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Chair of the ECB High-Level Task Force on
Simplification

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Simplification of ESRB tasks through legislative amendments

31 October 2025

Dear Luis,

As you well know, the report of the High-Level Group on the ESRB Review, to which you actively contributed, recommended that the General Board would screen all instances where European Union legislation requires the ESRB involvement, with a view to proposing changes to streamline these tasks, in line with their macroprudential relevance.

Against this background, the General Board concluded its work on 25 September of this year, approving a list of instances where a reference to the ESRB in the EU legislation could be abrogated. The General Board also expressed the intention to transmit the result of this work to the ECB High-Level Task Force on Simplification of the European Prudential Regulatory and Supervisory Framework, which you chair.

We would be very grateful, if your task force could convey the hereby enclosed proposal, on behalf of the ESRB, to the European Commission, which might consider legislative amendments to this aim.

Best regards,

Christine Lagarde
ESRB Chair

Olli Rehn
ESRB First Vice-Chair

Enclosed:

Annex – Note on simplification of ESRB tasks through legislative amendments



Simplification of ESRB tasks through legislative amendments

1. Background

The report by the High-Level Group on the ESRB Review¹ (HLG) points out that EU legislation has assigned a very high number of diverse and complex tasks to the European Systemic Risk Board (ESRB), beyond the tasks foreseen under the ESRB Regulation². HLG members suggested that the time and resources dedicated to those tasks that do not fall under the ESRB Regulation should be more proportionate to their macroprudential relevance. Specifically, Recommendation 8 suggests that the ESRB Secretariat screen all instances in which EU legislation requires the ESRB's involvement and propose changes to streamline these tasks and reduce the burden on the ESRB.

Box 1: Recommendation 8 of the High-Level Group on the ESRB Review

"The Secretariat should also screen all instances where EU legislation requires the ESRB to provide opinions, offer consultations or engage in some other capacity, including in its reciprocation framework. It should assess the importance of these capacities with a view to the ESRB recommending to the European Commission and the co-legislators possible legislative changes that could in turn streamline procedures and reduce the burden on the ESRB".

For this purpose, the ESRB has identified and listed the tasks assigned to it by EU legislation beyond the ESRB Regulation and categorised them from a content point of view, classifying them into four types according to their main purpose.

Against this background, the General Board of the ESRB has made changes to internal procedures aimed at streamlining the performance of certain ESRB tasks, without amendments to legislation, by adopting Decision ESRB/2025/7. Furthermore, the ESRB has also prepared a proposal for legislative amendments aimed at contributing to the simplification of ESRB tasks, to be considered by the European Commission.

2. ESRB assessment of importance of its tasks foreseen under EU legislation

Around 90 tasks have been assigned to the ESRB that do not fall under its Regulation. To identify those ESRB tasks that might warrant discontinuing, the ESRB has set up a framework for scoring the systemic relevance of

¹ Building on a decade of success – Report by the High-Level Group report on the ESRB review, December 2024.

² Regulation (EU) No 1092/2010 of the European Parliament and of the Council of 24 November 2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board.

each task. This framework assigns to each ESRB task a score ranging from 1 (indicating low systemic importance) to 4 (indicating high systemic importance), whereby tasks with lower scores may be discontinued, whereas tasks with higher scores remain unchanged. This assessment is presented in detail in the Annex.

Box 2: Systemic scoring

Score 1: Tasks that address localised or idiosyncratic vulnerabilities that are unlikely to escalate into systemic risks except under extremely rare and exceptional circumstances.

Score 2: Tasks that are less relevant from a systemic perspective.

Score 3: Tasks that are necessary to ensure an EU-wide review of national macroprudential policies and their compatibility with the Single Market, as well as to foster an exchange of data and information among EU macroprudential authorities.

Score 4: Tasks that are key to the ESRB's mandate, as outlined under the ESRB Regulation. These include identifying and mitigating systemic vulnerabilities in the EU financial system, contributing to holistic assessments of systemic risks across countries and sectors, and developing system-wide analytical and policy responses. These tasks may also result in the issuance of warnings and recommendations.

The Annex identifies the tasks assigned to the ESRB and the corresponding provisions under EU legislation. It includes information on how these tasks have been implemented over the past 15 years since the ESRB was first established, highlighting the deliverables. It assesses each task according to its systemic relevance. This provides a basis for assessing future resource needs given the proposed legislative changes.

3. Proposals for the simplification of ESRB tasks through legislative amendments

Based on the scoring exercise described above, the Annex proposes discontinuing the ESRB's involvement in around 30 tasks of a total of around 90 tasks identified. In most cases, this would involve simply removing legal references to the ESRB from the relevant legislation, thereby discontinuing its legal involvement in such a task (these cases are classified in the Annex as "simplification"). In other cases, a more streamlined form of involvement is suggested, allowing the ESRB to continue contributing, but in a reduced or more efficient manner.

Reduced involvement is suggested for certain ESRB tasks warranting simplification, such as market integration tasks³. Here, the ESRB proposes being involved only when certain thresholds are met, for instance. Such proposals take account of previous deliberations by the ESRB General Board (See Box 3).

³ Tasks entrusted to the ESRB to ensure that the use of national macroprudential powers is duly justified in macroprudential terms, is proportionate to risks and does not distort the single market.

Box 3: Previous ESRB proposals for legislative amendments

The ESRB General Board stressed the need for simplification through targeted legislative amendments both in its 2022 Concept Note and in the March 2025 meeting of the European Commission Expert Group on Banking, Payments and Insurance. In particular, the ESRB General Board has recommended:

- (i) adopting a proportional approach to sectoral systemic risk buffer rates, based on the size of the exposure class they apply to, aligning them with the total risk exposure amount (TREA);
- (ii) consolidating the articles of the Capital Requirements Regulation (CRR) on macroprudential risk weights (Articles 124, 164 and 458 CRR) into a single section or article and providing for administrative procedures for activation that are as simple as possible, while remaining effective in reconciling financial stability with Single Market considerations; and
- (iii) providing for mandatory reciprocity, subject to materiality thresholds, for the systemic risk buffer and Article 458 of the CRR measures, for which it is currently voluntary, involving cumbersome procedures.

The attached table also takes account of the simplification proposals included in the European Commission's "Non-paper note on screening of level 2 empowerments in the field of financial services", dated 14 July 2025.

4. Expected impact on human resources

The work supporting this note aims to measure the "space" that could be created from implementing these proposals, as measured in full-time equivalents (FTE). Specifically, for each task for which amendments are recommended, the Annex indicates whether they are expected to reduce the current need for human resources.

To this end, the Annex identifies around 30 tasks for which the proposed simplification may save on human resources. It is expected that this corresponds to around two FTEs – permanent staff or ESCB/IOs –, in addition to almost one FTE resulting from the internal streamlining of the ESRB's Rules of Procedure.⁴ It goes without saying that this scenario will only be possible if the ESRB's legal requirements are abrogated. Without such amendments, the ESRB would remain committed to performing the 30 tasks mentioned and no "space" would be made available.

