



Commission de Surveillance
du Secteur Financier

Circular CSSF 23/830

Clarification on the public
disclosure framework
applicable to credit
institutions and CRR
investment firms (Pillar 3)

Circular CSSF 23/830

Subject: Clarification on the public disclosure framework applicable to credit institutions and CRR investment firms (Pillar 3)

Luxembourg, 16 March 2023

To all credit institutions and CRR investment firms and to all Luxembourg branches of credit institutions and investment firms having their registered office in a third country

1. **Repeal of Circulars CSSF 15/605, 17/673 and 18/676**

The Commission Implementing Regulation (EU) 2021/637¹ laying down implementing technical standards (ITS on Pillar 3 disclosures) with regard to public disclosures by institutions of the information referred to Titles II and III of Part Eight of Regulation (EU) No 575/2013 (CRR) is applicable since 28 June 2021.

The application of this disclosure framework triggered some overlap with existing requirements contained in EBA guidelines. For this reason, the European Banking Authority ("EBA")² decided to repeal the following guidelines:

- Guidelines on disclosure of encumbered and unencumbered assets ([EBA/GL/2014/03](#));
- Guidelines on disclosure requirements under Part Eight of Regulation (EU) No 575/2013 ([EBA/GL/2016/11](#));
- Guidelines on liquidity coverage ratio (LCR) disclosure to complement the disclosure of liquidity risk management ([EBA/GL/2017/01](#)).

Consequently, the CSSF has decided to repeal the following circulars with immediate effect:

- [Circular CSSF 15/605](#) on conditions for the disclosure of unencumbered assets (adopting the EBA/GL/2014/03);
- [Circular CSSF 17/673](#) on disclosure requirements under Part Eight of Regulation (EU) No 575/2013 (adopting the EBA/GL/2016/11);
- [Circular CSSF 18/676](#) on LCR disclosure to complement the disclosure of liquidity risk management under Article 435 of Regulation (EU) No 575/2013 (adopting the EBA/GL/2017/01).

¹ Commission Implementing Regulation (EU) 2021/637 : [EUR-Lex - 32021R0637 - EN - EUR-Lex \(europa.eu\)](#)

² EBA communication on 12 October 2022 : [EBA clarifies the status of several disclosure guidelines, and ensures continuous transparency of credit quality of exposures by all types of credit institutions | European Banking Authority \(europa.eu\)](#)

2. Amendment to the scope of application of Circular CSSF 20/751

The ITS on Pillar 3 disclosures³ also specify disclosure requirements on non-performing and forborne exposures that are applicable only to large and other listed institutions, in line with Article 442 of Regulation (EU) No 575/2013 (CRR).

However, the EBA pointed out that, in a post COVID-19 environment and considering the current geopolitical developments, external stakeholders' access to relevant information on non-performing and forborne exposures of all types of institutions, except for small and non-complex institutions that are non-listed, should be maintained.

Therefore, the amending Guidelines (EBA/GL/2022/13) adjust the scope of application of the Guidelines (EBA/GL/2018/10) to clarify that:

- (1) the Guidelines will not apply to large and other listed institutions that are covered by the disclosure requirements under the ITS on Pillar 3 disclosures, but
- (2) the Guidelines will continue to apply only to listed small and non-complex institutions and to other institutions that are non-listed.

The joint application of the amending Guidelines (EBA/GL/2022/13) and the Commission Implementing Regulation (EU) 2021/637 should ensure that all EU institutions will continue to disclose relevant information regarding non-performing and forborne exposures to achieve a sufficient level of transparency on the credit quality of the exposures held by all institutions.

In this context, the scope of application of Circular CSSF 20/751 is modified accordingly (please refer to the Annex 1 for the details of the amendments to Circular CSSF 20/751).

³ The Commission Implementing Regulation (EU) 2021/637

3. Date of application

This circular applies with immediate effect.

