

NEWSLETTER MAGGIO 2020

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4 Maggio 2020

Il 04 maggio 2020 il Joint Committee delle Autorità di vigilanza europea (ESAs), ha pubblicato sul proprio sito istituzionale la versione aggiornata dei "Regulatory Technical Standards" (RTS) sui requisiti di margine dei derivati OTC non soggetti a compensazione centrale.

Gli standard in commento introducono alcune specifiche modifiche sui requisiti di margine di derivati OTC non soggetti a compensazione mediante controparti centrali (CCP).

https://www.esma.europa.eu/sites/default/files/library/esas_2020_09_-_final_report_-_bilateral_margin_amendments.pdf

EBA - CRR2: PUBBLICATA LA VERSIONE DEFINITIVA DEGLI ITS SUI REQUISITI SPECIFICI PER LA SEGNALEZIONE DEL RISCHIO DI MERCATO

4 Maggio 2020

https://eba.europa.eu/sites/default/documents/files/document_library/Publications/Draft%20Technical%20Standards/2020/ITS/Final%20draft%20ITS%20on%20specific%20reporting%20requirements%20for%20market%20risk/883201/Final%20report%20on%20draft%20ITS%20on%20specific%20reporting%20requirements%20for%20market%20risk.pdf

EBA UPDATED ITS PACKAGE FOR 2021 BENCHMARKING EXERCISE INCLUDES IFRS9 TEMPLATE

4 Maggio 2020

The European Banking Authority (EBA) published an update to its Implementing Technical Standards (ITS) on benchmarking of internal approaches. The updated ITS include all benchmarking portfolios that will be used for the 2021 exercise. The main novelty is the inclusion of the IFRS9 template. The benchmarking exercise is an essential supervisory tool to enhance the quality of internal models, which is particularly important in a stressed economic situation.

<https://eba.europa.eu/its-package-2021-benchmarking-exercise>

EBA PUBLISHES UPDATED CALCULATION TOOL OF LIQUIDITY COVERAGE RATIO

6 Maggio 2020

The European Banking Authority (EBA) published its updated calculation tool of the liquidity coverage ratio (LCR) with the aim to provide additional support for reporting institutions. This excel-based tool takes into account the amendments in the liquidity coverage requirement introduced by Commission Delegated Regulation (EU) 2018/1620 that applies from 30 April 2020. This tool is provided for information purposes only and has no legal value.

<https://eba.europa.eu/eba-publishes-updated-calculation-tool-liquidity-coverage-ratio>

EBA PUBLISHES FINAL GUIDELINES ON CREDIT RISK MITIGATION FOR INSTITUTIONS APPLYING THE IRB APPROACH WITH OWN ESTIMATES OF LGDS

6 Maggio 2020

The European Banking Authority (EBA) published its final Guidelines on credit risk mitigation (CRM) in the context of the advanced internal ratings-based (A-IRB) approach. These Guidelines, which are part of the EBA's regulatory review of the IRB approach, aim to eliminate the remaining significant differences in approaches in the area of CRM, which are due to either different supervisory practices or bank-specific choices. These Guidelines complement the EBA Report on CRM, which focuses on the standardised approach (SA) and the foundation-IRB approach (F-IRB).

EBA PROPOSES FRAMEWORK FOR STS SYNTHETIC SECURITIZATION

6 Maggio 2020

The European Banking Authority (EBA) published its proposals for developing a simple, transparent and standardised (STS) framework for synthetic securitisation. This proposal, which is limited to balance-sheet securitisation, includes a list of criteria to be considered when labelling the synthetic securitisation as 'STS' and provides the pros and cons of a potential differentiated capital treatment for this type of securitisation.

https://eba.europa.eu/sites/default/documents/files/document_library/News%20and%20Press/Press%20Room/Press%20Releases/2020/EBA%20proposes%20Framework%20for%20STS%20Synthetic%20Securitisati on/883430/Report%20on%20framework%20for%20STS%20syntetic%20securitisation.pdf

EBA WELCOMES EU COMMISSION LAUNCH OF AML/CFT ACTION PLAN AND STANDS READY TO PROVIDE SUPPORT

7 Maggio 2020

The European Banking Authority (EBA) welcomed the EU Commission's action plan on anti-money laundering and counter terrorist financing (AML/CFT), and stands ready to support the Commission's considerations through the consultation, whilst continuing to fulfil its recently strengthened mandate to prevent ML/TF and use new powers to lead, coordinate and monitor the EU financial sector's fight against ML/TF.

