

COMMISSION IMPLEMENTING REGULATION (EU) …/...

of XXX

on amending Implementing Regulation (EU) 2016/2070 as regards benchmark portfolios, reporting templates, and reporting instructions to be applied in the Union for the reporting referred to in Article 78(2) of Directive 2013/36/EU of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

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

Having regard to 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[[1]](#footnote-1), and in particular the third subparagraph of Article 78(8) thereof,

Whereas:

1. Commission Implementing Regulation (EU) 2016/2070[[2]](#footnote-2) specifies the reporting requirements for institutions to the European Banking Authority (EBA) and to competent authorities in order to enable the EBA and the competent authorities to carry out their assessments of institutions’ internal approaches in accordance with Article 78 of Directive 2013/36/EU (the benchmarking exercise). Given that institutions have to submit the results of their calculations at least annually and that the focus of the competent authorities’ assessments and of the EBA’s reports have changed, exposures or positions that are included in the benchmark portfolios, and therefore also reporting requirements, need to be adapted to such changes. It is therefore appropriate to amend Annexes I, II, III, IV, V, VI and VII to Implementing Regulation (EU) 2016/2070.
2. This Regulation is based on the draft implementing technical standards submitted by the EBA to the Commission.
3. The EBA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 **of the European Parliament and of the Council**[[3]](#footnote-3).
4. Implementing Regulation (EU) 2016/2070 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2016/2070 is amended as follows:

1. Annex I is replaced by the text set out in Annex I to this Regulation.
2. Annex II is replaced by the text set out in Annex II to this Regulation.
3. Annex III is replaced by the text set out in Annex III to this Regulation.
4. Annex IV is replaced by the text set out in Annex IV to this Regulation.
5. Annex V is replaced by the text set out in Annex V to this Regulation.
6. Annex VI is replaced by the text set out in Annex VI to this Regulation.
7. Annex VII is replaced by the text set out in Annex VII to this Regulation.

Article 2

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

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

Done at Brussels,

For the Commission

The President  
   
   
  
   
 On behalf of the President  
   
 [Position]

1. OJ L 176, 27.6.2013, p. 338. [↑](#footnote-ref-1)
2. Commission Implementing Regulation (EU) 2016/2070 of 14 September 2016 laying down implementing technical standards for templates, definitions and IT solutions to be used by institutions when reporting to the European Banking Authority and to competent authorities in accordance with Article 78(2) of Directive 2013/36/EU of the European Parliament and of the Council (OJ L 328, 2.12.2016, p. 1). [↑](#footnote-ref-2)
3. 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). [↑](#footnote-ref-3)