

EBA/CP/2024/18

30 July 2024

Consultation Paper

Draft Implementing Technical Standards

Repealing and replacing Regulation (EU) 2018/1624 on the provision of information for the purposes of resolution plans in the context of Directive 2014/59/EU

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1. Responding to this Consultation Paper

The EBA invites comments on all proposals put forward in this paper and in particular on the specific questions stated in the boxes below (and in the Annex of this paper).

Comments are most helpful if they:

- respond to the question stated;
- indicate the specific point to which a comment relates;
- contain a clear rationale;
- provide evidence to support the view expressed;
- describe any alternatives the EBA should consider; and
- provide where possible data for a cost and benefit analysis;
- raise any other comments they think relevant for the ITS.

Submission of responses

To submit your comments, click on the ‘send your comments’ button on the consultation page by 30.10.2024. Please note that comments submitted after this deadline, or submitted via other means may not be processed.

Publication of responses

Please clearly indicate in the consultation form if you wish your comments to be disclosed or to be treated as confidential. A confidential response may be requested from us in accordance with the EBA’s rules on public access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by the EBA’s Board of Appeal and the European Ombudsman.

Data protection

The protection of individuals with regard to the processing of personal data by the EBA is based on Regulation (EU) 1725/2018 of the European Parliament and of the Council of 23 October 2018. Further information on data protection can be found under the [Legal notice section](#) of the EBA website.

Disclaimer

The views expressed in this discussion paper are preliminary and will not bind in any way the EBA in the future development of the draft ITS on Resolution Planning reporting. They are aimed at eliciting discussion and gathering the stakeholders’ opinion at an early stage of the process.

2. Executive Summary

Collecting relevant and accurate information on institutions is crucial in order for resolution authorities to draw up resolution plans, substantiate their resolvability assessment and their resolution strategy.

Acting upon its mandate, the EBA developed the original Implementing Technical Standards (ITS) on information for resolution plans in 2014-2015. Since then, resolution authorities have gained more experience in preparing resolution plans and have refined their information requirements to reflect the evolution in the process. While the EBA updated the ITS in 2018 with a view to foster further harmonisation, new data needs were identified by resolution authorities thereafter based on the additional experience gained during this period, and separate data collections have been set up by the Single Resolution Board and by other resolution authorities. These separate data collections coexist today with the EBA ITS.

The current ITS comprehensive review aims on the one hand to further promote harmonisation and proportionality in resolution planning reporting by avoiding parallel data collections. On the other hand, it aims at improving the usability of the data collected by reflecting the latest developments in resolution planning, crisis preparedness and policies, and to deliver efficient and harmonised practices.

Proportionality is a key principle for European legislators and the EBA has taken into account this objective and the burden on institutions. Proportionality is embedded in the BRRD under the simplified obligations. The proportionality should be driven by these new ITS via:

- Relieving entities from parallel data collections coming from different authorities;
- The implementation of a modular core plus supplement approach to reporting that reduces the scope of reporting obligations for certain categories of reporting entities based on their size and complexity and that would be only subject to some core reporting requirements while the additional (supplement) reporting requirements would only be applicable to the larger or more complex entities;
- The removal of duplications and overlapping data points with MREL/TLAC, CoRep and FinRep, where the reporting entity has already submitted this data.

Next steps

After the public consultation the draft implementing technical standards will be submitted to the European Commission for endorsement before being published in the Official Journal of the European Union. The EBA will also develop the data point model (DPM), XBRL taxonomy and validation rules based on the final draft ITS. The draft ITS provide for the new framework to be operational in 2026 with first reporting reference date of 31 December 2025.

3. Background and rationale

1. The EBA reporting framework, specified in binding technical standards, is uniform and directly applicable ensuring harmonisation, level playing field for institutions and comparability of data.
2. The stability of the EU financial system and the efficient and orderly functioning of its banking sector depend on the implementation of an effective resolution framework for banks in the EU. The availability of sufficient and uniform bank-level information at the disposal of resolution authorities is crucial for them to draw up resolution plans and substantiate their resolvability assessment and resolution strategy.
3. A set of minimum standards for procedures, forms and templates for the collection of information on institutions is necessary for the consistent and effective development of bank-specific resolution plans. It is also necessary in order to provide a common information foundation supporting exchange and collective decision-making within resolution colleges.
4. Following the above rationale, the EU bank resolution framework (Article 11(3) of the Directive (EU) No 2014/59 ('the BRRD') mandates the EBA to develop specific ITS. The EBA developed the original Implementing Technical Standards (ITS) on information for resolution plans in 2014-2015. Since then, the EBA updated the ITS in 2018 with a view to foster minimum harmonisation. In the intervening period experience has developed, separate data collections have been set up by the Single Resolution Board and by Resolution Authorities.
5. The EBA is now performing a comprehensive review of the current ITS on reporting for resolution planning and execution purposes, in order to foster further harmonisation, to review and build on good practices and address shortcomings identified in the current framework.
6. This endeavor is in line with the [EU strategy on supervisory data in financial services](#) supporting overall rationalisation, simplification and consistency in this field. The review also aims to reflect the latest developments in resolution planning.

3.1 Changes to the reporting framework and implementation timeline

7. This Consultation Paper aims at introducing changes in resolution plan reporting to foster further harmonisation and enhance usability of data. The main changes introduced in this regard are to bring forward the submission deadlines in order to align them across the different resolution authorities; the amendment of the Relevant Legal Entity (RLE) thresholds; the introduction of the notion of Liquidation entities; the addition of information on the Ownership Structure; the introduction of granular reporting of liabilities data; the

extension of data reported for the criticality assessment of economic functions, Financial Market Infrastructures (FMI) and on Relevant services for operational continuity.

8. Proportionality aspects, beyond those related to the harmonisation of reporting practices across authorities, have been taken into account for institutions with simplified obligations, liquidation entities and via a modular cross plus supplement approach reporting for specific entity types (resolution planning for non-credit institution). In addition, where overlapping data points have been identified between this ITS and other supervisory and resolution data points already requested from reporting entities (CoRep, FinRep, MRELTLAC), these are no longer requested from the reporting entity¹.
9. The draft ITS provide for the new framework to be operational in 2026 when resolution authorities collect information as of 31 December 2025 first reporting reference date.
10. The planned review of the policy RTS on resolution plans is likely to trigger changes in the ITS on resolution plans reporting in the future.

3.2 Reporting changes topic by topic

3.2.1 General Remarks

11. This Consultation Paper introduces changes to reflect the evolution of resolution planning since the previous publication. Since the previous release of the ITS on resolution planning, resolution authorities have developed ad-hoc reports to capture the data deemed essential for resolution planning and crisis preparedness. This ITS review takes into account those additional data requests and aims primarily at harmonising and centralising them to a single data request to banks.
12. Policy developments, in particular issues by the EBA² and by resolution authorities over the years, have also influenced the scope of this ITS update.
13. Taking into account the wide scope of reporting entities subject to the ITS, an effort has been made to adapt the request based on certain entity characteristics related to resolution planning, namely the identification of resolution entities vs liquidation entities. In an effort to limit the reporting burden on banks while still providing resolution authorities with the data needed to actively fulfil their mandates, the concept of simplified obligations has been maintained.

3.2.2 Reporting deadlines

¹ This would apply when the scope of prudential consolidation coincides with the scope of consolidation of the resolution group

² EBA Guidelines on improving resolvability for institutions and resolution authorities under articles 15 and 16 BRRD (Resolvability Guidelines) - EBA/GL/2022/01 and EBA/GL/2023/05

14. The draft ITS introduces a change in the submission deadline from April 30 to March 31. This would give resolution authorities more time to execute data quality assessments, in particular on granular data reported. The earlier delivery also facilitates the more efficient use of the data in the resolution planning process. The anticipation of the submission deadline would be aligned with the current SRB practice regarding the collection on liability data from banks under their remit.
15. The earlier deadline may increase the risk of resubmission by institutions post financial audits, bearing in mind that the provision for resubmissions was already foreseen in the current ITS.

