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COUNCIL REGULATION (EU) 2026/415

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amending Regulation (EC) No 2533/98 concerning the collection of statistical information by the European Central Bank

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular to Article 5.4 thereof,

Having regard to the Recommendation of the European Central Bank ([1]),

Having regard to the Opinion of the European Parliament ([2]),

Having regard to the Opinion of the European Commission ([3]),

Acting in accordance with the procedure laid down in Article 129(4) of the Treaty on the Functioning of the European Union and in Article 41 of the Statute of the European System of Central Banks and of the European Central Bank,

Whereas:

(1) Council Regulation (EC) No 2533/98 ([4]) is a key component of the legal framework supporting the statistical collection tasks of the European Central Bank (ECB) assisted by the national central banks. The ECB has consistently relied on that Regulation to carry out and monitor the coordinated collection of statistical information necessary to undertake the tasks of the European System of Central Banks (ESCB).

(2) Regulation (EC) No 2533/98 was amended several times to review the scope of the reporting requirements necessary for the performance of the ESCB's tasks and to enable the transmission and use of statistical information, collected by the ESCB, by ESCB members and other authorities responsible for supervision, macroprudential oversight and resolution.

(3) Digital transformation has introduced radical new opportunities to integrate digital technologies not only in businesses, but also in the provision of public services. It has created an unprecedented environment that has given rise to the need for new statistics in order for the ESCB to carry out its tasks and has made it possible for granular data to be collected more efficiently. Moreover, recent economic and financial developments such as the climate emergency, the COVID-19 pandemic and the energy and cost-of-living crisis triggered by Russia's war of aggression against Ukraine have amplified demands and expectations for timelier, more frequent and more detailed statistics needed to support the performance of the ESCB's tasks. At the same time, it is important to balance those demands and expectations with the need to keep the burden placed on the reporting agents to a minimum, given that competitiveness and productivity are essential conditions for businesses to flourish. For that reason, it is important to adapt the legal framework to support the 'once only' principle in relation to statistical and regulatory reporting wherever possible, to ensure that reporting agents do not have to report the same data more than once. Those adaptations should have regard to the independence of the ECB and the statistical principles laid down in Regulation (EC) No 2533/98. To avoid the need for several authorities and bodies of the Union or of the Member States to collect the same statistical information, statistical information should be shared among members of the ESCB and by members of the ESCB with members of the European Statistical System (ESS) and with other relevant parties in well-defined circumstances, irrespective of which member of the ESCB collected the statistical information.

([1]) OJ C, C/2025/3224, 17.6.2025, ELI: http://data.europa.eu/eli/C/2025/3224/oj.
([2]) Opinion of 26 November 2025 (not yet published in the Official Journal).
([3]) OJ C, C/2025/6326, 19.11.2025, ELI: http://data.europa.eu/eli/C/2025/6326/oj.
([4]) Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank (OJ L 318, 27.11.1998, p. 8, ELI: http://data.europa.eu/eli/reg/1998/2533/oj).

(4) To reflect current realities and the digital environment in which the ESCB operates, new or updated definitions should be introduced in Regulation (EC) No 2533/98 to clarify the concepts of 'sharing', 'other legitimate party' and 'core reference data'. Some other definitions should be updated to ensure consistency with Union law.

(5) A homogenous reporting population is necessary for the production of the consolidated balance sheet of the monetary financial institutions (MFIs) sector of the participating Member States, which provides a comprehensive statistical picture of monetary developments in the Member States whose currency is the euro, seen as one economic territory. For this reason, the ECB has established and maintains a list of MFIs for statistical purposes based on a common definition, which specifies that MFIs include credit institutions as defined in Union law. It should therefore be clarified that even in the exceptional cases where a credit institution as defined under Union law is classified outside the 'financial corporations (S.12)' sector in the European system of national and regional accounts 2010, it would fall within the limits of the reference reporting population from which the members of the ESCB has the right to collect statistical information. The collection of that information is necessary for the application by the ECB of minimum reserve requirements to credit institutions for monetary policy purposes in accordance with Article 19 of the Statute of the European System of Central Banks and of the European Central Bank and Regulation (EU) 2021/378 of the European Central Bank ([5]). Where any other financial institutions or undertakings which are subject to prudential supervision are classified outside the 'financial corporations' sector, the right of the members of the ESCB to collect statistical information on them should not be impaired.

