

NEWSLETTER DICEMBRE 2020



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1) EBA REACTIVATES ITS GUIDELINES ON LEGISLATIVE AND NON-LEGISLATIVE MORATORIA

2 dicembre 2020

After closely monitoring the developments of the COVID-19 pandemic and, in particular, the impact of the second COVID-19 wave and the related government restrictions taken in many EU countries, the European Banking Authority (EBA) has decided to reactivate its Guidelines on legislative and non-legislative moratoria. This reactivation will ensure that loans, which had previously not benefitted from payment moratoria, can now also benefit from them. The role of banks to ensure the continued flow of lending to clients remains of utmost importance and with the reactivation of these Guidelines, the EBA recognises the exceptional circumstances of the second COVID-19 wave. The EBA revised Guidelines, which will apply until 31 March 2021, include additional safeguards against the risk of an undue increase in unrecognised losses on banks' balance sheet.

<https://www.eba.europa.eu/eba-reactivates-its-guidelines-legislative-and-non-legislative-moratoria>

2) EBA PUBLISHES FINAL DRAFT TECHNICAL STANDARDS ON THE TREATMENT OF NON-TRADING BOOK POSITIONS SUBJECT TO FOREIGN-EXCHANGE RISK OR COMMODITY RISK UNDER THE FRTB FRAMEWORK

3 dicembre 2020

The European Banking Authority (EBA) published today final draft Regulatory Technical Standards (RTS) on how institutions are to calculate the own funds requirements for foreign-exchange and commodity risk stemming from banking book positions under the FRTB standardised and internal model approaches.

<https://www.eba.europa.eu/eba-publishes-final-draft-technical-standards-treatment-non-trading-book-positions-subject-foreign>

3) EBA INFORMS CUSTOMERS OF UK FINANCIAL INSTITUTIONS ABOUT THE END OF THE BREXIT TRANSITION PERIOD

8 dicembre 2020

The United Kingdom (UK) left the European Union (EU) on 31 January 2020. Under the Withdrawal Agreement reached between the EU and UK, EU law applies in the UK during a transition period until 31 December 2020. This means that EU law will stop to apply in the UK as of 1 January 2021, and from that date onwards, UK financial institutions not holding a valid authorisation from the supervisory authorities in the EU will lose the right to provide financial services in the EU.

This statement clarifies previous EBA statements regarding the UK withdrawal from the EU (Brexit) for the benefit of consumers across the EU.

<https://www.eba.europa.eu/eba-informs-customers-uk-financial-institutions-about-end-brexit-transition-period>

4) EBA UPDATES IMPACT OF THE BASEL III REFORMS ON EU BANKS' CAPITAL

10 dicembre 2020

The European Banking Authority (EBA) published today a Report on the impact of implementing the final Basel III reforms in the EU. The full Basel III implementation, in 2028, would result in an average increase of 15.4% on the current Tier 1 minimum required capital of EU banks. The results do not reflect the economic impact of the Covid-19 pandemic on participating banks as the reference date of this impact assessment is December 2019.

<https://www.eba.europa.eu/eba-updates-impact-basel-iii-reforms-eu-banks%E2%80%99-capital>

5) EBA ISSUES OPINION TO THE EUROPEAN COMMISSION ON THE PROPOSED AMENDMENTS TO THE EBA FINAL DRAFT RTS ON IRB ASSESSMENT METHODOLOGY

14 dicembre 2020

The European Banking Authority (EBA) publishes today an Opinion on the amendments proposed by the European Commission as regards the EBA final draft RTS specifying the assessment methodology competent authorities are to follow when assessing the compliance of credit institutions and investment firms with the requirements to use the Internal Ratings Based (IRB) approach laid down in the Capital Requirements Regulation (CRR). These RTS are an important part of the EBA' regulatory review of the IRB approach, as they harmonise the supervisory assessment methodology on the IRB approach across all Member States in the European Union (EU).

