DECISIONS

DECISION (EU) 2023/1680 OF THE EUROPEAN CENTRAL BANK

of 17 August 2023

on the reporting of funding plans of supervised entities by national competent authorities to the European Central Bank *(ECB/2023/19)*

(recast)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

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

Having regard to 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 ([1]), and in particular Article 6(2) thereof,

Having regard to Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) ([2]), and in particular Article 21 thereof,

Having regard to the proposal of the Supervisory Board,

Whereas:

(1) The European Banking Authority (EBA) Guidelines on harmonised definitions and templates for funding plans of credit institutions under Recommendation of the European Systemic Risk Board of 20 December 2012 (ESRB/2012/2) (EBA/GL/2019/05) ([3]) (hereinafter the 'EBA 2019 Guidelines') harmonise the templates and definitions to facilitate the reporting of funding plans by credit institutions.

(2) The EBA 2019 Guidelines are addressed to competent authorities, as defined in Article 4, point (2), of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ([4]), and to financial institutions that report funding plans to their competent authorities in accordance with the national implementation framework of Recommendation ESRB/2012/2 of the European Systemic Risk Board ([5]).

(3) For the exclusive purpose of carrying out the tasks conferred on it by Article 4(1) and 4(2) and Article 5(2) of Regulation (EU) No 1024/2013, the ECB is considered, as appropriate, the competent authority or the designated authority in the participating Member States as established by Union law. Therefore, the ECB is amongst the addressees of the EBA 2019 Guidelines.

(4) In accordance with Article 6(2) of Regulation (EU) No 1024/2013, and Article 21 of Regulation (EU) No 468/2014 (ECB/2014/17), both the ECB and national competent authorities (NCAs) are subject to an obligation to exchange information. Without prejudice to the ECB's power to directly receive reported information from supervised entities, or to have direct access to that information on an ongoing basis, the NCAs are required to specifically provide the ECB with all information necessary for the purposes of carrying out the tasks conferred on the ECB by Regulation (EU) No 1024/2013.

([1]) OJ L 287, 29.10.2013, p. 63.
([2]) OJ L 141, 14.5.2014, p. 1.
([3]) Available on the EBA website at www.eba.europa.eu
([4]) 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).
([5]) Recommendation ESRB/2012/2 of the European Systemic Risk Board of 20 December 2012 on funding of credit institutions (OJ C 119, 25.4.2013, p. 1).

(5) In order to comply with the EBA 2019 Guidelines, the ECB should ensure that supervised entities report their funding plans in accordance with the harmonised templates and definitions referred to in the funding plan template attached to the EBA 2019 Guidelines. To this end, Decision (EU) 2017/1198 of the European Central Bank (ECB/2017/21) ([6]) establishes harmonised procedures for the submission of those funding plans to the ECB as well as details on the timing of the submission of information and the quality checks performed by NCAs before submitting information to the ECB.

(6) For the exercise of the ECB's tasks in respect of supervisory reporting, Decision ECB/2014/29 of the European Central Bank ([7]) specifies the manner in which NCAs submit to the ECB certain information that they receive from supervised entities and the timing of such submission.

(7) Decision ECB/2014/29 is repealed and replaced by Decision (EU) 2023/1681 of the European Central Bank (ECB/2023/18) ([8]). It is therefore necessary to align submission to the ECB by NCAs of credit institutions' funding plans with the provisions of Decision (EU) 2023/1681 (ECB/2023/18).

(8) Decision (EU) 2017/1198 (ECB/2017/21) has been substantially amended ([9]). Since further amendments are necessary, that decision should be recast in the interests of clarity,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

This Decision lays down the requirements for national competent authorities (NCAs) to provide the funding plans of certain significant and less significant supervised entities to the European Central Bank (ECB), and establishes procedures concerning the submission of such funding plans to the ECB.