(6) Moreover, to align with the statistical principles of cost-effectiveness and minimisation of the reporting burden, the ECB should also have the right to collect statistical information from reporting agents on their controlled entities and on branches, including where the branch is resident in another country. That possibility would allow the ECB to implement the 'once only' principle in its statistical reporting effectively, thereby eliminating duplicative reporting requirements. It would also allow the approach for statistical reporting to be more closely aligned with the 'home approach' for supervisory regulatory reporting on branch activities. The ECB would also have more flexibility to adopt different approaches with regard to the extent of consolidation in statistical reporting.

(7) For the purposes of its statistical collection tasks, the ECB is required to cooperate with the Union institutions, bodies, offices or agencies and with the competent authorities of the Member States. To reflect that close cooperation, when laying down and imposing reporting requirements in order to collect the statistical information that is necessary to undertake the ESCB's tasks, the ECB should take into account the potential use of such information for the performance of tasks concerning policies relating to the prudential supervision of credit institutions, as well as the information from other institutions, bodies, offices, agencies of the Union or competent authorities of the Member States to which members of the ESCB have a right of access. That requirement is necessary to allow the maximum use of existing information and to minimise the burden on reporting agents.

(8) The limits within and the conditions under which the ECB is entitled to impose sanctions on reporting agents for failure to comply with the obligations arising from Regulation (EC) No 2533/98 or with the obligations laid down in ECB regulations and decisions imposing statistical reporting requirements should be updated to ensure that sanctions have sufficient deterrent effect. Furthermore, the maximum amount of the sanctions that may be imposed by the ECB on a reporting agent for failure to comply with obligations imposing statistical reporting requirements should, to a large extent, be aligned with the maximum amounts that may be imposed for failure to comply with other non-statistical obligations imposed by the ECB.

([5]) Regulation (EU) 2021/378 of the European Central Bank of 22 January 2021 on the application of minimum reserve requirements (ECB/2021/1) (OJ L 73, 3.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/378/oj).

(9) Confidential statistical information which the ECB and the national central banks obtain for the performance of the tasks of the ESCB must be protected in order to prevent its unlawful use and disclosure. Nevertheless, the confidentiality regime that applies to confidential statistical information collected by the ESCB should be revised and clarified to ensure that the ECB and the national central banks use and share with each other confidential statistical information for the performance of the tasks of the ESCB referred to in the Treaty, such as for the efficient development, production or dissemination of statistics or for increasing their quality. That revision is necessary to ensure that the information may be collected by the ECB with the assistance of the national central banks in accordance with the 'once only' principle. Moreover, to reduce the need for duplicative statistical and regulatory reporting requirements, to facilitate cooperation among authorities and bodies of the Union and of the Member States and to reduce unnecessary administrative burdens, the members of the ESCB should be obliged to share confidential statistical information with certain authorities and bodies for the performance of their tasks relating to supervision or to the stability and effectiveness of the financial system, including market integrity and investor protection, and with the ESS authorities. The members of the ESCB should have the flexibility to share confidential statistical information with other authorities and bodies of the Union and of the Member States or with researchers affiliated with scientific research bodies in specified circumstances. It should be also possible to share a specific and reduced set of confidential statistical information with reporting agents, where necessary for certain statistical purposes or where the sources are available to the reporting agent, for example, where such information is reported by an entity controlled by the reporting agent or its branches. The data sharing possibilities under the revised confidentiality regime are to be independent of the ESCB member collecting the statistical information. To maintain the confidence of reporting agents, there should be consistent arrangements to protect confidential statistical information and enhanced transparency on the uses to which statistical information may be put. That data sharing should exclude any confidential statistical information that was initially received from an ESS authority.

(10) ESCB members should continue to be accountable for the use and protection of the confidential statistical information collected by the members of the ESCB. Therefore, appropriate governance for the further transmission to third parties is necessary. Hence the transmission of confidential statistical information from any receiving party to third parties should require the authorisation of the ESCB member that shared the information. The explicit autorisation of the ESCB member can be granted once and as generically as possible for relevant categories of information, thereby avoiding unnecessary administrative procedures while maintaining the accountability of ESCB members.