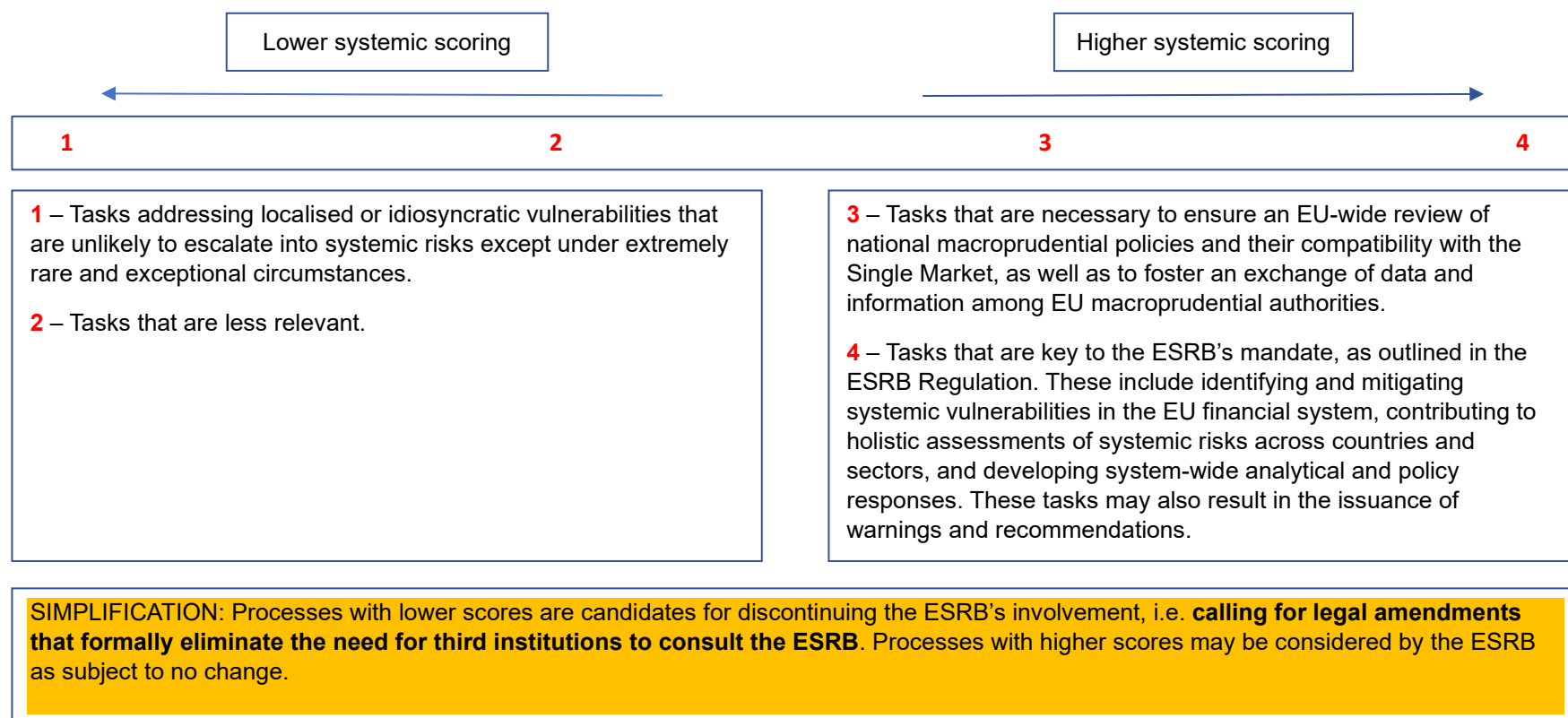
⁴ As a result of the amendment of the Rules of Procedure of the ESRB. Other internal measures are also being implemented within the ESRB Secretariat, particularly for the tasks related to the Notifications Hub.

Annex

Tables with proposals for simplification of ESRB tasks through legislative amendments

Proposal to the European Commission to simplify the regulatory framework for ESRB tasks under EU legislation other than the ESRB Regulation

SCORING:



I. Rule-centric tasks

	TOPIC	LEGAL BASIS	ACTION REQUIRED BY LEGISLATION	ESRB INVOLVEMENT REQUIRED BY LEGISLATION AND FOLLOW-UP	STATUS OF IMPLEMENTATION	SCORING (SEE PAGE 1)	ESRB PROPOSAL ON LEGISLATIVE SIMPLIFICATION	IMPACT ON RESOURCES
1.	Other systemically important institutions (O-SIIs) buffer	Article 131(3) CRD	Consultation	Consultation of the ESRB by the EBA with regard to issuing guidelines on the criteria for identifying O-SIIs and in preparing a report on the methodology for calibrating O-SII buffer rates.	<p>EBA guidelines were issued on 16 December 2024.</p> <p>The legislation also assigns a role to the ESRB in terms of transparency regarding decisions taken by national authorities.</p> <p>The ESRB has published templates for notification of O-SII decisions.</p> <p>All notifications are published on the ESRB's website.</p>	3	No change	None
2.	Systemic risk buffer	Article 133(6) CRD	Consultation	Consultation of the ESRB by the EBA with regard to issuing guidelines on the appropriate subsets of exposures to which a systemic risk buffer may be applied.	<p>EBA guidelines were issued on 30 September 2020.</p> <p>The legislation also assigns a role to the ESRB in terms of transparency regarding decisions taken by national authorities.</p> <p>The ESRB published templates for notification of systemic risk buffers on 6 August 2021.</p> <p>All notifications are published on the ESRB's website.</p>	3	No change	None
3.	Countercyclical capital buffer	Articles 135(1-3) CRD	Recommendation	The ESRB may give guidance by way of recommendations by the ESRB to designated authorities on setting countercyclical buffer rates. The ESRB also reviews and updates this guidance as needed.	<p>The ESRB issued a recommendation on 18 June 2014.</p> <p>Information on the countercyclical capital buffer is regularly published on the ESRB's website.</p> <p>Most recently, the ESRB published, together with the ECB, a joint report on experiences of using the countercyclical capital buffer early in the cycle.</p>	4	<p>In a recent report, the ESRB was of the opinion that “it would be helpful to clarify the European macroprudential framework to ensure that the countercyclical capital buffer can be used more flexibly and proactively.”</p> <p>It is expected that the ESRB recommendation on the guidance to Member States would need to be reconsidered accordingly.</p>	Increase

							By itself, however, this would not change the institutional role of the ESRB. In terms of use of resources, this would increase rather than decrease resource needs.	
4.	Countercyclical capital buffer of third countries, when absent or considered insufficient	Article 138 CRD	Recommendation	The ESRB may issue a recommendation to designated authorities on the appropriate countercyclical buffer rate for exposures to a third country if no rate has been set by the third-country authority or if the existing rate is considered insufficient.	The ESRB published on 11 December 2015 a Recommendation on "recognising and setting countercyclical buffer rates for exposures to third countries" (ESRB/2015/1). The summary compliance report was published in May 2022.	2	Simplification The existing ESRB recommendation may be subject to amendment or withdrawal at any time, upon decision of the General Board.	Decrease
5.	Risk weights for exposures secured by immovable property	Article 124(11) CRR	Cooperation	Close cooperation between the ESRB and the EBA in developing draft regulatory technical standards specifying the factors to be considered when assessing the appropriateness of risk weights for exposures secured by immovable property.	Implementation is due by 10 January 2026. The EBA issued a regulatory technical standard on 29 October 2021. National measures on risk weights for exposures secured by immovable property are published on the ESRB's website. In its March 2022 Concept Note , the ESRB requested a new single harmonised macroprudential article on risk weights be drafted to replace the specific provisions under Articles 124, 164 and 458. The European Commission prepared preliminary drafts to this end.	3	The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note . These changes might have an impact on the ESRB's involvement.	None
6.	Risk weights for exposures secured by immovable property	Article 124(12) CRR	Recommendation	The ESRB may provide guidance by means of recommendations, and in close cooperation with the EBA, to designated authorities on factors that could adversely affect financial stability and on indicative benchmarks to be considered when setting higher risk weights for exposures secured by immovable property.	No ESRB recommendation was issued on the basis of Article 124 (12) Capital Requirements Regulation.	3	The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note . These changes might have an impact on the ESRB's involvement.	None

