

## **PRA RULEBOOK: CRR FIRMS: REGULATORY REPORTING AMENDMENT INSTRUMENT 2016**

### **Powers exercised**

- A. The Prudential Regulation Authority (“PRA”) makes this instrument in the exercise of the following powers in the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 137G (The PRA’s general rules); and
  - (2) section 137T (General supplementary powers).
- B. The rule-making powers referred to above are specified for the purpose of section 138G(2) (Rule-making instrument) of the Act.

### **Pre-conditions to making**

- C. In accordance with section 138J of the Act (Consultation by the PRA), the PRA consulted the Financial Conduct Authority. After consulting, the PRA published a draft of proposed rules and had regard to representations made.

### **PRA Rulebook: CRR Firms: Regulatory Reporting Amendment Instrument 2016**

- D. The PRA makes the rules in the Annex to this instrument.

### **Commencement**

- E. This instrument comes into force on 1 October 2017.

### **Citation**

- F. This instrument may be cited as the PRA Rulebook: CRR Firms: Regulatory Reporting Amendment Instrument 2016.

**By order of the Board of the Prudential Regulation Authority**

10 November 2016

## Annex

### Amendments to the Regulatory Reporting Part

In this Annex new text is underlined and deleted text is struck through.

#### 1 APPLICATION AND DEFINITIONS

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##### Capital+ changeover date

means any Capital+ reference date following the initial Capital+ reference date applicable to a firm where a firm satisfies a Capital+ condition which is different to the Capital+ condition it satisfied on the Capital+ reference date immediately preceding it.

##### Capital+ condition

means any of Capital+ condition 1, Capital+ condition 2, Capital+ condition 3, Capital+ condition 4, Capital+ condition 5, Capital+ condition 6, Capital+ condition 7 and Capital+ condition 8.

##### Capital+ condition 1

has the meaning given in 20.6.

##### Capital+ condition 2

has the meaning given in 20.7.

##### Capital+ condition 3

has the meaning given in 20.8.

##### Capital+ condition 4

has the meaning given in 20.9.

##### Capital+ condition 5

has the meaning given in 20.10.

##### Capital+ condition 6

has the meaning given in 20.11.

##### Capital+ condition 7

has the meaning given in 20.12.

##### Capital+ condition 8

has the meaning given in 20.13.

Capital+ reference date

means:

- (1) a firm's accounting reference date; and
- (2) the date falling six months after a firm's accounting reference date.

Capital+ reporting table

has the meaning given in 20.21.

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initial Capital+ reference date

means:

- (1) for a firm which is a PRA-authorized person on 1 October 2017, the first of the firm's Capital+ reference dates after 1 October 2017; or
- (2) for any other firm, the first of the firm's Capital+ reference dates after it became a PRA-authorized person.

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new Capital+ condition

means, in respect of any Capital+ changeover date, the new Capital+ condition which a firm satisfies on that date.

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old Capital+ condition

means, in respect of any Capital+ changeover date, the Capital+ condition which a firm no longer satisfies on that date.

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retail deposits

means "deposits" within the meaning given in paragraph 30, Part 1 of Annex V to the Supervisory Reporting ITS, from "households" within the meaning of paragraph 35(f) of Part 1 of Annex V to the Supervisory Reporting ITS.

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Supervisory Reporting ITS

means Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council, as amended from time to time.

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total assetsmeans:

- (1) for a firm which is required to submit data item FSA001, the sum of the firm's assets as recorded at Cells 20A plus 20B of that data item;
- (2) for a firm which is required to submit data item template 1.01 of Annex III of the Supervisory Reporting ITS, the sum of the firm's assets as recorded at row 380 of that data item; or
- (3) for a firm which is required to submit data item template 1.01 of Annex IV of the Supervisory Reporting ITS, the sum of the firm's assets as recorded at row 380 of that data item.

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**2 REPORTING REQUIREMENTS – DATA ITEMS**

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2.8 A CRR firm must also submit data items as required by Chapter 20.