3.2.3 Relevant Legal Entity (RLE) threshold

16. The Relevant Legal Entity (RLE) threshold defined in the ITS is proposed to be reduced from 5% to 2%. The threshold is referenced to the resolution group. An absolute threshold based on total assets (above 5 billion EUR) has also been added, alongside the importance of the entity for the financial stability of at least one of the Member States in which the group has their registered offices or operates.
17. The aim is to increase the scope of entities for which data is collected and impacts notably the data available for the Public Interest Assessment (PIA) (assessing financial interconnections, impact on FMIs, building network models to assess the group's propagation of losses). This lower threshold is already applied by the SRB in the reporting by the institutions under their remit.
18. The reporting impact is expected to be mainly at the level of the number of entities reporting aggregate liability data and critical assessment of economic functions. Indeed, other than resolution entities, RLEs are only requested to deliver a limited number of reports, and RAs maintain the right to apply simplified obligations for smaller entities.

3.2.4 Overview of revised reporting obligations

Template	Template Description	Short Name	Institutions and Groups under Simplified Obligations	Institutions that are not part of a Group		Groups						
				Resolution Entity	Liquidation entity not subject to Simplified Obligations	Liquidation Entity not subject to Simplified Obligations		Union Parent Undertaking or Resolution Entity		RLEs that are institutions		Other RLEs
				Individual	Individual	(Sub-) Consolidated	Individual	(Sub-) Consolidated	Individual	(Sub-) Consolidated	Individual	Individual
Organisational Structure												
Z0101	Legal Entities	ORG 1			*			*				
Z0102	Ownership Structure	ORG 2	*	*	*			*				
Aggregate Liability Data												
Z0200	Liability Structure	LIAB 1	*	*	*	*	*	*	*	*	*	
Z0301	Own Funds Requirement	LIAB 2	*				*	*	*	*		
Z0302	Own Funds Requirement - Investment Firms	LIAB 3	*				*	*	*	*		
Z0400	Intragroup Financial Interconnections	LIAB 4			*		*					
Z0501	Major Liability Counterparties	LIAB 5	*	*		*		*		*		
Z0502	Major Off Balance Sheet Counterparties	LIAB 6	*	*		*		*		*		
Z0600	Deposit Insurance	LIAB 7	*	*		*		*		*		
Critical Functions												
Z0701	Criticality assessment of economic functions	FUNC 1	*	*	*	*	*	*	*	*		
Z0702	Mapping of economic functions by legal entity	FUNC 2					*					
Z0703	Mapping of core business lines to material legal entities	FUNC 3					*					
Z0704	Mapping of critical economic functions to core business lines	FUNC 4	*	*	*	*	*	*	*	*		
Relevant Services												
Z0801	Relevant Services	SERV 1	*				*					
Z0802	Relevant Services – mapping to assets	SERV 2	*				*					
Z0803	Relevant Services – mapping to roles	SERV 3	*				*					
Z0804	Relevant Services – mapping to critical functions	SERV 4	*				*					
Z0805	Relevant Services – mapping to core business lines	SERV 5	*				*					
Financial Market Infrastructures												
Z0901	FMI Services – Providers and Users	FMI 1	*	*	*		*					
Z0902	FMI Services – Mapping to Economic Functions	FMI 2	*				*					
Z0903	FMI Services – Key Metrics	FMI 3	*				*					
Z0904	FMI Services – CCPs – Alternate provider	FMI 4	*				*					
Granular Liability Data												
Z1001	Intragroup Liabilities, excluding Derivatives	G-LIAB 1						*		*		
Z1002	Securities (Including CET1, AT1 & Tier 2 Instruments; Excluding intragroup)	G-LIAB 2	*					*				
Z1003	All Deposits (excluding intragroup)	G-LIAB 3	*					*				
Z1004	Other financial Liabilities (not included in other tabs, excluding intragroup)	G-LIAB 4	*					*				
Z1005	Derivatives	G-LIAB 5	*					*				
Z1006	Secured Finance, excluding intragroup	G-LIAB 6	*					*				
Z1007	Other Non-Financial (not included in other tabs, excluding intragroup)	G-LIAB 7	*					*				

19. The table above provides an overview of the reporting obligations of the revised ITS and how they are expected to apply to the various types of reporting entities. Articles 2 to 5 of the draft ACT elaborate on these changes.
20. An explanation of the changes to the various sections resulting from this ITS is provided in the sections below.

3.2.5 Reporting by Liquidation entities

21. To the extent that Liquidation entities (regardless of whether they are part of a group) are not subject to Simplified Obligations, they will be subject to reporting only the organisational structure, aggregate liability data, providing a criticality assessment of their economic functions and reporting on Financial Market Infrastructures. The intention here is to limit the reporting burden on these entities, while ensuring that resolution authorities receive representative data from the banks in their jurisdiction.
22. Note that Own Funds data is only requested from these entities where MREL has or will be sent for these entities.

3.2.6 Removal of overlapping data points

23. Where a data point in the ITS has already been reported by the reporting entity for the same consolidation scope and reference date under CoRep, FinRep or MREL-TLAC, the entity is not required to report this data point a second time for resolution planning.
24. The aim is to reduce the burden on banks so they report once, as resolution authorities can already access this data.
25. Where the reporting entity is not subject to CoRep or FinRep reporting obligations or has provided them for another reporting scope or reference date, the reporting obligation in the ITS needs to be fulfilled.

3.2.7 Organisational Structure

Scope	What has changed	Why
Z 01.01 – Legal Entities	- Coverage of all entities in the consolidated accounting perimeter (no materiality threshold)	For completeness of reporting
	- Identification of LEI code of the Point Of Entry for each entity reported	To facilitate the identification of resolution groups
	- Reporting on Contribution to consolidated prudential and accounting figures for operating income, net income, total exposure measure and total risk exposure amount.	For completeness of reporting by subsidiaries not subject to supervisory reporting
Z 01.02 – Ownership Structure	- New table used to characterise each legal entity of the group and qualified investors based on the consolidated accounting perimeter.	Facilitates the analysis of contagion.
	Covers all shareholders of the group's entities with more than 2% of the share capital (or equivalent) or voting rights.	



26. The current report on Legal Entities has been expanded to cover all entities in the legal structure of the group. For each legal entity, the group is expected to report the LEI of the point-of-entry of the resolution group. The aim is to enable RAs to identify the resolution group structure more easily, in particular where an MPE Strategy is foreseen. Certain financial data points that can be accessed for other sources (e.g. Supervisory reporting) have been removed to reduce the reporting burden on banks.
27. Additional data is requested on the ownership structure of the group to define all shareholders of the group's entities with more than 2% of the share capital (or equivalent) or voting rights and all the shareholdings (or equivalent) held by entities of the group. This would enable among other things a more comprehensive understanding of the structure of the resolution group and impact of contagion.
28. Reporting would apply once at the level of the group to limit the associated reporting burden.

3.2.8 Additional Liability Data

Scope	What has changed	Why
Z 02.00 – Liability Structure	- Carrying Amount included	To support ongoing work on MREL policy
	- New counterparty added : « of which Insurance firms and pensions funds »	Analysis of contagion
Z 03.01 – Own Funds Requirement Credit Institutions	- Removal of reporting obligation for data points already reported by the bank for the same reference date and reporting scope under Regulation 575/2013	Reduce reporting burden on banks by removing double reporting obligations
Z 03.02 – Own Funds Requirement Investment Firms	- Dedicated Own Funds definitions applicable to Investment Firms, based on Regulation (EU) 2019/2033	To clarify reporting obligations for investment firms
Z 04.00 – Intragroup Financial Interconnections	- Expansion of scope to include liabilities excluded from bail in	To better assess financial interconnections within the group, influencing the decision on the SPE vs MPE approach.
	- No thresholds on the size of the entities in scope (no RLE/MLE threshold applied)	More complete scope of data collected.
	- This is a new report for banks under the SRB remit.	Harmonisation of reporting obligations across Member States
Z 05.01 – Major Liability Counterparties Z 05.02 – Major Off Balance Sheet Counterparties Z 06.00 – Deposit Insurance	NO CHANGE	Data fit for purpose

29. The proposal expands the current scope of reporting on the Liability Structure to include the “Carrying Amount” in addition to the “Outstanding Amount”, to support ongoing policy developments on MREL.
30. Following the introduction of the MREL-TLAC reporting in 2022 and given the access to prudential data already reported by banks, the reporting on Own Funds has been simplified. As concerns reporting of Own Funds by Investment Firms, a dedicated table has been introduced referring to those data points applicable for these types of entities.

