

EBA/DC/2020/335

EBA Regular Use

Decision of the European Banking Authority

of 05.06.2020

concerning the European Centralised Infrastructure of Data (EUCLID)

The Board of Supervisors

Having regard to

- (1) 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 1 and repealing Commission Decision 2009/78/EC1 (the 'EBA Regulation' and 'the EBA'), in particular Articles 2(4), 8, 9, 21, 22, 29 to 33, 35, 36, 48 (1), 53 (3), 70, 72 and 75 thereof;
- (2) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (the 'Capital Requirements Regulation' or 'CRR')²;
- (3) Directive 2013/36/EU 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 (the 'Capital Requirements Directive' or 'CRD')³;
- (4) Council Regulation (EU) No 1024/2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (the 'Single Supervisory Mechanism Regulation' or 'SSMR')⁴;

¹ OJ L331, 15.12.2010, p. 12

² OJ L 176, 27.6.2013, p. 1

³ OJ L 173, 27.6.2013, p. 338

⁴ OJ L 287, 29.10.2013 p. 63

- (5) Directive 2014/59/EU establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (the 'Bank Recovery and Resolution Directive' or 'BRRD')⁵;
- (6) Regulation (EU) No 806/2014 of the European Parliament and of the Council 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 (the 'Single Resolution Mechanism Regulation' or 'SRMR')⁶;
- (7) Commission Implementing Regulation No (EU) 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (EU) No 680/2014 (the 'Reporting Regulation')⁷;
- (8) Commission Delegated Regulation (EU) 2017/180 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for benchmarking portfolio assessment standards and assessment-sharing procedures (the 'Supervisory Benchmarking RTS')⁸;
- (9) The Commission Delegated Regulation No 1222/2014 with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (G-SIIs)⁹ and Revised guidelines on the further specification of the indicators of global systemic importance and their disclosure ('Guidelines on disclosure of G-SIIs')¹⁰;
- (10) Commission Delegated Regulation (EU) 2019/411 of 29 November 2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and

⁵ OJ L 173, 12.6.2014, p. 190

⁶ OJ L 225, 30.7.2014, p. 1

⁷ OJ L 191, 28.06.2014, p. 1

⁸ OJ L 27, 3.2.2017 p. 1

⁹ OJ L 330, 15.11.2014, p. 27–36

¹⁰ <https://eba.europa.eu/regulation-and-policy/own-funds/guidelines-for-the-identification-of-global-systemically-important-institutions-g-siis->

- on access to the information contained therein ('Regulation on Payment Institutions Register')¹¹;
- (11) Commission Implementing Regulation (EU) 2019/410 of 29 November 2018 laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366¹²;
- (12) Commission Implementing Regulation (EU) 2016/2070 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 (the 'Supervisory Benchmarking ITS')¹³;
- (13) Decision of the EBA Board of Supervisors on reporting by competent authorities to the EBA (EBA/DC/2020/334) (the 'Reporting Decision')¹⁴;
- (14) Decision of the EBA Board of Supervisors establishing the EBA Credit Institution Register (EBA/DC/2013/432) (the 'CIR Decision');
- (15) Decision of the European Banking Authority on data for supervisory benchmarking (EBA/DC/2020/337) (the 'Supervisory Benchmarking Reporting Decision')¹⁵;
- (16) Decision of the European Banking Authority on resolution reporting data (EBA/DC/2019/268) (the 'Resolution Reporting Decision')¹⁶;
- (17) EBA Guidelines on harmonized definition and templates for funding plans of credit institutions under Recommendation A4 of ESRB/2012/02, of 19 June 2014 (EBA/GL/2014/04)¹⁷ as replaced with effect from 31 December 2020 by the EBA Guidelines on harmonised definitions and templates for funding plans of credit institutions under