7.	Loss given default secured by residential property	Article 164(8) CRR	Cooperation	Cooperation of the ESRB with the EBA in developing draft regulatory technical standard on conditions for assessing the appropriateness of loss-given-default values.	<p>The EBA issued a regulatory technical standard on 29 October 2021.</p> <p>National measures on risk weights for exposures secured by immovable property are published on the ESRB's website.</p> <p>In its March 2022 Concept Note, the ESRB requested a new single harmonised macroprudential article on risk weights be drafted to replace the specific provisions under Articles 124, 164 and 458.</p> <p>The European Commission prepared preliminary drafts to this end.</p>	2	<p>Simplification</p> <p>The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note. These changes might have an impact on the ESRB's involvement.</p>	Decrease
8.	Loss given default secured by residential property	Article 164(9) CRR	Recommendation	The ESRB may give guidance, by means of recommendations, on factors affecting financial stability and on indicative benchmarks for setting higher minimum loss-given-default input floor values.	No ESRB recommendation was issued on the basis of Article 164 (8) CRR.	2	<p>Simplification</p> <p>The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note. These changes might have an impact on the ESRB's involvement.</p>	Decrease
9.	Prudential treatment of exposures related to environmental and/or social objectives	Article 501c(1) CRR	Consultation	Consultation of the ESRB by the EBA on the prudential treatment of exposures related to environmental and/or social objectives.	<p>The ESRB issued advice to the EBA on 25 August 2023.</p> <p>The EBA issued a report on 12 October 2023, recommending enhancements to the Pillar 1 framework to capture environmental and social risks.</p>	2	Simplification	Decrease
10.	Regulatory treatment of collective investment undertakings with an underlying portfolio of euro area sovereign bonds	Article 506a CRR	Cooperation	Cooperation of the ESRB with the European Commission and the EBA on a report assessing the need for regulatory changes to support collective investment undertakings with an underlying portfolio of euro area sovereign bonds.	To date, no input has been requested from the ESRB, despite the 31 December 2021 deadline fixed by law.	4	No change	None

11.	Review of the macroprudential rules for the banking sector	Article 513(1-2) CRR	Consultation	Consultation of the ESRB by the European Commission for its five-yearly review of the macroprudential rules under the CRR and Directive 2013/36/EU, including the adequacy, effectiveness, and potential need for new tools.	<p>The Commission called for advice in 2014 and 2021.</p> <p>The ESRB issued a response on 30 April 2014.</p> <p>In March 2022, the ESRB published a Concept Note on the "Review of the EU Macroprudential Framework for the Banking Sector March 2022".</p> <p>On 24 January 2024, the European Commission issued a report to EU institutions on the macroprudential review framework for credit institutions, the systemic risks relating to non-bank financial intermediaries and their interconnectedness with credit institutions.</p>	4	No change	None
12.	Guidelines on the macroprudential range of recovery scenarios	Articles 5(7) BRRD	Cooperation	Close cooperation between the ESRB and the EBA for issuing guidelines on the range of scenarios.	On 18 July 2014, the EBA published guidelines on the range of scenarios to be used in recovery plans.	2	Simplification	Decrease
13.	Regulatory technical standards on the content of the resolution plan	Article 10(9), 12(6) and 15(4) BRRD	Consultation	Consultation of the ESRB by the EBA in the process of developing draft regulatory technical standards specifying the contents of the resolution plan under the resolution framework.	<p>On 23 March 2016, after the EBA consulted the ESRB, the Commission adopted Delegated Regulation (EU) 2016/1075.</p> <p>In 2025, the EBA amended the draft regulatory technical standard and consulted the ESRB to this end.</p>	2	Simplification	Decrease
14.	Deposit guarantee schemes - adequacy of regulatory framework from a macroprudential perspective	Article 14(8) DGSD	Cooperation	Cooperation between the ESRB and the EBA on systemic risk analysis of deposit guarantee schemes.	Cooperation has not yet materialised.	2	Simplification	Decrease
15.	Money market funds – adequacy of regulatory framework from a macroprudential perspective	Article 46(1) MMF	Consultation	Consultation, where appropriate, of the ESRB by the European Commission when reviewing the adequacy of the Regulation from a prudential and economic perspective, including potential changes to the regime for public debt CNAV money market funds and LVNAV money market funds by July 2022.	<p>The ESRB issued two recommendations on money market funds:</p> <ul style="list-style-type: none"> - on 20 December 2012; - on 25 February 2022. <p>In January 2022, the ESRB also issued a report on the economic rationale for the ESRB's views on money market funds. On 20 July 2023, the European Commission issued a report on the adequacy of the regulatory framework for money market funds from a prudential and economic point of view.</p>	4	No change	None

					<p>On 11 February 2025, the ESRB published a compliance report on the reform of money market funds.</p> <p>Finally, in its response to the European Commission's consultation on non-bank financial intermediation, the ESRB called on the European Commission to address vulnerabilities in money market funds.</p>			
16.	Indicators and range of scenarios to be considered in central counterparty recovery plans	Article 9(5) and(12) CCPRR	Cooperation	Cooperation between the ESRB and ESMA in drafting guidelines specifying the minimum set of indicators and specifying the range of scenarios to be considered in central counterparty recovery plans.	<p>In July 2017, the ESRB issued an opinion on a central counterparty recovery and resolution framework.</p> <p>On 24 March 2023, ESMA published guidelines on central counterparty recovery plan scenarios (Article 9(12) of the Central Counterparty Recovery and Resolution Regulation).</p>	2	Simplification	Decrease
17.	Factors for assessing central counterparty recovery plans	Article 10(12) CCPRR	Cooperation	Cooperation of ESRB with ESMA and ESCB in developing draft regulatory technical standards specifying the factors to assessing central counterparty recovery plans.	<p>In July 2017, the ESRB issued an opinion on a central counterparty recovery and resolution framework.</p> <p>On 31 January 2022, ESMA published a draft regulatory technical standard further specifying the factors to be considered by the competent authority and the supervisory college when assessing the central counterparty recovery plans (Article 10(12) of the Central Counterparty Recovery and Resolution Regulation).</p>	2	Simplification	Decrease
18.	Contents of central counterparty resolution plans	Articles 12(9) CCPRR	Consultation	Consultation of the ESRB by ESMA in developing draft regulatory technical standard specifying the contents of central counterparty resolution plans.	In July 2017, the ESRB issued an opinion on a central counterparty recovery and resolution framework.	2	Simplification	Decrease
19.	Convergence of central counterparty resolution practices	Article 15 (5) CCPRR	Cooperation	Cooperation between the ESRB and ESMA in drafting guidelines to promote convergence of resolution practices regarding the application of Section C of this Annex.	<p>In July 2017, the ESRB issued an opinion on a central counterparty recovery and resolution framework.</p> <p>On 9 February 2024, ESMA published guidelines on the assessment of resolvability (Article 15(5) of the Central Counterparty Recovery and Resolution Regulation).</p>	2	Simplification	Decrease
20.	Systemic cyber risks	Article 58(1) DORA	Consultation	Consultation of the ESRB by the European Commission for the overall review of the Digital Operational Resilience Act.	Deadline is 17 January 2028.	4	No change	None

21.	Systemic cyber risks in the area of payments	Article 58(2) DORA	Consultation	Consultation of the ESRB by the European Commission on payment systems and entities involved in payment processing activities.	This will be part of the review of Directive (EU) 2015/2366 (Payment Services Directive).	2	Simplification	Decrease
22.	OTC derivatives' clearing obligation	Article 5(2) EMIR	Consultation	Consultation of the ESRB by ESMA when developing a draft regulatory technical standard specifying the OTC derivatives classes subject to the clearing obligation, their effective dates, and applicable counterparties.	<p>In 2014, ESMA issued a separate consultation on the clearing obligation for (i) interest rates swaps in a number of global currencies, (ii) equities, (iii) credit default swaps and (iv) foreign exchange.</p> <p>On 18 August 2014, the ESRB issued a response on mandatory central clearing for OTC interest rate derivatives.</p> <p>On 6 November 2014, the ESRB published a response on foreign-exchange non-deliverable forwards.</p> <p>On 13 July 2015, the ESRB published a report on other OTC interest rate derivatives.</p> <p>On 2 September 2016, the ESRB published a report on the clearing obligation for financial counterparties with a limited volume of activity.</p> <p>The status of the ESMA technical standards, including their amendments, is explained here.</p>	4	No change	None
23.	OTC derivatives' clearing obligation	Article 5(3) EMIR	Consultation	Consultation of the ESRB by ESMA when identifying classes of derivatives that should be subject to the clearing obligation but for which no central counterparty has yet been authorised.	The status of the ESMA technical standards, including their amendments, is explained here .	4	No change	None
24.	Active account requirement	Article 7a(7) EMIR	Consultation	Consultation of the ESRB by ESMA when assessing and proposing amendments to the list of contracts subject to the active account obligation.	This consultation has not yet materialised. However, in view of trade developments and tense geopolitical considerations (in particular in commodity markets), the issue remains relevant.	3	No change	None
25.	Active account requirement	Article 7a(8) EMIR	Cooperation	Cooperation of ESMA with the ESRB, EBA, and EIOPA in developing draft regulatory technical standards specifying the requirements, stress testing conditions and reporting requirements related to active account obligations.	<p>On 20 November 2024, ESMA issued a consultation on the conditions of the Active Account Requirement.</p> <p>On 27 January 2025, the ESRB published its response to the ESMA consultation on the conditions of the Active Account</p>	2	Simplification	Decrease