Yours faithfully,

Claude WAMPACH
Director

Marco ZWICK
Director

Jean-Pierre FABER
Director

Françoise KAUTHEN
Director

Claude MARX
Director General

Attachment 1: Circular CSSF 20/751 as amended by Circular CSSF 23/830

Attachment 2: Guidelines EBA/GL/2022/13 amending Guidelines EBA/GL/2018/10 on disclosure of non-performing and forborne exposures



Circular CSSF 20/751 as amended by Circular CSSF 23/830

ON THE ADOPTION OF THE
GUIDELINES OF THE EUROPEAN
BANKING AUTHORITY ON
MANAGEMENT OF NON-
PERFORMING AND FORBORNE
EXPOSURES (EBA/GL/2018/06)
AND ON DISCLOSURE OF NON-
PERFORMING AND FORBORNE
EXPOSURES (EBA/GL/2018/10
AMENDED BY
EBA/GL/2022/13)

Circular CSSF 20/751 as amended by Circular CSSF 23/830

Re: Application of the Guidelines of the European Banking Authority on management of non-performing and forborne exposures (EBA/GL/2018/06) and on disclosure of non-performing and forborne exposures (EBA/GL/2018/10 amended by EBA/GL/2022/13).

Luxembourg, 25 September
2020

Ladies and Gentlemen,

**To all credit institutions
and to Luxembourg
branches of credit
institutions having their
registered office in a third
country**

The purpose of this Circular is to draw your attention to the following two guidelines of the European Banking Authority (EBA), namely EBA/GL/2018/06 on the management of non-performing and forborne exposures and EBA/GL/2018/10 (amended by the EBA/GL/2022/13) on the disclosure of non-performing and forborne exposures. The CSSF, as competent authority, has integrated those guidelines into its administrative practice and regulatory approach with a view to promote supervisory convergence in this field at European level and hence expects supervised entities¹ to duly comply with the Guidelines as explained below.

Over the past decades, the level of non-performing loans (NPL) and forborne exposures remained very contained in Luxembourg, notwithstanding a higher level in the European Union, especially in some jurisdictions. ~~In the context of the COVID-19 pandemic that~~ Nevertheless, in a context of macroeconomic uncertainties which may have a structural effect on the economic activity of borrowers, the CSSF expects credit institutions to endorse and apply the sound and robust credit risk management and consumer protection standards laid down in the said EBA guidelines in a manner proportionate with their exposure towards non-performing and forborne exposures. These guidelines complement the provisions of Article 9(3) of CSSF Regulation 15-02 that requires credit institutions to use effective systems for identifying and managing problematic credits and for making adequate value adjustments and provisions.

¹ "Significant supervised entities" as defined in Article 2, point 16 of Regulation (EU) No 468/2014 of the European Central Bank (ECB) of 16 April 2014 (SSM Framework Regulation) shall refer to the relevant ECB rules.

1. Scope of application and proportionality

1. The Guidelines on management of non-performing and forborne exposures (EBA/GL/2018/06) apply to credit institutions on an individual, sub-consolidated and consolidated basis as well as Luxembourg branches of credit institutions having their registered office in a third country.

2. The risk management strategies, internal governance and operational arrangements with respect to the management of non-performing and forborne exposures shall be appropriate as regards the size and the internal organisation of the credit institution and the nature, scope and complexity of its problematic assets.

3. For the Guidelines on disclosure of non-performing and forborne exposures (EBA/GL/2018/10 amended by the EBA/GL/2022/13), a set of templates (1, 3, 4 and 9) is applicable to credit institutions that are classified as:

a. small and non-complex institutions as defined in Article 4(1) point 145 of Regulation (EU) 575/2013 (CRR²) that are listed institutions, and

b. other institutions that are non-listed institutions as defined in Article 4(1) point 148 CRR, with the exception of those other institutions that are already subject to all or some of the disclosure requirements specified in Part Eight of the CRR in accordance with Articles 6, 10 and 13 of the CRR³. ~~Credit institutions designated as systemically important pursuant to Article 59-3(5) of the Law of 5 April 1993 on the financial sector and having a gross NPL ratio of 5%⁴ or above are required to apply the additional templates (2, 5, 6, 7, 8 and 10).~~

Small and non-complex institutions that are not listed are not subject to any disclosure requirements for non-performing and forborne exposures.

2. General content and objectives of the Guidelines

4. The Guidelines on management of non-performing and forborne exposures (EBA/GL/2018/06) outline a wide range of sound governance and operational arrangements which are expected to be implemented in a proportionate and effective way, especially in order to:

- Detect and manage the deterioration of credit quality:

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

³ 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

⁴ For the purpose of this calculation, loans and advances classified as held for sale, cash balances at central banks and other demand deposits are to be excluded both from the denominator and from the numerator.

