutions and Affiliates Data (RIAD). RIAD is the shared dataset of reference data on legal and other statistical institutional units, the collection of which supports business processes across the Eurosystem and the performance of the tasks of the European System of Central Banks (ESCB) and the specific tasks related to prudential supervision conferred on the ECB pursuant to Regulation (EU) No 1024/2013 carried out within the Single Supervisory Mechanism (SSM) composed of the ECB and the NCAs ('supervisory tasks'). RIAD facilitates the integration of a variety of datasets, in particular by providing common identifiers.
- (2) RIAD contains a wide range of attributes on individual entities and relationships between such entities that enable the derivation of group structures. These structures may be composed differently for accounting and prudential consolidation purposes. This information is used to support a number of processes and business areas, e.g. collateral and risk management, financial stability and micro-prudential supervision.
- (3) Guideline (EU) 2018/876 of the European Central Bank (ECB/2018/16) ⁽²⁾ establishes the obligations of NCBs with respect to the reporting of reference data to, and the maintenance and data quality management of, RIAD, for the purpose of ESCB tasks, and sets out the governance framework. The aim of this Guideline is to complement it, establishing the responsibilities of each NCA to record, update and validate reference data reported to the ECB for the purpose of supervisory tasks, in line with the duty of cooperation in good faith and the obligation to exchange information established in Article 6(2) of Regulation (EU) No 1024/2013 and further specified in Article 21 of Regulation (EU) No 468/2014 of the European Central Bank (ECB/2014/17) ⁽³⁾. For greater efficiency and to minimise the reporting burden, the data collection within the SSM under these provisions follows what is known as a 'sequential approach', i.e. both significant and less significant credit institutions submit their data to NCAs, which then report to the ECB.

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ Guideline (EU) 2018/876 of the European Central Bank of 1 June 2018 on the Register of Institutions and Affiliates Data (ECB/2018/16) (OJ L 154, 18.6.2018, p.3).

⁽³⁾ Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) (OJ L 141, 14.5.2014, p. 1).

- (4) Pursuant to Article 3(2) of Guideline (EU) 2018/876 (ECB/2018/16), each national central bank (NCB) must establish a local RIAD hub, which acts as the unique point of contact for reference data matters relating to RIAD in the Member State and coordinates activity, inter alia, with NCAs at national level to ensure the accuracy, timeliness and consistency of reference data and to ensure the consistent use of identifiers for entities. Recommendation ECB/2018/36 ⁽⁴⁾ invites NCBs of the Member States whose currency is not the euro to apply the provisions of Guideline (EU) 2018/876 (ECB/2018/16) addressed to NCBs of Member States whose currency is the euro. This Guideline accordingly establishes the responsibilities of each NCA to liaise with the NCB in its participating Member State.
- (5) Reference data recorded in RIAD remain subject to the specific legal provisions relating to confidentiality which apply to them and to their collection from entities by the NCAs. The ECB's use of confidential information collected for the purpose of ESCB tasks and supervisory tasks is subject to the application of the principle of separation in accordance with Article 25 of Regulation (EU) No 1024/2013 and Decision ECB/2014/39 ⁽⁵⁾.
- (6) Accurate, timely and comprehensive reference data on entities and the relationships between them are necessary for the performance of supervisory tasks. Hence, it is necessary to consolidate the requirements relating to data collection, quality management and dissemination under this Guideline, addressed to the NCAs, as regards the supervisory tasks, to complement those already consolidated in Guideline (EU) 2018/876 (ECB/2018/16) as regards the ESCB tasks,

HAS ADOPTED THIS GUIDELINE:

Article 1

Subject matter and purpose

1. This Guideline establishes the obligations of NCAs with respect to the recording, maintenance and quality management of reference data in RIAD for the purposes of supervisory tasks.
2. This Guideline also establishes the responsibilities of NCAs to liaise with the NCBs of their participating Member States for recording reference data and entities in RIAD.

Article 2

Definitions

For the purposes of this Guideline, the following definitions apply:

- (1) 'entity' means any of the following:
 - (a) an undertaking included in the scope of prudential consolidation in accordance with Chapter 2 of Title II of Part One of Regulation (EU) No 575/2013 of the European Parliament and the Council ⁽⁶⁾, or an undertaking that would have been included in such scope if it had not been granted a waiver in accordance with that Regulation;
 - (b) an undertaking excluded from the scope of prudential consolidation in accordance with Article 19 of Regulation (EU) No 575/2013;
 - (c) a branch as defined in point 17 of Article 4(1) of Regulation (EU) No 575/2013 which is established in a participating Member State by a credit institution established in another participating Member State;
 - (d) a branch as defined in point 17 of Article 4(1) of Regulation (EU) No 575/2013 which is established in a participating Member State by a credit institution established in a non-participating Member State;

⁽⁴⁾ Recommendation ECB/2018/36 of the European Central Bank of 7 December 2018 on the Register of Institutions and Affiliates Data (OJ C 21, 17.1.2019, p. 1).

