

UPCOMING EBA PUBLICATIONS (MARCH – MAY 2016)

Please note that all products listed in the table below are subject to approval by the [EBA's Board of Supervisors \(BoS\)](#). Therefore, the publication date is indicative and will be adjusted accordingly, if necessary.

TOPIC	DELIVERABLE	EXPECTED DATE OF PUBLICATION
Anti-money laundering (AML)	Opinion on the application of customer due diligence measures to asylum seekers from high risk third countries or territories	April 2016
CRDIV-CRR/Basel III monitoring exercise	Report on CRDIV-CRR/Basel III monitoring exercise*	March 2016
Deposit Guarantee Schemes (DGS)	Guidelines on DGS stress testing	April 2016
External Credit Assessment Institutions (ECAIs)	Opinion on use of unsolicited ratings	April 2016
Liquidity risk	Consultation paper on Guidelines on disclosure of Liquidity Coverage Ratio (LCR)	April 2016
Market Risk	Consultation paper on update to RTS on proxy spreads for Credit Valuation Adjustment (CVA)	April 2016
	Consultation paper on Guidelines on corrections to modified duration for debt instruments	April 2016
Resolution	Guidelines on providing information in a summary or collective form	April 2016
Risk Analysis	Joint Committee Spring Risk Report	March 2016
Securitisation	Consultation paper on final RTS on disclosures of unencumbered asset	April 2016
	Annual report on securitisation risk retention, due diligence and disclosure	April 2016
Small and medium sized enterprises (SME)	Report on SME's	March 2016
Supervisory Reporting	ITS Amending Commission Implementing Regulation (EU) No 680/2014 on Supervisory Reporting of institutions *	March 2016
	Consultation paper on ITS on proposed amendments to supervisory reporting (COREP)*	March 2016
Supervisory convergence	Annual assessment of EU colleges of supervisors*	March 2016

* Already published

WHAT IS FINANCIAL INNOVATION?

Financial innovation covers new products and services, as well as new business models and new distribution channels through which financial institutions may bring their products and services to the market.

Innovation is usually driven by a variety of reasons, from the need for financial institutions to decrease their costs, to improve user experience and convenience (and hence generate revenue), to reap the benefits of technological developments, but also to avoid existing regulatory requirements.

THE EBA'S MANDATE

When the EBA was established in January 2011, the EU legislators mandated the Authority to *"monitor new and existing financial activities and to adopt guidelines and recommendations with a view to promoting the safety and soundness of markets and convergence in regulatory practice"* - in Article 9(2) of the EBA's Founding Regulation.

HOW IS INNOVATION ASSESSED BY THE EBA?

The EBA fulfils its innovation monitoring mandate by working jointly with the 28 EU National Supervisory Authorities. This includes an assessment of whether an EU-wide response is required or it is for National Authorities to deal with the specific innovation under analysis.

Of the various innovations that the EBA has been monitoring since it was set up in 2011, only a few have seen the light of day. For many, the EBA concluded that the risks are not (or not yet) substantial enough or have limited EU-wide significance.

In all cases, the EBA maintains a monitoring list of innovations, which is regularly updated and includes new or existing innovations that are assessed on an on-going basis.

IN FOCUS: MONITORING FINANCIAL INNOVATION

The EBA's work on financial innovation

The EBA continuously monitors innovation in financial markets. It ensures that both market players and consumers interested in these innovations can utilise them with confidence.

The EBA identifies and assesses benefits and risks of financial innovations with a view to determine which, if any, regulatory and/or supervisory actions are needed to mitigate any risks arising from the innovation, while harnessing potential benefits.

The risks assessed may be of various kinds, including to consumers, to financial institutions, to market confidence, to financial stability and financial integrity (e.g. money laundering and financial crime). The EBA seeks to mitigate those risks that have EU-wide significance, whereas it leaves other risks for market participants or NCAs to address.

Past, on-going and forthcoming output

The first EBA publication on innovation covered the prudential and stability risks of Exchange Traded Funds (ETFs) and of Contracts for Difference (CfDs), both of which were published in 2013. This was followed by work that looked at innovations through a wider lens, including risks to consumers, money laundering and financial crime, as well as the potential benefits of the innovations, such as EBA's work on Virtual Currencies (2014) and Crowdfunding (2015).