<https://eba.europa.eu/regulation-and-policy/anti-money-laundering-and-countering-financing-terrorism>

EUROPEAN COMMISSION - ANTIRICICLAGGIO E CONTRASTO AL FINANZIAMENTO DEL TERRORISMO: PUBBLICATO L'ACTION PLAN DELLA COMMISSIONE EUROPEA E AGGIORNATA LA LISTA DEI PAESI TERZI AD ALTO RISCHIO

7 Maggio 2020

https://ec.europa.eu/finance/docs/law/200507-anti-money-laundering-terrorism-financing-action-plan_en.pdf

EBA PUBLISHES ITS INQUIRY INTO DIVIDEND ARBITRAGE TRADING SCHEMES ("CUM-EX/CUM-CUM"), AND ANNOUNCES A 10-POINT ACTION PLAN TO ENHANCE THE FUTURE REGULATORY FRAMEWORK

12 Maggio 2020

The European Banking Authority (EBA) published the results of its inquiry into dividend arbitrage schemes, which looked into the actions of prudential and anti-money laundering (AML) and countering the financing of terrorism (CFT) supervisors in dealing with such schemes. The resulting Report sets out the EBA's expectations of credit institutions and national authorities under the current regulatory framework. The EBA also decided on a 10-point action plan for 2020/21 to enhance the future framework of prudential and anti-money laundering requirements covering such schemes.

https://eba.europa.eu/sites/default/documents/files/document_library/News%20and%20Press/Press%20Room/Press%20Releases/2020/EBA%20publishes%20its%20inquiry%20into%20dividend%20arbitrage%20trading%20schemes%20%E2%80%9CCum-Ex/Cum-Cum%E2%80%9D%29/883617/Action%20plan%20on%20dividend%20arbitrage%20trading%20schemes%20Cum-ExCum-Cum.pdf

EBA PUBLISHES REPORT ON INTERLINKAGES BETWEEN RECOVERY AND RESOLUTION PLANNING

20 Maggio 2020

The European Banking Authority (EBA) publishes a Report, which assesses interlinkages between recovery and resolution planning under the Bank Recovery and Resolution Directive (BRRD), with the aim of enhancing synergies between the two phases and ensuring consistency in their potential implementation.

https://eba.europa.eu/sites/default/documents/files/document_library/Publications/Reports/2020/883941/Report%20on%20Interlinkages%20between%20rec%20and%20res%20planning.pdf

EBA - COVID-19 IS PLACING UNPRECEDENTED CHALLENGES ON EU BANKS

25 Maggio 2020

The European Banking Authority (EBA) published a preliminary assessment of the impact of COVID-19 on the EU banking sector. With the global economy facing unprecedented challenges, banks entered the health crisis with strong capital and liquidity buffers and managed the pressure on operational capacities activating their contingency plans. The crisis is expected to affect asset quality and, thus, profitability of banks going forward. Nonetheless, the capital accumulated by banks during the past years along with the capital relief provided by regulators amounts on average to 5p.p. above their overall capital requirements (OCR). This capital buffer should allow banks to withstand the potential credit risk losses derived from a sensitivity analysis based on the 2018 stress test.

https://eba.europa.eu/sites/default/documents/files/document_library/Risk%20Analysis%20and%20Data/Risk%20Assessment%20Reports/2020/Thematic%20notes/883986/Thematic%20note%20-%20Preliminary%20analysis%20of%20impact%20of%20COVID-19%20on%20EU%20banks%20%E2%80%93%20May%202020.pdf

EBA CONSULTS ON DRAFT AMENDED TECHNICAL STANDARDS ON OWN FUNDS AND ELIGIBLE LIABILITIES

29 Maggio 2020

The European Banking Authority (EBA) published a Consultation Paper on the draft amended Regulatory Technical Standards (RTS) on own funds and eligible liabilities. Since their entry into force, the RTS on own funds have significantly enhanced regulatory harmonisation of prudential rules and contributed to strengthening the quality of regulatory capital. With the revised Capital Requirements Regulation (CRR) introducing new criteria and requirements for eligible liabilities, these amended RTS capture several aspects of eligible liabilities as well as the changes to the own funds framework. The consultation runs until 31 August 2020.