⁽⁵⁾ Decision ECB/2014/39 of the European Central Bank of 17 September 2014 on the implementation of separation between the monetary policy and supervision functions of the European Central Bank (OJ L 300, 18.10.2014, p. 57).

⁽⁶⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

- (2) 'participating Member State' means participating Member State as defined in point 1 of Article 2 of Regulation (EU) No 1024/2013;
- (3) 'non-participating Member State' means a Member State that is not a participating Member State;
- (4) 'national competent authority' or 'NCA' means national competent authority as defined in point 2 of Article 2 of Regulation (EU) No 1024/2013;
- (5) 'reference data' means the set of attributes of an individual entity and its relationships with other entities, as listed in Annexes I and II, or any one or more attributes or relationships in that set;
- (6) 'credit institution' means credit institution as defined in point 1 of Article 4(1) of Regulation (EU) No 575/2013;
- (7) 'group' means group as defined in point 5 of Article 2 of Regulation (EU) No 468/2014 (ECB/2014/17);
- (8) 'resident' means resident as defined in point 4 of Article 1 of Council Regulation (EC) No 2533/98 ⁽⁷⁾;
- (9) 'compounding rule' means compounding rule as defined in point 17 of Article 2 of Guideline (EU) 2018/876 (ECB/2018/16);
- (10) 'RIAD hub' means RIAD hub as defined in point 18 of Article 2 of Guideline (EU) 2018/876 (ECB/2018/16);
- (11) 'working day' means working day as defined in point 20 of Article 2 of Guideline (EU) 2018/876 (ECB/2018/16);
- (12) 'control' means control as defined in point 37 of Article 4(1) of Regulation (EU) No 575/2013;
- (13) 'Legal Entity Identifier' or 'LEI' means an alphanumeric reference code in line with the ISO 17442 standard ⁽⁸⁾.

Article 3

Recording of reference data in RIAD

1. Each NCA shall record in RIAD the reference data specified in Annex I for entities that are credit institutions established in its participating Member State unless those reference data have already been recorded in RIAD pursuant to Guideline (EU) 2018/876 (ECB/2018/16).
2. Each NCA shall record in RIAD the reference data specified in Annex II for entities that are not credit institutions and are established in its participating Member State unless those reference data have already been recorded in RIAD pursuant to Guideline (EU) 2018/876 (ECB/2018/16).
3. An NCA in whose jurisdiction an entity that is a credit institution at the highest level of consolidation within the participating Member States is established shall take all possible measures to accurately record in RIAD the reference data for entities established in non-participating Member States or third countries and that are part of the same group as that credit institution unless the relevant reference data has already been recorded in RIAD pursuant to Guideline (EU) 2018/876 (ECB/2018/16). For this purpose, NCAs shall take all possible measures to record in RIAD the reference data specified in Annex I for entities that are credit institutions and the reference data specified in Annex II for entities that are not credit institutions.
4. RIAD enables the processing of reference data on entities provided by one or more sources. If there are two or more contradictory sources, the compounding rule shall rank the relevant data sources in accordance with Article 4(5) of Guideline (EU) 2018/876 (ECB/2018/16).

⁽⁷⁾ Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information of the European Central Bank (OJ L 318, 27.11.1998, p. 8).

⁽⁸⁾ Available on the website of the International Organisation for Standardisation (ISO) at www.iso.org.

5. In case of conflicting information on relationships between entities in cross-border group structures, the NCAs shall liaise with the NCA in whose jurisdiction a credit institution at the highest level of consolidation within the participating Member States is established.
6. NCAs shall not be held responsible for the misuse of the reference data recorded by them in RIAD by any other NCA, by any NCB, or by the ECB.
7. For the purpose of complying with the requirements laid down in this Guideline, each NCA shall make reasonable efforts to actively cooperate with the local RIAD hub established in the NCB in its participating Member State.

Article 4

Maintenance and revision policy

1. NCAs shall make reasonable efforts to ensure that all reference data recorded in RIAD under this Guideline are kept up-to-date on an ongoing basis.
2. NCAs shall ensure that the reference data recorded in RIAD pursuant to Article 3(1) and (2) is complete, accurate and up-to-date at the latest one working day preceding the remittance dates specified in Article 3 of Commission Implementing Regulation (EU) No 680/2014 ⁽⁹⁾.