On Virtual Currencies and Crowdfunding, the EBA identified potential benefits and risks, and advised EU legislators on the elements that such a regulatory regime should take. Both of these innovations emerged from outside the regulated financial sector and their uptake was facilitated by technological developments in the digital economy.

In 2015, the EBA started looking into the Automation in Financial Advice to assess the interaction between consumers and firms when financial advice is provided through automated tools, usually in the form of web-based algorithms.

In this regard, the EBA issued in December 2015 - jointly with the other European Supervisory Authorities (ESMA and EIOPA) - a Discussion Paper to gather information on benefits and risks and also on the potential future developments of the market. The outcome will help the EBA make an informed decision on which, if any, regulatory actions may be required. The discussion period ended on 4 March 2016.

The EBA is also currently looking at the new ways in which financial institutions make use of the data of their banking consumers. While the use of consumer data, like for market players in other sectors of the economy, is not a novelty, the EBA has observed in recent years that some financial institutions have found new ways of using this data. Some firms, for instance, combine internal consumer data with data obtained from external sources - such as public or private companies (e.g. data vendors) and social media, for various purposes from creditworthiness assessment to offering more tailored products to their clients.

On this topic too, the EBA is in the process of identifying potential risks and benefits, and hopes to be publishing its work in Q2 of 2016.

KEY EBA PUBLICATIONS (DECEMBER 2015 - FEBRUARY 2016)

EBA CONSULTATIONS	DESCRIPTION
Consultation on draft guidelines on implicit support for securitisation transactions	The EBA launched a public consultation on draft Guidelines on implicit support for securitisation transactions. The consultation runs until 20 April 2016. <i>Publication date: 20/01/2016</i>
Consultation on draft guidelines on remuneration requirements for sales staff	The EBA launched a consultation on its draft guidelines on remuneration policies and practices related to the sale and provision of retail banking products and services. The consultation runs until 22 March 2016. <i>Publication date: 22/12/2015</i>
Consultation on draft Guidelines on stress testing and supervisory stress testing	The EBA launched a consultation on its draft Guidelines on stress testing. These Guidelines set out expectations for institutions' stress testing programmes and seek improvements by drawing on lessons from previous stress test exercises. In addition, they aim at promoting convergence of the use of stress testing in the context of the supervisory review and evaluation process (SREP). The consultation runs until 18 March 2016. <i>Publication date: 18/12/2015</i>
Consultation on assessment methodology on the use of internal models for market risk	The EBA launched a consultation on its draft RTS that specify the conditions under which competent authorities assess the significance of positions included in the scope of market risk internal models, as well as the methodology that competent authorities shall apply to assess an institution's compliance with the requirements to use an Internal Model Approach (IMA) for market risk. The consultation runs until 13 March 2016. <i>Publication date: 14/12/2015</i>
Consultation on draft Guidelines on internal capital adequacy assessment process (ICAAP) and internal liquidity adequacy assessment process (ILAAP) information collected for SREP purposes	The EBA launched a public consultation on draft Guidelines on the collection of information related to the ICAAP and the ILAAP. The public consultation runs until 11 March 2016. <i>Publication date: 11/12/2015</i>
Consultation on cooperation and exchange of information for passporting under Payment Services Directive (PSD2)	The EBA launched a consultation on its draft technical standards on the framework for cooperation and exchange of information between competent authorities for passporting under Article 28(5) of the revised PSD2. The consultation runs until 11 March 2016. <i>Publication date: 11/12/2015</i>
Consultation on separation of payment card schemes and processing entities under the Interchange Fee Regulation (IFR)	The EBA launched a consultation on its draft technical standards on the separation of payment card schemes and processing entities under Article 7(6) of the IFR. The consultation runs until 8 March 2016. <i>Publication date: 08/12/2015</i>

EBA PUBLIC CONSULTATIONS

- Comments to EBA consultations are submitted via the EBA website. All contributions received are published following the close of the consultation period, unless requested otherwise.
- In general, the EBA also holds a public hearing on its consultations. These hearings normally take place at the EBA premises, prior to the end of the consultation period.