					Requirement following the review of the EMIR. Deadline for ESMA to issue Level 2 regulation set by law on 25 June 2025.			
26.	Systemic risks from exposure to central counterparties outside the EU	Article 7a(10) EMIR	Cooperation	Close cooperation between ESMA, the ESRB and the ESCB in assessing the effectiveness of measures mitigating financial stability risks arising from EU counterparties' exposures to Tier 2 central counterparties of substantial systemic importance.	ESMA is due to submit a report, including a fully reasoned impact assessment, to the European Parliament, the Council, and the Commission by 25 June 2026, or earlier, if a formal notification from the Joint Monitoring Mechanism indicates systemic financial stability risks.	4	No change	None
27.	Recognition of a third country central counterparty	Article 7d(2) EMIR	Cooperation	Cooperation of ESMA with the ESRB to develop draft regulatory technical standards on information relating to clearing activity in central counterparties recognised under Article 25 (recognition of a third-country central counterparty).	The list of recognised third country central counterparties is included here . ESMA to issue a draft regulatory technical standard to the European Commission by 25 December 2025.	2	Simplification	Decrease
28.	Use of OTC derivatives by non-financial corporations	Article 10(4) EMIR	Consultation	Consultation of the ESRB by ESMA when developing draft RTS on criteria for risk-reducing OTC derivatives and clearing thresholds. Consultation of the ESRB by ESMA during periodic reviews of clearing thresholds and potential amendments. ESMA to submit the draft regulatory technical standards referred to in the first subparagraph to the European Commission by 25 December 2025.	On 31 July 2012, the ESRB issued a macro-prudential stance on the use of OTC derivatives by non-financial corporations. On 8 April 2025, ESMA issued a new consultation paper on Draft technical standards amending Regulation (EU) 149/2013 to further detail the new EMIR clearing thresholds regime. On 5 June 2025, the ESRB submitted an ESRB response to ESMA consultation on the draft technical standards to further detail the new EMIR clearing thresholds regime.	2	Simplification ¹	Decrease

¹ Postponement proposed by the European Commission, but the deadline for ESMA to submit the regulatory technical standard remains unchanged.

29.	Use of OTC derivatives by non-financial corporations	Article 10(4a) EMIR	Consultation	Consultation of the ESRB concerning the periodic review of clearing thresholds, including considerations of the interconnectedness of financial counterparties, the adequacy of financial coverage under clearing obligations, and the relevance of existing or new classes of OTC derivatives, with such reviews occurring at least every two years or when triggered by specified mechanisms.	ESMA may propose changes to the clearing thresholds in the regulatory technical standards and ESMA to produce a report on the review.	2	Simplification	Decrease
30.	Systematic manifest errors in EMIR reporting	Article 12(5) EMIR	Cooperation	Cooperation of ESMA with the ESRB, EBA, and EIOPA in developing draft RTS specifying what constitutes systematic manifest errors.	ESMA to submit the draft regulatory technical standards to the European Commission by 25 December 2025. Regulatory technical standards specifying what constitutes systematic manifest errors in EMIR reporting in relation to penalties.	4	No change ²	None
31.	Tiering of third-country central counterparties (systemically important or not)	Article 25(2a) EMIR	Consultation	Consultation of the ESRB by ESMA when assessing whether a third-country central counterparty qualifies as a Tier 2 central counterparty.	The list of recognised third country central counterparties is included here . ESMA to inform the applicant central counterparty of its status within 30 working days of completing the review of the application.	2	Simplification	Decrease
32.	Assessment on whether third-country central counterparties should be considered as Tier 2+ (and therefore restricted)	Article 25(2c) EMIR	Consultation	Consultation of the ESRB by ESMA when assessing whether a third-country central counterparty's systemic importance warrants denying recognition. Outcome: ESMA to submit a reasoned assessment and recommendation to the European Commission, which may impose clearing restrictions after an adaptation period.	The list of recognised third country central counterparties is included here . ESMA to submit a reasoned assessment and recommendation to the European Commission, which may impose clearing restrictions after an adaptation period.	4	No change	None
33.	Review of the tiering of third country central counterparties	Article 25(5) EMIR	Consultation	Consultation of the ESRB by ESMA in the framework of the review of tiering category of the central counterparties in third countries.	The ESRB has been regularly, or on an ad hoc basis, consulted once the review of recognition tiering is due. Preparatory work is under way within the Expert Group on Clearing. Information on the recognition and tiering of central counterparties in third countries is available here .	2	Simplification	Decrease

² While the European Commission has proposed that this be postponed, this measure is important to secure 2023 data quality.

34.	Regulatory treatment of collateral requirements for central counterparties	Article 46(3) EMIR	Consultation	Consultation of the ESRB by ESMA and EBA when developing draft regulatory technical standards on highly liquid collateral, haircuts, and conditions for accepting guarantees as collateral.	ESMA to submit the draft regulatory technical standard to the European Commission by 25 December 2025.	2	Simplification	Decrease
35.	Central counterparty interoperability arrangements	Article 54(5) EMIR	Consultation	Consultation of the ESRB by ESMA when developing draft regulatory technical standards on risk management requirements for central counterparty interoperability arrangements.	<p>In January 2016, the ESRB submitted a report to the European Commission on the systemic risk implications of CCP interoperability arrangements.</p> <p>In January 2019, the ESRB issued a report on CCP interoperability arrangements.</p> <p>ESMA to submit the draft regulatory technical standard to the European Commission by 25 December 2025.</p>	2	Simplification ³	Decrease
36.	Systemic risks from Tier2 + central counterparties	Article 85(6) EMIR	Cooperation	Cooperation between ESMA and the ESRB in assessing whether financial stability risks for the EU or its Member States, which are identified as Tier 2+, are sufficiently mitigated under a specific implementing act. It supports ESMA in preparing a report for the European Commission, which must be submitted within 12 months after the adaptation period ends.	<p>The list of recognised third country central counterparties is included here.</p> <p>Outcome: ESMA to submit the report to the European Commission within 12 months after the adaptation period ends, with the adaptation period not exceeding two years.</p> <p>No third country central counterparty has been classified as Tier 2+ so far.</p>	4	No change	None
37.	Procyclicality in central counterparty margins and collateral haircuts	Article 85(11) EMIR	Cooperation	Cooperation between ESMA and the ESRB in preparing a report on procyclicality in central counterparty margins and collateral haircuts. It supports the assessment of existing anti-procyclicality measures, their effectiveness, and whether further actions are needed.	<p>On 28 July 2015, the ESRB issued a report on the "Efficiency of margining requirements to limit pro-cyclicality and the need to define additional intervention capacity in this area".</p> <p>Section 3 of the April 2017 report on the "Revision of the European Market Infrastructure Regulation" was fully devoted to "Enhancing procyclicality-limiting tools within EMIR".</p> <p>Outcome: ESMA to submit the report to the European Commission by 25 December 2026.</p>	4	No change	None

³ Postponement proposed by the European Commission, but the deadline for ESMA to submit the regulatory technical standard remains unchanged.

