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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Financial Services and the Banking Union (Securitisation) Financial Services Attachés
Subject:	Securitisation Review: 3CT Presidency compromise text proposal on the SECREG. DDL for comments 12 November. WP meeting of 6 & 7 November 2025

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation (Text with EEA relevance)

2025/0826(COD)

Version: 31-10-2025

	Commission Proposal	Presidency Compromise Proposal	MS Comments
1	2025/0826 (COD)	2025/0826 (COD)	
2	Proposal for a	Proposal for a	
3	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
4	amending Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation	amending Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation	
5	(Text with EEA relevance)	(Text with EEA relevance)	
6	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
7	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	
8	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	

	Commission Proposal	Presidency Compromise Proposal	MS Comments
9	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
10	Having regard to the opinion of the European Central Bank,	Having regard to the opinion of the European Central Bank,	
11	Having regard to the opinion of the European Economic and Social Committee,	Having regard to the opinion of the European Economic and Social Committee,	
12	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
13	Whereas:	Whereas:	
14	(1) Securitisation can boost investment by allowing banks to transfer risks to those that are able to bear them and thereby free up their capital, which they could use for additional lending to households and businesses, including small and medium-sized enterprises (SMEs). Regulation (EU) 2017/2402 of the European Parliament and of the Council[1], covering both simple, transparent and standardised (STS) and non-STS securitisations, has strengthened market transparency, safety, and standardisation. At the same time, that Regulation should be further simplified to more fully exploit the benefits that securitisations can offer. 1. Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35, ELI: http://data.europa.eu/eli/reg/2017/2402/oj).	(1) Securitisation can boost investment by allowing banks to transfer risks to those that are able to bear them and thereby free up their capital, which they could use for additional lending to households and businesses, including small and medium-sized enterprises (SMEs). Regulation (EU) 2017/2402 of the European Parliament and of the Council[1], covering both simple, transparent and standardised (STS) and non-STS securitisations, has strengthened market transparency, safety, and standardisation. At the same time, that Regulation should be further simplified to more fully exploit the benefits that securitisations can offer. 1. Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35, ELI: http://data.europa.eu/eli/reg/2017/2402/oj).	

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15	(2) It is important that financial institutions employ their capital where it is most needed to reach the Union's economic goals and funding the real economy. In addition to the flexibility provided for by the existing rules, targeted changes to Regulation (EU) 2017/2402 would ensure that the Union securitisation framework better supports investments in the economy and facilitates lending to businesses.	(2) It is important that financial institutions ~~employ~~***deploy*** their capital where it is most needed to reach the Union's economic goals and funding the real economy. In addition to the flexibility provided for by the existing rules, targeted changes to Regulation (EU) 2017/2402 would ensure that the Union securitisation framework better supports investments in the economy and facilitates lending to businesses.	
16	(3) To enhance transparency and to ensure consistent regulatory treatment aiming at reducing costs for issuers, a definition of public and of private securitisation should be introduced. The scope of public securitisations should cover transactions where the underlying notes are admitted to trading on regulated markets, Multilateral Trading Facilities (MTFs), Organised Trading Facilities (OTFs), or any other trading venue in the Union, and transactions marketed to investors under non-changeable terms and conditions where the package is offered on a "take-it-or-leave-it" basis and investors have no direct contact with the originators or sponsor and can therefore not directly receive necessary information to conduct due diligence without the originator or sponsor disclosing any commercially sensitive information to the market. Defining those types of transactions as public, by virtue of their accessibility to a broad range of investors, should ensure that such transactions are subject to the appropriate transparency requirements and regulatory scrutiny and contribute to better market oversight and functioning.	(3) ~~*To enhance transparency and to ensure consistent regulatory treatment aiming at reducing costs for issuers, a definition of public and of private securitisation should be introduced. The scope of public securitisations should cover transactions where the underlying notes are admitted to trading on regulated markets, Multilateral Trading Facilities (MTFs), Organised Trading Facilities (OTFs), or any other trading venue in the Union, and transactions marketed to investors under non-changeable terms and conditions where the package is offered on a "take-it-or-leave-it" basis and investors have no direct contact with the originators or sponsor and can therefore not directly receive necessary information to conduct due diligence without the originator or sponsor disclosing any commercially sensitive information to the market. Defining those types of transactions as public, by virtue of their accessibility to a broad range of investors, should ensure that such transactions are subject to the appropriate transparency requirements and regulatory scrutiny and contribute to better market oversight and functioning.*~~	