https://eba.europa.eu/sites/default/documents/files/document_library/Publications/Consultations/2020/Consultation%20Paper%20on%20revised%20Regulatory%20Technical%20Standards%20on%20own%20fun

[ds%20and%20eligible%20liabilities/884369/CP%20on%20revised%20RTS%20on%20Own%20Funds%20and%20eligible%20liabilities.pdf](#)

BCE - SEGNALAZIONI DI VIGILANZA: PUBBLICATO IL REGOLAMENTO BCE N. 2020/605, CHE MODIFICA IL REGOLAMENTO BCE N. 2015/534 SULLA SEGNALAZIONE DI INFORMAZIONI FINANZIARIE

6 Maggio 2020

<https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:32020R0605&from=IT>

BCE – RISCHI CLIMATICI ED AMBIENTALI: IN CONSULTAZIONE LA GUIDA DELLA BCE

Maggio 2020

https://www.bankingsupervision.europa.eu/legalframework/publiccons/pdf/climate-related_risks/ssm.202005_draft_guide_on_climate-related_and_environmental_risks.en.pdf

BCE - PUBBLICATO L'APPROFONDIMENTO "FINANCIAL STABILITY IMPLICATIONS OF PRIVATE EQUITY", ALL'INTERNO DELL'EDIZIONE DI MAGGIO 2020 DELLA FINANCIAL STABILITY REVIEW DELLA BCE

Maggio 2020

<https://www.ecb.europa.eu/pub/financial-stability/fsr/html/ecb.fsr202005~1b75555f66.en.html>

BCE - COVID-19: PUBBLICATO L'APPROFONDIMENTO DELLA BCE SULL'IMPATTO DELLE GARANZIE PUBBLICHE SULLE PERDITE BANCARIE

Maggio 2020

https://www.ecb.europa.eu/pub/financial-stability/fsr/focus/2020/html/ecb.fsrbox202005_04~42dd37a855.en.html

BCE - INSTABILITÀ FINANZIARIA E CONNESSIONI FRA ISTITUZIONI: PUBBLICATO L'APPROFONDIMENTO "THE ROLE OF BANK AND NON-BANK INTERCONNECTIONS IN AMPLIFYING RECENT FINANCIAL CONTAGION" NELL'EDIZIONE DI MAGGIO 2020 DELLA FINANCIAL STABILITY REVIEW DELLA BCE

Maggio 2020

https://www.ecb.europa.eu/pub/financial-stability/fsr/focus/2020/html/ecb.fsrbox202005_06~5321e041b0.en.html

ESMA UPDATES ITS Q&AS ON MIFID II AND MIFIR TRANSPARENCY AND MARKET STRUCTURES TOPICS

29 Maggio 2020

The European Securities and Markets Authority (ESMA) has today updated its Questions and Answers regarding market structures and transparency issues under the Market in Financial Instruments Directive (MiFID II) and Regulation (MiFIR).

<https://www.esma.europa.eu/file/49743/download?token=LJnJLNz>

ESMA PUBLISHES UPDATES TO EMIR Q&AS

28 Maggio 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today updated its Questions and Answers document on practical questions regarding data reporting issues, under the European Markets Infrastructure Regulation (EMIR).

<https://www.esma.europa.eu/file/21988/download?token=5vvn6sbZ>

ESMA UPDATES Q&AS ON MIFID II INVESTOR PROTECTION

28 Maggio 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today updated its Questions and Answers on the implementation of investor protection topics under the Market in Financial Instruments Directive and Regulation (MiFID II/ MiFIR).

<https://www.esma.europa.eu/file/23414/download?token=mAP7Fn9o>

ESMA NEWSLETTER - N°14

27 Maggio 2020

ESMA continues to closely monitor the impact that COVID-19 is having on EU financial markets and, in this issue, we give an update on ESMA's recent activities related to COVID-19 and we take a closer look at the

Thematic Report on Collateralised Loan Obligations credit ratings in the EU. We also highlight deadlines for closing consultations next month and catch up on the full list of publications from April and May.