¹¹ OJ L 73, 15.3.2019, p. 84

¹² OJ L 73, 15.3.2019, p. 20

¹³ OJ L 328, 2.12.2016 p. 1

¹⁴ https://eba.europa.eu/sites/default/documents/files/document_library/Risk%20Analysis%20and%20Data/Reporting%20by%20Authorities/885460/Decision%20on%20supervisory%20reporting%20by%20competent%20authorities%20to%20the%20EBA.pdf

¹⁵

https://eba.europa.eu/sites/default/documents/files/document_library/Risk%20Analysis%20and%20Data/Reporting%20by%20Authorities/885461/Decision%20on%20data%20for%20supervisory%20benchmarking.pdf

¹⁶

https://eba.europa.eu/sites/default/documents/files/document_library/Risk%20Analysis%20and%20Data/Reporting%20by%20Authorities/885458/Decision%20on%20resolution%20reporting%20by%20resolution%20authorities%20to%20the%20EBA.pdf

¹⁷ <https://eba.europa.eu/sites/default/documents/files/documents/10180/742799/69a06e39-5f9c-4e7f-b240-2c66f09a83c5/EBA-GL-2014-04%20%28Guidelines%20on%20Harmonised%20Definitions%20and%20Templates%20for%20Funding%20Plans%29.pdf?retry=1>

Recommendation of the European Systemic Risk Board of 20 December 2012 (ESRB/2012/2), of 9 December 2019 (EBA/GL/2019/05)¹⁸ (collectively referred to as the ‘Funding Plan Guidelines’);

(18) EBA Guidelines (EBA/GL/2014/07)¹⁹ on the data collection exercise regarding high earners of 16 July 2014 (‘Remuneration Guidelines on High earners’), and EBA Guidelines (EBA/GL/2014/08)²⁰ on the remuneration benchmarking exercise of 16 July 2014 (‘Guidelines on Remuneration Benchmarking’), both referred to as the ‘Internal Governance Reporting Guidelines’;

(19) EBA Guidelines (EBA/GL/2014/10)²¹ on criteria to assess other systemically important institutions of 16 December 2014 (‘Guidelines on disclosure of O-SIIs’);

(20) EBA Guidelines (EBA/GL/2018/05) on fraud reporting under the Payment Services Directive (PSD2)²²;

(21) EBA Guidelines (EBA/GL/2020/07)²³ on supervisory reporting and disclosure of exposures subject to moratoria on loan repayments and public guarantees applied in response to COVID-19 crisis of 2 June 2020.

Whereas:

- (1) The EBA has, among others, as main tasks to ‘monitor and assess market developments in the area of its competence’, to ‘contribute to the development of a common supervisory culture’ and ‘perform a general coordination function’ also by means of ‘facilitating the exchange of information between competent authorities’, to ‘duly consider systemic risk’, ‘assess the existence of emergency situations’ and take proper action, to ‘undertake economic analyses’, ‘conduct publications and update regularly information relating to the field of its activities’, and to ‘cooperate closely with the ESRB’ in particular with regard to ‘the implementation of its warnings and recommendations’.
- (2) Provisions of legal acts, such as the CRR, the CRD, the Reporting Regulation, the Supervisory Benchmarking RTS and ITS, the Internal Governance Reporting Guidelines, the Reporting Decision, the Resolution Reporting Decision the Supervisory Benchmarking Reporting Decision, Guidelines on disclosure of G-SIIs, Guidelines on disclosure of O-SIIs, require that the

¹⁸ https://eba.europa.eu/sites/default/documents/files/document_library/Regulation%20and%20Policy/Supervisory%20Reporting/Updated%20Guidelines%20on%20harmonised%20definitions%20and%20templates%20for%20funding%20plans%20of%20credit%20institutions/883342/Final%20report%20on%20updated%20GL%20Funding%20Plans.pdf

¹⁹ <https://eba.europa.eu/sites/default/documents/files/documents/10180/757283/da42488f-09c1-4558-ae4e-6258e11b8345/EBA-GL-2014-07%20%28GLs%20on%20high%20earners%20data%20collection%29.pdf>

