

Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (Text with EEA relevance)

[^{X1}PART NINE

[^{F1}Regulations, enhanced prudential measures and technical standards]]

[^{F1}Article 464B

Power to make technical standards

1. Where a power to make technical standards is conferred on both the FCA and PRA it is exercisable—
 - a by the PRA, in respect of PRA-authorised persons within the meaning of section 2B(5) of FSMA;
 - b by the FCA in respect of any other person.
2. In addition to the powers to make technical standards set out elsewhere in this Regulation, the PRA and FCA may both make technical standards for the following purposes—
 - a to specify—
 - i the information to be provided to the relevant competent authority in the application for authorisation of a credit institution under Part 4A of FSMA;
 - ii the requirements applicable to shareholders and members with qualifying holdings; and
 - iii obstacles which may prevent effective exercise of the supervisory functions of the competent authority;
 - b to define what is meant by ‘exposures to specific risk which are material in absolute terms’ and the thresholds for large numbers of material counterparties and positions in debt instruments of different issuers;
 - c to specify—
 - i the procedure for sharing assessments of the quality of institutions' internal approaches for calculating own funds requirements between competent authorities;
 - ii the standards for the assessment of the quality of institutions' internal approaches for calculating own funds requirements by competent authorities;
 - d to specify—
 - i the template, the definitions and the IT-solutions to be applied in the UK for institutions to report the results of the calculations of their internal approaches for their exposures or positions that are included in their benchmark portfolios;
 - ii the benchmark portfolio or portfolios which institutions must report;
 - e to specify the classes of instruments that can be fully converted to Common Equity Tier 1 instruments or written down, and qualitative and appropriate quantitative criteria to identify categories of staff whose professional activities have a material impact on the institution's risk profile;

Status: Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation: Regulation (EU) No 575/2013 of the European Parliament and of the Council, Article 464B is up to date with all changes known to be in force on or before 01 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- f to specify the method for the identification of the geographical location of an institution's credit exposures for the purposes of calculating institution-specific countercyclical capital buffer rates.
3. In addition to the powers to make technical standards set out elsewhere in this Regulation, the PRA alone may make technical standards to specify—
- a the methodology in accordance with which the PRA shall identify a UK parent institution or UK parent financial holding company or UK parent mixed financial holding company as a global systemically important institution ('G-SII'); and
 - b the methodology for the definition of the sub-categories and the allocation of G-SIIs in sub-categories based on their systemic significance; taking into account any international agreed standards.]

Textual Amendments

- F1** Arts. 464A, 464B inserted (31.12.2020) by [The Capital Requirements \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1401\)](#), regs. 1(3), **205** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

Status:

Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation:

Regulation (EU) No 575/2013 of the European Parliament and of the Council, Article 464B is up to date with all changes known to be in force on or before 01 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.