<https://www.eba.europa.eu/eba-issues-opinion-european-commission-proposed-amendments-eba-final-draft-rts-irb-assessment>

6) EBA CALLS FOR STRENGTHENING THE CONNECTION BETWEEN THE EU LEGAL FRAMEWORKS ON ANTI-MONEY LAUNDERING AND TERRORIST FINANCING, AND DEPOSIT PROTECTION

14 dicembre 2020

The European Banking Authority (EBA) published today an Opinion on how to strengthen the connection between the EU legal frameworks on anti-money laundering and terrorist financing, and deposit protection. The proposals set out in the Opinion are addressed to the European Commission and aim at informing its ongoing reviews of the Anti-Money Laundering Directive (AMLD) and the Deposit Protection Schemes Directive (DGSD). The Opinion is also addressed to the national authorities, to implement some changes already under the current legal framework and ahead of the potential future revisions of the AMLD and DGSD.

<https://www.eba.europa.eu/eba-calls-strengthening-connection-between-eu-legal-frameworks-anti-money-laundering-and-terrorist>

7) EBA PUBLISH FINAL DRAFT TECHNICAL STANDARDS ON THE PRUDENTIAL TREATMENT OF INVESTMENT FIRMS

16 dicembre 2020

The European Banking Authority (EBA) published today a package of seven final draft Regulatory Technical Standards (RTS) on the prudential treatment of investment firms. These final draft RTS, which are part of the phase 1 mandates of the [EBA roadmap on investment firms](#), will ensure a proportionate implementation of the new prudential framework for investment firms taking into account the different activities, sizes and complexity of investments firms.

<https://www.eba.europa.eu/eba-publish-final-draft-technical-standards-prudential-treatment-investment-firms>

8) EBA PUBLISHES FINAL TECHNICAL STANDARDS TO ENSURE EFFECTIVE APPLICATION OF STAY POWERS UNDER THE BRRD

16 dicembre 2020

The European Banking Authority (EBA) published today its final draft Regulatory Technical Standards (RTS) on the contractual recognition of stay powers. The technical standards provide further specification of essential elements to ensure the effectiveness of the resolution regime established by the Bank Recovery and Resolution Directive (BRRD). These standards are part of the EBA's major programme of work to implement the BRRD and address the problem of too-big-to-fail banks.

<https://www.eba.europa.eu/eba-publishes-final-technical-standards-ensure-effective-application-stay-powers-under-brrd>

9) EBA CONSULTS ON TECHNICAL STANDARDS TO CALCULATE RISK WEIGHTS OF COLLECTIVE INVESTMENT UNDERTAKINGS

16 dicembre 2020

The European Banking Authority (EBA) launched today a consultation on Regulatory Technical Standards (RTS) on the calculation of risk-weighted exposure amounts of collective investment undertakings (CIUs) in line with the Capital Requirements Regulation (CRR). The proposed draft RTS, which will contribute to the calculation of own funds requirements for the exposures in the form of units or shares in CIUs under the Standardised Approach for credit risk, clarify the regulatory treatment for missing inputs when the underlying risk of derivatives is unknown and for the computation of the exposure value for counterparty credit risk. The consultation runs until 16 March 2021.

<https://www.eba.europa.eu/eba-consults-technical-standards-calculate-risk-weights-collective-investment-undertakings>

10) EBA WELCOMES EUROPEAN COMMISSION'S ACTION PLAN TO TACKLE NPLS IN THE AFTERMATH OF THE COVID-19 PANDEMIC

16 dicembre 2020

The European Banking Authority (EBA) welcomed today the European Commission's comprehensive action plan to tackle the expected rise of non-performing loans (NPLs) on banks' balance sheets following the outbreak of the COVID-19 pandemic. The action plan requests the EBA's support to improve data quality and comparability, enhance transparency and market discipline under Pillar 3 rules, and address regulatory impediments to NPL purchases. The EBA is going to act swiftly to support these initiatives while continuing its wider regulatory and supervisory work on NPLs in the EU.