Article 2

Definitions

For the purposes of this Decision, the definitions in Regulation (EU) No 468/2014 (ECB/2014/17) apply.

Article 3

Requirements for reporting funding plans

1. NCAs shall provide the ECB with the funding plans that are in line with the European Banking Authority (EBA) Guidelines on harmonised definitions and templates for funding plans of credit institutions under Recommendation of the European Systemic Risk Board of 20 December 2012 (ESRB/2012/2) (EBA/GL/2019/05) ([10]) (hereinafter the 'EBA 2019 Guidelines') of the following supervised entities established in their respective participating Member States:

(a) significant supervised entities at the highest level of consolidation in the participating Member States on a consolidated basis;

([6]) Decision (EU) 2017/1198 of the European Central Bank of 27 June 2017 on the reporting of funding plans of credit institutions by national competent authorities to the European Central Bank (ECB/2017/21) (OJ L 172, 5.7.2017, p. 32).
([7]) Decision ECB/2014/29 of the European Central Bank of 2 July 2014 on the provision to the European Central Bank of supervisory data reported to the national competent authorities by the supervised entities (OJ L 214, 19.7.2014, p. 34).
([8]) Decision (EU) 2023/1681 of the European Central Bank of 17 August 2023 on the provision to the European Central Bank of supervisory data reported to the national competent authorities by the supervised entities (ECB/2023/18) (see page 105 of this Official Journal).
([9]) See Annex I.
([10]) Available on the EBA website at www.eba.europa.eu

(b) significant supervised entities that are not part of a supervised group on an individual basis;

(c) less significant supervised entities in respect of which the relevant NCA collects funding plans in accordance with the EBA 2019 Guidelines.

2. NCAs that collect the funding plans of significant supervised entities that are not referred to in paragraph 1, points (a) and (b), shall provide these funding plans to the ECB if they comply with the EBA 2019 Guidelines.

3. The funding plans shall be submitted to the ECB in accordance with the harmonised instructions and templates referred to in the EBA 2019 Guidelines. The funding plans shall have a reporting reference date of 31 December of the previous year.

Where supervised entities are permitted by national law to report their financial information based on their accounting year-end, which deviates from the calendar year-end, the latest available accounting year-end shall be considered the reporting reference date.

Article 4

Remittance dates

1. The relevant NCAs shall, upon receipt of the funding plans of the supervised entities referred to in Article 3(1), points (a) and (b), and Article 3(2), in accordance with the 15 March remittance date specified in the EBA 2019 Guidelines and after performing the initial data checks referred to in Article 7, provide the ECB with such plans without undue delay.

2. The funding plans of supervised entities referred to in Article 3(1), point (c), that are included in the list of the Largest Institutions in the Member State as published by the EBA pursuant to Article 2(6) of EBA Decision of 27 July 2021 concerning supervisory reporting by competent authorities to the EBA (EBA/DC/404) ([11]) shall be provided by the relevant NCAs to the ECB at the latest by 12:00 Central European Time (CET) on the 10th working day following 15 March.

3. Funding plans of supervised entities not referred to in paragraph 1 or 2 shall be provided by the relevant NCAs to the ECB at the latest by 12:00 CET on the 25th working day following 15 March.

Article 5

Data quality

1. NCAs shall:

(a) monitor and assess the quality and reliability of the information made available to the ECB pursuant to this Decision;

(b) apply the relevant validation rules developed, maintained and published by the EBA; and

(c) apply additional data quality checks defined by the ECB in cooperation with the NCAs.