Article 5

Recording of new entities

To fulfil its obligations under this Guideline, each NCA shall liaise with the NCB in its participating Member State if a new entity needs to be recorded in RIAD.

Article 6

Transmission standards

1. The process for recording reference data in RIAD is described in the data exchange specifications, to which NCAs have access. Each NCA shall record information either via the standard ESCB facility, via online updates, or, depending on national arrangements, via the transmission channel already in use by the NCB in its participating Member State. In each case, the NCAs shall record the reference data required for resident entities under this Guideline via the dedicated 'SUP' source in RIAD.
2. Prior to recording reference data in RIAD, NCAs shall carry out validation checks to ensure that the relevant reference data complies with the data exchange specifications. NCAs shall maintain an adequate set of controls to minimise operational errors and ensure the accuracy and consistency of the reference data recorded in RIAD.
3. Where NCAs are unable to access RIAD due to a technical failure, they shall use the contingency facility envisaged for that eventuality or transmit the reference data by encrypted email to the following address: RIAD-Support@ecb.europa.eu.
4. When recording reference data, NCAs may use their national character set, provided they use the Roman alphabet. They shall use Unicode (UTF-8) to correctly display all special character sets when receiving information from the ECB via RIAD.
5. An NCA may make technical arrangements with the NCB in its participating Member State for the recording of the reference data in RIAD pursuant to this Guideline. However, even in such case, the NCA shall remain responsible for the accuracy and quality of the reference data.

⁽⁹⁾ Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 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 (OJ L 191, 28.6.2014, p. 1).

*Article 7***Acquisition and error acknowledgements**

1. When NCAs record reference data in RIAD, checks are automatically run to verify the quality of the information provided on the basis of agreed standards and validation rules.
2. Once NCAs have recorded the reference data, the ECB shall provide an automated backflow including:
 - (a) an acquisition acknowledgement containing summary information on the updates which have been processed and implemented successfully in the relevant dataset; or
 - (b) an error acknowledgement containing detailed information on the updates and validation checks which have failed. On receipt of an error acknowledgement, the NCA shall take prompt action to correct the data and record them in RIAD.

*Article 8***Confidentiality of reference data**

1. Reference data recorded in RIAD are subject to the specific legal provisions relating to confidentiality which apply to them and their collection from entities by the NCAs. Reference data identified as confidential under those legal provisions shall not be published. Information from sources which are available to the public in accordance with national legislation shall not be considered confidential.
2. NCAs shall declare the confidentiality status of reference data in accordance with Article 10 of Guideline (EU) 2018/876 (ECB/2018/16).
3. The following reference data shall always be confidential, that is have the value 'C':
 - (a) SSM reporting requirements;
 - (b) liquidity sub-group code; and
 - (c) head of the liquidity sub-group.

*Article 9***Taking effect**

1. This Guideline shall take effect on the day of its notification to the NCAs.
2. The NCAs shall comply with this Guideline from 31 March 2020.

*Article 10***Addressees**

This Guideline is addressed to the NCAs.

Done at Frankfurt am Main, 20 March 2020.

The President of the ECB
Christine LAGARDE

ANNEX I

REFERENCE DATA TO BE RECORDED FOR ENTITIES THAT ARE CREDIT INSTITUTIONS

Attribute or relationship	Description
RIAD code	As in Guideline (EU) 2018/876 (ECB/2018/16)
Birth date	As in Guideline (EU) 2018/876 (ECB/2018/16)
Closure date	As in Guideline (EU) 2018/876 (ECB/2018/16)
LEI	As in Guideline (EU) 2018/876 (ECB/2018/16)
National identifier (as available)	As in Guideline (EU) 2018/876 (ECB/2018/16)
SUBA ID	Non-public entity identifier used for reporting of entities without an LEI
Liquidity sub-group code	Code of the liquidity sub-group to which the entity belongs (if applicable)
Name	As in Guideline (EU) 2018/876 (ECB/2018/16)
Country of residence	As in Guideline (EU) 2018/876 (ECB/2018/16)
Address	As in Guideline (EU) 2018/876 (ECB/2018/16)
City	As in Guideline (EU) 2018/876 (ECB/2018/16)
Postal Code	As in Guideline (EU) 2018/876 (ECB/2018/16)
Legal form	As in Guideline (EU) 2018/876 (ECB/2018/16)
Institutional sector	As in Guideline (EU) 2018/876 (ECB/2018/16)
Institutional sector details	As in Guideline (EU) 2018/876 (ECB/2018/16)
Institutional sector control	As in Guideline (EU) 2018/876 (ECB/2018/16)
Flag Listed	As in Guideline (EU) 2018/876 (ECB/2018/16)
Reporting currency	Currency in which the entity reports to the NCA
Accounting Framework for Solo Reporting	Accounting framework used by the entity when reporting on a solo basis
Accounting Framework for Consolidated Reporting	Accounting framework used by the entity when reporting on a consolidated basis
Accounting year end	Month and day at the end of which the entity closes its yearly accounts.
Corporate action	As in Guideline (EU) 2018/876 (ECB/2018/16)
Date of corporate action	As in Guideline (EU) 2018/876 (ECB/2018/16)
SSM reporting requirements	SSM reporting obligations to which an entity is subject (multiple values are possible for one entity)
Head of the liquidity sub-group	Flag identifying the entity representing the head of the liquidity sub-group
SSM entity type	Type of entity for supervision purposes