38.	Assessment of impact of EMIR review on competitiveness, regulatory burden and financial stability risks	Article 85(12) EMIR	Cooperation	Cooperation between ESMA and the ESRB to assess how the articles under EMIR concerning procedures and reviews have been applied, focusing on central counterparty competitiveness, regulatory burden, time-to-market, and financial stability risks.	In April 2017, the ESRB published a report on the "Revision of the European Market Infrastructure Regulation". Outcome: ESMA to conduct the assessment by 25 December 2027 and submit a report to the European Parliament, the European Council, and the European Commission.	2	Simplification	Decrease
39.	Assessment of and reporting on post-trading risk reduction services and compliance with clearing obligations	Article 85(14) EMIR	Cooperation	Cooperation between ESMA and the ESRB to assess the systemic importance of post-trading risk reduction services, their impact on financial risk, and potential circumvention of clearing obligations.	In April 2017, the ESRB published a report on the "Revision of the European Market Infrastructure Regulation", in which Section 2.3 discussed the impact of compression on trade reporting. In May 2017, a working paper on "Compressing over-the-counter markets" was published in the ESRB Working Paper Series. In June 2020, the ESRB issued an opinion on "Post-trade risk reduction services with regards to the clearing obligation". Outcome: ESMA to submit a report to the European Commission by 25 December 2028, which the European Commission will review and present to the European Parliament and European the Council.	2	Simplification	Decrease
40.	Impact of long-term guarantees on the insurance sector's financial stability	Article 77f Solvency II	Consultation	Consultation of the ESRB by EIOPA, where appropriate, in terms of preparing its opinion to the European Commission on the application and impact of long-term guaranteed measures, with a focus on long-term investment behaviour and financial stability. Outcome: EIOPA to submit the opinion to the European Commission.	In December 2015, the ESRB issued a report on "Systemic risks in the EU insurance sector", in which Annex 5 included a broad discussion of long-term guarantees. In November 2018, the ESRB issued a report on "Macroprudential provisions, measures and instruments for insurance". In February 2020, the ESRB issued a report on "Enhancing the macroprudential dimension of Solvency II". On 17 December 2020, EIOPA issued an opinion on the "2020 Review of Solvency II", including their views on "LTG measures and measures on equity risk". On 16 October 2020 , 2 February 2022 and 16 November 2022 , the ESRB wrote letters, respectively to the European Commission,	2	Simplification	Decrease

					the European Council and the European Parliament, on the Solvency II review.			
41.	Consideration whether the use of liquidity powers by supervisory authorities is excessive	Article 144b(4) Solvency II	Consultation	Consultation of the ESRB by EIOPA before issuing an opinion that a supervisory authority's use of liquidity powers under paragraph 3 is excessive.	On 1 October 2024, EIOPA issued a consultation paper on the proposal for "Regulatory Technical Standards on liquidity risk management plans". On 19 December 2024, the ESRB issued advice to EIOPA on "Criteria for identification of exceptional sector-wide shocks (Article 144 c(7))". This advice also extensively comments on Article 144b of the revised Solvency II Directive.	2	Simplification	Decrease
42.	Use of liquidity powers by insurance supervisory authorities	Article 144b (8) Solvency II	Consultation	Consultation of the ESRB by EIOPA in drafting guidelines specifying liquidity risk measures, the definition of exceptional circumstances, and conditions for applying the suspension of redemption rights.	On 1 October 2024, EIOPA issued a consultation paper on the proposal for "Regulatory Technical Standards to specify the criteria for the identification of exceptional sector-wide shocks". On 19 December 2024, the ESRB issued advice to EIOPA on "Criteria for identification of exceptional sector-wide shocks (Article 144 c(7))". This advice also extensively comments on Article 144b of the revised Solvency II Directive.	2	Simplification	Decrease
43.	Exceptional sector-wide shocks in the insurance sector	Art 144c (7) Solvency II	Consultation	Consultation of the ESRB by EIOPA in the development of draft regulatory technical standards specifying criteria for identifying exceptional sector-wide shocks.	On 1 October 2024, EIOPA issued a consultation paper on draft regulatory technical standards on the criteria for the identification of exceptional sector-wide shocks. On 19 December 2024, the ESRB issued advice to EIOPA on the "Criteria for identification of exceptional sector-wide shocks (Article 144 c(7))". EIOPA expected to submit input to the European Commission by 29 January 2026.	2	Simplification ⁴	None
44.	Prudential treatment of exposures of insurance corporations related to environmental or social objectives	Art 304c(1) Solvency II	Consultation	Consultation of the ESRB by EIOPA in the preparation of a report on the prudential treatment of exposures related to environmental or social objectives.	On 23 April 2024, the ESRB issued advice to EIOPA "on the prudential treatment of environmental and social risks". EIOPA delivered its Final Report on the Prudential Treatment of Sustainability Risks for Insurers on 7 November 2024 (here).	2	Simplification ⁵	Decrease

⁴ Postponement proposed by the European Commission, but the deadline for EIOPA's draft regulatory technical standard remains unchanged.

⁵ Postponement proposed by the European Commission, but the deadline for EIOPA to deliver its report remains unchanged.

					The integration by EIOPA of sustainability risk assessment into prudential regulations is discussed here .			
45.	Scenarios to be included in the pre-emptive recovery plans in the framework of the recovery and resolution of insurance corporations	Article 5(11) (a) IRRD	Cooperation	Cooperation of the ESRB with EIOPA in developing guidelines on the range of scenarios for stress testing in accordance with Article 16 of Regulation (EU) 1094/2010.	<p>In August 2017, the ESRB issued a report on “Recovery and resolution for the EU insurance sector: a macroprudential perspective”.</p> <p>The ESRB is currently preparing ESRB advice on the “Guidelines on the range of scenarios to be included in the pre-emptive recovery plans – Article 5(11) of the Insurance Recovery and Resolution Directive”.</p> <p>Outcome: EIOPA to issue the guidelines by 29 January 2027.</p>	2	Simplification	Decrease
46.	Oversight of EU securitisation	Article 31(1) Securitisation Regulation	Macroprudential oversight	<p>Within the limits of its mandate, the ESRB is responsible for the macroprudential oversight of the EU's securitisation market.</p> <p>This is also mentioned in Row 17 of the table on risk-centric tasks.</p>	<p>In July 2022, the ESRB has issued a report on “Monitoring systemic risks in the EU securitisation market”.</p> <p>In May 2025, the ESRB issued a report on “Unveiling the impact of STS on-balance-sheet securitisation on EU financial stability”.</p>	4	No change	None

47.	Temporary exclusion of exchange-traded derivatives from Article 35 of the Markets in Financial Instruments Regulation (non-discriminatory access to a central counterparty) and Article 36 of the Markets in Financial Instruments Regulation (non-discriminatory access to a trading venue)	Article 52 (12) MiFIR	Consultation	<p>Consultation of the ESRB by ESMA for the European Commission's report on the temporary exclusion of exchange-traded derivatives from Articles 35 and 36.</p> <p>Outcome: European Commission to submit the report to the European Parliament and European Council by 3 July 2016, with the option to adopt a delegated act based on the findings.</p>	<p>On 9 February 2016, the ESRB issued a response to ESMA on the "the temporary exclusion of exchange-traded derivatives from Articles 35 and 36 of MiFIR". It concluded that their macroprudential reasons to include or exclude ETDs from Articles 35 and 36 were balanced.</p> <p>On 4 April, 2016 ESMA issued a risk assessment on "the temporary exclusion of exchange-traded derivatives from Articles 35 and 36 MiFIR,". It concluded that admitting ETDs to trading venues was not likely to create macroprudential concerns.</p> <p>On 11 September 2017, the European Commission issued a report to the European Council and European Parliament on the same issue, concluding that a temporary exclusion was not required.</p>	1	Simplification	Decrease
48.	Prudential treatment of exposures of investment firms which are related to environmental and/or social objectives	Article 43(1) IFR	Consultation	Consultation of the ESRB by the EBA on the prudential treatment of exposures related to environmental and/or social objectives.	<p>The ESRB issued advice to the EBA on 25 August 2023.</p> <p>The EBA issued a report on 12 October 2023, recommending enhancements to the Pillar 1 framework to capture environmental and social risks.</p>	2	Simplification	Decrease