3.2.9 Criticality assessment of economic functions

Scope	What has changed	Why
Z 07.01 – Criticality assessment of economic functions	- Introduction of Regional level reporting	Flexibility enabled to support resolution planning, but this is OPTIONAL.
	- Expanded reporting on Impact and Substitutability analyses	To reflect the data needs for a more efficient assessment by banks and RAs of a bank's critical functions.
	- Onboarding capacity	To assess the theoretical capacity of an entity to absorb the critical functions of a failing bank.
	- « Comments from the Group » section	Enable the bank to specify assumptions used in criticality assessment, e.g. for market share estimation. This contributes to better data quality and improved communication between RAs and banks.
Z 07.02 Mapping of economic functions by legal entity Z 07.03 Mapping of core business lines to material legal entities Z 07.04 – Mapping of critical economic functions to core business lines	Minor changes	Clarifications to data request

31. The proposal expands the current scope of reporting of critical functions to request more details on impact and substitutability analysis and additional numeric indicators relevant to the functions. These changes are in line with existing data requests to banks under the SRB remit. The objective is to improve the quality of the RA assessment of the criticality of the bank's functions.
32. For all functions reported, an Impact and Substitutability analysis is required, in accordance with Commission Delegated Regulation (EU) 2016/778 on critical functions, and covers the following aspects:
 - a. Nature and reach of the activity – this covers size indicators to specified by the reporting entity based on a predefined list of values;
 - b. The Relevance of the institution, on a local, regional, national or EU level, as appropriate for the market concerned;
 - c. The Market Structure (market concentration)
 - d. The Timing (expected time for substitution), and
 - e. Ability for Substitution (this assesses any legal barriers to market entry or expansion, as well as operational requirements for substitution).
33. A Comments section has also been introduced to enable banks to communicate the reasoning behind their assessment. This facilitates the review and understanding by RAs of the banks' criticality assessment and is expected to reduce the request for resubmissions stemming from RAs.

34. In addition to these changes which apply across the board to reporting on all functions, other quantitative data requests, specific to the underlying function reported, have been added.
35. For the Deposit functions, the value on accounts is required, with a new obligation to specify the amount that is uninsured and the amount that is related to recurrent accounts. Similarly, the numeric indicator in which number of clients has been reported will be complemented with additional quantitative data on the number of accounts (including the details of recurrent accounts) and an indicator of cross-border activity.
36. For the Lending activities, the risk weighted assets per economic function as well as the outstanding amount of cross border values have been added.
37. For the Payments function, the Value of transactions on recurrent accounts has been added, similar to the request for Deposits. Further details are requested on the Cross border activities, including the value of transactions, the value of open positions and the value of assets under custody. Note that these data points are only expected to be reported in line with the underlying function (e.g. the value of open positions is only relevant for CCP clearing services). This aim is providing increased clarity on the definition of the values to be reported to ensure that the data received by RAs is relevant for resolution planning.
38. For Capital Markets, similar to Payments, the definition of Cross border values to be reported has been refined to specify the values that apply to the different types of economic functions reported (notional amount, carrying amount, fee income). Reporting on the number of counterparties and the number of transactions has also been introduced.
39. For Wholesale Funding, the additional quantitative data requested covers reporting on (reverse) repurchase agreements, cross border values and the value at credit institutions for the economic functions reported.
40. The notion of Onboarding Capacity has been introduced for Deposits and Payments functions which aims to assess the theoretical capacity of an entity to absorb the critical functions of a failing bank. Specifically, the number of applications from new customers that can be processed over 1, 7 and 14 working days is used as a proxy to assess the onboarding capacity.

3.2.10 Extension of data reported on Relevant Services

Scope	What has changed	Why
Z 08.01 – Relevant Services	Additional data points integrated to cover: <ul style="list-style-type: none"> - critical intra-entity services, - essential services (intra-entity, intra-group and external), - operational assets, - staff/roles. 	To improve the analysis of operational continuity in resolution and separability, including requirements from the OCIR guidance (and EBA resolvability assessment guidance) that are currently provided by banks on ad-hoc basis. Aim: avoid double requests for reporting and ensure a consistent approach across the house.
Z 08.02 - Relevant Services – mapping to assets		
Z 08.03 - Relevant Services – mapping to roles		
Z 08.04 - Relevant Services – mapping to critical functions		
Z 08.05 - Relevant Services – mapping to core business lines		
Z 10.01 - Critical Information Systems (general information) Z 10.02 - Mapping of Information Systems	Removed	Data no longer relevant given other changes to reporting on Relevant Services

41. The draft ITS include an extension of the current scope of reporting on services mapped to Critical Functions (“Critical Services”) to services mapped to Core Business Lines (“Essential Services”). The reporting would include critical intra-entity services, essential services (intra-entity, intra-group and external), operational assets and relevant roles, in the form of limited additional data fields to align with requirements from operational continuity in resolution (OCIR) guidance such as issued by the SRB.
42. The rationale is that the ITS are currently focused on Critical services and resources linked to Critical Functions, while Essential services and essential resources linked to Core Business Lines are not reported at all, although this is a key OCIR expectation. For the sake of completeness, critical and essential assets and roles – together with a limited number of other necessary information fields – have been added in the proposed reporting changes. Moreover, an additional level of granularity for the identification of relevant services has been included in the template, in order to allow for more comprehensive reporting of the services.
43. In line with the extension of data reported on FMI, the objective is to improve the analysis of continuity in resolution and separability, including requirements from the EBA resolvability assessment guidance and the SRB OCIR guidance that are currently provided by institutions on ad-hoc basis. The aim is to reduce ad-hoc requests for reporting and ensure a consistent approach for all reporting entities.
44. In general, the templates Z 10.01 and Z 10.02 have proven to be of limited use in the assessment of resolvability. They are rather a source of information on IT systems (IT services are already covered in the revised Z 08.xx) that sometimes helps resolution authorities to confirm or reconcile with other data sources. These templates are proposed to be deleted.
45. Only Union Parent undertakings, or if different, resolution entities (including the case of institutions not part of a group), would be subject to the reporting obligations on relevant services.

3.2.11 Extension of data reported on FMIs

Scope	What has changed	Why
Z 09.01 – FMI Services – Providers and Users	Inclusion of mapping of FMI relationships with contracts.	Improvement of data accuracy and reliability; mapping of contracts supporting FMI relationships and monitoring resolution-proofness. Experience in FMIR data exploitation and relevance for resolution planning.
Z 09.02 – FMI Services – Mapping to Economic Functions	Introduction of limited additional qualitative and quantitative data fields; removal of fields not strictly necessary for FMIR exploitation.	
Z 09.03 – FMI Services – Key Metrics		
Z 09.04 – FMI Services – CCPs – Alternate provider		

46. It is proposed to add limited information on FMI reporting, namely on contracts identification, derivatives notional. The proposal also clarifies instructions of existing data fields already reported in the current ITS. The reporting of the resolution resilience of contracts has been introduced to support resolution planning, similar to what is also introduced for the reporting on relevant services.
47. To better assess the theoretical alternatives to CCP providers in the event of a resolution, a new table has been introduced.
48. These changes would allow to improve data reliability and efficiency of exploitation. Moreover, they would limit the need for further ad-hoc request to banks while allowing the RAs to fulfil their mandate pursuant to Regulation No. 2021/23 on the recovery and resolution of central counterparties.