2. NCAs shall perform their quality assessment of funding plans data submitted to them in accordance with the following:

(a) by the 10th working day following the 15 March remittance date referred to in the EBA 2019 Guidelines with respect to the following:

   (i) significant supervised entities reporting at the highest level of consolidation within the participating Member States;

   (ii) significant supervised entities that are not part of a supervised group;

([11]) Available on the EBA website at www.eba.europa.eu

(iii) supervised entities that are classified as significant in accordance with the three most significant credit institutions criterion in their Member State and which report on a consolidated basis or on an individual basis, if they are not required to report on a consolidated basis, and where NCAs provide such funding plans to the ECB in accordance with Article 3(2);

(iv) supervised entities referred to in Article 3(1), point (c), that are included in the list of the Largest Institutions in the Member State as published by the EBA pursuant to Article 2(6) of EBA Decision of 27 July 2021 concerning supervisory reporting by competent authorities to the EBA (EBA/DC/404) ([12]);

(b) for the significant supervised entities that are not covered by point (a), by the 25th working day following the 15 March remittance date referred to in the EBA 2019 Guidelines.

3. Further to the compliance with the validation rules and data quality checks referred to in paragraph 1, the information shall be submitted in accordance with the following minimum standards for accuracy:

(a) NCAs shall provide information, if applicable, on the developments implied by the information submitted; and

(b) the information shall be complete, existing gaps shall be acknowledged and explained to the ECB and, if applicable, those gaps shall be filled without undue delay.

Article 6

Qualitative information

1. NCAs shall submit to the ECB without undue delay the corresponding explanations where the data quality for a given table in the taxonomy cannot be warranted.

2. NCAs shall communicate the following to the ECB:

(a) reasons for any resubmissions by significant supervised entities; and

(b) reasons for any significant revisions submitted by significant supervised entities.

For the purposes of point (b), ‘significant revision’ means any revision of one or more data points, both in terms of absolute figures reported and percentage of variations, which significantly impacts the prudential or financial analysis made using these data points at entity level.

Article 7

Transmission format

1. NCAs shall submit the information specified in this Decision in accordance with the relevant Data Point Model and applicable eXtensible Business Reporting Language (XBRL) taxonomy developed, maintained and published by the EBA.

2. In accordance with Article 140(3) of Regulation (EU) No 468/2014 (ECB/2014/17), upon receipt of the information referred in the EBA 2019 Guidelines, NCAs shall perform initial data checks to ensure that the submissions constitute a valid XBRL report in accordance with paragraph 1.

3. The supervised entities shall be identified in the corresponding transmission by the use of the Legal Entity Identifier.

([12]) Available on the EBA website at www.eba.europa.eu

Article 8

Repeal

1. Decision (EU) 2017/1198 (ECB/2017/21) is repealed.

2. References to the repealed Decision shall be construed as references to this Decision and read in accordance with the correlation table in Annex II.

Article 9

Taking effect

The Decision shall take effect on the day of its notification to the addressees.

Article 10

Addressees

This Decision is addressed to the national competent authorities of the participating Member States.

Done at Frankfurt am Main, 17 August 2023.

The President of the ECB
Christine LAGARDE

ANNEX I

Repealed Decision with the amendment thereto

Decision (EU) 2017/1198 of the European Central Bank of 27 June 2017 on the reporting of funding plans of credit institutions by national competent authorities to the European Central Bank (ECB/2017/21) (OJ L 172, 5.7.2017, p. 32).
Decision (EU) 2021/432 of the European Central Bank of 1 March 2021 amending Decision (EU) 2017/1198 on the reporting of funding plans of credit institutions by national competent authorities to the European Central Bank (ECB/2021/7) (OJ L 86, 12.3.2021, p. 14).

ANNEX II

Correlation table

Decision (EU) 2017/1198	This Decision
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5(1)	Article 5(1)
—	Article 5(2)
Article 5(2)	Article 5(3)
Article 6(1)	Article 6(1)
Article 6(2)	Article 6(2), first subparagraph, point (b)
—	Article 6(2), first subparagraph, point (a) and 6(2), second subparagraph
Article 7(1)	Article 7(1)
—	Article 7(2)
Article 7(2)	Article 7(3)
Article 8	—
—	Article 8
Article 8a	—
Article 9	Article 9
Article 10	Article 10