

# Financial Regulation: Weekly Update

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## Highlights

1. EC issues public consultation on regulatory framework for crypto-assets
2. EBA issues consultation on the identification of staff with material impact on risk taking
3. FSB issues report on vulnerabilities of leveraged loans and CLOs
4. Council of the EU and Parliament reach agreement on crowdfunding rules
5. MINECO completes the transposition of the Payment Services Directive

## GLOBAL

### ▪ FSB issues report on vulnerabilities of leveraged loans and CLOs

Assesses the [financial stability](#) implications of developments in the leveraged loan and CLO markets and provides a global perspective by combining the available data and analyses from FSB members.

### ▪ FSB publishes results of wind-down derivatives and disclosure of resolution planning consultations

i) FSB will not develop further [guidance](#) and will keep promoting solvent wind-down planning as part of resolution planning. ii) FSB will not publish further guidance but will continue to encourage appropriate levels of [disclosure](#).

## EUROPE

### ▪ EC issues public consultation on regulatory framework for crypto-assets

To prepare initiatives, it requests [contributions](#) for a crypto-assets framework and its effects on financial services. Includes questions on crypto-asset risks, legislation scope and need for guidelines. Deadline: Mar 12, 2020.

### ▪ EBA consults on RTS regarding staff with material impact on risk taking

It sets [criteria for identifying](#) all categories of staff with activities that have a material impact on the firms' risk profile. Designed to harmonize the criteria and to ensure a consistent approach across the EU. Deadline: Feb 19, 2020.

### ▪ Council of the EU and Parliament reach agreement on crowdfunding rules

Within the Capital Markets Union, the new rules will remove barriers for [crowdfunding platforms](#) to operate cross-borders by harmonizing minimum requirements to operate in the home market and in other EU countries.

### ▪ EBA publishes its Risk Dashboard for the 3Q2019

Banks' [capital position](#) remains strong and asset quality keeps improving, but profitability decreases in the 3Q2019.

- **ESMA issues guidelines on reporting and validation rules under SFTR, and LEI statement**

Guidelines to [clarify](#) the implementation of provisions of the Securities Financing Transactions Regulation. LEI statement to clarify the expectations regarding reporting of LEI for issuers of securities used in SFTs.

- **ESMA announces MiFID scheduled publication dates for 2020**

Issues its 2020 [calendar](#) of MiFIDII/MiFIR non-daily publications for the transparency regime and systematic internalisers' tests for derivatives.

- **ESMA publishes report on the use of Alternative Performance Measures (APM)**

The use of [APM](#) is widespread in all sectors and within all regulated documents, but there is room for improvement in guideline compliance. Among other measures, it calls on users to improve their disclosures regarding APMs.

- **ESMA updates ESEF XBRL taxonomy to facilitate implementation of ESEF regulation**

Based on [IFRS](#) taxonomy, provides preparers with relevant taxonomy for tagging IFRS consolidated financial statements, with a structured representation of the elements that substantively constitute the core taxonomy.

- **ESMA updates XML schema for securitization and SFTR reporting**

Updates reporting instructions and XML schema for templates set out in the technical standards on [disclosure](#) requirements, and ISO 20022 XML schemas for [SFTR](#) reporting.

- **ESMA issues latest double volume cap data under MiFID II**

Updates [double volume cap](#) data and calculations for the period Dec 1, 2018 to Nov 30, 2019.

- **ESMA extends recognition decisions for 3 UK CCPs in the event of a no-deal Brexit**

Seeks to reflect the [extension](#) agreed for the UK's departure from the EU. The recognition decision would take effect on the date following Brexit date under a no-deal Brexit scenario.

## SPAIN

- **MINECO completes the transposition of the Payment Service Directive**

The new regulation provides transparency and security for [payment services](#) users. Bank of Spain will supervise payment services providers operating in Spain.

## UNITED KINGDOM

- **PRA publishes policy statement on reporting updates for capital and ring-fencing bodies**

No responses were sent to the consultation paper, so the PRA is [implementing](#) the proposed changes to the capital and ring-fenced bodies reporting templates to align them with COREP and FINREP.

## UNITED STATES

- **Agencies extend deadline on swap consultation and CAMELs information request**

i) Extension of the period for comments on amendments of [swap margin](#) rules. New deadline: Jan 23, 2020. ii) Extension of deadline for request of information for [CAMELs](#) rating system. New deadline: Feb 28, 2020

- **Agencies issue annual CRA asset-size thresholds**

Annual [adjustment](#) to asset-size thresholds defining small banks, small savings associations, intermediate small banks and intermediate small savings associations. New thresholds will be effective Jan 1, 2020.

- **FRB issues report on information on prospective borrowers**

Analyses information found by [small business](#) borrowers when researching online credit products. Identifies significant variations in upfront information provided, especially on products, rates, fees and repayment terms.

- **OCC and FDIC issue CRA results**

Performance evaluations for [national banks](#) and federal savings associations and for [state non-member](#) banks.

### Recent publications of interest (in English and Spanish):

- [Press Article](#). *The Banking union: something's at play*. November 2019.
- [Press Article](#). *Completion of Basel III: The final twist to banking regulation?* December 2019.
- [Press Article](#). *¿Cuáles serán las claves para la regulación financiera global en 2020?* January 2020.
- [Press Article](#). *Las prioridades de la nueva Comisión Europea*. January 2020.

Previous edition of our Weekly Financial Regulation Update in [English](#)

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