3.2.12 Granular Liability Data

Scope	What has changed	Why
Z 10.01 - Intragroup Liabilities, excluding Derivatives	Reporting level: Individual only Reported by: <ul style="list-style-type: none"> - Union parent undertaking, or - Resolution entities part of a group; - Non-resolution entities part of a group; 	Introduction of granular reporting of liability data to the ITS. This data request has always existed for entities under the SRB remit.
Z 10.02 - Securities (Including CET1, AT1 & Tier 2 Instruments; Excluding intragroup)	Reporting level: Individual only Reported by: <ul style="list-style-type: none"> - Resolution entities part of a group and - Institutions not part of a group. 	The introduction of granular reporting to the ITS will increase transparency and report standardisation, and provide clear reporting guidelines in resolution reporting requirements by integrating current SRB reporting obligations to the ITS.
Z 10.03 - All Deposits (excluding intragroup)	Level of granularity: <ul style="list-style-type: none"> - Securities – granularity at the level of ISIN code issuances and potentially of the counterparty - Deposits: All deposits at contract level, except Not-Covered Not-Preferred deposits with a residual maturity of less than 1 year and Covered deposits and Not Covered but Preferential deposits (regardless of their residual maturity), which should be grouped by counterparty type, by insolvency ranking, and the whether the deposit is secured or unsecured. - Derivatives – granularity at the level of Master Agreement ID - Secured Finance - granularity at the level of Master Agreement ID - Other Financial and Non-Financial Liabilities – contract level granularity and potentially of the counterparty 	
Z 10.04 - Other financial Liabilities (not included in other tabs, excluding intragroup)		
Z 10.05 – Derivatives		
Z 10.06 - Secured Finance, excluding intragroup		
Z 10.07 - Other Non-Financial (not included in other tabs, excluding intragroup)		

49. It is proposed to expand the scope of the existing reporting of intragroup liabilities (Z 04.00) to include liabilities excluded from Bail-in. The introduction of this data request stems from the requirement for the bank to identify mandatory exclusions under Art. 44(2) BRRD / Art. 27(3) SRMR. The structure of the granular reports enables resolution entities to demonstrate their ability to accurately report the relevant creditor hierarchy of all liabilities in scope of the aggregate liability reporting³. In this way, the resolution entity is able to report the most relevant information about capital instruments, bail-inable subordinated liabilities and senior preferred debt securities.
50. The introduction of granular reporting also enables the RA to analyse, amongst other aspects, the financial interconnections for the purpose of informing the decision between an SPE or an MPE approach, as well as the mandatory exclusions from bail-in, which may differ between jurisdictions (e.g. DGS application). Note that the entities in scope for Z 04.00 have been extended: all financial interconnections between legal entities (and not only relevant legal entities) that are included in the consolidated financial statements of the group.
51. The draft ITS includes the reporting of granular (contract level) data on intragroup liabilities; securities; deposits (not excluded from bail-in); secured financing; financial and non-financial liabilities. This type of granular information is already being required by some RAs, including the SRB. The granular reporting would apply to:

³SRMR Art. 12c (5) and (9d), 17, 20 (16)-(18), 21(10), 27 (3); BRRD Art. 48, 59, 60; Section B of the Annex to BRRD (point 18); Section C of the Annex to BRRD (points 9, 12 and 17)

- a) resolution entities (all granular tables, at individual scope of reporting)
 - b) non-resolution RLEs (limited to reporting on intragroup liabilities)
52. The addition of the reporting obligations on granular data to the ITS is expected to increase transparency and report standardisation, and to provide clear reporting guidelines in resolution reporting requirements. The data is of particular use in the analysis of the bail-inability of liabilities reported as it provides details on the insolvency ranking, maturities, counterparties, MREL eligibility, etc. of these liabilities.
53. Non-resolution entities (that are RLEs) would be requested to provide granular data at an Individual level only on intragroup liabilities to facilitate analysis by RAs of the level of subordination for internal MREL and to analyse the internal loss transfer capabilities.
54. The non-banking union resolution entities and smaller resolution entities within the banking union are expected to be the most impacted entities, to the extent they do not already report some of these or similar data points.
55. Liquidation entities and those with simplified obligations would be exempted from granular reporting.

3.3 Cost of compliance

56. Proportionality is a key principle for European legislators. This is embedded in the BRRD under the right of resolution authorities, to set simplified reporting obligations for institutions the failure of which would have limited impact on financial stability.
57. The CRR also aims to enhance proportionality, as the rules are better adapted to the size, risk and systemic importance of the institutions. The EBA was mandated under the CRR2 to measure and gain insights into the costs that institutions incur when complying with the supervisory reporting requirements. The EBA was also tasked with assessing whether these reporting costs are proportionate compared to the benefits delivered for the purposes of prudential supervision. Based on that assessment, the EBA made recommendations on how to reduce reporting costs, particularly for SNCIs. The findings from this analysis were included in the EBA study on the cost of compliance with supervisory reporting requirements, published in 2021⁴. The conclusions and recommendations included in this report have been present in the EBA work on successive framework releases since the publication of the report.
58. The EBA has taken into account in this draft ITS the objective of proportionality and the burden on institutions:

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https://www.eba.europa.eu/sites/default/documents/files/document_library/Publications/Reports/2021/1013948/Study%20of%20the%20cost%20of%20compliance%20with%20supervisory%20reporting%20requirement.pdf

59. For Institutions that are not part of a Group, reporting is expected as follows:

- a. Resolution Entity:
 - i. Reporting solely at individual level, by definition, meaning reports relating to group structures are out of scope,
 - ii. Introduction of granular reporting of liability data.
- b. Liquidation entity (not subject to Simplified Obligations):
 - i. To limit the reporting burden, only data on the Organisational Structure (shareholdings), Aggregate Liability Data and Critical Functions will be requested,
 - ii. Reporting solely at individual level, by definition, meaning reports relating to group structures are out of scope.

60. For reporting by Groups:

- a. Union Parent Undertaking or Resolution Group
 - i. Both consolidated and individual reporting will exist for this category of reporting entities;
 - ii. « Host » banks are considered here as Union Parent Undertakings;
 - iii. Reporting at the sub-consolidated level is explicitly introduced to the ITS to formalise existing data requests at this level;
 - iv. Granular reporting will be introduced at the individual level only;
 - v. To avoid double reporting, where the resolution strategy is a Multiple Point of Entry, consolidated reporting will only be at the level of and for the scope of the resolution group where the head of the resolution group is also the union parent undertaking
 - vi. Reporting on Organisational Structure, Critical Functions, Critical Services, and Financial Market Infrastructures should only be reported once at the consolidated level for a given resolution group;
 - vii. The criticality assessment of economic functions and the Mapping of critical economic functions to core business lines should also be reported at the individual level, in particular where the group has more than one subsidiary in the same country, and the distinction between entities cannot be derived from the consolidated report.

- b. An “RLEs that are institutions” category is introduced, with similarly limited reporting obligations as liquidation entities/groups, covering:
 - i. Entities that are subject to Internal MREL; as well as;
 - ii. Liquidation Entities as defined in Article 2(1) point (83aa) of Directive 2014/59/EU.
- c. Other RLEs
 - i. Where there are RLEs in the Group that are not institutions, Resolution Authorities may request data for resolution planning purposes, in line with Article 8 of the ITS;
 - ii. Otherwise, these entities are out of scope for the ITS.
- d. Liquidation entities that are part of a Group and are not subject to simplified obligations: Reporting by these entities has been aligned with the reduced reporting obligations of Liquidation entities that are not part of a Group.

4. Draft implementing technical standards

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

of **XXX**

laying down implementing technical standards with regard to procedures and standard forms and templates for the provision of information for the purposes of resolution plans for credit institutions and investment firms pursuant to Directive 2014/59/EU of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) 2018/1624

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,
Having regard to Directive 2014/59/EU of the European Parliament and of the Council 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 Council⁵, and in particular Article 11(3) thereof,
Whereas:

- (1) Commission Implementing Regulation (EU) 2018/1624 of 23 October 2018⁶ specifies the procedure and introduces a minimum set of templates for the provision of information to resolution authorities by credit institutions or investment firms for the purpose of drawing up and implementing resolution plans for institutions. Since the adoption of that Regulation, resolution authorities have gained experience in the area of resolution planning and Directive 2014/59/EU⁷ has been amended. In light of that experience and to account for the new provisions of that Directive, it is necessary

⁵ OJ L 173, 12.6.2014, p. 190, ELI: <http://data.europa.eu/eli/dir/2014/59/2024-01-09>

⁶ Commission Implementing Regulation (EU) 2018/1624 of 23 October 2018 laying down implementing technical standards with regard to procedures and standard forms and templates for the provision of information for the purposes of resolution plans for credit institutions and investment firms pursuant to Directive 2014/59/EU of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) 2016/1066 (OJ L 277 7.11.2018, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2018/1624/oj).