(11) Pursuant to Directive (EU) 2019/1024 of the European Parliament and of the Council [6] and Commission Implementing Regulation (EU) 2023/138 [7], information on companies and company ownership is included in the list of high-value datasets. This ensures that public data of the highest socio-economic potential are made available for re-use with minimum legal and technical restriction and free of charge. Regulation (EC) No 2533/98 should therefore be adapted to reflect the availability of such data on companies and their high value for statistical purposes and other ESCB functions. In addition to that public data and in line with the principles of cost-effectiveness, minimisation of the reporting burden and high output quality, the members of the ESCB should be able to share with reporting agents core reference data comprising specific attributes on legal persons, branches and institutional units. The conditions under which it should be possible to use core reference data collected by the members of the ESCB for statistical and other purposes should therefore be specified.

(12) European statistics are developed, produced and disseminated by both the ESCB and the ESS under separate legal frameworks reflecting their respective governance structures. It is therefore important that Regulation (EC) No 2533/98 take account of amendments to Regulation (EC) No 223/2009 of the European Parliament and of the Council [8] and that it apply without prejudice to that Regulation.

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(6) Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56, ELI: http://data.europa.eu/eli/dir/2019/1024/oj).

(7) Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use (OJ L 19, 20.1.2023, p. 43, ELI: http://data.europa.eu/eli/reg_impl/2023/138/oj).

(8) Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164, ELI: http://data.europa.eu/eli/reg/2009/223/oj).

(13) Where the activities to be carried out under Regulation (EC) No 2533/98 involve the processing of personal data for official statistical purposes, such processing should comply with the relevant Union law on personal data protection, namely Regulations (EU) 2016/679 [9] and (EU) 2018/1725 [10] of the European Parliament and of the Council. In accordance with the principles set out in those Regulations, such processing should be subject to appropriate safeguards for the rights and freedoms of the data subject. Those safeguards should ensure that technical and organisational measures are in place in particular to ensure respect for the principle of data minimisation. Those measures can include pseudonymisation.

(14) In order to maintain Regulation (EC) No 2533/98 as an effective instrument for the ECB to carry out the statistical information collection tasks of the ESCB, it is necessary to allow the maximum use of existing information, administrative data, statistical registers and other available sources. Given that the use of multi-source statistics should be further encouraged, with statistics developed or produced on the basis of a variety of data sources, a harmonised framework should apply to the use and sharing of such information.

(15) Regulation (EC) No 2533/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments

Regulation (EC) No 2533/98 is amended as follows:

(1) Article 1 is amended as follows:

(a) point (4) is replaced by the following:

‘(4) “resident” and “residing” shall mean having a centre of predominant economic interest on the economic territory of a country as described in Chapter 1, paragraphs 1.61 and 2.07, of Annex A to Regulation (EU) No 549/2013 of the European Parliament and of the Council (*) establishing the European system of national and regional accounts 2010 (hereinafter referred to as “ESA 2010”); in this context, “cross-border positions” and “cross-border transactions” shall mean, respectively, positions and transactions in the assets and/or liabilities of residents of participating Member States seen as one economic territory vis-à-vis residents of non-participating Member States and/or residents of third countries;

(*) Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (OJ L 174, 26.6.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/549/oj).’;

(b) point (6) is replaced by the following:

‘(6) “electronic money” shall mean electronically, including magnetically, stored monetary value as represented by a claim on the issuer which is issued on the receipt of funds for the purpose of making payment transactions and which is accepted by other natural or legal persons than the issuer;’;

(c) the following points are added:

‘(13) “sharing” in relation to information shall mean making information available to, or permitting its use by, another party on the basis of and for the purposes permitted by the law which is applicable to or which is applied by the party sharing or receiving the information;

(9) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).

(10) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

(14) "other legitimate party" shall mean: the European Systemic Risk Board (ESRB), established by Regulation (EU) No 1092/2010 of the European Parliament and of the Council (1)*; the competent authority of a participating Member State of the Single Supervisory Mechanism as defined in Article 2, point (9), of Council Regulation (EU) No 1024/2013 (2)*; a European Supervisory Authority, established by Regulation (EU) No 1093/2010 of the European Parliament and of the Council (3)*, Regulation (EU) No 1094/2010 of the European Parliament and of the Council (4)* or Regulation (EU) No 1095/2010 of the European Parliament and of the Council (5)*, and the respective competent authority as defined in those Regulations; or the Single Resolution Board, established by Regulation (EU) No 806/2014 of the European Parliament and of the Council (6)*, and the national resolution authority as defined in that Regulation;

(15) "core reference data" shall mean the following identification and classification attributes for legal persons, branches or institutional units, where applicable: name of the legal person, branch or institutional unit, status, registration or foundation date, address, legal form, registration and other identification numbers, Member State where the legal person, branch or institutional unit is registered or resident, activity or activities that are the objects of the legal person, branch or institutional unit, such as the NACE code or a national classification derived therefrom in accordance with the statistical classification of economic activities in the Union (NACE) set out in Regulation (EC) No 1893/2006 of the European Parliament and of the Council (7)*, and the ESA 2010 sector classification.