<https://www.eba.europa.eu/eba-welcomes-european-commission%E2%80%99s-action-plan-tackle-npls-aftermath-covid-19-pandemic>

11) EBA LAUNCHES CONSULTATION TO AMEND STANDARDS ON BENCHMARKING OF INTERNAL MODELS

17 dicembre 2020

The European Banking Authority (EBA) published today a consultation paper proposing to amend the EU Commission's Implementing Regulation on the benchmarking of credit risk, market risk and IFRS9 models so as to include some new elements for the 2022 exercise. The EBA benchmarking exercise forms the basis for both supervisory assessment and horizontal analysis of internal models. It ensures consistent monitoring of the impact of the several different supervisory and regulatory measures aiming at the harmonising capital requirements in the EU.

<https://www.eba.europa.eu/eba-launches-consultation-amend-standards-benchmarking-internal-models>

12) EBA LAUNCHES CONSULTATION ON ITS NEW GUIDELINES ON INTERNAL GOVERNANCE FOR INVESTMENT FIRMS

17 dicembre 2020

The European Banking Authority (EBA) launched today a public consultation on its new Guidelines on internal governance under the Investment Firms Directive (IFD), specifying the governance provisions that Class 2 investment firms should comply with, taking into account the proportionality principle. This governance framework aims at ensuring that investment firms have a clear organisational structure, effectively manage their risks and have adequate internal control mechanisms in place. The consultation runs until 17 March 2021.

<https://www.eba.europa.eu/eba-launches-consultation-its-new-guidelines-internal-governance-investment-firms>

13) EBA LAUNCHES CONSULTATION ON ITS NEW GUIDELINES ON REMUNERATION POLICIES FOR INVESTMENT FIRMS

17 dicembre 2020

The European Banking Authority (EBA) launched today a public consultation on its new Guidelines on remuneration policies under the Investment Firms Directive (IFD). This guidance specifies the remuneration provisions that Class 2 investment firms should comply with, taking into account the proportionality principle. Sound remuneration policies ensure an alignment of the variable remuneration of identified staff with the risk profile of the investment firm and the assets it manages, and they must be gender neutral. The consultation runs until 17 March 2021.

<https://www.eba.europa.eu/eba-launches-consultation-its-new-guidelines-remuneration-policies-investment-firms>

14) EBA EXPLAINS HOW IT WILL USE ITS NEW POWER TO CARRY OUT RISK ASSESSMENTS IN THE FIGHT AGAINST MONEY LAUNDERING AND TERRORIST FINANCING

17 dicembre 2020

The European Banking Authority's (EBA) published today the methodology for carrying out risk assessments under Article 9a of the revised EBA Regulation. These risk assessments are part of the EBA's new role to lead, coordinate and monitor the fight against money laundering and terrorist financing (ML/TF) in all EU Member States.

<https://www.eba.europa.eu/eba-explains-how-it-will-use-its-new-power-carry-out-risk-assessments-fight-against-money-laundering>

15) EBA UPDATES REPORTING FRAMEWORK 3.0 AND TECHNICAL STANDARDS ON PILLAR 3 DISCLOSURE

22 dicembre 2020

The European Banking Authority (EBA) published today an update to the reporting framework 3.0 and the Implementing Technical Standards (ITS) on institutions' Pillar 3 public disclosures. These updates are the result of the European Commission's adoption of the ITS on Supervisory Reporting (v3.0) on 17 December, the EBA publication of the revised version of the mapping between disclosures and reporting, and the EBA release of phase 1 of its technical package on the reporting framework v3.0.

<https://www.eba.europa.eu/eba-updates-reporting-framework-30-and-technical-standards-pillar-3-disclosure>

16) EBA PUBLISHES FINAL TECHNICAL STANDARDS ON REPORTING OF MREL DECISIONS FROM AUTHORITIES TO EBA

23 dicembre 2020

The European Banking Authority (EBA) published today its final draft Implementing Technical Standards (ITS) specifying uniform reporting templates, instructions and methodology for the identification and transmission, by resolution authorities to the EBA, of information on minimum requirements for own funds and eligible liabilities (MREL). These standards are part of the EBA's major programme of work to implement the BRRD and address the problem of too-big-to-fail banks.