⁷ Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 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 (OJ L 173, 12.6.2014, p. 190, ELI: <http://data.europa.eu/eli/dir/2014/59/oj>).

to update the minimum set of templates for the collection of information for resolution planning purposes.

- (2) To ensure that group resolution plans cover effectively and adequately the group concerned, the reporting obligations imposed on the Union parent undertakings should not be limited to resolution entities only but should also concern other relevant legal entities. Such relevance should, however, be properly delineated to exclude reporting for entities that are not relevant for the group or not systemically important. To that end, relevant thresholds should be set to define the relevant legal entity for the group, on which resolution reporting requirements will be imposed.
- (3) Directive (EU) 2024/1174 of the European Parliament and of the Council⁸ amended Directive 2014/59/EU and introduced the concept of liquidation entity. To take into account this new concept, there is a need to differentiate resolution reporting requirements for liquidation entities, resolution entities and entities belonging to resolution groups.
- (4) To ensure efficient resolution planning while preserving proportionality, resolution reporting requirements may have to differ from the prudential ones, when this is necessary to ensure that resolution authorities have adequate and credible data to perform their tasks. In this context, it is necessary to ensure that resolution reporting is not impeded by prudential waivers or by resolution groups not themselves subject to prudential consolidation requirements.
- (5) There is a need to specify reporting obligations taking into account whether the entities are stand-alone or belong to groups and whether such entities or groups have been identified, or include entities which have been identified, as liquidation entities. These reporting obligations should be set out on an individual, sub-consolidated or consolidated level in a way that ensures proportionality, does not compromise effective resolution planning, and avoids duplication. Particular attention should also be given to resolution groups consisting of credit institutions permanently affiliated to a central body and the central body itself to ensure that resolution reporting effectively covers in these cases all the credit institutions permanently affiliated to the central body of that resolution group, the central body itself, and their respective subsidiaries, on an individual, sub-consolidated and consolidated level.
- (6) Implementing Regulation (EU) 2018/1624 set out a procedure and a minimum set of templates for the provision of information by institutions to resolution authorities in a way that enables resolution authorities to collect that information in a consistent manner across the Union and facilitates the exchange of information among the relevant authorities. However, experience has shown that a harmonised approach to the collection of that information has only been partially achieved. It remains necessary to ensure that resolution authorities collect minimum information relating to an institution or group across the Union on a regular basis. This does not prevent resolution authorities from collecting any additional information they deem necessary to draw up and implement resolution plans or to lay down simplified information obligations in accordance with Article 4 of Directive 2014/59/EU.

⁸ Directive (EU) 2024/1174 of the European Parliament and of the Council of 11 April 2024 amending Directive 2014/59/EU and Regulation (EU) No 806/2014 as regards certain aspects of the minimum requirement for own funds and eligible liabilities (OJ L, 2024/1174, 22.04.2024, ELI: <http://data.europa.eu/eli/dir/2024/1174/oj>).

- (7) In order to ensure that resolution plans are based on a minimum set of data of consistently high quality and precision, a single data point model should be adopted, as is the practice in supervisory reporting. The single data point model should consist of a structural representation of the data items and identify all relevant business concepts for the purpose of uniform reporting for resolution planning and should contain all of the relevant specifications necessary for further developing uniform IT reporting solutions.
- (8) In order to safeguard the quality, consistency and accuracy of data items reported by institutions, those data items should be subject to common validation rules.
- (9) Due to their very nature, validation rules and data point definitions are updated regularly in order to ensure that they comply, at all times, with applicable regulatory, analytical and information technology requirements. However, the time currently required to adopt and publish the detailed single data point model and validation rules means that it is not possible to carry out modifications in a sufficiently rapid and timely manner that would ensure the permanent provision of uniform information regarding resolution plans in the Union. Therefore, stringent qualitative criteria should be established for the detailed single data point model and the detailed common validation rules which will be published electronically by the European Banking Authority (EBA) on its website.
- (10) In accordance with Article 11(2) of Directive 2014/59/EU, competent and resolution authorities should cooperate in order to minimise the duplication of information requirements. For that purpose, a cooperation procedure under which competent and resolution authorities jointly verify whether some or all of the requested information is already available to the competent authority. Where the information is available to the competent authority, it is appropriate that it transmits it to the resolution authority directly.
- (11) Given the extent of the necessary amendments to Implementing Regulation (EU) 2018/1624, it is preferable, for reasons of legal certainty and clarity, to adopt a new Implementing Regulation and, therefore, to repeal and replace Implementing Regulation (EU) 2018/1624.
- (12) This Regulation is based on the implementing technical standards submitted by the EBA to the Commission.
- (13) The EBA has conducted open public consultations on the implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council⁹,

⁹ 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/2010/1093/2021-06-26>).

HAS ADOPTED THIS REGULATION:

Article 1

Definitions

For the purposes of this Regulation, the following definition applies:

‘relevant legal entity’ means a group entity as defined in Article 2 (1) point (31) of Directive 2014/59/EU other than a resolution entity which meets any of the following conditions:

- (a) it provides critical functions;
- (b) its total risk exposure amount calculated in accordance with Article 92(3) of Regulation (EU) No 575/2013 of the European Parliament and of the Council ¹⁰at the individual level equals or exceeds 2% of the group’s consolidated total risk exposure amount calculated at the level of the Union parent undertaking. For a group comprising more than one resolution entity, an entity shall be regarded as relevant legal entity also where the total risk exposure amount calculated in accordance with Article 92(3) of Regulation (EU) No 575/2013 at that entity’s individual level equals or exceeds 2% of the resolution group’s total risk consolidated exposure amount calculated at the level of the resolution entity;
- (c) its total exposure measure referred to in Article 429(4) of Regulation (EU) No 575/2013 at the individual level equals or exceeds 2% of the group’s consolidated total exposure measure calculated at the level of the Union parent undertaking. For a group comprising more than one resolution entity, an entity shall be regarded as relevant legal entity also where its total exposure measure at the individual level equals or exceeds 2% of the resolution group’s consolidated total exposure measure at the level of the resolution entity;
- (d) its operating income at the individual level equals or exceeds 2% of the group’s consolidated total operating income calculated at the level of the Union parent undertaking;
- (e) its total assets at the individual level exceed EUR 5 billion;
- (f) it is important for the financial stability in at least one Member State.

Article 2

Resolution reporting by institutions that are not part of a group subject to consolidated supervision pursuant to Articles 111 and 112 of Directive 2013/36/EU

¹⁰Regulation (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/2013/575/2021-09-30>).

1. An institution that is not part of a group subject to consolidated supervision pursuant to Articles 111 and 112 of Directive 2013/36/EU¹¹ and is a resolution entity shall submit to the resolution authority the information specified in all the templates of Annex I, except the information referred to in template Z0101, Z0400, Z0702, Z0703 and Z1001, on an individual basis.
2. An institution that is not part of a group subject to consolidated supervision pursuant to Articles 111 and 112 of Directive 2013/36/EU and is a liquidation entity not subject to simplified obligations and without requirement referred to in Article 45(1) of Directive 2014/59/EU set in accordance with Article 45c(2a), second subparagraph of that Directive, shall submit to the resolution authority the information specified in the templates Z0102, Z0200, Z0501, Z0502, Z0600, Z0701, Z0704 and Z0901 of Annex I, on an individual basis.
3. An institution that is not part of a group subject to consolidated supervision pursuant to Articles 111 and 112 of Directive 2013/36/EU, it is a liquidation entity not subject to simplified obligations and for which a requirement referred to in Article 45(1) of Directive 2014/59/EU has been set in accordance with Article 45c(2a), second subparagraph of that Directive, shall submit to the resolution authority the information specified in the templates Z0102, Z0200, Z0301, Z0302, Z0501, Z0502, Z0600, Z0701, Z0704 and Z0901 of Annex I, on an individual basis.

