



Brussels, 4.3.2024  
C(2024) 1282 final

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

**of 4.3.2024**

**amending the implementing technical standards laid down in Implementing Regulation (EU) No 650/2014 as regards the information to be disclosed by competent authorities in accordance with Directive 2013/36/EU of the European Parliament and of the Council**

(Text with EEA relevance)

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

of 4.3.2024

**amending the implementing technical standards laid down in Implementing Regulation (EU) No 650/2014 as regards the information to be disclosed by competent authorities in accordance with Directive 2013/36/EU of the European Parliament and of the Council**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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<sup>1</sup>, and in particular Article 143(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 650/2014<sup>2</sup> specifies the format, structure, contents list, and annual publication date of the information to be published by competent authorities pursuant to Article 143 of Directive 2013/36/EU. Article 5 of that Implementing Regulation requires competent authorities to update the information referred to in Article 143(1), points (a), (b) and (c), of that Directive regularly, and by 31 July of each year, unless there is no change in the information published.
- (2) Commission Implementing Regulation (EU) 2022/389<sup>3</sup> specifies the format, structure, content lists and annual publication date of the information to be disclosed by competent authorities pursuant to Article 57 of Directive (EU) 2019/2034 of the European Parliament and of the Council<sup>4</sup>. Article 5 of that Implementing Regulation requires competent authorities to update the information referred to in Article 57(1), points (a), (b) and (c), of Directive (EU) 2019/2034 regularly, and by 30 June of each year, unless there is no change in the information published.
- (3) To address issues raised in relation to the provisions of Directive 2013/36/EU that proved not to be sufficiently clear and have therefore been subject to divergent interpretations or that have been found to be overly burdensome for certain institutions, Directive 2013/36/EU was amended by Directive (EU) 2019/878 of the

---

<sup>1</sup> OJ L 176, 27.6.2013, p. 338.

<sup>2</sup> Commission Implementing Regulation (EU) No 650/2014 of 4 June 2014 laying down implementing technical standards with regard to the format, structure, contents list and annual publication date of the information to be disclosed by competent authorities in accordance with Directive 2013/36/EU of the European Parliament and of the Council (OJ L 185, 25.6.2014, p. 1).

<sup>3</sup> Commission Implementing Regulation (EU) 2022/389 of 8 March 2022 laying down implementing technical standards for the application of Directive (EU) 2019/2034 of the European Parliament and of the Council with regard to the format, structure, content lists and annual publication date of the information to be disclosed by competent authorities (OJ L 79, 9.3.2022, p. 4).

<sup>4</sup> Directive (EU) 2019/2034 of the European Parliament and of the Council of 27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64).

European Parliament and of the Council<sup>5</sup>. It is necessary to reflect those amendments to Directive 2013/36/EU in Regulation (EU) No 650/2014.

- (4) Directive (EU) 2019/2034 now contains the prudential arrangements at Union level for the investment firms referred to in Article 1(2) and (5) of Regulation (EU) 2019/2033 of the European Parliament and of the Council<sup>6</sup>, rather than the prudential arrangements referred to in Directive 2013/36/EU. It follows that Implementing Regulation (EU) 2022/389 now specifies the information that competent authorities are to publish about those investment firms. It is therefore no longer Implementing Regulation (EU) No 650/2014 that should require competent authorities to publish information about those investment firms.
- (5) Implementing Regulation (EU) No 650/2014 should therefore be amended accordingly.
- (6) This Regulation is based on the draft implementing technical standards submitted to the Commission by the European Banking Authority (EBA).
- (7) The EBA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council<sup>7</sup>,

HAS ADOPTED THIS REGULATION:

### *Article 1*

Implementing Regulation (EU) No 650/2014 is amended as follows:

- (1) in Article 5, the second and third subparagraphs are replaced by the following:

‘Competent authorities shall update the information referred to in Article 143(1), point (d), of that Directive by 30 June of each year. That information shall cover the preceding calendar year.

Competent authorities shall, for the institutions subject to their prudential supervision, update the information referred to in Article 143(1), points (a) to (c), of that Directive on a regular basis, and in any event by 30 June of each year, unless there is no change in the information last published.’
- (2) Annex I is replaced by the text in Annex I to this Regulation;
- (3) Annex II is replaced by the text in Annex II to this Regulation;
- (4) Annex III is replaced by the text in Annex III to this Regulation;
- (5) Annex IV is replaced by the text in Annex IV to this Regulation.

---

<sup>5</sup> Directive (EU) 2019/878 of the European Parliament and of the Council of 20 May 2019 amending Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures (OJ L 150, 7.6.2019, p. 253).

<sup>6</sup> 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).

<sup>7</sup> 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).

## *Article 2*

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 the Member States in accordance with the Treaties.

Done at Brussels, 4.3.2024

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*