²⁰ www.eba.europa.eu/regulation-and-policy/remuneration/guidelines-on-the-remuneration-benchmarking-exercise

²¹ <https://eba.europa.eu/regulation-and-policy/own-funds/guidelines-on-criteria-to-to-assess-other-systemically-important-institutions-o-siis->

²² <https://eba.europa.eu/sites/default/documents/files/documents/10180/2281937/5653b876-90c9-476f-9f44-507f5f3e0a1e/Final%20report%20on%20Guidelines%20on%20fraud%20reporting%20under%20Article%2096%286%29%20PSD2%20%28EBA-GL-2018-05%29.pdf>

²³ https://eba.europa.eu/sites/default/documents/files/document_library/Publications/Guidelines/2020/884434/EBA%20GL%202020%2007%20Guidelines%20on%20Covid%20-19%20measures%20reporting%20and%20disclosure.pdf

competent authorities as defined in Article 4 (2) EBA Regulation submit to the EBA data which they receive from institutions. Furthermore, for the performance of its tasks, the EBA shall collect the necessary information concerning financial institutions as provided for in Article 35 of the EBA Regulation.

- (3) To ensure that data are submitted, recorded and managed in the most efficient way, there is a need to develop a dynamic platform whereby data will be submitted to the EBA, managed by EBA and shared as appropriate among the relevant competent authorities.
- (4) To achieve maximum data quality, ensure consistency of data submitted to the EBA, the European Central Bank (ECB) and the SRB, avoid duplication of reporting requirements and ensure a proportionate approach within the banking union, a sequential approach should be encouraged: where data referred to in this Decision has been submitted to the ECB or to the SRB by the competent authorities, the ECB or SRB forwards those data to the EBA in accordance with this Decision, then those competent authorities should refrain from re-submitting those data to the EBA.

Has decided as follows:

Article 1 – Definitions

For the purposes of this Decision, the following definitions shall apply:

- (a) ‘Competent authorities’ means authorities referred to in point (2) of Article 4 of the EBA Regulation.
- (b) ‘Institutions’ means financial institutions referred to in point (1) of Article 4 of the EBA Regulation for which a Data Reporting Obligation exists.
- (c) ‘Data Reporting Obligation’ means any obligation of the competent authorities to submit information to the EBA, deriving from the CRR, the CRD, the Reporting Regulation, the Supervisory Benchmarking RTS and ITS, the Internal Governance Reporting Guidelines, the Reporting Decision, the Resolution Reporting Decision the Supervisory Benchmarking Reporting Decision, Guidelines on disclosure of G-SIIs, Guidelines on disclosure of O-SIIs and any other act referred to in the ANNEX.
- (a) ‘Master Data’ means, all necessary data, record, file, statistics or numbers, submitted to the EBA by a competent authority in accordance with the CIR Decision, the Regulation on Payment Institutions Register or in order to allow the EBA to specify the Data Reporting Obligations for each institution, as defined in EUCLID Instructions.
- (b) ‘Information’ means all necessary data, record, file, statistics, document or numbers, submitted to the EBA by a competent authority on the basis of a Data Reporting Obligation.
- (c) ‘EUCLID Data’ means Master Data and Information.

- (d) 'EUCLID' means the European Centralised Infrastructure of Data and refers to the EBA platform for the submission, management and sharing of EUCLID Data from competent authorities and the EBA.

Article 2 - General

1. The competent authorities shall submit EUCLID Data to the EBA exclusively through EUCLID, except where the EBA has explicitly acknowledged, by Decision of the Executive Director, that the submission of data through other means is permitted. The Decision of the Executive Director shall also specify the other means that may be used for submission of such data and shall set out any technical specification necessary.
2. The competent authorities shall not submit data, other than EUCLID Data, unless the relevant authorities have previously obtained the EBA's consent.
3. Where the ECB or the SRB has submitted EUCLID Data, the relevant competent authorities shall refrain from re-submitting those data.
4. The Executive Director is hereby empowered to amend the ANNEX to include in EUCLID any additional Data Reporting Obligation set out by provisions of legislation, Guidelines, Recommendations or Decisions of the EBA's Board of Supervisors.