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**16 DATA ITEMS AND OTHER FORMS**

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16.26 PRA101 can be found [here](#).16.27 PRA102 can be found [here](#).16.28 PRA103 can be found [here](#).

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**20 CAPITAL+ REPORTS**

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Application and definitions20.1 This Chapter applies to every firm that is a CRR firm.Requirement to submit Capital+ data items20.2 A firm which satisfies any Capital+ condition on the initial Capital+ reference date applicable to it must submit to the PRA on a continuing basis the data item applicable to the relevant Capital+ condition as set out in column (2) of the Capital+ reporting table.20.3 Where a firm is required to submit a data item in accordance with this Chapter, it must submit this information:

- (1) at the frequency specified in column (3) of the Capital+ reporting table;

- (2) by the due date specified in column (4) of the *Capital+ reporting table*; and
- (3) on the basis set out in the rule specified in column (5) of the *Capital+ reporting table*.

20.4 The first frequency period for the purposes of 20.3 is:

- (1) where a *firm* satisfies *Capital+ condition 7* or *Capital+ condition 8* on its *initial Capital+ reference date*, one year ending with:
  - (a) where the *firm's initial Capital+ reference date* is its *accounting reference date*, its *initial Capital+ reference date*; or
  - (b) where 20.4(1)(a) does not apply, the *firm's first accounting reference date* following the *firm's initial Capital+ reference date*; or
- (2) for a *firm* satisfying any other *Capital+ condition* on its *initial Capital+ reference date*, the frequency period specified in column (3) of the *Capital+ reporting table*, ending with the *initial Capital+ reference date*.

20.5 When submitting any required *data item* under this Chapter, a *firm* must use the template for that *data item* set out in Chapter 16.

*Capital+ conditions*

20.6 A *firm* satisfies *Capital+ condition 1*:

- (1) if the *firm* is a *parent institution in a Member State*, where it has *retail deposits* equal to or greater than £50 billion and *total assets* equal to or greater than £320 billion on the basis of its *consolidated situation*;
- (2) if the *firm* is controlled by a *parent financial holding company in a Member State*, a *parent mixed financial holding company in a Member State* or a *parent institution in a Member State* and the *PRA* is responsible for supervision of that holding company or *parent institution in a Member State* on a *consolidated basis* under Article 111 of the *CRD*, where it has *retail deposits* equal to or greater than £50 billion and *total assets* equal to or greater than £320 billion on the basis of the *consolidated situation* of that holding company or *parent institution in a Member State*; or
- (3) if the *firm* is not part of a *consolidation group*, where it has *retail deposits* equal to or greater than £50 billion and *total assets* equal to or greater than £320 billion on an individual basis.

20.7 A *firm* satisfies *Capital+ condition 2* if it:

- (1) satisfies *Capital+ condition 1* in accordance with 20.6(1) or 20.6(2); and
- (2) has *total assets* equal to or greater than £50 billion on an individual basis.

20.8 A *firm* satisfies *Capital+ condition 3*:

- (1) if the *firm* is a *parent institution in a Member State*, where it has *retail deposits* equal to or greater than £50 billion and *total assets* greater than £5 billion but less than £320 billion on the basis of its *consolidated situation*;
- (2) if the *firm* is controlled by a *parent financial holding company in a Member State*, a *parent mixed financial holding company in a Member State* or a *parent institution in a Member State* and the *PRA* is responsible for supervision of that holding company or

parent institution in a Member State on a consolidated basis under Article 111 of the CRD, where it has retail deposits greater than or equal to £50 billion and total assets greater than £5 billion but less than £320 billion on the basis of the consolidated situation of that holding company or parent institution in a Member State; or

- (3) if the firm is not part of a consolidation group, where it has retail deposits greater than £50 billion and total assets greater than £5 billion but less than £320 billion on an individual basis.

20.9 A firm satisfies Capital+ condition 4 if it:

- (1) satisfies Capital+ condition 3 in accordance with 20.8(1) or 20.8(2); and  
 (2) has total assets equal to or greater than £50 billion on an individual basis.