II. Risk-centric tasks

	TOPIC	LEGAL BASIS	ACTION REQUIRED BY LEGISLATION	ESRB INVOLVEMENT REQUIRED BY LEGISLATION AND FOLLOW-UP	STATUS OF IMPLEMENTATION	SCORING (SEE PAGE 1)	PROPOSAL FOR LEGISLATIVE SIMPLIFICATION	IMPACT ON RESOURCES
1.	Macroprudential measures at EU level	Article 459 CRR	Recommendation or opinion/Cooperation	<p>This article enables the European Commission to take EU-wide macroprudential measures.</p> <p>The ESRB may issue a recommendation or opinion to the European Commission.</p> <p>The European Commission is invited to submit a report to the European Parliament and the European Council on whether there is a need for such measures.</p>	<p>At the request of the European Commission, and after the entry into force of the CRDIV-CRR in 2014, the ESRB has considered the need for Article 459 measures in 2015 and 2016. Letters have been addressed to the Commission to signal there was no need for Art. 459 measures.</p> <p>The ESRB did not issue any recommendation or opinions based on Article 459 CRR in the subsequent years.</p>	4	No change	None
2.	Macroprudential policy review - procyclicality	Article 502 CRR	Cooperation	<p>Cooperation between the European Commission and the EBA (and the ESRB) to periodically monitor whether this Regulation has significant effects on the economic cycle and to consider whether any remedial measures are justified.</p> <p>Outcome: - EBA to submit a report by 31 December 2013 on the convergence of internal ratings-based methodologies and the impact on procyclicality. Based on that analysis the European Commission to submit a biennial report to the European Parliament and to the Council. - The European Commission to submit its report by 31 December 2014 for the review of Article 33(1)(c) on deferred tax assets along with a possible legislative proposal.</p>	<p>EBA issued a report on the procyclicality of capital requirements on 17 December 2013, to which the ESRB contributed.</p> <p>Following this report, the EBA and the ECB published another report on the "Procyclicality of capital requirements" in 2016.</p>	2	Simplification	Decrease

3.	Impact of the loss coverage ratio on banking institutions	Article 509(1) CRR	Consultation	<p>Consultation of the ESRB by the EBA in the annual reporting to the European Commission on the potential detrimental impact of the general liquidity coverage requirement on institutions' business models, market stability, and lending activity.</p> <p>Outcome: EBA to submit its first report by 31 December 2013 and annually thereafter, taking into account international developments and other prudential requirements.</p>	<p>The EBA published reports on liquidity measures under Article 509(1) of the CRR as from 2013. The report includes references to the ESRB consultation.</p> <p>Reports have been published by EBA annually. The ESRB has been consulted regularly at staff level.</p>	4	No change	None
4.	Excessive leverage of alternative investment funds	Article 25(7) AIFMD	Consultation	<p>Consideration of the ESRB's advice by ESMA when assessing whether the leverage employed by an alternative investment fund manager or a group of alternative investment fund managers poses a substantial risk to financial stability.</p>	<p>ESMA has been considering, on a regular basis, whether there is any substantial systemic risk from excessive leverage in the alternative investment fund sector. The result is summarised in the January 2024 ESMA report on "Assessing the risks posed by leveraged AIFs in the EU ". The ESRB has been consulted regularly at staff level.</p>	2	Simplification	Decrease
5.	Excessive leverage of alternative investment funds	Article 47(7) AIFMD	Consultation	<p>The ESRB should be consulted by ESMA, where appropriate, before requesting competent authorities to take or renew measures addressing threats to financial stability posed by alternative investment funds.</p>	<p>Article 47 has not, thus far, been unilaterally activated by ESMA. ESMA advice on specific measures by Ireland (2022; 2024) and Luxembourg (2024) was taken on the basis of notifications by EU Member States to the ESRB (Article 25.3 of the AIFMD).</p>	4	No change	None
6.	Systemic implications of cyber risk	Article 32(4) (c) DORA	Participation of the ESRB in the Oversight Forum	<p>Participation of the ESRB in the Oversight Forum as an observer alongside other EU bodies, contributing to discussions on the oversight of critical ICT third-party service providers.</p>	<p>The ESRB has been involved from the start in institutional meetings of the Oversight Forum.</p>	4	No change	None
7.	Suspension of clearing obligation for certain categories of derivatives	Article 6a(1) EMIR	Consultation	<p>Consultation of the ESRB by ESMA prior to submitting a request to the European Commission for suspension of the clearing obligation.</p> <p>Outcome: ESMA may request that the European Commission suspend the clearing obligation.</p>	<p>There has been no case so far of any action taken by ESMA to implement this measure.</p>	2	Simplification	Decrease

8.	Extension of suspension of clearing obligation for certain categories of derivatives	Article 6a(8) EMIR	Consultation	<p>Consultation of the ESRB by ESMA to assess financial stability risks and market functioning before issuing an opinion to the European Commission on whether the grounds for suspending the clearing obligation continue to apply.</p> <p>Outcome: ESMA to submit its opinion to the European Commission before the end of the suspension or extension period and to send a copy of that opinion to the European Parliament and to the Council.</p>	There has been no case so far of any action taken by ESMA to implement this measure.	2	Simplification	Decrease
9.	Suspension of clearing obligation for certain categories of derivatives due to a central counterparty resolution	Article 6b(2)	Consultation	<p>Consultation of the ESRB by ESMA, to the extent possible, before issuing an opinion on a requested suspension of the clearing obligation due to a central counterparty resolution.</p> <p>Outcome: ESMA to issue its opinion within 24 hours of receiving a suspension request</p>	There has been no case so far of any action taken by ESMA to implement this measure.	2	Simplification	Decrease
10.	Extension of suspension of clearing obligation for certain categories of derivatives due to a central counterparty resolution	Article 6b(10) EMIR	Consultation	<p>Possible consultation of the ESRB by ESMA, before issuing its opinion to the European Commission, on whether the grounds for suspending the clearing obligation continue to apply under Article 6(4) of the European Market Infrastructure Regulation.</p> <p>Outcome: ESMA to issue an opinion to the European Commission without undue delay after the receipt of the notification of the request.</p>	There has been no case so far of any action taken by ESMA to implement this measure.	2	Simplification	Decrease
11.	Systemic risk from OTC derivatives	Article 11(13) EMIR	Consultation	<p>Consultation of the ESRB by ESMA when monitoring non-cleared derivatives to identify systemic risks and prevent regulatory arbitrage.</p>	<p>ESRB monitoring of risks in OTC derivatives has focused on energy markets, also in view of the 2022 energy crisis.</p> <p>A broader consultation by ESMA on OTC derivatives has not yet taken place.</p>	4	No change	None

12.	Systemic risk from clearing	Article 24(6) EMIR	Option to participate in meeting	The ESRB will be notified by the Chair of the Central Counterparty Supervisory Committee when an ad hoc meeting is convened, with the option for the ESRB to participate upon request.	The ESRB has established its own Expert Group on clearing, which would be able to prepare the ESRB's views in exceptional emergency situations.	2	Simplification	Decrease
13.	Assessments of the resilience of recognised Tier 2 central counterparties	Article 25b(3) EMIR	Cooperation	Cooperation between ESMA and the ESRB when assessing the resilience of recognised Tier 2 central counterparties to adverse market developments, ensuring consistency with resilience assessments of EU central counterparties (stress test).	The ESRB is regularly consulted and collaborates with ESMA in the context of performing the general central counterparty stress test.	3	No change	None
14.	Monitoring and reporting of securities financing transactions and leverage risks	Article 29(3) and (5) SFTR	Consultation	Consultation of the ESRB by ESMA before publishing: - A report due in October 2016 on whether significant leverage may be building up. - An annual report on aggregate securities financing transaction volumes by type of counterparty and transaction.	The ESRB issued an opinion to ESMA on securities financing transactions and leverage under Article 29 of the SFTR in October 2016. ESMA published a report on securities financing transactions and leverage in the EU. ESMA also publishes annual reports based on data reported under Article 4.	2	Simplification	Decrease
15.	Exceptional adverse situations impacting solvency ratios of insurance corporations	Article 138(4) Solvency II	Consultation	Consultation of the ESRB by EIOPA, where appropriate, before declaring the existence of exceptional adverse situations that justify extending the recovery period for insurers failing to meet the Solvency Capital Requirement.	In preparation of possible consultations, the ESRB General Board issued a decision on a coordination framework for consultation by a supervisory authority with the European Systemic Risk Board on an extension of the period under Article 138(4) of Directive 2009/138/EC of the European Parliament and of the Council (Solvency II). A consultation request by EIOPA has not yet been submitted to the ESRB.	4	No change	None
16.	Systemic implications of short selling positions	Article 28(4) Short Selling Regulation	Consultation	Consultation of the ESRB by ESMA before deciding to impose or renew intervention measures in exceptional circumstances under Article 28(1), such as restrictions on short selling or related transactions.	ESMA has not yet exercised its powers under Article 28, in replacement of (or in addition to) national authorities. ESMA powers and decisions on short selling are listed here .	4	No change	None