EBA CONSULTATIONS	DESCRIPTION
Consultation on FINREP using IFRS 9	<p>The EBA launched a consultation on the reporting of financial information for institutions using IFRS (FINREP IFRS). The proposed amendments follow the finalisation of IFRS 9 by the IASB in July 2014 and aim at collecting early industry views on changes that IFRS 9 would trigger to FINREP. This consultation is distinct from the on-going IFRS 9 endorsement process and does not relate to financial information reported by institutions using national generally accepted accounting practices (GAAP). The consultation will run until 8 March 2016.</p> <p><i>Publication date: 08/12/2015</i></p>
Consultation on strong customer authentication and secure communication under Payment Services Directive (PSD2)	<p>The EBA published a Discussion Paper on strong customer authentication and secure communication. The revised PSD2 will mandate the EBA to deliver RTS on this topic, which the EBA is required to deliver by January 2017. The consultation closed on 8 February 2016.</p> <p><i>Publication date: 08/12/2015</i></p>
Consultation with stakeholders for input on automation in financial advice	<p>The Joint Committee of the three European Supervisory Authorities (ESAs) – EBA, EIOPA and ESMA – launched a Discussion Paper on automation in financial advice, aimed at assessing what, if any, action is required to harness the potential benefits of this innovation and mitigate its risks. The consultation runs until 4 March 2016.</p> <p><i>Publication date: 04/12/2015</i></p>

EBA GUIDELINES

- EBA Guidelines define consistent, efficient and effective supervisory practices and ensure uniform application of EU Law. Guidelines are formally issued only once they are published in all relevant EU official languages on the EBA website.
- Within two months of that publication, competent authorities across the EU must inform the EBA on whether they comply or intend to comply with the Guidelines. If a competent authority does not comply or does not intend to comply, it must inform the EBA of this and state reasons for non-compliance, as prescribed by the 'comply or explain' principle. If specified in the Guidelines, financial institutions might also have to report whether or not they comply.
- Guidelines and information on compliance by competent authorities can be found [here](#) on the EBA website

EBA GUIDELINES	DESCRIPTION
Guidelines on cooperation agreements between deposit guarantee schemes (DGSs)	<p>The EBA published its final Guidelines on cooperation agreements between DGSs. These Guidelines include a multilateral cooperation framework agreement and minimum prescriptions to promote the rapid and consistent conclusion of cooperation agreements between DGSs, as provided under the new Deposit Guarantee Schemes Directive (DGSD).</p> <p><i>Publication date: 15/02/2016</i></p>
Guidelines on methodology and disclosure for global systemically important institutions	<p>The EBA published revised Guidelines on the further specification of the indicators of global systemic importance and their disclosure. The need for this revision was prompted by the new data template and some minor changes introduced by the Basel Committee on Banking Supervision (BCBS) in January 2015 for the identification of global systemically important banks (G-SIBs). The full data template with the detailed specification of the indicator values will now only be incorporated in the EBA Guidelines and will be updated on an annual basis.</p> <p><i>Publication date: 13/01/2016</i></p>
Guidelines on sound remuneration policies	<p>The EBA published its final Guidelines on sound remuneration policies together with its Opinion on proportionality, recommending exemptions from the remuneration principles in the Capital Requirements Directive (CRD IV). The guidelines ensure that institutions calculate correctly and consistently the so called 'bonus cap' by setting out specific criteria for mapping all remuneration components into either fixed or variable pay and detailing how specific remuneration elements such as allowances, sign-on bonuses, retention bonuses and severance pay are to be recognised over time.</p> <p><i>Publication date: 21/12/2015</i></p>