20.10 A firm satisfies Capital+ condition 5 if it:

- (1) is part of a consolidation group;  
 (2) has total assets greater than £5 billion:  
     (a) if the firm is a parent institution in a Member State, on the basis of its consolidated situation; or  
     (b) if the firm is controlled by a parent financial holding company in a Member State, a parent mixed financial holding company in a Member State or a parent institution in a Member State and the PRA is responsible for supervision of that holding company or parent institution in a Member State on a consolidated basis under Article 111 of the CRD, on the basis of the consolidated situation of that holding company or parent institution in a Member State;

and

- (3) does not satisfy Capital+ condition 1 or Capital+ condition 3.

20.11 A firm satisfies Capital+ condition 6 if it has total assets greater than £5 billion on an individual basis and:

- (1) if it is not part of a consolidation group, where it does not satisfy Capital+ condition 1 or Capital+ condition 3; or  
 (2) if it is part of a consolidation group, where it does not satisfy Capital+ condition 2 or Capital+ condition 4.

20.12 A firm satisfies Capital+ condition 7 if it is part of a consolidation group and it does not satisfy Capital+ condition 1, Capital+ condition 3 or Capital+ condition 5.

20.13 A firm satisfies Capital+ condition 8:

- (1) where it is not part of a consolidation group, if it does not satisfy Capital+ condition 1, Capital+ condition 3 or Capital+ condition 6; or  
 (2) where a firm is part of a consolidation group, if it does not satisfy Capital+ condition 2, Capital+ condition 4 or Capital+ condition 6.

Moving between Capital+ conditions

20.14 A firm must consider which Capital+ conditions it satisfies on every Capital+ reference date following its initial Capital+ reference date, and where a Capital+ reference date is a Capital+ changeover date:

- (1) 20.16 applies where the new Capital+ condition is higher, and
- (2) 20.18 applies where the new Capital+ condition is lower.

20.15 For the purposes of 20.14 and 20.20, Capital+ condition 1 is the highest and Capital+ condition 8 is the lowest.

20.16 Where this rule applies as a result of 20.14(1) or 20.20, the firm must:

- (1) submit to the PRA the data item applicable to the old Capital+ condition in respect of the frequency period ending with that Capital+ changeover date by the due date applicable to the old Capital+ condition;
- (2) after it has complied with 20.16(1), cease submitting the data item applicable to the old Capital+ condition to the PRA; and
- (3) submit to the PRA on a continuing basis the data item applicable to the new Capital+ condition, as set out in column (2) of the Capital+ reporting table.

20.17 The first frequency period for the purposes of 20.16(3) is the frequency period specified in column (3) of the Capital+ reporting table, starting with the Capital+ changeover date which caused 20.16 to apply.

20.18 Subject to 20.20, where this rule applies as a result of 20.14(2), the firm must:

- (1) continue to submit to the PRA the data item applicable to the old Capital+ condition until the firm's next Capital+ reference date, including the data item due in respect of the frequency period ending with that next Capital+ reference date;
- (2) after it has complied with 20.18(1), cease submitting the data item applicable to the old Capital+ condition to the PRA; and
- (3) submit to the PRA on a continuing basis the data item applicable to the new Capital+ condition, as set out in column (2) of the Capital+ reporting table.

20.19 The first frequency period for the purposes of 20.18(3) is:

- (1) where the data item required to be submitted under 20.18(3) is PRA103, one year starting from:
  - (a) where the Capital+ changeover date which caused 20.18(2) to apply is the same as the firm's accounting reference date, that Capital+ changeover date;  
or
  - (b) where 20.19(1)(a) does not apply, the firm's first accounting reference date following the Capital+ changeover date which caused 20.18 to apply; or
- (2) where the data item required to be submitted under 20.18(3) is PRA101 or PRA102, the frequency period specified in column (3) of the Capital+ reporting table, starting with the next Capital+ reference date after the Capital+ changeover date which caused 20.18 to apply.