Attribute or relationship	Description
SSM country of supervision	Country where the entity is supervised
SSM EBA reporting	Institutions to be reported to the European Banking Authority (EBA) under the sequential approach pursuant to EBA Decision EBA/DC/2015/130
EBA list for benchmarking portfolio	This attribute indicates the institutions included in the EBA list for benchmarking portfolio, pursuant to EBA Decision EBA/DC/2016/156
Link to direct controlling parent	As in Guideline (EU) 2018/876 (ECB/2018/16)
Link to ultimate controlling parent	As in Guideline (EU) 2018/876 (ECB/2018/16)
Link to direct supervised ancestor	Parent entity that is a supervised entity and directly or indirectly owns/controls the entity
Link to ultimate supervised ancestor within SSM	Supervised entity that is domiciled in a participating Member State and is the highest supervised entity within a supervised group
Link to ultimate supervised ancestor outside SSM	The ultimate parent of the group domiciled in a non-participating Member State or in a non-EU country. An ultimate parent outside the SSM area should be reported only if this parent entity is an institution that is supervised by a credit institution's supervisor in its respective country

ANNEX II

REFERENCE DATA TO BE RECORDED FOR ENTITIES THAT ARE NOT CREDIT INSTITUTIONS

Attribute or relationship	Description
RIAD code	As in Guideline (EU) 2018/876 (ECB/2018/16)
Birth date	As in Guideline (EU) 2018/876 (ECB/2018/16)
Closure date	As in Guideline (EU) 2018/876 (ECB/2018/16)
LEI	As in Guideline (EU) 2018/876 (ECB/2018/16)
National identifiers (as available)	As in Guideline (EU) 2018/876 (ECB/2018/16)
Liquidity sub-group code	Code of the liquidity sub-group to which the entity belongs (if applicable)
Name	As in Guideline (EU) 2018/876 (ECB/2018/16)
Country of residence	As in Guideline (EU) 2018/876 (ECB/2018/16)
Address	As in Guideline (EU) 2018/876 (ECB/2018/16)
City	As in Guideline (EU) 2018/876 (ECB/2018/16)
Postal code	As in Guideline (EU) 2018/876 (ECB/2018/16)
Legal form	As in Guideline (EU) 2018/876 (ECB/2018/16)
Institutional sector	As in Guideline (EU) 2018/876 ECB/2018/16
Institutional sector details	As in Guideline (EU) 2018/876 ECB/2018/16
Institutional sector control	As in Guideline (EU) 2018/876 ECB/2018/16
Flag Listed	As in Guideline (EU) 2018/876 ECB/2018/16
Corporate action	As in Guideline (EU) 2018/876 ECB/2018/16
Date of corporate action	As in Guideline (EU) 2018/876 ECB/2018/16
Head of the liquidity sub-group	Flag identifying the entity representing the head of the liquidity sub-group (if applicable)
SSM entity type	Type of entity for supervision purposes
SSM country of supervision	Country where the entity is supervised
Link to direct controlling parent	As in Guideline (EU) 2018/876 (ECB/2018/16)
Link to ultimate controlling parent	As in Guideline (EU) 2018/876 (ECB/2018/16)

Attribute or relationship	Description
Link to direct supervised ancestor	Parent entity that is a supervised entity and directly or indirectly owns/controls the entity
Link to ultimate supervised ancestor within SSM	Supervised entity that is domiciled in a participating Member State and is the highest supervised entity within a supervised group
Link to ultimate supervised ancestor outside SSM	The ultimate parent of the group domiciled in a non-participating Member State or in a non-EU country. An ultimate parent outside the SSM area should be reported only if this parent entity is an institution that is supervised by a credit institution's supervisor in its respective country