<https://www.eba.europa.eu/eba-publishes-final-technical-standards-reporting-mrel-decisions-authorities-eba>

17) ESMA UPDATES GUIDELINES ON STRESS TESTS FOR MONEY MARKET FUNDS

16 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, is publishing the [2020 update of guidelines on MMF stress tests](#) under the Money Market Funds Regulation (MMFR). The updates take account of MMFs recent experience during March 2020, particularly in relation to redemption scenarios.

[ESMA34-49-289 2020 GUIDELINES ON MMF STRESS TESTS.PDF](#)

18) ESMA PUBLISHES FINAL GUIDANCE TO ADDRESS LEVERAGE RISK IN THE AIF SECTOR

17 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today published its [final guidance](#) to address leverage risks in the Alternative Investment Fund (AIF) sector.

<https://www.esma.europa.eu/file/110908/download?token=Akk7RsNX>

19) ESMA PUBLISHES DRAFT TECHNICAL STANDARDS UNDER EMIR REFIT

17 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today published a [Final Report](#) on technical standards (RTS and ITS) under the EMIR REFIT Regulation. The report covers data reporting to Trade Repositories (TRs), procedures to reconcile and validate the data, access by the relevant authorities to data and registration of the TRs.

<https://www.esma.europa.eu/file/110918/download?token=8a2CI1P8>

20) ESMA PUBLISHES CLOUD OUTSOURCING GUIDELINES

The European Securities and Markets Authority (ESMA), the EU's securities markets authority, has today published the [final report on its guidelines](#) on outsourcing to cloud service providers (CSPs).

<https://www.esma.europa.eu/file/110920/download?token=60ryNxfX>

21) ESMA UPDATES EMIR Q&AS

21 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today updated its [Questions and Answers](#) on OTC requirements and reporting issues under the European Markets Infrastructure Regulation (EMIR).

<https://www.esma.europa.eu/file/57273/download?token=WUBlcDG8>

22) ESMA ISSUES 2020 REPORT ON ACCEPTED MARKET PRACTICES UNDER MAR

22 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today published its [annual report](#) on the application of accepted market practices (AMPs) in accordance with the Market Abuse Regulation (MAR).

<https://www.esma.europa.eu/file/110956/download?token=RDDX5JyG>

23) ESMA CONSULTS ON THE IMPACT OF ALGORITHMIC TRADING

18 dicembre 2020

The European Securities and Markets Authority (ESMA), the EU's securities markets regulator, has today launched a [consultation](#) seeking input from market participants on the impact of requirements under MiFID II/MiFIR regarding algorithmic trading, including high-frequency algorithmic trading.

<https://www.esma.europa.eu/press-news/consultations/consultation-paper-mifid-ii-mifir-review-report-algorithmic-trading>

24) ESMA UPDATES Q&A ON COSTS AND CHARGES

22 dicembre 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/sites/default/files/library/esma35-43-349_mifid_ii_qas_on_investor_protection_topics.pdf

25) SOCIETÀ CARTIERE: PUBBLICATA L'EDIZIONE N.15 DEI "QUADERNI DELL'ANTIRICICLAGGIO DELL'UNITÀ DI INFORMAZIONE" RECANTE UN INDICATORE SINTETICO PER L'INDIVIDUAZIONE

9 dicembre 2020

https://uif.bancaditalia.it/pubblicazioni/quaderni/2020/quaderno-15-2020/QAR_15_Indicatore_Cartiere.pdf

26) GARANTE PRIVACY - SISTEMI DI VIDEOSORVEGLIANZA: FAQ E PRECISAZIONI DISPONIBILI

10 dicembre 2020

<https://www.garanteprivacy.it/faq/videosorveglianza>

27) CONSOB - SHRD II: PUBBLICATE LE DELIBERE N. 21623, N. 21624 E N. 21625 DEL 10 DICEMBRE 2020 CHE MODIFICANO IL REGOLAMENTO EMITTENTI, IL REGOLAMENTO OPERAZIONI CON PARTI CORRELATE E IL REGOLAMENTO MERCATI