Policies and processes should allow to assess borrowers' financial difficulties and identify, in a timely fashion, non performing exposures, as being past due in accordance with Commission Delegated Regulation (EU) 2018/171 in conjunction with Articles 13 and 14 of CSSF Regulation No 18-03 and section 4 of the Guidelines on the application of the definition of default (EBA/GL/2016/07), or unlikely to pay in accordance with section 5 of the Guidelines on the application of the definition of default (EBA/GL/2016/07).

It is also the expectation of the CSSF that credit institutions monitor all the triggers set out in CRR Article 47a in order to determine the entry to and exit from the non-performing status.

- Identify, grant and monitor forbore⁵ loans, with a focus on the viability of forbearance measures:

For the purpose of implementing forbearance measures, signs of possible future financial difficulties should be identified at an early stage. Any forbearance measures should be granted after an assessment of the borrower's repayment capacity and only when they aim to restore sustainable repayment by the borrower. The efficiency and effectiveness of forbearance measures should also be closely monitored.

- Apply sufficient and timely impairment and write-offs:

Sound policies, procedures and controls should enable to assess and measure loss allowances and write-off on non-performing exposures for expected credit losses in accordance with the Circular CSSF 17/675 and applicable accounting standards.

- Assess and review the valuation of collateral:

Governance arrangements, procedures (including on methodology and frequency), and controls on the valuation of the property collateral are expected to be aligned with the risk appetite. The update of the valuation of immovable property collateral at the time the exposure is classified as non-performing, and the annual update required when the exposure continues to be classified as such, should be performed by an independent and qualified appraiser, internal or external, who possesses the necessary qualifications, ability and experience to execute a valuation. However, indexed valuations may be used to update the valuation of immovable property used as collateral for non-performing loans of less than EUR 300,000 in gross value.

⁵ as stated in Annex V to Commission Implementing Regulation (EU) No 680/2014

5. Credit institutions with material exposure to NPL shall apply chapters 4 (“NPE strategy”) and 5 (“NPE governance and operations”) of EBA/GL/2018/06. This applies at least to credit institutions where the gross NPL ratio is at 5%⁶ or above. Such institutions shall establish an **NPL strategy** that sets realistic and ambitious targets with the objective to manage and reduce NPLs, implement governance arrangements and an operational framework to achieve their NPL strategy.

6. The Guidelines on disclosure of non-performing and forborne exposures (EBA/GL/2018/10 amended by the EBA/GL/2022/13) specify uniform disclosure formats to provide key information to stakeholders on the quality of credit institutions’ assets, on their risk profiles, on the distribution and the criteria of the problematic assets and on the features of the collateral backing those assets, with the aim of fostering transparency and comparability.

3. Date of application

~~The Circular is of direct application.~~ The Circular applies with immediate effect.

The Guidelines are available on the EBA website under:

<https://eba.europa.eu/regulation-and-policy/credit-risk/guidelines-on-management-of-non-performing-and-forborne-exposures>

<https://www.eba.europa.eu/regulation-and-policy/transparency-and-pillar-3/guidelines-on-disclosure-of-non-performing-and-forborne-exposures>

~~<https://eba.europa.eu/regulation-and-policy/credit-risk/guidelines-on-management-of-non-performing-and-forborne-exposures>~~

~~<https://eba.europa.eu/-/eba-publishes-final-guidelines-on-disclosure-of-non-performing-and-forborne-exposures>~~

Yours faithfully,

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

Claude WAMPACH

Director

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⁶ For the purpose of this calculation, loans and advances classified as held for sale, cash balances at central banks and other demand deposits are to be excluded both from the denominator and from the numerator.



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EBA/GL/2022/13

12 October 2022

Guidelines

amending Guidelines EBA/GL/2018/10 on disclosure of non-performing and forborne exposures

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Executive Summary

The comprehensive disclosure requirements that apply on the basis of the Commission Implementing Regulation (EU) 2021/637 since 28 June 2021 include among other elements, requirements to disclose information on non-performing and forborne exposures. These requirements apply to large and other listed institutions and thus implement the requirements to disclose information on non-performing and forborne exposures introduced in Article 442 of Regulation (EU) No 575/2013 (CRR).

The differences in the scope of application of the Commission Implementing Regulation (EU) 2021/637 and the EBA Guidelines on disclosure of non-performing and forborne exposures (EBA/GL/2018/10) create asymmetry in the publicly available information and transparency that also limits the availability of important information regarding small and non-complex institutions and other non-listed institutions. Many of such institutions have higher than EU average levels of non-performing loans. In addition, following the worsening economic outlook post COVID-19 and the current geopolitical developments, level of non-performing loans is likely to increase in general and, in particular, for many credit institutions outside the scope of the disclosure requirements under the Commission Implementing Regulation (EU) 2021/637.

