

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1018**of 22 June 2021****amending the implementing technical standards laid down in Implementing Regulation (EU) 2021/637 as regards the disclosure of indicators of global systemic importance, and repealing Implementing Regulation (EU) No 1030/2014****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for institutions and investment firms and amending Regulation (EU) No 648/2012⁽¹⁾ and in particular Article 434a thereof,

Whereas:

- (1) Article 441 of Regulation (EU) No 575/2013 requires global systemically important institutions (G-SIIs) to disclose, on an annual basis, the values of the indicators used for determining their score in accordance with the identification methodology referred to in Article 131 of Directive 2013/36/EU of the European Parliament and of the Council⁽²⁾. Commission Implementing Regulation (EU) No 1030/2014⁽³⁾, which was adopted on the basis of Article 441(2) of Regulation (EU) No 575/2013, sets out the uniform formats and dates for the disclosure of the values used to identify G-SIIs. Article 441(2) of Regulation (EU) No 575/2013 was repealed by Regulation (EU) 2019/876 of the European Parliament and of the Council⁽⁴⁾.
- (2) Article 131 of Directive 2013/36/EU lays down the criteria for the identification of G-SIIs. Commission Delegated Regulation (EU) No 1222/2014⁽⁵⁾ specifies the methodology for that identification and defines subcategories of G-SIIs. Delegated Regulation (EU) No 1222/2014 was amended by Commission Delegated Regulation (EU) 2021/539⁽⁶⁾ to take into account the revised international standards on the identification of G-SIIs as adopted by the Basel Committee on Banking Supervision (BCBS) in July 2018⁽⁷⁾. Those revised international standards, and in particular the requirement to use a uniform format for the information on the values of the indicators used for determining the score of G-SIIs referred to in Article 441 of Regulation (EU) No 575/2013, should be reflected in Commission Implementing Regulation (EU) 2021/637⁽⁸⁾.
- (3) Implementing Regulation (EU) 2021/637 should therefore be amended accordingly.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

⁽³⁾ Commission Implementing Regulation (EU) No 1030/2014 of 29 September 2014 laying down implementing technical standards with regard to the uniform formats and date for the disclosure of the values used to identify global systemically important institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 284, 30.9.2014, p. 14).

⁽⁴⁾ Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (OJ L 150, 7.6.2019, p. 1).

⁽⁵⁾ Commission Delegated Regulation (EU) No 1222/2014 of 8 October 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (OJ L 330, 15.11.2014, p. 27).

⁽⁶⁾ Commission Delegated Regulation (EU) 2021/539 of 11 February 2021 amending Delegated Regulation (EU) No 1222/2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (OJ L 108, 29.3.2021, p. 10).

⁽⁷⁾ The Basel Framework – SCO40: Global systemically important banks.

⁽⁸⁾ Commission Implementing Regulation (EU) 2021/637 of 15 March 2021 laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council and repealing Commission Implementing Regulation (EU) No 1423/2013, Commission Delegated Regulation (EU) 2015/1555, Commission Implementing Regulation (EU) 2016/200 and Commission Delegated Regulation (EU) 2017/2295 (OJ L 136, 21.4.2021, p. 1).

- (4) Regulation (EU) 2019/876 also introduced Article 434a in Regulation (EU) No 575/2013, which empowers the Commission to adopt implementing technical standards to specify uniform disclosure formats for information necessary to assess the risk profiles of institutions and their degree of compliance with the requirements laid down in Parts One to Seven of Regulation (EU) No 575/2013. Implementing Regulation (EU) 2021/637 was adopted on the basis of that Article 434a and introduces new requirements instead of those laid down in Implementing Regulation (EU) No 1030/2014. It is therefore appropriate to repeal Implementing Regulation (EU) No 1030/2014.
- (5) In order to ensure a seamless transfer from Implementing Regulation (EU) No 1030/2014 to Implementing Regulation (EU) 2021/637, the date of application of this Regulation should be the same as the date of application of Implementing Regulation (EU) 2021/637 that is 28 June 2021. For the same reason, the date of entry into force of this Regulation should be the same as the day of its publication in the *Official Journal of the European Union*, preceding the date of application that is 28 June 2021.
- (6) The BCBS published the consolidated Basel Framework in December 2019, including the updated Pillar 3 disclosure requirements ⁽⁹⁾, which were mostly introduced in Regulation (EU) No 575/2013 by Regulation (EU) 2019/876. In order to implement those amendments, a consistent and complete Pillar 3 disclosure framework was established through Implementing Regulation (EU) 2021/637. Therefore, when G-SIIs disclose the information on the values of the indicators used for determining their score they should use a Pillar 3 report consistent with this Regulation.
- (7) This Regulation is based on the draft implementing technical standards submitted to the Commission by the European Banking Authority.
- (8) The European Banking Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2021/637

In Implementing Regulation (EU) 2021/637, the following Article 6a is inserted:

'Article 6a

Disclosure of indicators of global systemic importance

1. G-SIIs shall disclose the information on the values of the indicators used for determining their score referred to in Article 441 of Regulation (EU) No 575/2013 by using the uniform disclosure format referred to in Article 434a of Regulation (EU) No 575/2013 which shall be used for the collection of the indicator values by relevant authorities as set out in Article 3(2) of Commission Delegated Regulation (EU) No 1222/2014, with the exception of any ancillary data and memorandum items collected in accordance with that Article.
2. G-SIIs shall disclose the information referred to in paragraph 1 in their year-end Pillar 3 report. G-SIIs shall redisclose the information referred to in paragraph 1 in their first Pillar 3 report following the final submission of the values of the indicators to the relevant authorities, where the submitted figures are different from the figures disclosed in the year-end Pillar 3 report.'

⁽⁹⁾ Basel Committee on Banking Supervision of the Bank for International Settlements, DIS Disclosure requirements, December 2019.

⁽¹⁰⁾ 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/EC (OJ L 331, 15.12.2010, p. 12).

*Article 2***Repeal of Implementing Regulation (EU) No 1030/2014**

Implementing Regulation (EU) No 1030/2014 is repealed.

*Article 3***Entry into force**

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 28 June 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 June 2021.

For the Commission
The President
Ursula VON DER LEYEN