14 dicembre 2020

<http://www.consob.it/web/area-pubblica/bollettino/documenti/bollettino2020/d21623.htm>

28) CONSOB - KID DI PRODOTTI D'INVESTIMENTO AL DETTAGLIO E ASSICURATIVI PRASSEMBLATI (PRIIPS): PUBBLICATE LE DELIBERE N. 21639 E N. 21640 DEL 15 DICEMBRE 2020 CHE APPORTANO MODIFICHE AL REGOLAMENTO EMITTENTI

18 dicembre 2020

<http://www.consob.it/web/area-pubblica/bollettino/documenti/bollettino2020/d21639.htm>

29) UIF - SEGNALAZIONI SARA: PUBBLICATO IL COMUNICATO RECANTE LE NORME TECNICHE PER L'ADEGUAMENTO AL PROVVEDIMENTO UIF DEL 25 AGOSTO 2020

16 dicembre 2020

https://uif.bancaditalia.it/pubblicazioni/comunicati/documenti/Comunicato_SARA.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

30) BANCA D'ITALIA - CIRCOLARE N. 262: PUBBLICATA LA COMUNICAZIONE DEL 15 DICEMBRE 2020 RECANTE ALCUNE INTEGRAZIONI A CAUSA DEGLI IMPATTI DEL COVID-19

16 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c262/Comunicazione_del_15_dicembre_2020.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

31) BANCA D'ITALIA - BREXIT: PUBBLICATA LA COMUNICAZIONE DEL 15 DICEMBRE 2020 RIVOLTA AGLI INTERMEDIARI DEL REGNO UNITO

15 dicembre 2020

<https://www.bancaditalia.it/compiti/stabilita-finanziaria/informazioni-brexit/com-interm-term-per-trans/index.html>

32) BANCA D'ITALIA - CIRCOLARE N. 217 DEL 05 AGOSTO 1996: PUBBLICATO L'AGGIORNAMENTO N. 19 DEL 23 DICEMBRE 2020

28 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c217/ATTO EMAN 217 19agg.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

33) BANCA D'ITALIA - CIRCOLARE N. 189 DEL 21 OTTOBRE 1993: PUBBLICATO L'AGGIORNAMENTO N. 21 DEL 23 DICEMBRE 2020

28 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c189/ATTO EMAN 189 21agg.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

34) BANCA D'ITALIA - CIRCOLARE N. 148 DEL 02 LUGLIO 1991: PUBBLICATO L'AGGIORNAMENTO N. 23 DEL 23 DICEMBRE 2020

28 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c148/ATTO EMAN 148 23agg.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

35) BANCA D'ITALIA - CRR QUICK FIX: PUBBLICATA LA COMUNICAZIONE DEL 23 DICEMBRE 2020 CIRCA L'ATTUAZIONE DEGLI OBBLIGHI DI SEGNALAZIONE AI SENSI DEL REGOLAMENTO N. 873/2020

28 dicembre 2020

<https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/comunicazioni/com-20201223/Comunicazione-23-dicembre-2020.pdf>

36) BANCA D'ITALIA CIRCOLARE N. 115 DEL 07 AGOSTO 1990: PUBBLICATO L'AGGIORNAMENTO N. 26 DEL 23 DICEMBRE 2020

28 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c115/ATTO EMAN 115 26agg.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

37) BANCA D'ITALIA - CIRCOLARE N. 154 DEL 22 NOVEMBRE 1991: PUBBLICATO L'AGGIORNAMENTO N. 72 DEL 23 DICEMBRE 2020

28 dicembre 2020

https://www.bancaditalia.it/compiti/vigilanza/normativa/archivio-norme/circolari/c154/72-aggto/Nota-esPLICativa_154_72agg_UFFICIALE.pdf?pk_campaign=EmailAlertBdi&pk_kwd=it

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