To this end, it is important to maintain sufficient level of information on non-performing and forborne exposures and transparency for such credit institutions, information that is already offered on the basis of the existing EBA Guidelines on disclosure of non-performing and forborne exposures, which already include built-in proportionality arrangements (i.e. core disclosures for all banks supplemented by additional disclosure for larger banks with higher levels of non-performing exposures).

In order to ensure the continuity of public disclosures regarding non-performing and forborne exposures by credit institutions the EBA has decided to issue these guidelines to amend the scope of application and addresses of the EBA Guidelines on disclosure of non-performing and forborne exposures to clarify that (1) these guidelines will not apply to large and other listed institutions that are covered by the disclosure requirements under the Commission Implementing Regulation (EU) 2021/637, but (2) these guidelines will continue to apply only to listed small- and non-complex institutions and to other institutions [medium-sized institutions] that are non-listed.

As the amending guidelines do not introduce any new requirements, whilst only clarify the application of the existing EBA guidelines and make sure that the affected institutions continue making disclosures that they have been making since 2019, the EBA considered it to be disproportionate to carry out public consultations or a cost-benefit analysis on these amending guidelines. The EBA has notified the Banking Stakeholder Group (BSG) of its intention to issue these amending guidelines.

Background and rationale

1. Article 434a of Regulation (EU) No 575/2013 (CRR) mandates the EBA to develop draft implementing technical standards (ITS) specifying uniform disclosure formats, and associated instructions in accordance with which the disclosures required under Titles II and III of Part Eight of the CRR shall be made by the credit institutions.
2. Based on that mandate, the EBA updated its strategy regarding its policy on institutions' Pillar 3 disclosures, through among other actions, the development of comprehensive ITS on disclosure adopted by the Commission as Commission Implementing Regulation (EU) 2021/637¹ that applies from 28 June 2021. The disclosure standards introduced in that regulation are designed to further promote market discipline and moves from a silo-based approach, with different disclosure policy products for different disclosure requirements, to a set of comprehensive ITS that covers all topics. The standards also implement regulatory changes introduced by the changes to the CRR and align the EU disclosure framework with international standards.
3. The application of the comprehensive disclosure ITS has had effect on various EBA disclosure-related guidelines that have been developed earlier. In particular, the Commission Implementing Regulation (EU) 2021/637 set out disclosure requirements that are applicable to larger and other listed institutions in relation to disclosure of non-performing and forborne exposures and therefore affects the EBA Guidelines on disclosure of non-performing and forborne exposures²
4. The Guidelines on disclosure of non-performing and forborne exposures provide disclosure templates and tables applicable to all institutions, including proportionality criteria depending on the size of the disclosure institution and on the level on non-performing loans
5. Enhanced disclosure by the EU credit institutions of information regarding their non-performing and forborne exposures was introduced after the financial crisis of 2008-2009 that was followed by the European debt crisis by the means of the EBA Guidelines on disclosure of non-performing and forborne exposures. This was a part of the comprehensive EU response to the rising levels of non-performing exposures. Since the application of the guidelines in 2019, the increased transparency regarding non-performing and forborne exposures have helped with the reduction of such exposures and clean-up of the credit institutions' balance sheets.
6. The disclosure requirements regarding non-performing and forborne exposures as set out in CRR (Article 442) and Regulation (EU) 2021/637 apply only to large institutions and to other

¹ Commission Implementing Regulation (EU) 2021/637 laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013

² EBA/GL/2018/10



listed institutions and they therefore in practice supersede the requirements of the EBA Guidelines on disclosure of non-performing and forborne exposures for these types of institutions. Whilst there are no specific requirements regarding the disclosure of non-performing and forborne exposures under the CRR or the Commission Implementing Regulation that apply to small and non-complex institutions and non-listed other institutions not within the scope of the CRR disclosure obligations, this requirement is envisaged in the proposal for the review of Regulation (EU) 575/2013 (CRR3 proposal), and would be implemented in similar terms to those included in the current guidelines.