Article 3

Group resolution reporting – resolution groups

1. The Union parent undertaking shall submit to the group-level resolution authority the information specified in templates Z0101, Z0102 and Z0801 to Z0904 of Annex I in relation to all group entities.
2. The Union parent undertaking shall submit to the group-level resolution authority the information specified in template Z0400 of Annex I in relation to the financial interconnections between all group entities.
3. The Union parent undertaking shall submit to the group-level resolution authority the information specified in templates Z0200 of Annex I as follows:
 - (a) for all the group's resolution entities, including the Union parent undertaking, and for all the relevant legal entities that are institutions for which a requirement referred to in Article 45(1) of Directive 2014/59/EU has been set in accordance with Article 45c(2a), second subparagraph of that Directive on an individual basis;
 - (b) for all the group's resolution entities, including the Union parent undertaking, and for all the relevant legal entities on a consolidated basis or, where applicable, on sub-consolidated basis regardless of whether these

¹¹ 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, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176 27.6.2013, p. 338,

ELI: <http://data.europa.eu/eli/dir/2013/36/2024-01-09>).

entities are subject to Part One, Title II, Chapter 2 of Regulation (EU) No 575/2013.

4. The Union parent undertaking shall submit to the group-level resolution authority the information specified in templates Z0301 or Z0302 of Annex I as follows:
 - (a) for all the group's resolution entities, including the Union parent undertaking, and for all the relevant legal entities that are institutions, on an individual basis;
 - (b) for all the group's resolution entities, including the Union parent undertaking, and for all relevant legal entities that are institutions for which a requirement referred to in Article 45(1) of Directive 2014/59/EU has been set in accordance with Article 45c(2a), second subparagraph of that Directive, on a consolidated or sub-consolidated basis regardless of whether these entities are subject to Part One, Title II, Chapter 2 of Regulation (EU) No 575/2013.
5. The Union parent undertaking shall submit to the group-level resolution authority the information referred to in template Z0701 of Annex I at the level of each Member State in which the group operates.
6. The Union parent undertaking shall submit to the group-level resolution authority the information referred to in template Z0702 to Z0704 of Annex I in relation to the critical functions and core business lines provided by any group entity.
7. The Union parent undertaking shall submit to the group-level resolution authority the information specified in templates Z0501, Z0502, Z0600, Z0701, Z0704 and Z1001 to Z1007 of Annex I for all the group's resolution entities, including the Union parent undertaking, which are not liquidation entities, on an individual basis.
8. The Union parent undertaking shall submit to the group-level resolution authority the information specified in templates Z0501, Z0502, Z0600, Z0701 and Z0704 of Annex I for all the relevant legal entities on an individual basis.
9. Paragraphs 2, point (a), paragraph 3, point (a), and paragraph 4 to 6 shall apply notwithstanding any derogation from the application of prudential requirements granted in accordance with Article 7(1) or (3) of Regulation (EU) No 575/2013 or Article 8 of Regulation (EU) 2019/1033 of the European Parliament and of the Council¹² or any waiver of the application of the minimum requirement for own funds and eligible liabilities granted in accordance with Article 45f of Directive 2014/59/EU.

Article 4

Group resolution reporting – groups comprising only liquidation entities

The Union parent undertaking of a group comprising only liquidation entities that are not subject to simplified obligations shall submit to the group-level resolution authority:

¹² Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/2033/oj>)

- (a) for itself, the information specified in the templates Z0101, Z0102, Z0200, Z0400, Z0701, Z0901 of Annex I in relation to all group entities;
- (b) for itself and for each relevant legal entity for which no requirement referred to in Article 45(1) of Directive 2014/59/EU has been set, in accordance with Article 45c (2a), second subparagraph, of that Directive, the information specified in the templates Z0200, Z0501, Z0502, Z0600, Z0701, Z0704 of Annex I on an individual basis;
- (c) for itself and for each relevant legal entity for which requirement referred to in Article 45(1) of Directive 2014/59/EU has been set, in accordance with Article 45c (2a), second subparagraph, of that Directive, the information specified in the templates Z0200, Z0301, Z0302, Z0501, Z0502, Z0600, Z0701, Z0704 of Annex I on an individual basis.

Article 5

Adjustments to group resolution reporting

1. For a group, the Union parent undertaking of which is a liquidation entity and which comprises resolution entities, the following shall apply:
 - (a) the Union parent undertaking shall submit the information referred to in Article 3 for the group entities belonging to resolution groups;
 - (b) the Union parent undertaking shall submit the information referred to in Article 4 for the liquidation entities not subject to simplified obligations and that are not part of any resolution group.
2. For a resolution group as defined in Article 2 (1), point (83b), (b) of Directive 2014/59/EU, the information referred to in Article 3 shall be submitted at least by one of this group's resolution entities, and it shall effectively cover all the credit institutions permanently affiliated to the central body of that resolution group, the central body itself, and their respective subsidiaries, on an individual, sub-consolidated and consolidated level, as appropriate.

Article 6

Frequency, reference dates and remittance dates

1. Institutions or, in the case of groups, Union parent undertakings shall submit the information referred to in Articles 2 to 5 at the latest by 31 March each year in respect of the last day of the previous calendar year. If 31 March is not a business day, the information shall be provided on the following business day.
2. Resolution authorities shall specify whether the information shall be directly submitted to the resolution authority or, where applicable, whether it shall be submitted instead to the competent authority.
3. Institutions or, in the case of groups, Union parent undertakings may submit unaudited figures. Where audited figures deviate from submitted unaudited figures, the revised, audited figures shall be submitted without undue delay.

For the purposes of this paragraph, unaudited figures are figures that have not received an external auditor's opinion and audited figures are figures audited by an external auditor expressing an audit opinion.

4. Corrections to the submitted reports shall be submitted without undue delay.

Article 7

Data exchange formats and information accompanying the submission

1. Institutions or, in the case of groups, Union parent undertakings, shall submit the information referred to in Articles 2 to 5, as specified in the templates set out in Annex I, in accordance with the instructions set out in Annex II, the definitions of the data point model referred to in Annex III, the validation rules referred to in Annex IV and the data exchange formats and representations specified by resolution authorities.
2. In addition to the obligation referred to in paragraph 1, institutions or, in the case of groups, Union parent undertakings shall ensure the following:
 - (a) information that is not required or not applicable shall not be included in a data submission;
 - (b) numerical values shall be submitted as follows:
 - (i) data points with the data type “Monetary” shall be reported using a minimum precision equivalent to ten thousands of units;
 - (ii) data points with the data type “Percentage” shall be expressed as per unit with a minimum precision equivalent to four decimals;
 - (iii) data points with the data type “Integer” shall be reported using no decimals and a precision equivalent to units.
 - (c) Institutions and insurance undertakings shall be identified solely by their Legal Entity Identifier (LEI);
 - (d) legal entities and counterparties other than institutions and insurance undertakings shall be identified by their Legal Entity Identifier (LEI), where available.
3. Institutions or, in the case of groups, Union parent undertakings, shall accompany the submitted data by the following information:
 - (a) reference date;
 - (b) reporting currency;
 - (c) accounting standard;
 - (d) Legal Entity Identifier (LEI) of the reporting entity;
 - (e) Level of application as set out in Articles 2, 3 and 4.