<https://www.esma.europa.eu/press-news/esma-news/esma-newsletter-n%C2%BA14>

ESMA CALLS FOR TRANSPARENCY ON COVID-19 EFFECTS IN HALF-YEARLY FINANCIAL REPORTS

20 Maggio 2020

The European Securities and Markets Authority (ESMA), the EU Securities Markets regulator, today publishes a Public Statement addressing the implications of the COVID-19 pandemic on the half-yearly financial reports of listed issuers.

<https://www.esma.europa.eu/file/55620/download?token=Niz-gJQv>

BANCA D'ITALIA - ICAAP/ILAAP E PIANI DI RISANAMENTO: INVIATE AGLI INTERMEDIARI BANCARI E FINANZIARI LE FAQ RELATIVE ALLA COMUNICAZIONE DEL 20 APRILE 2020

4 Maggio 2020

https://mcusercontent.com/058bdd46dde6dc4504eded879/files/20f491ce-7025-46e0-8081-334b257135e4/FAQ_Template_ICCAP_ILAAP_PR.pdf

BANCA D'ITALIA - MORATORIE FINANZIAMENTI: PUBBLICATA LA NOTA N. 4 DEL 12/05/2020 CON CUI BANCA D'ITALIA HA COMUNICATO DI UNIFORMARSI AGLI ORIENTAMENTI EBA

12 Maggio 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/orientamenti-vigilanza/elenco-esa/note/Nota-4-del-12.05.20.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

BANCA D'ITALIA - COVID-19: INVIATO AGLI INTERMEDIARI UN QUESTIONARIO DI RILEVAZIONE QUINDICINALE SULLE MISURE DI SOSTEGNO ECONOMICO ALLE FAMIGLIE E IMPRESE E SUI RAPPORTI CON LA CLIENTELA

Maggio 2020

https://mcusercontent.com/058bdd46dde6dc4504eded879/files/474dba53-8fed-4795-8c33-c0e0e2b96732/Banca_d'Italia_Rilevazione_miure_sostegno_e_rapporti_clientela.pdf

ESMA ANNOUNCES OPEN HEARING ON BENCHMARKS CONSULTATION PAPER

15 Maggio 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, will hold an open hearing for its Consultation Paper on draft Regulatory Technical Standards (RTS) under the Benchmarks Regulation (BMR) on Friday 29 May via conference call.

<https://www.esma.europa.eu/file/21938/download?token=JRtbDMtX>

ESMA REMINDS FIRMS OF CONDUCT OF BUSINESS OBLIGATIONS UNDER MIFID II

6 Maggio 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, is issuing a Public Statement on the risks for retail investors when trading under the highly uncertain market circumstances due to the COVID-19 pandemic. ESMA also reminds investment firms of the key conduct of business obligations under MiFID when providing services to retail investors.

<https://www.esma.europa.eu/file/55525/download?token=6wrjhlnk>

BIS (BANK FOR INTERNATIONAL SETTLEMENTS) - EFFECTS OF COVID-19 ON THE BANKING SECTOR: THE MARKET'S ASSESSMENT

7 Maggio 2020

<https://www.bis.org/publ/bisbull12.pdf>

BIS (BANK FOR INTERNATIONAL SETTLEMENTS) - THE DRIVERS OF CYBER RISK

20 Maggio 2020

Information technology (IT) has become indispensable, underpinning economic growth over the past decades. As organisations of all sizes in both the public and private sector become ever more interconnected and reliant on IT products and services such as cloud-based systems and artificial intelligence, they are increasingly exposed to cyber risks - the risk of financial loss, disruption or reputational damage to an organisation resulting from the failure of its IT systems. These episodes include malicious cyber incidents (cyber attacks) where the threat actor intends to do harm (eg ransomware attacks, hacking incidents or data theft by employees).