17.	Macroprudential oversight of securitisation markets	Article 31 Securitisation Regulation	Monitoring/publication of a report/warnings or recommendations	<p>The ESRB is to continuously monitor developments in the securitisation markets.</p> <p>The ESRB is to publish a report on financial stability implications of the securitisation market every three years where the ESRB considers it necessary, or at least every three years, if not.</p> <p>Where material risks are identified, the ESRB is to provide warnings and, where appropriate, issue recommendations for remedial action in response to those risks.</p>	<p>In 2022, the ESRB issued a report on "Monitoring systemic risks in the EU securitisation market."</p> <p>In 2023, the ESRB issued an occasional paper on "The European significant risk transfer securitisation market".</p> <p>In 2025, the ESRB issued a report on "Unveiling the impact of STS on-balance-sheet securitisation on EU financial stability".</p>	4	No change	None
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III. Market integration-centric tasks

	TOPIC	LEGAL BASIS	ACTION REQUIRED BY LEGISLATION	ESRB INVOLVEMENT REQUIRED BY LEGISLATION AND FOLLOW-UP	STATUS OF IMPLEMENTATION	SCORING (SEE PAGE 1)	PROPOSAL FOR LEGISLATIVE SIMPLIFICATION	IMPACT ON RESOURCES
1.	Other systemically important institutions buffer (O-SIIs)	Article 131 (5a) and (15) CRD	Opinion	An opinion from the ESRB to the European Commission on the appropriateness of an O-SII buffer above 3% or a combined systemic risk and O-SII buffer above 5%, following notification by the competent authority or designated authority.	<p>The legislation also assigns a role to the ESRB in terms of transparency regarding decisions taken by national authorities.</p> <p>The ESRB has published templates for notification of O-SII decisions.</p> <p>All notifications are published on the ESRB's website.</p> <p>In response, the ESRB issued several opinions on O-SII buffers and their combinations with systemic risk buffers, informing the European Commission's decision on whether to authorise the proposed buffer. The ESRB's opinions can be found here.</p>	3	No change	None
2.	Systemic risk buffer (including sectorial systemic risk buffer)	Article 133(11) and (12) CRD	Opinion	An opinion from the ESRB to the European Commission on the appropriateness of a systemic risk buffer where the combined rate exceeds 3% (up to 5%) or is above 5%, following notification by the competent authority.	<p>A list of systemic risk buffer notifications received by the ESRB from the national competent authorities can be found here.</p> <p>In response, the ESRB issued several opinions on systemic risk buffers, informing the European Commission's decision on whether to authorise the proposed buffer. The ESRB opinions can be found here.</p>	3	The ESRB recommended in its 2022 Concept Note a proportional approach to systemic risk buffer rates, based on the size of the exposure class they apply to, aligning them with the total risk exposure amount. These changes could help to reduce the ESRB's involvement.	Decrease
3.	Reciprocation of systemic risk buffer (including sectorial systemic risk buffer)	Article 134(5) CRD	Recommendation	Any Member State that sets a systemic risk buffer rate may ask the ESRB to issue a recommendation to encourage recognition of a given systemic risk buffer.	<p>A list of systemic risk buffer notifications received by the ESRB from the national competent authorities can be found here.</p> <p>These may include a request for the ESRB to recommend reciprocation of such measures.</p> <p>In response, the ESRB issued several recommendations for the reciprocation of systemic risk buffers. The ESRB's</p>	3	The ESRB recommended in its 2022 Concept Note that these measures be subject to mandatory reciprocation, subject to materiality thresholds. These changes could help	None

					recommendations on reciprocity can be found here .		to reduce the ESRB's involvement.	
4.	Achieving coherence for countercyclical buffer settings of third countries	Article 139 (3) CRD	Recommendation	The ESRB may issue a recommendation to designated authorities in order to achieve coherence for the countercyclical buffer settings for third countries.	<p>The ESRB published on 11 December 2015 a Recommendation on "recognising and setting countercyclical buffer rates for exposures to third countries". (ESRB/2015/1).</p> <p>The summary compliance report was published in May 2022.</p> <p>So far, the ESRB and macroprudential authorities have not made use of Article 139. Buffers established by third countries have not yet exceeded 2.5%, implying they have been automatically recognised on the basis of the Basel Committee agreement.</p>	2	<p>Simplification</p> <p>The existing ESRB recommendation may be subject to amendment or withdrawal at any time, upon decision of the General Board.</p>	Decrease
5.	Risk weights for exposures secured by immovable property	Article 124 (9) CRR	Opinion	<p>An opinion from the ESRB to the notifying Member State on national adjustments to risk weights or criteria for exposures secured by immovable property.</p> <p>ESRB to publish the risk weights and criteria for exposures as implemented by the relevant authority.</p>	<p>A list of Article 124 notifications received from the national competent authorities can be found here.</p> <p>ESRB opinions on Article 124 measures can be found here.</p>	3	<p>The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note. These changes could help to reduce the ESRB's involvement.</p>	Decrease
6.	Risk weights for exposures secured by immovable property	Article 164 (6) CRR	Opinion	<p>An opinion by from the ESRB to the Member State concerned when notified by the designated authority of its intention to set higher loss-given-default input floor values due to identified financial stability risks within one month of notification.</p> <p>The ESRB and the EBA to publish the higher loss-given-default input floor values applied.</p>	<p>Decisions taken by countries on higher loss-given-default values are listed here.</p> <p>The ESRB has not issued opinions based on Article 164(6) CRR so far.</p>	3	<p>The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note. These changes could help to reduce the ESRB's involvement.</p>	Decrease

7.	Macroprudential policy measures implying stricter national measures	Article 458(4) and (9) CRR	Opinion	<p>An opinion from the ESRB to the European Council, Commission, and the Member State within one month of receiving a notification referred to in paragraph 2 on proposed national macroprudential measures, assessing risks and their internal market impact.</p> <p>The Member State to consult the ESRB before the expiry of the authorisation (in accordance with paragraphs 2 and 4) to apply national macroprudential measures to determine whether to extend the application of those measures for up to two additional years.</p>	<p>A list of Article 458 notifications received from the national competent authorities can be found here.</p> <p>In response, the ESRB issued several opinions on Article 458 measures, informing the European Commission's decision on whether to authorise the proposed measure. The ESRB opinions can be found here.</p>	3	The European Commission plans to merge Articles 124, 164 and 458, in as much as exposures secured by immovable property are concerned. This is also in line with the ESRB's views expressed in its 2022 Concept Note . These changes could help to reduce the ESRB's involvement.	Decrease
8.	Reciprocation of macroprudential policy measures implying stricter national measures	Article 458(8) CRR	Recommendation	The Member State authorised to apply the measures may ask the ESRB to issue a recommendation to one or more Member States concerning their reciprocation.	<p>A list of Article 458 notifications received from the national competent authorities can be found here. They may contain a request for reciprocation.</p> <p>In response, the ESRB issued several recommendations on the reciprocation of Article 458 measures. The ESRB's recommendations on reciprocity can be found here.</p>	3	The ESRB recommended in its 2022 Concept Note that these measures be subject to mandatory reciprocation, subject to materiality thresholds. These changes could help to reduce the ESRB's involvement.	Decrease