Article 3 - EUCLID Instructions

1. The EBA shall, by means of Decisions of the Executive Director issued in accordance with Article 53 of the EBA Regulation, develop, maintain and communicate to competent authorities a complete set of instructions ('EUCLID Instructions'), on how competent authorities shall submit, manage and administer in EUCLID both Master Data and Information.
2. With the EUCLID Instructions on Master Data, the following shall indicatively be set out:
 - a. the processes, including time limits, of submission of Master Data in EUCLID;
 - b. the management of Master Data in EUCLID;
 - c. the list and the definition of Master Data to be submitted to EBA;
 - d. the specifications on the Master Data including formats, ranges and optionalities;
 - e. the specifications on the quality and consistency checks that are applied to Master Data;
 - f. the technical specifications on the file exchange process of Master Data.
3. With the EUCLID Instructions on Information, the following shall indicatively be set out:
 - a. the processes related to the submission and management of Information in EUCLID;

- b. any technical specifications necessary, including without limitation formats, ranges and optionalities;
 - c. specifications on the quality and consistency checks;
 - d. technical specifications on the file exchange process.
4. The Decision of the Executive Director referred to in paragraph 1 shall specify any detail, including any technical or other specification necessary for the full operationalization of the EUCLID Instructions for all EUCLID Data.

Article 4 - Master Data

1. The competent authorities shall submit through EUCLID Master Data for all institutions under their remit in accordance with the EBA Instructions on Master Data referred to in Article 3. Master Data shall be available for the individual level, for the highest level of consolidation in a Member State, for the highest level of consolidation in the EU and for any other relevant level (e.g. liquidity sub-groups or resolution groups).
2. The competent authorities shall ensure that they update Master Data in EUCLID without undue delay after they have been informed of a relevant change and at least two weeks before the remittance date of the Data Reporting Obligation to which the relevant Master Data corresponds.
3. The Executive Director is hereby empowered to set out, by Decisions issued in accordance with Article 53 of the EBA Regulation, any detail, including any technical or other specification necessary for the submission, administering, management and full operationalization of the Master Data in EUCLID.

Article 5 - Quality and use of EUCLID Data

1. With the submission of any set of Data to the EBA, competent authorities warrant that that set of Data has undergone rigorous internal controls and quality checks and that they are in conformity with the Data Reporting Obligation and the relevant EUCLID Instructions.
2. Where the competent authorities cannot warrant that the requirements of the previous paragraph are fulfilled for a particular set of the Data submitted, they shall draw the EBA's attention thereto.
3. The EBA: a) may conduct additional quality checks of the EUCLID Data as appropriate and b) may require, also having regard to the Reporting Decision, revisions by Competent Authorities, which shall endeavor to submit any required revision without undue delay.

Article 6 - Confidentiality and access in EUCLID

1. EUCLID Data submitted and maintained in EUCLID shall be subject to the EU legal framework of professional secrecy, confidentiality and protection of personal data as applicable to the EBA.
2. Access to this data shall be provided in conformity with the EBA Regulation.
3. The Executive Director is hereby empowered to set out, by Decisions issued in accordance with Article 53 of the EBA Regulation, any detailed issue, including any technical or other specification necessary for granting, arranging and administering access to the EUCLID Data.

Article 7 - Miscellaneous

This Decision is without prejudice to the EBA's power in accordance with Article 35 of the EBA Regulation to request the competent authorities to submit other data or data from institutions not falling under Article 2.

Article 8 - Final provisions

This Decision enters into force immediately.