<https://www.bis.org/publ/work865.pdf>

GARANTE PRIVACY - COVID-19: PUBBLICATE LE FAQ DEL GARANTE PRIVACY SUL TRATTAMENTO DEI DATI PERSONALI DURANTE L'EMERGENZA SANITARIA

4 Maggio 2020

<https://www.garanteprivacy.it/temi/coronavirus/faq>

GARANTE PRIVACY - ORGANISMI DI VIGILANZA EX D. LGS. N. 231/2001: PUBBLICATO IL PARERE DEL GARANTE SULLA QUALIFICAZIONE SOGGETTIVA AI FINI DELLA NORMATIVA SULLA PRIVACY

12 Maggio 2020

https://mcusercontent.com/058bdd46dde6dc4504eded879/files/dcabdfe8-b718-4e50-8924-fe027de279de/Garante_Privacy_Parere_qualificazione_OdV231_ai_fini_privacy.pdf

EDPB - GDPR: PUBBLICATE LE LINEE GUIDA N. 05/2020 SUL CONSENSO

4 Maggio 2020

https://edpb.europa.eu/sites/edpb/files/files/file1/edpb_guidelines_202005_consent_en.pdf

AODV - COVID-19: PUBBLICATO L'APPROFONDIMENTO DEGLI AVV.TI GIUFRRÈ E MILANI "DOVERI E AMBITI DI ATTIVAZIONE DELL'ODV IN RELAZIONE AL RISCHIO DI CONTAGIO DA COVID-19 NELLE AZIENDE"

4 Maggio 2020

https://www.aodv231.it/documentazione_descrizione.php?id=3672&sheet=&sez=4&Doveri-e-ambiti-di-attivazione-dell%E2%80%99OdV-in-relazione-al-rischio-di-contagio-da-Covid-19-nelle-aziende

CONSOB - MIFID II: PUBBLICATA LA RACCOMANDAZIONE 1/2020 SULLE MODALITÀ DI ADEMPIMENTO DELLA RENDICONTAZIONE EX POST DEI COSTI E DEGLI ONERI SUI SERVIZI DI INVESTIMENTO

7 Maggio 2020

http://www.consob.it/web/area-pubblica/bollettino/documenti/bollettino2020/racc_20200507_01.htm

CONSOB - DIRITTO DI VOTO MAGGIORATO: PUBBLICATA LA COMUNICAZIONE N. 5/2020 CHE FORNISCE I CHIARIMENTI APPLICATIVI PER GLI EMITTENTI QUOTATI E QUOTANDI

8 Maggio 2020

http://www.consob.it/documents/46180/46181/c20200508_5.pdf/ae570ed-4165-4863-881a-d01ebf37ebd2

FATF GAFI - COVID-19 E RISCHIO RICICLAGGIO: PUBBLICATO IL REPORT “COVID-19-RELATED MONEY LAUNDERING AND TERRORIST FINANCING - RISKS AND POLICY RESPONSES”

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<http://www.fatf-gafi.org/media/fatf/documents/COVID-19-AML-CFT.pdf>

COVID-19 E FASE 2: PUBBLICATI IN GAZZETTA UFFICIALE

- Il Decreto Legge 16 maggio 2020, n. 33 con le misure quadro per la fase 2

<https://www.gazzettaufficiale.it/eli/id/2020/05/16/20G00051/sg>

- il DPCM 17 maggio 2020 che attua il D.L. n. 33/2020 e disciplina la fase 2 fino al 02 maggio 2020

<https://www.gazzettaufficiale.it/eli/id/2020/05/17/20A02717/sg>

Decreto Rilancio: Decreto Legge 19 maggio 2020, n. 34

<https://www.gazzettaufficiale.it/eli/id/2020/05/19/20G00052/sg>

IVASS-BANCA D'ITALIA-ANAC-AGCM: GARANZIE FINANZIARIE: PUBBLICATE LE RACCOMANDAZIONI SUI CONTROLLI DA SVOLGERE

28 Maggio 2020

https://www.ivass.it/normativa/nazionale/convenzioni-nazionali/documenti/doc-congiunti/Garanzie_finanziarie_suggerimenti_PA.pdf

Ufficio Studi Tema Srl

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Per maggiori informazioni o richieste di documenti di dettaglio inerenti agli argomenti trattati in questo numero si invita a scrivere una mail a: compliance@temaconsulenza.eu.