Basic information

2023/2534(DEA) DEA - Delegated acts procedure	Procedure completed - delegated act enters into force
Methodology for the calculation of liabilities arising from derivatives Supplementing 2012/0150(COD) **Subject** 2.50.03 Securities and financial markets, stock exchange, CIUTS, investments 2.50.04 Banks and credit 2.50.08 Financial services, financial reporting and auditing 2.50.10 Financial supervision	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs	TINAGLI Irene (S&D)	06/02/2023

Key events

Date	Event	Reference	Summary
20/01/2023	Non-legislative basic document published	C(2023)00399	
20/01/2023	Initial period for examining delegated act 3 month(s)		
01/02/2023	Committee referral announced in Parliament		
14/03/2023	Delegated act not objected by Council		
15/03/2023	Decision by Parliament	T9-0072/2023	Summary

Technical information

Procedure reference	2023/2534(DEA)
Procedure type	DEA - Delegated acts procedure
Procedure subtype	Examination of delegated act
Amendments and repeals	Supplementing 2012/0150(COD)
Legal basis	Rules of Procedure EP 0114-p6
Stage reached in procedure	Procedure completed - delegated act enters into force
Committee dossier	ECON/9/11180

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Recommendation for early non-objection of delegated act		B9-0161/2023	06/03/2023	
Text adopted by Parliament, single reading		T9-0072/2023	15/03/2023	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	C(2023)00399	20/01/2023	
Document attached to the procedure	C(2023)1842	15/03/2023	
Document attached to the procedure	C(2024)3074	30/04/2024	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Methodology for the calculation of liabilities arising from derivatives

2023/2534(DEA) - 15/03/2023 - Text adopted by Parliament, single reading

The European Parliament decided to **raise no objections** to the Commission delegated regulation of 20 January 2023 amending Delegated Regulation (EU) 2015/63 as regards the methodology for the calculation of liabilities arising from derivatives.

Commission Delegated Regulation (EU) 2015/63 refers to the leverage ratio methodology laid down in Article 429 of Regulation (EU) No 575/2013 on prudential requirements for credit institutions for the calculation of certain ex-ante contributions to Member States' resolution financing arrangements; whereas these Articles 429, 429a and 429b were amended by Regulation (EU) 2019/876. These amendments replaced the former method (Current Exposure Method - CEM) for calculating the value of derivatives by the new Standardised Approach – Counterparty Credit Risk (SA-CCR) with effects on ex-ante contribution periods as of 2023.

According to Regulation (EU) 2019/876, the change will apply from 28 June 2021, with effect on the annual financial statements of 2021, which are to be provided by institutions to resolution authorities in 2023.

In the adopted amending delegated act, the Commission replaces the reference to Regulation (EU) No 575/2013 by copying the previous wording (i.e. the CEM approach) into the amending delegated act to prescribe the method of calculation for liabilities arising from derivatives. Through this amendment, the calculation of certain ex-ante contributions to Member States' resolution financing arrangements remains unchanged.

The amending delegated act provides for its entry into force on the day following its publication in the Official Journal and for its retroactive application from 1 October 2022. This wording will allow the entry into force by the end of March 2023, in time for the resolution authorities to start the process for raising contributions in the second quarter of 2023.

The Commission asked for an early non-objection, claiming the urgency as being caused by the need of 'the guidance issued by resolution authorities on the data points to be provided in relation to derivatives by institutions by 28 February 2023 to be covered by the proposed amendments'. Parliament emphasised that future requests for such procedures should only be made in the most urgent and pressing cases.