Article 8

Provision of additional information for the purpose of individual or group resolution plans

1. Where a resolution authority or a group-level resolution authority considers information not covered by any template set out in Annex I or information from entities subject to simplified obligations to be necessary for the purposes of drawing up and implementing resolution plans, or where the format in which additional information is provided by the competent authority pursuant to Article 6(2) is not suitable for the purposes of drawing up or implementing resolution plans, the resolution authority or the group-level resolution authority shall request such information and/or new format from the relevant entity or the Union parent undertaking.
2. For the purposes of the request referred to in paragraph 1, the resolution authority shall:
 - (a) identify the additional information to be provided;
 - (b) specify, taking into account the volume and complexity of the information required, the appropriate timeframe within which the institution or, in the case of groups, the Union parent undertaking shall provide the information to the resolution authority;
 - (c) specify the format to be used by institutions or, in the case of groups, by Union parent undertakings in order to provide the information to the resolution authority;
 - (d) specify whether the information has to be provided on an individual, sub-consolidated or consolidated basis and whether its scope is local, Union-wide or global;
 - (e) specify the exact recipient, as well as the data exchange formats and the information accompanying submissions, for the purposes of providing the additional information.

Article 9

Cooperation between competent and resolution authorities

1. Competent and resolution authorities shall jointly verify whether part or all of the information to be provided to the resolution authority pursuant to Articles 2 to 5, 7 and 8 is already available to the competent authority.
3. Where part or all of the information is already available to the competent authority, that authority shall provide such information to the resolution authority in a timely manner.
4. In the case referred to in paragraph 2, resolution authorities shall ensure that institutions or, in the cases of groups, Union parent undertakings, are informed of the information which is required to be included in the submission of information pursuant to this Regulation. They shall identify that information by reference to the templates set out in Annex I.

Article 10
Transition period

By way of derogation from Article 6(1), for the financial year ending on a date between 1 January and 31 December 2025, the remittance date shall be 31 March 2026 at the latest.

Article 11
Repeal

Implementing Regulation (EU) 2018/1624 is repealed.
References to the repealed Implementing Regulation shall be construed as references to this Regulation.

Article 12
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,

For the Commission
The President
[Ursula von der Leyen]

5. Accompanying documents

5.1 Draft cost-benefit analysis / impact assessment

As per Article 15 of Regulation (EU) No 1093/2010 (EBA Regulation), any draft implementing technical standards (ITS) developed by the EBA shall be accompanied by an Impact Assessment ('IA'), which analyses 'the potential related costs and benefits'.

This analysis presents the IA of the main policy options included in this Consultation Paper on the draft ITS repealing and replacing Commission Implementing Regulation (EU) 2018/1624 concerning resolution plans reporting ("the Draft ITS"). The analysis provides an overview of the identified problem, the proposed options to address this problem as well as the potential impact of these options. The IA is high level and qualitative in nature.

A. Problem identification and background

Article 11(3) of the Directive (EU) No 2014/59 mandates the EBA to develop ITS to specify procedures and a minimum set of standard forms and templates for the provision of information for the purpose of resolution plans. Under this mandate the EBA developed, since 2014, several ITS to create the resolution plans' reporting templates and their instructions but also, over time, to adapt these reporting templates and instructions to the related resolutions authorities ('RAs') needs and requirements. These ITS, adopted by the Commission, are now published by the Commission under the Commission Implementing Regulation (EU) 2018/1624 and thus gathers the latest resolution plans' reporting templates and instructions. Nonetheless, the most recent adaptation of these reporting templates and instructions was in 2018 and, since then, the new needs and requirements of the resolution's authorities – mainly due to latest developments in resolution planning, crisis preparedness and policies – were not reflected in these ITS but treated with separate data collection.

As such, in order to avoid parallel data collections and to reflect the latest developments in resolution planning, crisis preparedness and policies; but also, to a more general extent, in order to foster harmonisation in resolution planning reporting and to deliver efficient and harmonised practices, these ITS needs to be updated.

B. Policy objectives

The draft ITS repealing and replacing Commission Implementing Regulation (EU) 2018/1624 concerning resolution plans reporting aims at updating the resolution plans' reporting templates and instructions in order to align to the latest developments in resolution planning framework and in order to avoid parallel data collections.

C. Options considered, assessment of the options and preferred options

Section C. presents the main policy options discussed and the decisions made by the EBA during the development of the Draft ITS. Advantages and disadvantages, as well as potential costs and benefits from the qualitative perspective of the policy options and the preferred options resulting from this analysis, are provided.

Relevant Legal Entity thresholds

The Commission Implementing Regulation (EU) 2018/1624 contains some reporting requirements that are not applicable to all institutions but to certain type of institutions amongst which the institutions that qualify as ‘relevant legal entity’ (‘RLE’). The Commission Implementing Regulation (EU) 2018/1624 currently set the criteria for the definition of RLE and, in the context of the elaboration of the Draft ITS, the EBA considered two policy options in relation to those criteria.

Option 1a: To keep the existing criteria, for defining the ‘relevant legal entity’, as in the Commission Implementing Regulation (EU) 2018/1624.

Option 1b: To consider the criteria, for defining the ‘relevant legal entity’, used by the Single Resolution Board (‘SRB’) and to add the criteria of importance for the financial stability of at least one of the Member States in which the entity would have its registered offices or operates.

On one hand, keeping the existing criteria would have the advantages of simplicity and of not increasing costs of reporting for institutions outside of the SRB remit, to whom this change does not yet apply. On the other hand, this option would not go into the direction of the avoidance of ad hoc data collections (which would lower costs) and to the direction of harmonization of resolution plans’ reporting. For those reasons, option 1a was rejected. Considering the criteria of the SRB – that extend the number of entities in scope of the reporting obligations of this ITS compared with the existing ones – and adding the aforementioned criteria on the importance for the financial stability would have the benefits both for concerned entities and RAs of avoiding ad hoc data collections for entities not included in the RLE definition. For RAs this would also have the benefit of having more resolution plans’ data and information at disposal and support them in their duty of, amongst others, drawing up resolution plans. This change would have the benefit of leading to the harmonization of the RLE criteria of SRB and EBA resolution plans’ reporting amongst RAs parts of the banking union while also keeping and harmonization amongst all RAs (i.e. RAs of union banking countries and non-union banking countries).

Based on the above, the Option 1b has been chosen as the preferred option and the draft ITS will consider the criteria, for defining the ‘relevant legal entity’, with the criteria currently used by the SRB and add the criteria of importance for the financial stability of at least one of the Member States in which the entity would have its registered offices or operates.

Granular liability data

The current templates and instructions for resolution plan reporting, as set in the Commission Implementing Regulation (EU) 2018/1624, contain request of aggregate information on liability but does not contain – as it is the case for SRB reporting – request of granular data on liability. In this regard, the EBA considered two options for the draft ITS.

Option 2a: Not requiring to report Granular Liability Data.

Option 2b: Requiring resolution entities and non-resolution RLEs that are institutions to report Granular Liability Data.

Granular liability data are data related to intragroup transactions liabilities, securities, deposits, secured financing, other financial and non-financial liabilities and derivatives. Requiring entities to report data related to those liabilities would have the benefit of increasing transparency and reporting standardisation. Furthermore, these data are of particular use in the analysis of the bail-in-ability of liabilities reported as it provides, amongst other, details on the insolvency ranking, maturities and MREL eligibility of these liabilities and this would support the RAs in their duty. Furthermore, requiring entities to report those data would have the benefit of avoiding ad hoc data collection, which is one of the aims of the draft ITS, and – on the cost side – the costs related to the additional templates would be compensated by the decrease of the number of ad hoc data collection. Also, in order to lower the costs of reporting for certain entities, the granular liability data would be requested only for resolution entities and non-resolution RLEs. Finally, It is also worth mentioning that the granular liability data required in the draft ITS would be consider the ones of the SRB reporting and this would on one hand increase harmonization of SRB and EBA reporting and on the other hand the costs of these additional templates for entities already under SRB remit would be absorbed by some of already existing costs related to the production of SRB reporting.

Based on the above, the Option 2b has been chosen as the preferred option and Draft ITS will require resolution entities and non-resolution RLEs to report granular liability data.

