

# Financial Regulation: Weekly Update

Matias Cabrera and Inés Criado

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## Highlights

1. EC publishes a taxonomy complementary climate delegated act to accelerate decarbonization
2. EBA launches its central database for AML/CFT (EuReCA) and publishes RTS for market risk own funds requirements under the alternative standardised approach (FRTB-SA)
3. ESMA publishes several consultations on CCP anti-procyclicality measures, on trading venue perimeter and on scope of the CRA regulation for private credit ratings
4. ESMA starts supervision on benchmarks and assumes chair of Euribor college
5. BOE publishes BdE Circular 1/2022 modifying the significance threshold for overdue credit obligations

## Europe

- **EC publishes a taxonomy complementary climate delegated act to accelerate decarbonization**  
It [introduces](#) additional economic activities from the energy sector into the EU taxonomy. It also introduces specific disclosure requirements for businesses related to their activities in the gas and nuclear energy sectors.
- **EBA launches its central database for AML/CFT (EuReCA)**  
The EBA will use information from [EuReCA](#) to inform its view of ML/TF risks affecting the EU financial sector and share information with competent authorities to act before ML/TF risk crystallizes.
- **EBA publishes RTS listing advanced economy countries for market risk own funds requirements**  
For the purposes of [capital](#) calculation of the equity risk for entities under the alternative standardized approach for market risk.
- **ESMA consults on CCP anti-procyclicality measures**  
To [review](#) the European Market Infrastructure Regulation's (EMIR) requirements on anti-procyclicality margin measures for central counterparties, with the aim of harmonizing them. Deadline: Mar 31, 2022.
- **ESMA consults on scope of the CRA regulation for private credit ratings**  
The proposed [revisions](#) intend to provide greater clarity on the exemption for private ratings under the CRA regulation. Deadline: Mar 11, 2022.
- **ESMA consults on trading venue perimeter**  
To clarify the [definition of multilateral systems](#) and provide guidance on when systems should be considered as multilateral systems and, as a consequence, seek authorization as trading venues. Deadline: Apr 29, 2022.

- **ESMA starts supervision on benchmarks and assumes chair of Euribor college**  
Since January 1, ESMA is the [supervisor](#) of EU critical benchmarks administrators and EU recognized third-country administrators under the Benchmarks Regulation and took over the chairmanship of the EURIBOR College.
- **ESMA publishes final reports on CCP recovery regime**  
[Covers](#) proposals for RTSs on the methodology for calculation of own resources, triggers for the use of Early Intervention Measures, recovery plan indicators and scenarios and on the restrictions of dividends.
- **ESMA recommends clearing obligation for pension funds to start in June 2023**  
[Concludes](#) that Pension Scheme Arrangements are operationally ready to clear their OTC derivatives, but they should be given enough time before the obligation takes effect.
- **ESMA publishes supervisory briefing on the use of tied agents under MiFID II**  
It [ensures](#) convergence across the EU in the supervision of firms using tied agents, particularly those based outside the EU. It will also foster improved investor protection.
- **ESMA launches its new STS register**  
It [aims](#) at greater efficiency and timeliness of the STS notification to ESMA, allowing originators and sponsors from an enhanced notification system.
- **ESMA publishes new bond liquidity data and data for the systematic internalizer calculations**  
It is [based](#) on a quarterly assessment of quantitative liquidity criteria, which includes the daily average trading activity (trades and notional amount) and the percentage of days traded per quarter.
- **ESAs publish thematic repository on financial education and digitalization initiatives of NCAs**  
Specific [focus](#) on cybersecurity, scams and fraud. The repository contains 127 national initiatives that provide consumers with helpful information on how to improve their financial literacy.
- **SRB publishes MREL dashboard Q3 2021**  
[Shows](#) that the shortfall against the 2024 target reduced in the reporting period, and most banks either closed or reduced their shortfalls against the 2022 intermediate target in that quarter.
- **EIOPA consults on its proposals on retail investor protection**  
[Presents](#) different proposals to enhance consumer engagement with disclosures, including digital disclosures and assessing the risks and opportunities presented by new digital tools & channels. Deadline Feb 25, 2022.
- **EIOPA publishes its Risk Dashboard based on data from Q3 2021**  
The [results](#) show that insurers' exposures to macro risks remain at a high level while all other risk categories, such as insurance as well as profitability and solvency risks remain at medium levels.

## Spain

- **CNMV publishes guidance on management and control of liquidity for collective investment institutions**  
Sets out the [elements](#) that the managing entity must follow to improve the management of liquidity and avoid conflict of interest between investors.

- **BOE publishes BdE Circular 1/2022 modifying the significance threshold for overdue credit obligations**  
[Modifies](#) Circular 3/2019 for less significant entities. Credit obligations in arrears occur when both components of the significance threshold are exceeded for more than 90 consecutive days.

## United States

- **FRB consults on the framework for the supervision of certain insurance organizations**  
It would [apply](#) guidance and allocate supervisory resources based on the risk of a firm, formalizing a supervisory rating system for these companies and describe the work of examiners. Deadline: 60 days.
- **FDIC and FinCEN open Registration for Digital Identity Tech Sprint**  
Opens [participation](#) in a Tech Sprint to help measure the effectiveness of digital identity proofing—the process used to collect, validate, and verify information about a person. Deadline: Feb 15, 2022.
- **SEC publishes its annual staff report on nationally recognized statistical rating organizations**  
[Provides](#) a summary of its examinations of NRSROs and discusses the state of competition, transparency, and conflicts of interest among NRSROs.
- **SEC reopens Comment Period for Pay Versus Performance**  
On [proposed rules](#) under the Dodd-Frank Act requiring disclosure of information reflecting the relationship between executive compensation actually paid by a company and the company's financial performance. Deadline: 30 days.
- **OCC publishes CRA evaluations for national banks and federal savings associations**  
It has [released](#) the list of Community Reinvestment Act performance evaluations that became public in January 2022 for national banks, federal savings associations, and insured federal branches of foreign banks.

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

- [Press Article](#). *Regulating the digital economy: a list of obligations and prohibitions for large platforms*. January 2022.
- [Press Article](#). *How should artificial intelligence be regulated?* January 2022.
- [Press Article](#). *Seven keys to financial regulation in 2022*. January 2022.
- [Press Article](#). *The EU must have a framework on cryptos as soon as possible*. January 2022

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

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### ENQUIRIES TO:

BBVA Research: Azul Street, 4. La Vela Building – 4th and 5th floor. 28050 Madrid (Spain).  
Tel. +34 91 374 60 00 y +34 91 537 70 00 / Fax (+34) 91 374 25  
bbvaresearch@bbva.com www.bbvaresearch.com