EBA GUIDELINES	DESCRIPTION
Guidelines for business reorganisation plans under the BRRD	<p>The EBA published its final draft RTS on the content of business reorganisation plans and progress reports, as well as guidelines defining how to assess plans. The work has been developed within the framework established by the Bank Recovery and Resolution Directive (BRRD), which sets procedures for the recovery and resolution of credit institutions, investment firms and related entities across the EU.</p> <p><i>Publication date: 17/12/2015</i></p>
Guidelines on institutions exposures to shadow banking entities and recommends approach to limiting risks	<p>The EBA published its final Guidelines regarding limits on institutions' exposures to 'shadow banking entities' that carry out bank-like activities outside a regulated framework. In particular, these Guidelines introduce an approach that will allow EU institutions to set internal limits for their exposures to 'shadow banking entities', hence addressing in a proportionate way the risks that these exposures pose to the EU banking sector.</p> <p><i>Publication date: 15/12/2015</i></p>

EBA TECHNICAL STANDARDS	DESCRIPTION
Implementing Technical Standard (ITS) on the mapping of ECAIs credit assessments for securitisation positions	<p>The EBA published final draft ITS on the mapping of External Credit Assessment Institutions' (ECAIs) credit assessments for securitisation positions.</p> <p><i>Publication date: 15/02/2016</i></p>
Revised final draft technical standards on methodology and disclosure for global systemically important institutions	<p>The EBA published revised final draft technical standards on the further specification of the indicators of global systemic importance and their disclosure. The need for this revision was prompted by the new data template and some minor changes introduced by the Basel Committee on Banking Supervision (BCBS) in January 2015 for the identification of global systemically important banks (G-SIBs).</p> <p><i>Publication date: 13/01/2016</i></p>
ITS on benchmarking portfolios	<p>The EBA, following requests from stakeholders, published an update on the application date of its final draft TS on benchmarking portfolios.</p> <p><i>Publication date: 21/12/2015</i></p>
Draft Regulatory Technical Standards (RTS) for the minimum set of information on financial contracts for detailed records	<p>The EBA published its final draft RTS on detailed records of financial contracts. These standards are part of the EBA's work to implement the BRRD and address the problem of too-big-to-fail banks.</p> <p><i>Publication date: 17/12/2015</i></p>
Final draft RTS for business reorganisation plans under the BRRD	<p>The EBA published its final draft RTS on the content of business reorganisation plans and progress reports, as well as guidelines defining how to assess plans.</p> <p><i>Publication date: 17/12/2015</i></p>

EBA TECHNICAL STANDARDS

- The EBA is mandated to produce a number of Binding Technical Standards (BTS) stemming from EU legislative texts such as the "CRD IV package" and the BRRD. The EBA drafts technical standards and submits them to the European Commission for final endorsement.
- BTS are legal acts which specify particular aspects of an EU legislative text (Directive or Regulation) and aim at ensuring consistent harmonisation in specific areas. They contribute to the development of the Single Rulebook for banks in the EU.
- The European Parliament and the Council have the right to scrutinise certain types of technical standards known as regulatory technical standards (RTS). The draft technical standards are formally adopted by the European Commission, usually within three months, and published in the Official Journal of the European Union – unless they are considered disproportionate or incompatible with Union law.
- Following publication in the Official Journal, these standards become legally binding and apply directly in all Member States. This means that, on the date of their entry into force, they become part of the national law of the Member States and their implementation into national law is not only unnecessary but also prohibited.

EBA TECHNICAL STANDARDS

DESCRIPTION

<p>Final draft Regulatory Technical Standards on the methodology for valuation of liabilities arising from derivatives</p>	<p>The EBA published the final draft RTS on the methodology for the valuation of derivative liabilities for the purpose of bail-in in resolution. These standards, which have been developed within the framework of the BRRD setting procedures for the orderly management of bank failures, provide EU resolution authorities with a methodology for the valuation of derivative liabilities of credit institutions placed under resolution and ensure that the discipline brought in by the new bail-in tool can effectively be extended to these liabilities too.</p> <p><i>Publication date: 17/12/2015</i></p>
<p>Draft RTS on harmonised prudential requirements for Central Securities Depositories (CSDs)</p>	<p>The EBA published its draft RTS on prudential requirements for CSDs. These RTS have been developed within the framework of the Central Securities Depositories Regulation (CSDR) to increase the safety and efficiency of securities settlement and settlement infrastructures.</p> <p><i>Publication date: 16/12/2015</i></p>

EBA OPINIONS

- Through Opinions, the EBA provides its views on supervisory and regulatory matters to the EU institutions and to national authorities. This includes 'technical advice' which the EBA provides to the Commission when it is preparing 'delegated acts' to supplement Level 1 legislative texts. These delegated acts provide additional detail on the implementing aspects of EU banking regulation.