7. The differences in the scope of application of the Commission Implementing Regulation (EU) 2021/637 and the EBA Guidelines on disclosure of non-performing and forborne exposures create asymmetry in the publicly available information and transparency that also limits the availability of important information regarding small and non-complex institutions. Many of such institutions have higher than EU average levels of non-performing loans. In addition, following the worsening economic outlook post COVID-19 and the current geopolitical developments, level of non-performing loans is likely to increase in general and, in particular, for many credit institutions outside the scope of the disclosure requirements under the Commission Implementing Regulation (EU) 2021/637.
8. To this end, it is important to maintain sufficient level of information and transparency for such credit institutions, information that is offered on the basis of the existing EBA Guidelines on disclosure of non-performing and forborne exposures, which already include built-in proportionality arrangements (i.e. core disclosures for all banks supplemented by additional disclosure for larger banks with higher levels of non-performing exposures). These proportionality elements will be maintained.
9. Another important aspect is the regulatory developments in the proposal for the revision of Capital Requirements Regulation (CRR3), published by the Commission in October 2021³, where the Commission proposes to extend the disclosure requirements applicable to small and non-complex institutions under Article 433b and to other institutions under Article 433c. In particular, the CRR3 proposal includes under the scope of the requirement to disclose information on non-performing and forborne exposures to listed small and non-complex institutions and non-listed other institutions. The Commission proposal remains so far unchanged in the report published by the ECON of the European Parliament⁴ with proposed amendments to CRR3 proposal.
10. Therefore, the direction of the legislative developments in the CRR3 suggest that the disclosures of non-performing and forborne exposures will apply to all institutions with exception of non-listed SNCIs and thus closes the gap formed by the CRR2. Against this background, there is the risks that small and non-complex and other non-listed institutions, who are already disclosing this information, stop doing that and resume with the disclosure obligations applying again later,

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0664>

⁴ https://www.europarl.europa.eu/doceo/document/ECON-PR-731818_EN.pdf

once the provisions in CRR3 start to apply, a process that would be suboptimal and far from efficient both for credit institutions and users of information.

11. Based on the above considerations in order to ensure the continuity of public disclosures regarding non-performing and forborne exposures by all credit institutions the EBA has decided to issue these amending guidelines to amend the scope of application and addresses of the EBA Guidelines on disclosure of non-performing and forborne exposures to clarify that these guidelines will not apply to large and other listed institutions that are covered by the disclosure requirements under the Commission Implementing Regulation (EU) 2021/637, but continue to apply only to listed small and non-complex institutions and to other institutions [medium-sized institutions] that are non-listed.

12. In particular, the following disclosure obligations (templates) from the EBA Guidelines on disclosure of non-performing and forborne exposures will continue to apply to listed small and non-complex institutions and to non-listed other institutions:

- a. **Template 1 – ‘Credit quality of forborne exposures’⁵**, in which credit institutions are required to disclose the gross carrying amount, broken down by exposure class, of FBEs, the related accumulated impairment, provisions, changes in fair value, and the collateral and financial guarantees received, and to explain the drivers of any significant changes over the time;
- b. **Template 3 – ‘Credit quality of performing and non-performing exposures by past due days’⁶**, in which credit institutions are required to disclose the gross carrying amount, broken down by exposure class, of performing and non-performing exposures, including a further breakdown of past-due exposures by the number of days that they have been past due. Credit institutions are also required to explain the drivers of any significant changes across the time periods.
- c. **Template 4 – ‘Performing and non-performing exposures and related provisions’⁷**, in which credit institutions are required to disclose information on the gross carrying amount of impairments, provisions, accumulated changes in fair value due to credit risk, accumulated partial write-offs, and collateral and financial guarantees received – for both performing and non-performing exposures – with a breakdown by exposure class. Further details are requested on the stage of the exposures for banks governed by International Financial Reporting Standards (IFRS). Explanations of significant changes across the time periods should be provided.

⁵ It is noted that Template 1 corresponds to the template EU CQ1 ‘Credit quality of forborne exposures’ of the Annex XV of Commission Implementing Regulation (EU) 2021/637.

⁶ It is noted that Template 3 corresponds to the template EU CQ3 ‘Credit quality of performing and non-performing exposures by past due days’ of the Annex XV of Commission Implementing Regulation (EU) 2021/637.

⁷ It is noted that Template 4 corresponds to the template EU CR1 ‘Performing and non-performing exposures and related provisions’ of the Annex XV of Commission Implementing Regulation (EU) 2021/637.



