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[...](2017) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of **XXX****

**on amending Implementing Regulation (EU) 2016/2070 as regards benchmarking  
portfolios, reporting templates and reporting instructions**

(Text with EEA relevance)

# COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

## **on amending Implementing Regulation (EU) 2016/2070 as regards benchmarking portfolios, reporting templates and reporting instructions**

(Text with EEA relevance)

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<sup>1</sup>, and in particular the third subparagraph of Article 78(8) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2070<sup>2</sup> specifies the information that institutions have to report to the European Banking Authority ('EBA') and to competent authorities in order to enable the assessments of internal approaches for calculating own funds requirements ('benchmarking exercise') in accordance with Article 78 of Directive 2013/36/EU.
- (2) Considering that, pursuant to Article 78(1) of Directive 2013/36/EU, the benchmarking exercise is of at least annual duration and that the focus of the competent authorities' assessments and of the EBA's reports may change over time, exposures or positions that are included in the benchmarking portfolios, and therefore also reporting requirements, need to be regularly adapted accordingly. Therefore, it is appropriate to amend Annexes I to VI to Implementing Regulation (EU) 2016/2070.
- (3) Institutions which do not compute the own funds requirements for credit risk in accordance with the standardised approach should be given additional time to adjust their systems in order to be able to comply with the reporting requirement set out in column 180 of templates 102 and 103 of Annex III to Implementing Regulation (EU) 2016/2070.
- (4) This Regulation is based on the draft implementing technical standards submitted by the EBA to the Commission.
- (5) Given that the necessary amendments to Implementing Regulation (EU) 2016/2070 do not involve significant changes in substantive terms, in accordance with the second subparagraph of Article 15(1) of Regulation (EU) No 1093/2010 of the European

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<sup>1</sup> OJ L176, 27.06.2013, p. 338.

<sup>2</sup> 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).

Parliament and of the Council<sup>3</sup>, the EBA has not conducted an open public consultation, considering that it would be disproportionate in relation to the scope and impact of the draft implementing technical standards concerned.

- (6) 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) Article 7(3) is replaced by the following:

“3. By way of derogation from Article 2 and until 31 May 2018, institutions shall not be required to report column 180 of templates 102 and 103 of Annex III where they do not compute the own funds requirements for credit risk resulting from the application of the standardised approach.”;

- (2) Annex I is replaced by the text set out in Annex I to this Regulation;  
(3) Annex II is replaced by the text set out in Annex II to this Regulation;  
(4) Annex III is replaced by the text set out in Annex III to this Regulation;  
(5) Annex IV is replaced by the text set out in Annex IV to this Regulation;  
(6) Annex V is replaced by the text set out in Annex V to this Regulation;  
(7) Annex VI is replaced by the text set out in Annex VI 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*  
*Jean-Claude Juncker*

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<sup>3</sup> 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).