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(1)* Regulation (EU) No 1092/2010 of the European Parliament and of the Council of 24 November 2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board (OJ L 331, 15.12.2010, p. 1, ELI: http://data.europa.eu/eli/reg/2010/1092/oj).

(2)* Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287, 29.10.2013, p. 63, ELI: http://data.europa.eu/eli/reg/2013/1024/oj).

(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, ELI: http://data.europa.eu/eli/reg/2010/1093/oj).

(4)* Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48, ELI: http://data.europa.eu/eli/reg/2010/1094/oj).

(5)* Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84, ELI: http://data.europa.eu/eli/reg/2010/1095/oj).

(6)* Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).

(7)* Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1, ELI: http://data.europa.eu/eli/reg/2006/1893/oj).';

(2) Article 2 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. For the purposes of this Regulation, the reference reporting population shall comprise the following reporting agents:

(a) legal and natural persons residing in a Member State and falling within the sector "financial corporations (S.12)" as defined in ESA 2010;

(b) post office giro institutions residing in a Member State;

(c) legal and natural persons residing in a Member State, to the extent that they hold cross-border positions or have carried out cross-border transactions;

(d) legal and natural persons residing in a Member State, to the extent that they have issued securities or electronic money;

(e) legal and natural persons residing in a participating Member State, to the extent that they hold financial positions vis-à-vis residents of other participating Member States or have carried out financial transactions with residents of other participating Member States;

(f) financial institutions and undertakings defined in Article 4(1), points (1) to (7), of Regulation (EU) No 575/2013 of the European Parliament and of the Council (*), residing in a participating Member State and not falling within the sector "financial corporations (S.12)" as defined in ESA 2010.

(*) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/575/oj).';

(b) paragraph 4 is replaced by the following:

'4. The ECB shall have the right to collect statistical information from a reporting agent which falls within the scope of the reference reporting population as specified in paragraph 2 or 3 on:

(a) legal persons, collections of natural persons, or entities which are controlled by the reporting agents (hereinafter referred to as "controlled entities"); or

(b) any of the reporting agent's branches, regardless of where they are located.

The ECB shall specify the manner in which the information referred to in the first subparagraph is to be reported, including the consolidation and the netting principles to be applied.

For the purposes of points (a) and (b), the controlled entities or branches shall not be reporting agents in their own right.';

(3) Article 3 is replaced by the following:

'*Article 3*

Modalities for the definition of statistical reporting requirements

In laying down and imposing its statistical reporting requirements, the ECB shall specify the actual reporting population within the limits of the reference reporting population as defined in Article 2. Without prejudice to the fulfilment of its statistical reporting requirements, the ECB:

(a) shall use existing statistics as far as possible;

(b) shall take into account the relevant European and international statistical standards;

(c) may fully or partly exempt specific classes of reporting agents from its statistical reporting requirements; and

(d) may take into account the potential use of the statistical information for the performance of tasks concerning policies relating to the prudential supervision of credit institutions, without prejudice to the competence in this field of the European Banking Authority established by Regulation (EU) No 1093/2010.

Before adopting a regulation as referred to in Article 5 concerning new statistics, the ECB shall assess the merits and costs of the collection of the new statistical information in question. The ECB shall take into account, in particular, the specific collection characteristics, the size of the reporting population, the periodicity of the reporting, and the information already held by the statistical authorities and administrations, by other Union institutions, bodies, offices or agencies or by the competent authorities of the Member States to which the ESCB members have a right of access.';

(4) Article 7 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. The obligation to report statistical information to the ECB or to the national central banks shall be deemed to have been infringed if:

(a) no statistical information is received by the ECB or national central bank by the established deadline;

(b) the statistical information is incorrect, incomplete or in a form not complying with the requirements; or