Done at Paris, 12.06.2020

[signed]

José Manuel Campa

Chairperson
For the Board of Supervisors

ANNEX

- 1) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (the 'Capital Requirements Regulation' or 'CRR');
- 2) Directive 2013/36/EU 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 (the 'Capital Requirements Directive' or 'CRD');
- 3) Council Regulation (EU) No 1024/2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (the 'Single Supervisory Mechanism Regulation' or 'SSMR');
- 4) Directive 2014/59/EU establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (the 'Bank Recovery and Resolution Directive' or 'BRRD');
- 5) Regulation (EU) No 806/2014 of the European Parliament and of the Council 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 (the 'Single Resolution Mechanism Regulation' or 'SRMR');
- 6) Commission Implementing Regulation No (EU) 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (EU) No 680/2014 (the 'Reporting Regulation');
- 7) Commission Delegated Regulation (EU) 2017/180 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for benchmarking portfolio assessment standards and assessment-sharing procedures (the 'Supervisory Benchmarking RTS');
- 8) The Commission Delegated Regulation No 1222/2014 with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (G-SIIs)²⁴ and Revised guidelines on the further specification of the indicators of global systemic importance and their disclosure ('Guidelines on disclosure of G-SIIs');

²⁴ OJ L 330, 15.11.2014, p. 27–36.

- 9) Commission Delegated Regulation (EU) 2019/411 of 29 November 2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein ('Regulation on Payment Institutions Register');
- 10) Commission Implementing Regulation (EU) 2019/410 of 29 November 2018 laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366;
- 11) Commission Implementing Regulation (EU) 2016/2070 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 (the 'Supervisory Benchmarking ITS');
- 12) Decision of the EBA Board of Supervisors on reporting by competent authorities to the EBA (EBA/DC/2020/334) (the 'Reporting Decision');
- 13) Decision of the EBA Board of Supervisors establishing the EBA Credit Institution Register EBA/DC/2013/432 (the 'CIR Decision');
- 14) Decision of the European Banking Authority on data for supervisory benchmarking (EBA/DC/2020/337) (the 'Supervisory Benchmarking Reporting Decision');
- 15) Decision of the European Banking Authority on resolution reporting data (EBA/DC/2019/268) (the 'Resolution Reporting Decision');
- 16) EBA Guidelines on harmonized definition and templates for funding plans of credit institutions under Recommendation A4 of ESRB/2012/02, of 19 June 2014 (EBA/GL/2014/04) as replaced with effect from 31 December 2020 by the 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), of 9 December 2019 (EBA/GL/2019/05) (collectively referred to as the 'Funding Plan Guidelines');
- 17) EBA Guidelines (EBA/GL/2014/07) on the data collection exercise regarding high earners of 16 July 2014 ('Remuneration Guidelines on High earners'), and EBA Guidelines (EBA/GL/2014/08)²⁵ on the remuneration benchmarking exercise of 16 July 2014 ('Guidelines on Remuneration Benchmarking'), both referred to as the 'Internal Governance Reporting Guidelines';

²⁵ www.eba.europa.eu/regulation-and-policy/remuneration/guidelines-on-the-remuneration-benchmarking-exercise

- 18) EBA Guidelines (EBA/GL/2014/10) on criteria to assess other systemically important institutions of 16 December 2014 ('Guidelines on disclosure of O-SIIs');
- 19) EBA Guidelines (EBA/GL/2018/05) on fraud reporting under the Payment Services Directive (PSD2)²⁶;
- 20) EBA Guidelines (EBA/GL/2020/07) on supervisory reporting and disclosure of exposures subject to moratoria on loan repayments and public guarantees applied in response to COVID-19 crisis of 2 June 2020.

²⁶ <https://eba.europa.eu/sites/default/documents/files/documents/10180/2281937/5653b876-90c9-476f-9f44-507f5f3e0a1e/Final%20report%20on%20Guidelines%20on%20fraud%20reporting%20under%20Article%2096%286%29%20PSD2%20%28EBA-GL-2018-05%29.pdf>