EBA OPINIONS

DESCRIPTION

<p>Opinion on macroprudential policy measures</p>	<p>The EBA published an Opinion following the notification by the National Bank of Belgium (NBB) of its intention to extend a measure introduced by the NBB in 2014 to modify capital requirements in order to address an increase in macroprudential or systemic risk.</p> <p><i>Publication date: 26/02/2016</i></p>
<p>Opinion on EU Commission proposed amendments to the minimum requirement for own funds and eligible liabilities (MREL) technical standards</p>	<p>The EBA issued an Opinion to the European Commission expressing its dissent over some of its proposed amendments to the EBA final draft RTS on the criteria for setting MREL and encouraging the prompt adoption of the standard.</p> <p><i>Publication date: 09/02/2016</i></p>
<p>Opinion on the implementation of the regulatory review of internal models</p>	<p>The EBA published an Opinion specifying the general principles and timelines for the implementation of the regulatory review of the internal ratings-based (IRB) approach.</p> <p><i>Publication date: 04/02/2016</i></p>
<p>Opinion on the application of proportionality</p>	<p>The EBA published its Opinion on proportionality, recommending exemptions from the remuneration principles in the CRD IV.</p> <p><i>Publication date: 21/12/2015</i></p>
<p>Opinion on the application of restrictions to profits pay-outs to restore capital adequacy</p>	<p>The EBA issued an Opinion on the trigger, calculation and transparency of the Maximum Distributable Amount (MDA). The Opinion clarifies that the MDA should be calculated taking into account both minimum (Pillar 1) and additional (Pillar 2) capital requirements which should be met at all times, as well as the combined buffer requirement. The Opinion advises the European Commission to review the CRD text in the future to ensure certainty and more consistency.</p> <p><i>Publication date: 18/12/2015</i></p>
<p>Opinion on the cooperation between EU and third countries</p>	<p>The EBA published an Opinion on the application of legal provisions on cooperation and information sharing between EU and non-EU supervisory authorities.</p> <p><i>Publication date: 15/12/2015</i></p>

Reports and other notable publications

EBA PUBLICATION	DESCRIPTION
Launch of the 2016 EU wide stress test exercise	<p>The EBA released the methodology and macroeconomic scenarios for the 2016 EU-wide stress test. The stress test is designed to provide supervisors, banks and other market participants with a common analytical framework to consistently compare and assess the resilience of EU banks to economic shocks. For this exercise, no single capital thresholds have been defined as the results will inform the 2016 round of SREP under which decisions are made on appropriate capital resources. The EBA expects to publish the results of the exercise in early Q3 2016.</p> <p><i>Publication date: 26/02/2016</i></p>
Risk Dashboard and Methodological guide on risk indicators and detailed risk analysis tools	<p>The EBA published the periodical update to its Risk Dashboard summarising the main risks and vulnerabilities in the banking sector on the basis of the evolution of a set of Risk Indicators (RI) across the EU. The dashboard was published with the Methodological guide on risk indicators and detailed risk analysis tools.</p> <p><i>Publication date: 23/02/2016</i></p>
Report on the feedback received from the public consultation on the EBA discussion paper on the future of the internal ratings-based (IRB) approach	<p>The EBA published an Opinion specifying the general principles and timelines for the implementation of the regulatory review of the IRB approach.</p> <p><i>Publication date: 04/02/2016</i></p>
Report on impact of IFRS 9 on banks in the EU	<p>In the context of the forthcoming implementation of the IFRS 9 Financial instruments standard (IFRS 9) in the EU, the EBA launched an impact assessment of the standard on a sample of approximately 50 institutions across the EU.</p> <p><i>Publication date: 27/01/2016</i></p>
Report on cross-selling of financial products in the EU	<p>The Chairpersons of the three European Supervisory Authorities (ESAs) – EBA, EIOPA and ESMA – sent a joint letter on cross-selling of financial products to Jonathan Hill, the European Commissioner for Financial Stability, Financial Services and Capital Markets Union.</p> <p><i>Publication date: 27/01/2016</i></p>
Report on Kluge, Belyaev, Radio Elektroniks OU and Dyakov appeal against the EBA	<p>The Joint Board of Appeal of the ESAs published its decision in an appeal brought by four appellants, Andrus Kluge, Boris Belyaev, Radio Elektroniks OÜ and Timur Dyakov, against a decision of the European Banking Authority (EBA). The Board of Appeal decided it does not have any jurisdiction with respect to the party's appeal to challenge a decision by the EBA not to commence an investigation.</p> <p><i>Publication date: 26/01/2016</i></p>