D. Conclusion

The Draft ITS will repeal Commission Implementing Regulation (EU) 2018/1624 in order to adapt the reporting templates and instructions on resolution plan to the related resolutions authorities needs and requirements. The Draft ITS will also enhance the alignment of the resolution plans' reporting with the RAs and the SRB practice and decrease the number of ad hoc data collection. For the institutions, the Draft ITS requirements are expected to trigger costs given that more information will be requested. However, these costs would be lowered by the introduction of some proportionality and by the synergy with some SRB reportings and by the decrease of costs linked to less ad hoc data collection by RAs. Moreover, these requirements are necessary to allow RAs to perform their duties of drawing up resolution plans and this benefit exceeds the costs for institutions and the additional costs of monitoring that will be incurred to the RAs. Overall, the impact assessment on the Draft ITS suggests that the expected benefits are higher than the incurred expected costs.

5.2 Overview of questions for consultation

Question 1: Are the instructions and templates clear to the respondents?

Question 2: Do the respondents need further clarification to understand which of the minimum reporting obligations would apply to their specific profile (Resolution entity, Liquidation entity, RLE, non-institution...)?

Question 3: Do the respondents identify any discrepancies between these templates and instructions and the determination of the requirements set out in the underlying regulation?

Question 4: Cost of compliance with the reporting requirements: Is or are there any element(s) of this proposal for new and amended reporting requirements that you expect to trigger a particularly high, or in your view disproportionate, effort or cost of compliance? If yes, please:

- specify which element(s) of the proposal trigger(s) that particularly high cost of compliance,
- explain the nature/source of the cost (i.e. explain what makes it costly to comply with this particular element of the proposal) and specify whether the cost arises as part of the implementation, or as part of the on-going compliance with the reporting requirements,
- offer suggestions on alternative ways to achieve the same/a similar result with lower cost of compliance for you.

5.2.1 Reporting deadlines

Question 5: Change of the submission date from April 30 to March 31

The ITS update introduces an earlier submission deadline for resolution reports. This is expected to provide additional time for Resolution Authorities to assess data quality, in particular given the introduction of granular reporting to supplement the aggregate liability data currently in scope of the ITS.

- i. **How does this change impact your organisation's ability to report resolution data in a timely manner while still retaining data quality?**

5.2.2 Relevant legal entity (RLE)

Question 6: The Relevant Legal Entity (RLE) threshold defined in the ITS is proposed to be reduced from 5% to 2%. The threshold is referenced to the resolution group. An absolute threshold based on total assets (above 5 billion EUR) has also been added.

- i. **Do you have any comment on the changes in the definition of the RLE threshold, including the absolute threshold of 5 billion EUR?**

5.2.3 Organisational Structure

Question 7: Identification of the legal vs the resolution group structure

The previous reporting obligations on the organisational structure limited the scope of reporting to relevant legal entities that were part of the legal structure of the group. Under the revised ITS, the authorities would like to remove this threshold to get a more comprehensive view of the legal structure. At the same time, the ITS introduces the identification (LEI code), for each entity listed, of the resolution group to which it belongs. The information is expected to be in line with the details of the current resolution plan. Where an entity is not part of a resolution group, "N/A" would be reported in this field.

Note that this table is not expected from institutions that are not part of a group.

- i. **Do you identify any issues with expanding the scope of Z01.01 to all entities in the group, bearing in mind that this report would only be requested at the level of the Group?**

- ii. **Do you see an issue in the ability of the group to identify the resolution group to which each entity reported in the organizational structure belongs?**

5.2.4 Aggregate Liability Data

Question 8: The expectation is that all reporting entities, at a minimum, are required to report on their Liability Structure, at an aggregate level, in line with the current reporting obligations. In particular, the reporting introduces the notion of “Carrying Amount” in addition to the “Outstanding Amount”, to support ongoing policy developments on MREL.

In terms of Own Funds reporting, this is not required for Liquidation entities as the data is not considered relevant in this case. The ITS review also introduces targeted data points for reporting of Own Funds by Investment Firms, which fall under different reporting obligations.

In the case of groups, additional reporting is expected on intergroup financial connections, which also applies to liquidation entities that are part of a group. This reporting covers both liabilities excluded from bail-in (new) and liabilities not excluded from bail-in (already covered in the current ITS), in order to better assess financial interconnections within the group, influencing the decision on the SPE vs MPE approach.

- i. **Are the data-point definitions provided for reporting of the Carrying Amount sufficiently clear?**
- ii. **Do the revised data points for the reporting of Own Funds by Investment Firms better correspond to the reporting obligations for these types of Institutions? If not, please elaborate what changes you deem appropriate.**
- iii. **Do you anticipate any difficulties in providing the additional data required for the reporting of intragroup financial connections (for liabilities excluded from bail-in)?**
- iv. **Do you see merit in providing additional clarification about any data-point definition existing in the previous version of the CIR on Resolution Reporting? If so, for which specific data points?**

5.2.5 Critical Functions

Question 9: The revised ITS introduces the possibility of reporting on critical functions at a Regional Level, where this is relevant for a given jurisdiction, in addition to reporting at the EU and national levels.

In general, the reporting obligations have been expanded with regards to the Impact and Substitutability analyses, in order to provide a more effective assessment by banks and resolution authorities of the bank’s critical functions. Among these changes is the introduction of the Onboarding capacity of the bank (limited in this ITS to Deposits and Payments functions), which aims to assess the theoretical capacity of an entity to absorb the critical functions of a failing bank.

A comments section has also been added to each of the functions assessed, which provides a channel via which the reporting entity can explain the reasoning behind its assessment.

- i. **Do you have questions on how the new instructions on Onboarding Capacity should be interpreted for your organization?**

- ii. **Do you find the availability of a comments section useful to explain your assessment of the critical functions? Would you suggest another means of doing this, and if so, what?**

5.2.6 Relevant Services

Question 10: The reporting on Critical Services has evolved into reporting on Relevant Services. The primary objective is to improve the analysis of operational continuity and separability in resolution. The changes also seek to avoid excessive reporting by banks by incorporating certain key elements of the assessment of operational continuity which are currently not included in the ITS and are requested ad-hoc from reporting entities.

This reporting will apply to resolution entities that are not part of a Group and at the Group level for institutions that are part of a group.

- i. **Do you see any issue in identifying “relevant services” as defined in the revised ITS?**
- ii. **Do you think that that the data request on relevant services, as covered in the revised ITS, is sufficiently clear?**
- iii. **Do you see any overlap between this data request and related data requests on relevant/critical services raised by your Resolution Authority as part of the resolvability assessment?**

5.2.7 Financial Market Infrastructures

Question 11: The ITS introduces reporting on substitutability of CCP segments. The ITS also introduces data points on contracts identification, notional amount for derivatives and clarifies instructions of existing data fields.

- i. **Is the definition of “substitutability” provided in the new reporting on Alternative CCP providers (Z09.04 c0030) sufficiently clear? If not, what clarifications do you think would be necessary?**
- ii. **Are there additional or modified data points that you propose to include in Z09.03 to adequately capture the activity of the reporting entity with FMI service providers?**
- iii. **Are the instructions across Z09.01-Z09.04 sufficiently clear and detailed, and if not, what clarifications do you think are necessary and where?**

5.2.8 Granular Liability Data

Question 12: In order to harmonise reporting by institutions that are part of the Banking Union (for which granular liability data reporting was introduced several year ago) and non-Banking Union institutions, the ITS introduces granular reporting of liability data.

In an effort to limit the overall reporting burden on banks, this reporting is limited to individual level, and, with the exception of the reporting of intragroup transactions which applies to all relevant legal entities, the scope of institutions required to report granular liabilities is limited to resolution entities.

The level of granularity required is as follows:

- **Securities** – granularity at the level of ISIN code issuances and potentially of the counterparty

- **Deposits** – All deposits at contract level, except Not-Covered Not-Preferred deposits with a residual maturity of less than 1 year and Covered deposits and Not Covered but Preferential deposits (regardless of their residual maturity), which should be grouped by counterparty type, by insolvency ranking, and the whether the deposit is secured or unsecured.
 - **Derivatives** – granularity at the level of Master Agreement ID
 - **Secured Finance** - granularity at the level of Master Agreement ID
 - **Other Financial and Non-Financial Liabilities** – contract level granularity and potentially of the counterparty.
- i. **Are the data-point definitions provided for reporting of the Granular Liability Data sufficiently clear? If this is not the case, for which data points would you require additional clarifications?**