

Regulations and guidelines 6/2014

Reporting of funding plans

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Legal nature of regulations and guidelines

Regulations

Financial Supervisory Authority (FIN-FSA) regulations are presented under the heading 'Regulation' in FIN-FSA's regulations and guidelines. FIN-FSA regulations are binding legal requirements that must be complied with.

FIN-FSA issues regulations only by virtue of and within the limits of legal provisions that entitle it to do so.

Guidelines

FIN-FSA interpretations of the contents of laws and other binding provisions are presented under the heading 'Guideline' in FIN-FSA's regulations and guidelines.

Also recommendations and other operating guidelines that are not binding are presented under this heading, as are FIN-FSA's recommendations on compliance with international guidelines and recommendations.

The formulation of the guideline shows when it constitutes an interpretation and when it constitutes a recommendation or other operating guideline. A more detailed description of the formulation of guidelines and the legal nature of regulations and guidelines is provided on the FIN-FSA website.

[fin-fsa.fi > Regulation > Legal framework of FIN-FSA regulations and guidelines](#)

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1 Scope of application and definitions

1.1 Scope of application

- (1) These regulations and guidelines apply to credit institutions defined as significant in accordance with the criteria provided in the Regulation on the Single Supervision Mechanism¹ (SSM Regulation) and the SSM Framework Regulation², and which hence fall within the scope of direct supervision by the European Central Bank (ECB).

1.2 Definitions

- (2) These regulations and guidelines apply hereinafter the following definition:
- *Supervised entities* refer to credit institutions falling within the scope of application of these regulations and guidelines specified above in section 1.1

¹ Council Regulation (EU) No 1024/2013 (32013R1024) of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions; OJ L 287, p. 63.

² Regulation (EU) No 468/2014 (32014R0468) of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities; OJ L 141, p.1

2 Legislative background and international recommendations

2.1 FIN-FSA's regulatory powers

FIN-FSA's power to issue binding regulations is based on the following legal provisions:

- Section 18, subsection 2 of the Act on the Financial Supervisory Authority (878/2008).

2.2 Guidelines of the European Banking Authority (EBA)

- (1) On 9 December 2019, the EBA issued Guidelines on the reporting of funding plans (EBA/GL/2019/05), by virtue of Article 16 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council. The EBA's Guidelines will enter into force on 31 December 2020. *(Issued on 16.6.2020, valid from 31.12.2020)*
- (2) The EBA's Guidelines referred to in paragraph (1) replace the Guidelines on the same subject issued by the EBA on 30 June 2014.

2.3 Decision of the European Central Bank (ECB)

- (3) On 27 June 2017, the ECB adopted a decision on the reporting of funding plans of credit institutions by national competent authorities to the European Central Bank (ECB/2017/21). *(Issued on 16.6.2020, valid from 31.12.2020)*

2.4 Recommendations of the European Systemic Risk Board (ESRB)

- (4) The Guidelines issued by the EBA are based on the recommendation of the ESRB of 20 December 2012 on funding of credit institutions (ESRB 2012/2).³
- (5) The ESRB recommends that national data collection is applied to credit institutions covering at least 75% of the consolidated assets of the banking sector.

³ [RECOMMENDATION OF THE EUROPEAN SYSTEMIC RISK BOARD of 20 December 2012 on funding of credit institutions \(ESRB/2012/2\)](#)

3 Reporting to FIN-FSA

3.1 Submission of supervisory information

- (1) The EBA's Guidelines referred to above in section 2.2. define the information that supervised entities shall send to the competent authority of the member state.
- (2) According to section 18, subsection 2 of the Act on the Financial Supervisory Authority, FIN-FSA may issue regulations on the regular provision to the Financial Supervisory Authority of information on a supervised entity's financial position, ownership, internal control and risk management, members of administrative and supervisory bodies, employees and places of business, as well as information necessary for the performance of the tasks referred to in section 3, subsection 3, paragraphs 3–5 of the Act.

REGULATION (paragraphs 3 – 5)

- (3) Supervised entities referred to in section 1.1 shall submit the information determined in the Guidelines issued by the EBA referred to above in paragraph (1) of section 2.2 to FIN-FSA in accordance with the valid data collection framework applicable to funding plans.
- (4) Supervised entities shall submit the data collection concerning funding plans in accordance with the EBA's Guidelines referred to above in section 2.2 to FIN-FSA on an annual basis. Credit institutions shall submit the reports on their funding plans in accordance with these Guidelines by 15 March, with the reporting reference date being 31 December of the previous year. *(Issued on 16.6.2020, valid from 31.12.2020)*
- (5) If supervisory information submitted later proves inaccurate, the supervised entity shall always submit to FIN-FSA the complete data collection amending the previous information.

3.2 Guidelines on the submission of supervisory information

GUIDELINE (paragraphs 6– 8)

- (6) The data collection application for reporting under these regulations and guidelines as well as a description of electronic reporting are available in the Jakelu distribution service at the FIN-FSA's website (<https://jakelu.finanssivalvonta.fi/jakelu/index.asp>).
- (7) A description of the data collection concerning funding plans referred to in these regulations and guidelines is presented at the FIN-FSA's website in connection with these regulations and guidelines.
- (8) FIN-FSA recommends that credit institutions belonging to an amalgamation of deposit banks organise the submission of information referred to above in paragraphs (1-7) so that the member credit institutions submit the information to the central body of the amalgamation of deposit banks, which submits the information of the member banks in a centralised manner to FIN-FSA.

3.3 Verification of the information reported

GUIDELINE (paragraphs 9–11)

- (9) Supervised entities should prepare a declaration of the accuracy of the information reported pursuant to these regulations and guidelines. The declaration should be dated, and it should be signed both by the person preparing the report and the person verifying the data. The supervised entity should keep the signed declaration and present it to FIN-FSA at request. The supervised entity should prepare the declaration in connection with the first report, and it should be updated whenever changes take place in the process described in it.
- (10) Instructions for preparing a declaration referred to in paragraph (9) are available at FIN-FSA's website (www.finanssivalvonta.fi) in the Regulation section.
- (11) Pursuant to section 38, paragraph 1, subparagraph 1 of the Act on the Financial Supervisory Authority, FIN-FSA will impose an administrative fine on a party neglecting or breaching its obligation to submit to FIN-FSA any information in accordance with these regulations and guidelines.

4 Revision history

Since their introduction, these regulations and guidelines have been revised as follows:

Issued on 16.6.2020, valid from 31.12.2020:

- Paragraph (1) of section 2.2 referring to the EBA's Guidelines on the reporting of funding plans (EBA/GL/2019/05) has been amended, and a new paragraph (2) has been added to the section
- A new section 2.3 on the decision of the European Central Bank (ECB) has been added, and as a result the numbering of section 2.4 has changed
- The reporting period under paragraph (4) of section 3.1 has been changed