EBA REPORTS

- The EBA publishes a wide range of reports based on its work in identifying and analysing trends in the financial sector.
- These reports identify potential risks and vulnerabilities stemming from the micro-prudential level, across borders and sectors, with the aim of ensuring the orderly functioning and integrity of financial markets and the stability of the financial system in the EU.
- These reports also highlight the trends that the EBA has observed with financial products and also provides early indications as to the areas in which the EBA may take action going forward.

EBA PUBLICATION	DESCRIPTION
Report on risks and vulnerabilities in the EU banking sector	<p>The EBA published its eighth semi-annual report on risks and vulnerabilities in the EU banking sector. The report shows that EU banks have continued to strengthen their capital position and to improve asset quality. However, the level of non-performing exposures remains high and profitability is still weak.</p> <p><i>Publication date: 21/12/2015</i></p>
Report on synthetic securitisation for SMEs	<p>The EBA published a report summarising the findings of its analysis and market practice assessment of the synthetic securitisation market.</p> <p><i>Publication date: 18/12/2015</i></p>
Report on the impact assessment and calibration of the Net Stable funding Ratio (NSFR) in the EU	<p>The EBA published its Report on the impact assessment and calibration of the NSFR, recommending the introduction of the NSFR in the EU to ensure stable funding structures.</p> <p><i>Publication date: 17/12/2015</i></p>
Report on areas of improvement in the cooperation between EU and third countries	<p>The EBA published a Report and an Opinion on the application of legal provisions on cooperation and information sharing between EU and non-EU supervisory authorities.</p> <p><i>Publication date: 15/12/2015</i></p>
Report on sound prudential regime for investment firms	<p>The EBA published its report in response to the European Commission's call for advice on the suitability of certain aspects of the prudential regime for investment firms. This report, done in consultation with then ESMA, presents the EBA's findings and lists a series of recommendations aiming to provide a more proportionate and less complex prudential regime for investment firms, based on appropriate risk sensitivity parameters.</p> <p><i>Publication date: 14/12/2015</i></p>
Report on approaches on scenarios in recovery plans	<p>The EBA published a comparative report on the approaches taken by a sample of European banking groups on scenarios in recovery plans.</p> <p><i>Publication date: 08/12/2015</i></p>
Report on the publication of administrative penalties on an anonymous basis	<p>The EBA released a report reviewing the publication by competent authorities, on an anonymous basis, of administrative penalties imposed for breach of the national provisions transposing CRD or of the CRR. The EBA also published a list of links to each competent authority's publication of such administrative penalties, which will be updated on a regular basis.</p> <p><i>Publication date: 02/12/2015</i></p>
Report on ENISA's report on cloud services in the EU banking sector	<p>Following a workshop on cloud services in the banking sector jointly hosted with the EBA in London, the European Network and Information Security Agency (ENISA) has issued a report including a number of recommendations for the secure adoption of cloud computing in the banking sector at the EU level.</p> <p><i>Publication date: 07/12/2015</i></p>
Report on list of identified Financial Conglomerates	<p>The Joint Committee of the three ESAs published the 2015 List of Identified Financial Conglomerates.</p> <p><i>Publication date: 01/12/2015</i></p>

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