

MFSA

MALTA FINANCIAL SERVICES AUTHORITY

BANKING SUPERVISION UNIT

Tel: (+356) 2144 1155 Fax: (+356) 2144 9234

Amendments to Banking Rule BR/07 'Publication of Annual Report and Audited Financial Statements of Credit Institutions Authorised under the Banking Act 1994'

PUBLISHED NOVEMBER 2014

Further to the issue by the EBA of the '[Guidelines on Disclosure of Encumbered and Unencumbered Assets](#)' [EBA/GL/2014/03] – published on 27 June 2014 – BR/07 has been amended through the insertion of paragraphs 23A to 23H and Appendices 2 and 3 for the purpose of adopting the said Guidelines.

In addition, paragraph 23 has been updated in order to determine the frequency and method of disclosures required under Part Eight of Regulation (EU) No 575/2013 ([CRR](#)) [Articles 431 to 455]. Disclosures required to be made by significant subsidiaries are being laid out in paragraph 24.

PUBLISHED DECEMBER 2013

Regulation (EU) No 575/2013 ([CRR](#)) lays down *inter alia* requirements for **DISCLOSURE BY CREDIT INSTITUTIONS**. Accordingly, **Banking Rule BR/07 is being partly repealed by the relevant CRR provisions**. Credit institutions shall refer to the relevant articles in the [CRR](#), related [Regulatory/Implementing Technical Standards \(R/ITS\) and any other Guidelines](#) or any other relevant EU legislation that may be issued from time to time.

The provisions on **DISCLOSURE BY INSTITUTIONS** are found in **Part Eight (Articles 431 to 455)** of the CRR. Furthermore, reference should also be made to **Part One 'General Provisions' (Articles 1 to 24) and Part Ten 'Transitional Provisions, Reports, Reviews and Amendments' (Articles 465 to 520)** of the CRR. This is without prejudice to other articles of the [CRDIV](#) and the CRR (CRDIV package) which may be relevant/applicable.

The responsibility for observing the relevant provisions of the CRDIV package and the R/ITS rests entirely with credit institutions.

Technical Standards, Guidelines & Recommendations relating to Disclosure by Institutions may be accessed on EBA's website at the following link: <http://www.eba.europa.eu/regulation-and-policy/transparency-and-pillar-3>

The MFSA strongly recommends officers of credit institutions to subscribe to the **EBA email alerts** in order to be updated on EBA's work. Registration as a public user may be made at the following link: <https://www.eba.europa.eu/subscription-page>

Furthermore, credit institutions may wish to use the [Single Rulebook Q&A tool](#) for submitting questions on Directive 2013/36/EU (CRD IV), the CRR, the related Technical Standards developed by the EBA and adopted by the European Commission (RTS and ITS), as well as the EBA guidelines. All questions and related EBA answers may be retrieved under the ["Search for Q&A" tab](#).

Articles 89 '*Country-by-country reporting*', 90 '*Public disclosure of return on assets*' and 96 '*Maintenance of a website on corporate governance and remuneration*' of CRDIV are being transposed in this Rule.

Banking Supervision Unit – MFSA