(c) the statistical information does not fulfil minimum standards as specified in regulations or decisions of the ECB, in respect of statistical reporting requirements other than the requirements laid down in point (a) or (b).';

(b) paragraph 4 is replaced by the following:

'4. The ECB may impose sanctions on a reporting agent as follows:

(a) in the event of an infringement under paragraph 2, point (a), a daily penalty payment not exceeding EUR 30 000, with the total amount not exceeding EUR 500 000;

(b) in the event of an infringement under paragraph 2, point (b) or (c), and under paragraph 3, a fine not exceeding EUR 500 000.';

(5) The following Article is inserted:

'*Article 7a*

Sharing of non-confidential data from the ESCB to the ESS

Without prejudice to Article 2a, an ESCB member shall share non-confidential data, including data made available by private data holders, with the ESS upon request, if the requested data are necessary and available in aggregate form, in areas of shared responsibility or common interest and are needed for carrying out the tasks of the requesting ESS authority.';

(6) Article 8 is replaced by the following:

'*Article 8*

Protection, use and sharing of confidential statistical information collected by the ESCB

1. The rules set out this Article shall apply to prevent the unlawful use and disclosure of confidential statistical information that is provided by the reporting agent or other legal or natural person, entity or branch to an ESCB member or shared within the ESCB.

2. ESCB members shall use and share with each other confidential statistical information for the performance of the tasks of the ESCB, including for the development, production or dissemination of statistics or for increasing their quality.

3. In addition to the obligation laid down in paragraph 2, the ESCB members:

(a) may use confidential statistical information for the performance of their tasks relating to prudential supervision;

(b) shall share confidential statistical information with other legitimate parties for the performance of their respective tasks relating to supervision or the stability and effectiveness of the financial system; including market integrity and investor protection.

(c) may share confidential statistical information with the European Stability Mechanism (ESM) and with authorities or bodies of the Union or of the Member States which are not other legitimate parties, as follows:

(i) with the ESM and with authorities or bodies responsible for the supervision of financial institutions, markets and infrastructures or for the stability of the financial system in accordance with Union or national law, to the extent and at the level of detail necessary to perform their respective statutory tasks;

(ii) with authorities or bodies with a legal right or entitlement to collect such confidential statistical information to perform their respective statutory tasks, to the extent and at the level of detail necessary to avoid that such information is collected twice from the same reporting agent;

(d) shall share confidential statistical information with ESS authorities in accordance with Article 8a(1) and (2);

(e) may grant access to researchers affiliated with scientific research bodies to confidential statistical information which does not allow a reporting agent, or other legal or natural person, entity or branch to be directly identified;

(f) where they are national central banks, may use and share confidential statistical information for the performance of national central banks' functions other than those specified in the Statute, in accordance with Article 14.4 of the Statute;

(g) may use or share confidential statistical information for other purposes, if the reporting agent or other legal or natural person, entity or branch which can be identified has explicitly given its consent for such use or sharing.

4. In the circumstances set out in paragraph 3, points (a) to (f), confidential statistical information shall not be used or shared for commercial or tax purposes or for the purpose of legal proceedings, with the exception of:

(a) proceedings concerning the failure to fulfil an obligation arising from ECB regulations or decisions, including those laying down and imposing statistical reporting requirements; or

(b) where confidential statistical information collected by a national central bank is used or shared for such purposes in order to perform functions other than those specified in the Statute, in accordance with Article 14.4 of the Statute.

5. The ECB may decide to collect confidential information originally collected for purposes other than those of Article 5 of the Statute, to the extent and at the level of detail necessary for the efficient development or production of statistics or for increasing their quality, and where those statistics are necessary to perform the tasks of the ESCB laid down in the Treaty. Once integrated with statistical information, that confidential information shall be subject to the same rules that apply to confidential statistical information.

6. The ESCB members may share confidential statistical information with a reporting agent in the following circumstances:

(a) where the confidential statistical information is exclusively core reference data and those core reference data are used by the reporting agent to identify and classify:

(i) the reporting agent;

(ii) the reporting agent's affiliated legal persons, entities or branches; or

(iii) the counterparties to transactions with the reporting agent;

(b) where the confidential statistical information is taken from sources which are available to the reporting agent, provided that the sharing of that information is necessary for the efficient development, production or dissemination of statistics or for increasing their quality, or for the performance of the tasks of the ESCB or tasks concerning policies relating to the prudential supervision of credit institutions.

