

Question ID	2013/001
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Scope of application; paragraph 2.1.
Topic:	Scope of institutions subject to the data collection
Date:	01/11/2012 and 16/12/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	According to paragraph 2.1 of the guideline the list of institutions to participate in the exercise, should be selected applying one of the two criteria (a) the institutions should represent 60% of the total banking sector or (b) by selecting the 20 largest institutions from the banking sector. Regardless of the chosen criteria the list will comprise institutions that have parent banks and whose data will be reported on a consolidated level by the home authority. This can lead to situations where data for institutions within one member state are only provided within the data for a banking group and no national benchmark can be calculated. Which data shall be provided to EBA?
Reason for the question: (in the interests of expediency, in English if possible)	
Proposed response: (in the interests of expediency, in English if possible)	<p>The Guidelines set out two options for the definition of the sample which can alternatively be chosen by the national authority. The Guideline deals only with the EBA remuneration benchmarking exercise and not with the national remuneration benchmarking. The latter has to be done under the responsibility of the competent authority.</p> <p>Within the EBA benchmarking exercise it is ensured that, with the respect of either of the two options, each member state's banking system is sufficiently covered. However, a country by country analysis is not intended.</p> <p>A member state opting for the 60 % coverage criteria selects large institutions until this percentage is covered. If those institutions are subsidiaries of groups already covered in the data collection by the home authority, please do not hand in the data for those institutions. A list of institutions was provided to National Competent Authorities. For subsidiaries which are not already covered by data collected for the parent institution, data is to be handed in on solo level.</p> <p>A member state opting to include the 20 largest institutions hands in only the information which is not yet included in data from groups listed by other authorities. It can well be that also under this method all banks are already covered or only data from a very limited number of institutions or subsidiaries needs to be collected.</p>

Question ID	2013/002
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Scope of application; paragraph 3
Topic:	Scope of Consolidation
Date:	08/11/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	According to the GL institutions should provide data at the highest level of consolidation as set out in the CRD. Shall data be provided only for bank and investment firms, including branches and subsidiaries which are banks and investment firms, or for all entities, for example, leasing companies, included in the scope of consolidation at bank level?
Reason for the question: (in the interests of expediency, in English if possible)	
Proposed response: (in the interests of expediency, in English if possible)	The scope for collecting data on remuneration should be the same as the scope for the application of the consolidated own funds requirements. Paragraph 3 of the Guidelines sets out the scope of the exercise and data shall be collected at the highest level of consolidation as set out in the CRD. This includes credit institutions and investment firms, as well as financial institutions as defined in Article 4(5) of Directive 2006/48/EC and according to Article 134(2) of Directive 2006/48/EC ancillary services undertakings as defined in Article 4(21) of Directive 2006/48/EC and asset management companies as defined in Directive 2002/87/EC. This includes also undertakings the activity of which consists e.g. in leasing, factoring, management of unit trusts or management of data processing services. However, article 73 of Directive 2006/48/EC foresees specific conditions under which some firms may be excluded from the scope of consolidation.

Question ID	2013/003
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Reporting, paragraph 5.3
Topic:	Frequency of reporting and submission dates, and reference year
Date:	29/11/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case	

the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	How should “accounting year end numbers” be interpreted in the context of bonuses (as variable remuneration) paid during the year of submission of the information for performance during the preceding year?
Reason for the question: (in the interests of expediency, in English if possible)	
Proposed response: (in the interests of expediency, in English if possible)	In most cases the financial year is the same as the calendar year. Only figures already booked/accounted within the financial year which is reported will be included (see also paragraph 5.3 of the GL). If the financial year ends e.g. in June, the figures as of June 2010 and 2011 should be reported by the NSA to EBA beginning of 2013 and the figures for June 2012 should be reported by the institution to the NSA by end of June 2013.

Question ID	2013/004
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Reporting; paragraph 5
Topic:	Frequency of reporting and submission dates, and reference year
Date:	27/08/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	What currency is to be used for bonuses paid during the year of submission of the information and are monthly currency exchange rates applicable for the conversion?
Reason for the question: (in the interests of expediency, in English if possible)	
Proposed response: (in the interests of expediency, in English if possible)	For this exercise figures as stated by the institution will be reported. A field for the currency was added to the templates. EBA will convert the figures to Euro using the exchange rate applicable at the end of the respective year.

Question ID	2013/005
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Templates; Annex I and II

Topic:	Definition of retail and investment banking
Date:	16/10/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	It is not clear if wholesale lending should be included in retail lending or in the investment banking business. Could you specify more the activities included in the investment banking business area?
Reason for the question: (in the interests of expediency, in English if possible)	
Proposed response: (in the interests of expediency, in English if possible)	As set out in footnote 2 all lending, including wholesale lending, should be included in retail lending. For investment banking the Guidelines state that it includes corporate finance and trading and sales. Further guidance on the activities comprised in those business lines can be found in Annex X part 2 of Directive 2006/48/EC within the table defining the business lines within the standardised approach for operational risk.

Question ID	2013/006
Legal text:	Guidelines on the Remuneration Benchmarking Exercise (EBA/GL/2012/4 of 27 July 2012):
Area/provision:	Templates; Annex I and II
Topic:	Definition of amounts to be reported
Date:	23/11/2012
Organisation: (please indicate whether you would like to remain anonymous and in this case the data in this box will not be published)	
Question: (in the interests of expediency, in English if possible)	Some clarifications have been asked how to fill in certain fields of the Annex regarding: (a) Field: "total variable remuneration": (b) Field: "total amount of variable remuneration deferred in year N": (c) Field: "amount of explicit ex post performance adjustment applied in year N for remuneration awarded in previous years":
Reason for the question: (in the interests of expediency, in English if possible)	

<p>Proposed response: (in the interests of expediency, in English if possible)</p>	<p>(a) " Total variable remuneration" is the variable remuneration awarded for the performance year (e.g. 2010), both the upfront part and the deferred part. For the deferred part, maluses and claw-backs applied in the following year should not be taken into account within the figures which will be reported. For the reported variable remuneration it does not matter whether the deferred part has been paid in the end, but that it was granted in the first place. Maluses and clawbacks will be reported under: "Amount of explicit ex post performance adjustment applied in year N for remuneration awarded in previous years" (see letter c below).</p> <p>(b) "Total amount of variable remuneration deferred in year N" is the deferred part of the total variable remuneration referred to under (a).</p> <p>(c) "Amount of explicit ex post performance adjustment applied in year N for remuneration awarded in previous years" is the sum of clawbacks and maluses applied in the performance year (e.g. 2010) for remuneration awarded in previous years (e.g. 2007-2008-2009).</p>
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