20.20 Where 20.18 applies as a result of 20.14(2), and where at any *Capital+ reference date* before a *firm* is required to submit its first *data item* under 20.18(3), the *firm* satisfies a higher *Capital+ condition* than the *new Capital+ condition* which caused 20.18 to apply:

- (1) the changes specified in 20.18 cease to take effect; and
- (2) 20.16 applies.

*Capital+ reporting table*

20.21 The *Capital+ reporting table* below sets out, in respect of the requirements to submit *data items* in this Chapter:

- (1) in column (1), the *Capital+ conditions* to which the obligations to submit *data items* relate;
- (2) in column (2), the *data items* which must be submitted by a *firm* where the *firm* meets any *Capital+ condition* set out in column (1);
- (3) in column (3), the frequency at which a *firm* must submit each *data item*;
- (4) in column (4), the due date for submission of each *data item*, being the last day of the period starting from the end of each frequency period and ending with the number of *business days* set out in column (4); and
- (5) in column (5), the rule which sets out the basis on which each *data item* must be completed.

***Capital+ reporting table***

<b><u>Column 1</u></b> <b><u>(<i>Capital+ condition</i>)</u></b>	<b><u>Column 2</u></b> <b><u>(<i>data item</i>)</u></b>	<b><u>Column 3</u></b> <b><u>(frequency)</u></b>	<b><u>Column 4</u></b> <b><u>(due date)</u></b>	<b><u>Column 5</u></b> <b><u>(rule which sets out basis on which <i>data item</i> should be completed)</u></b>
<b><u><i>Capital+ condition 1</i></u></b>	PRA101	Monthly	<u>15 <i>business days</i></u>	20.22
<b><u><i>Capital+ condition 2</i></u></b>	PRA101	Monthly	<u>15 <i>business days</i></u>	20.23
<b><u><i>Capital+ condition 3</i></u></b>	PRA101	Quarterly	<u>15 <i>business days</i></u>	20.22
<b><u><i>Capital+ condition 4</i></u></b>	PRA101	Quarterly	<u>15 <i>business days</i></u>	20.23
<b><u><i>Capital+ condition 5</i></u></b>	PRA102	Half yearly	<u>30 <i>business days</i></u>	20.24
<b><u><i>Capital+ condition 6</i></u></b>	PRA102	Half yearly	<u>30 <i>business days</i></u>	20.23
<b><u><i>Capital+ condition 7</i></u></b>	PRA103	Annually	<u>30 <i>business days</i></u>	20.24
<b><u><i>Capital+ condition 8</i></u></b>	PRA103	Annually	<u>30 <i>business days</i></u>	20.23



Basis of application

- 20.22 Where a *firm* is required to submit a *data item* in accordance with this rule, that *data item* should be completed:
- (1) if the a *firm* is not part of a *consolidation group*, on an individual basis;
  - (2) if the *firm* is a *parent institution in a Member State*, on the basis of its *consolidated situation*; or
  - (3) if the *firm* is controlled by a *parent financial holding company in a Member State*, a *parent mixed financial holding company in a Member State* or a *parent institution in a Member State* and the *PRA* is responsible for supervision of that holding company or *parent institution in a Member State* on a *consolidated basis* under Article 111 of the *CRD*, on the basis of the *consolidated situation* of that holding company or *parent institution in a Member State*.
- 20.23 Where a *firm* is required to submit a *data item* in accordance with this rule, as set out in the *Capital+ reporting table*, that *data item* should be completed on an individual basis.
- 20.24 Where a *firm* is required to submit a *data item* in accordance with this rule, as set out in the *Capital+ reporting table*, that *data item* should be completed:
- (1) if the *firm* is a *parent institution in a Member State*, on the basis of its *consolidated situation*; or
  - (2) if the *firm* is controlled by a *parent financial holding company in a Member State*, a *parent mixed financial holding company in a Member State* or a *parent institution in a Member State* and the *PRA* is responsible for supervision of that holding company or *parent institution in a Member State* on a *consolidated basis* under Article 111 of the *CRD*, on the basis of the *consolidated situation* of that holding company or *parent institution in a Member State*.