The core reference data referred to in point (a) may be shared with a reporting agent provided that the sharing of that data is necessary for the efficient development, production or dissemination of European statistics or for increasing their quality.

7. ESCB members shall take all the necessary regulatory, administrative, technical and organisational measures to ensure the physical and logical protection of confidential statistical information. The ECB shall lay down common rules and implement minimum standards to prevent unlawful disclosure and unauthorised use of confidential statistical information. Member States and the ECB shall adopt all necessary measures to ensure the protection of confidential statistical information, including the imposition of the appropriate enforcement measures in the event of an infringement.

8. Any party receiving confidential statistical information:

(a) shall take all the necessary regulatory, administrative, technical and organisational measures to ensure the physical and logical protection of confidential statistical information in accordance with the common rules and minimum standards laid down by the ECB; and

(b) may further transmit the confidential statistical information provided that that is necessary to carry out its statutory tasks and with the explicit authorisation of the ESCB member that shared the information; such authorisation shall not be required for the further transmission from the ESM members to national parliaments to the extent required under national law, provided that the ESM member has consulted the relevant ESCB member before the transmission and the Member State of the national parliament receiving the confidential statistical information from the ESM member has taken the measures specified in point (a).

9. Reporting agents shall be informed of the uses to which statistical information provided by them may be put. To that end, the ESCB members shall publish information on the use of statistical information for statistical purposes, or for the purpose of performing the tasks of the ESCB or tasks concerning policies relating to the prudential supervision of credit institutions, and information on any other circumstances in which confidential statistical information is used or shared in accordance with paragraph 3. Reporting agents shall have the right to request information concerning the legal basis for the sharing of the information and the protective measures adopted.

10. Statistical information lawfully available to the public and which remains available to the public pursuant to Union or national law shall not be considered confidential. Such information shall include in particular data on key attributes of individual companies as listed in Commission Implementing Regulation (EU) 2023/138 (*).

11. This Article shall apply without prejudice to specific provisions of Union or national law relating to the transmission or sharing of information other than confidential statistical information to or with the ECB.

12. This Article shall not apply to confidential statistical information initially transmitted between an ESS authority and an ESCB member.

13. This Article shall not prevent confidential statistical information collected by an ESCB member for purposes other than, or in addition to, meeting the ECB's statistical reporting requirements from being used to meet those other purposes.

14. This Article shall not prevent ESCB members from granting access to confidential statistical information to service providers for the sole purpose of providing contracted services that support the performance of the tasks for which such information may be used and shared pursuant to this Regulation.

(*) Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use (OJ L 19, 20.1.2023, p. 43, ELI: http://data.europa.eu/eli/reg_impl/2023/138/oj).';

(7) Article 8a is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. The transmission of confidential statistical information from an ESCB member to an ESS authority shall be allowed provided that such transmission is necessary for the efficient development, production or dissemination, or for increasing the quality, of European statistics within the respective competence of the ESCB and the ESS and that such need has been justified.';

(b) paragraph 4 is replaced by the following:

'4. Statistical information which the ESCB members receive from ESS authorities and which was obtained from data lawfully available to the public and which remains available to the public in accordance with Union or national law shall not be considered confidential for the purposes of disseminating statistics obtained from that statistical information.';

(8) Article 8c is replaced by the following:

'*Article 8c*

Protection of confidential information on individuals

This Regulation shall apply without prejudice to Regulations (EU) 2016/679 (*) and Regulation (EU) 2018/1725 (**) of the European Parliament and of the Council.

(*) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).
(**) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).';

(9) Article 8d is replaced by the following:

'*Article 8d*

Access to administrative data

To reduce the burden on respondents, the national central banks and the ECB shall be allowed to access, use and integrate, free of charge, administrative data from relevant sources within their respective public administration systems, in a timely manner and with sufficient frequency and granularity for the purpose of developing, producing and disseminating European statistics.

The practical arrangements and conditions for achieving effective access shall be determined where necessary by each Member State and the ECB, within their respective spheres of competence.

Once integrated with statistical information, the resulting statistical outputs shall be used and shared as if collected pursuant to Article 5 of the Statute.'.

Article 2

Entry into force

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, 16 December 2025.

For the Council

The President

M. BJERRE