- d. **Template 9 – ‘Collateral obtained by taking possession and executions processes’⁸**, in which credit institutions are required to disclose information on the instruments and value of the collateral obtained by taking possession.

13. Listed small and non-complex institutions and non-listed other institutions will need to continue disclosing the above information on annual basis.
14. In line with the Article 16 of Regulation (EU) No 1093/2010⁹, the EBA considers it to be important to harmonise the supervisory practices and requirements applicable to all types of credit institutions and to ensure that they all provide sufficient (and proportionate) level of information regarding their non-performing and forborne exposures. Such transparency is even more important in the current market environment also considering negative outlook for the quality of the credit portfolios going forward. The EBA sees the need for maintaining and amending the scope of application and addressees of the Guidelines on disclosure of non-performing and forborne exposures as a temporary measure until the introductions of the CRR3 and the expansion of the disclosure requirements regarding non-performing and forborne exposures to all types of institutions. To this end, this approach will address the economic reasons necessitating closer monitoring of non-performing loans as well as the need to maintain consistency with forthcoming CRR3 requirements.
15. As the amending guidelines do not introduce any new requirements, whilst only clarify the application of the existing EBA guidelines and make sure that the affected institutions continue making disclosures that they have been making since 2019, the EBA considered it to be disproportionate to carry out public consultations or a cost-benefit analysis on these amending guidelines. The EBA has notified the Banking Stakeholder Group (BSG) of its intention to issue these amending guidelines.

⁸ It is noted that Template 9 corresponds to the template EU CQ7 ‘Collateral obtained by taking possession and execution processes’ of the Annex XV of Commission Implementing Regulation (EU) 2021/637.

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).



EBA/GL/2022/13

12 October 2022

Guidelines

amending Guidelines EBA/GL/2018/10 on disclosure of non-performing and forborne exposures

1. Compliance and reporting obligations

Status of these guidelines

1. This document contains guidelines issued pursuant to Article 16 of Regulation (EU) No 1093/2010¹⁰. In accordance with Article 16(3) of Regulation (EU) No 1093/2010, competent authorities and financial institutions must make every effort to comply with the guidelines.
2. Guidelines set the EBA view of appropriate supervisory practices within the European System of Financial Supervision or of how Union law should be applied in a particular area. Competent authorities as defined in Article 4(2) of Regulation (EU) No 1093/2010 to whom guidelines apply should comply by incorporating them into their practices as appropriate (e.g. by amending their legal framework or their supervisory processes), including where guidelines are directed primarily at institutions.

Reporting requirements

3. According to Article 16(3) of Regulation (EU) No 1093/2010, competent authorities must notify the EBA as to whether they comply or intend to comply with these guidelines, or otherwise with reasons for non-compliance, by 16/01/2022. In the absence of any notification by this deadline, competent authorities will be considered by the EBA to be non-compliant. Notifications should be sent by submitting the form available on the EBA website with the reference 'EBA/GL/2022/13'. Notifications should be submitted by persons with appropriate authority to report compliance on behalf of their competent authorities. Any change in the status of compliance must also be reported to EBA.
4. Notifications will be published on the EBA website, in line with Article 16(3).

¹⁰ 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).

2. Implementation

Date of application

5. These guidelines apply from 31 December 2022.

3. Amendments

6. Paragraph 6 of Section 2 of EBA/GL/2018/10 is amended as follows:

These guidelines apply to credit institutions that are subject to all or some of the disclosure requirements specified in Part Eight of Regulation (EU) No 575/2013 in accordance with Articles 6, 10 and 13 of the same Regulation and that are classified as:

- a. small and non-complex institutions as defined in Article 4(1) point 145 of Regulation (EU) 575/2013 that are listed institutions, and
- b. other institutions (i.e. that are not large or small and non-complex institutions) and that are non-listed institutions as defined in Article 4(1) point 148 of Regulation (EU) No 575/2013.

7. Paragraph 9 of Section 2 of EBA/GL/2018/10 is amended as follows:

These guidelines are addressed to competent authorities as defined in Article 4(2) of Regulation (EU) No 1093/2010 and to credit institutions that are classified as:

- a. small and non-complex institutions as defined in Article 4(1) point 145 of Regulation (EU) 575/2013 that are listed institutions, and
- b. other institutions (i.e. that are not large or small and non-complex institutions) and that are non-listed institutions as defined in Article 4(1) point 148 of Regulation (EU) No 575/2013.



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