IV. ESRB as a hub for data and information exchange

IV. 1. Hub for data exchange

	TOPIC	LEGAL BASIS	ACTION REQUIRED BY LEGISLATION	ESRB INVOLVEMENT REQUIRED BY LEGISLATION AND FOLLOW-UP	STATUS OF IMPLEMENTATION	SCORING (SEE PAGE 1)	PROPOSAL FOR LEGISLATIVE SIMPLIFICATION	IMPACT ON RESOURCES
1.	Effectiveness of information-sharing arrangements	Article 161(6) CRD	Consultation	Consultation of the ESRB by the European Commission on the effectiveness of information-sharing arrangements under the Directive, both in normal times and during stress by 31 December 2015.	While a stand-alone consultation never materialised, the ESRB referred to this in a number of responses to broader consultations on macroprudential policy and on the ESRB legislation. In addition, in August 2024, the ESRB sent letters on shortcomings of institutional data-sharing arrangements to the European Parliament , the European Council and the European Commission . Finally, data sharing is one of the core issues addressed by the report of the High-Level Group on the ESRB Review .	3	The ESRB has repeatedly called for amendments to improve data-sharing arrangements. Until this occurs, the ESRB should strive to reach memoranda of understanding with the relevant authorities.	Increase
2.	Provision of granular information to the ESRB on the Alternative Investment Fund Managers Directive	Article 25(2) AIFMD	Cooperation	Provision of supervisory information from the national competent authorities to the ESRB, via Article 50 procedures, to support the monitoring of systemic risk posed by alternative investment funds.	Access to subsets of the data was granted in 2018. However, after ten years of access, data quality issues persist, which still need to be addressed.	3	The ESRB has repeatedly called for amendments to improve data-sharing arrangements. Until this occurs, the ESRB should strive to reach memoranda of understanding with the relevant authorities.	Increase
3.	Communication and forwarding of information and of aggregated information	Article 53(1) and (2) AIFMD	Communication and forwarding of information	The ESRB to be informed by the national competent authorities and ESMA about the activities of alternative investment fund managers relevant for the stability of systemically important financial institutions and the orderly functioning of markets and to forward this information to the competent authorities of other Member States. The ESRB to receive aggregated information relating to the	So far, the ESRB has not received any information under this Article.	3	No change	None

				activities of alternative investment fund managers from competent authorities, subject to the conditions under Article 35 of Regulation (EU) No 1095/2010.				
4.	Provision of granular information to the ESRB under the Undertakings for Collective Investment in Transferable Securities Directive	Article 20a(3) UCITS	Cooperation	Provision of supervisory information by competent authorities to the ESRB.	Reporting requirements for undertakings for collective investment in transferable securities will be implemented soon and become operational as of December 2025.	3	No change	Increase
5.	Transmission of information on institutions for occupational retirement provisions	Article 56 (2) IORPS	Communication of information to the national competent authorities	The ESRB may communicate relevant information to the competent authorities as they see fit for the purposes foreseen under Article 53.	So far, the ESRB has not transmitted any information under Article 53.	3	No change	None
6.	Systemic cyber risks in relation to the Digital Operational Resilience Act (DORA)	Article 49(1) DORA	Collaboration	Collaboration between the ESRB (in cross-sector mechanisms and cyber crisis exercises) and the European Supervisory Authorities (ESA) and other authorities to enhance awareness and coordinate responses to systemic ICT risks.	The ESRB is involved as a member of the Joint Committee of the ESAs, of the EU systemic cyber incident coordination framework (established in response to the ESRB recommendation 2021/17) and as observer of the Dora Oversight Forum (Article 32 DORA).	3	The institution-building is still in formation, as DORA institutions have just started to exercise their duties.	Increase
7.	Provision of granular information to the ESRB under the European Market Infrastructure Regulation (EMIR)	Articles 9 and 81(3) EMIR	Cooperation	The ESRB is entitled to have access to information as part of its EMIR reporting.	Data access has been granted since 2015. However, after ten years of access, data quality issues persist, which still need to be addressed. Moreover, looking ahead, two other issues need to be addressed: - data on contract valuation and variation margins have not been usable for monitoring purposes since April 2024 due to changes in Level 3 acts; - an ESMA consultation paper on the simplification of financial transaction reporting could restrict the ESRB's access to EMIR data significantly.	3	The ESRB has repeatedly expressed its views on the need for improvements in EMIR reporting. For instance, see the letter addressed to Commissioner McGuinness in July 2022 .	Increase
8.	Joint Monitoring Mechanism of derivative markets	Article 23b EMIR	Participation in the Joint Monitoring Mechanism	Participation of the ESRB in the Joint Monitoring Mechanism established by ESMA for overseeing relevant supervisory tasks.	The Joint Monitoring Mechanism has just started its work, with the involvement of the ESRB. It will offer ways to jointly analyse datasets which would otherwise not be shared among institutions.	3	No change	None

9.	Systemic risk from money market funds (MMF)	Article 43(3) MMF	Forwarding of information	Competent authorities of the Member States to inform the ESRB of potential systemic implications of money market fund activities. The ESRB to forward that information to the national competent authorities of other Member States.	This mechanism has not been activated yet.	3	No change	None
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IV. 2. Hub for notifications

	TOPIC	LEGAL BASIS	ACTION REQUIRED BY LEGISLATION	ESRB INVOLVEMENT REQUIRED BY LEGISLATION AND FOLLOW-UP	STATUS OF IMPLEMENTATION	SCORING (SEE PAGE 1)	PROPOSAL FOR LEGISLATIVE SIMPLIFICATION	IMPACT ON RESOURCES
1.	Other systemically important institutions	Article 131(7) CRD	Forwarding notifications	The ESRB to forward notifications without delay to the European Commission, the EBA, and other relevant authorities.	Activity regularly performed (information on notifications also available here).	3	No change	None
2.	Global and other systemically important institutions	Article 131(12) CRD	Forwarding notifications	Notification of the ESRB by the national competent authorities of identified global and other systemically important institutions, their sub-categories, and related justifications. The ESRB to forward this information to the European Commission and the EBA and disclose the names publicly.	Activity regularly performed (information on notifications also available here).	3	No change	None
3.	Systemic risk buffer (including sectoral risk buffer)	Article 133(9) CRD	Forwarding notifications	Notification of the ESRB before the publication of the decision on setting or resetting of one or more systemic risk buffer rates. The ESRB to forward such notifications to the European Commission, to the EBA and to the national competent and designated authorities of the Member State concerned.	Activity regularly performed (information on notifications also available here).	3	No change	None

4.	Systemic risk buffer (including sectoral risk buffer)	Article 134(2) CRD	Forwarding notifications	<p>Notification of the ESRB when a Member State recognises a systemic risk buffer set by another Member State.</p> <p>The ESRB to forward notifications to the European Commission, the EBA, and the originating Member State.</p>	Activity regularly performed (information on notifications also available here).	3	No change	None
5.	Countercyclical capital buffer	Article 136(7) CRD	Publication of the notified buffer rates	<p>Notification of the ESRB by designated authorities of each change in the countercyclical buffer rate, including the rate, supporting data, justification, and implementation timeline.</p> <p>The ESRB to publish the notified buffer rates and related information on its website to ensure transparency and cross-border coordination.</p>	Activity regularly performed (information on countercyclical buffers available here).	3	No change	None
6.	Macroprudential policy measures implying stricter national measures	Article 458(2) CRR	Forwarding notifications	<p>Notification of the ESRB by national competent authorities when they identify changes in macroprudential or systemic risk that require stricter national measures.</p> <p>The ESRB to forward notifications to the European Parliament, Council, and the EBA.</p>	Activity regularly performed (information on notifications also available here).	3	No change	None
7.	Excessive leverage of alternative investment funds	Article 53(1) AIFMD	Forwarding of information	<p>The ESRB to be informed on the potential systemic consequences of alternative investment fund activity by the national competent authorities of the Member State responsible for the authorisation and/or supervision of alternative investment fund managers.</p> <p>The ESRB to forward this information to the national competent authorities of the other Member States.</p>	Activity regularly performed.	3	No change	None
8.	Risk weights for exposures secured by immovable property	Articles 124 (9) CRR	Publication of the risk weights and criteria for exposures	The EBA and the ESRB to publish the risk weights and criteria for exposures referred to under Articles 125 and 126 and Article 199(1), point (a), as implemented by the relevant authority.	Activity regularly performed.	3	No change	None

9.	Loss given default secured by residential property	Article 164(6) CRR	Publication of the higher loss- given-default input floor values	The EBA and the ESRB to publish the higher loss- given-default input floor values referred to in the second subparagraph of this paragraph.	Activity regularly performed.	3	No change	None
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