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17	(4) Due diligence requirements should be proportionate to the risk profile of securitisation positions. Investor due diligence should therefore be focused on the risks characteristics and structural features that can materially affect the performance of the securitisation, avoiding duplicative, overly burdensome or generic obligations that may not be meaningful across different types of securitisation. For the same reason, due diligence obligations should be streamlined, thus reducing unnecessary costs for investors — particularly in lower-risk securitisations — and fostering more proportionate and risk-sensitive investor behaviour in the securitisation market.	(4) Due diligence requirements should be proportionate to the risk profile of securitisation positions. Investor due diligence should therefore be focused on the risks characteristics and structural features that can materially affect the performance of the securitisation, avoiding duplicative, overly burdensome or generic obligations that may not be meaningful across different types of securitisation. For the same reason, due diligence obligations should be streamlined, thus reducing unnecessary costs for investors — particularly in lower-risk securitisations — and fostering more proportionate and risk-sensitive investor behaviour in the securitisation market.	
18	(5) Originators, original lenders, sponsors or securitisation special purpose entities (SSPEs) (the 'sell-side entities') that are established in the Union are already subject to supervision in the Union and can be sanctioned in case they breach their obligations under Regulation (EU) 2017/2402. It is therefore appropriate that investors are no longer required to verify whether Union sell-side entities, where those entities are responsible on behalf of the sell-side parties in the transaction, comply with due diligence requirements set in Regulation (EU) 2017/2402. Investors should, however, still verify whether have complied with their obligations for which third countries' sell-side entities are responsible under Regulation (EU) 2017/2402.	(5) Originators, original lenders, sponsors or securitisation special purpose entities (SSPEs) (the 'sell-side entities') that are established in the Union are already subject to supervision in the Union and can be sanctioned in case they breach their obligations under Regulation (EU) 2017/2402. It is therefore appropriate that investors are no longer required to verify ~~whether Union~~***compliance of*** sell-side entities, ~~where those entities are responsible on behalf~~***that are established within the Union, with certain*** of the ~~sell-side parties in the transaction, comply with due diligence~~ requirements ~~set in~~***of this*** regulation ~~(EU) 2017/2402~~. Investors should, however, still verify ~~whether have complied with their obligations for which third countries'~~***that transactions that involve*** sell-side entities ~~are responsible under~~***established in third countries, complies with requirements corresponding to those of*** Regulation (EU) 2017/2402.	

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19	(6) Senior tranches, typically benefiting from substantial credit enhancement and posing lower risk, should require a less extensive due diligence review than junior or mezzanine tranches, which bear higher risk and greater exposure to losses. That proportional approach supports more efficient allocation of resources by investors and avoids excessive burdens for low-risk investments.	(6) Senior tranches, typically benefiting from substantial credit enhancement and posing lower risk, should require a less extensive due diligence review than junior or mezzanine tranches, which bear higher risk and greater exposure to losses. That proportional approach supports more efficient allocation of resources by investors and avoids excessive burdens for low-risk investments.	
20	(7) Since compliance with the STS requirements is already subject to separate regulatory oversight and notification, the obligation for investors to verify compliance with those requirements is redundant. Moreover, verifying compliance with the STS criteria is not relevant for all types of investors. The corresponding requirement should therefore be deleted.	(7) ~~*Since*~~***Where*** compliance with the STS requirements is already subject to ~~*separate regulatory oversight and notification, the obligation for*~~***the assessment of a third party verifier, it is redundant to have*** investors ~~*to*~~ verify ~~*compliance with those*~~***the very same*** requirements~~* is redundant. Moreover, verifying compliance with the*~~***. Therefore, investors obligations would be rendered more proportionate by removing the due dilligence requirement on*** STS criteria ~~*is not relevant*~~ for all ~~*types of*~~***securitisations that have a positive assessment of STS compliance by a third party authorised and supervised under Article 28.*** Investors~~*. The corresponding requirement*~~***, however,*** should ~~*therefore be deleted*~~***remain fully responsible for assessing the risk and features of securitisation position they invest in***.	
21	(8) Investors should be allowed to conduct simplified due diligence to investments in repeat transactions where key risk characteristics are already well understood. For those purposes, investment in repeat transactions should be considered as investment in securitisation positions issued by the same originator, backed by the same type of underlying assets, exhibiting	(8) Investors should be allowed to conduct simplified due diligence to investments in repeat transactions where key risk characteristics are already well understood. For those purposes, investment in repeat transactions should be considered as investment in securitisation positions issued by the same originator, ~~*backed by the same type of underlying assets,*~~ exhibiting	

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	the same structural features, and offering the same or lower level of credit risk compared to previous investments. That change should ensure consistency in due diligence practices while facilitating investor participation in well-known and transparent structures.	the same structural features~~, and offering~~ ***and that are backed by exposure pools that have*** the same ~~*or lower level of credit risk compared to previous investments*~~***share of assets types across the underlying exposures***. That change should ensure consistency in due diligence practices while facilitating investor participation in well-known and transparent structures.	
22	(9) Multilateral development banks can play a significant role in facilitating investor access to securitisation markets, enhancing liquidity, and supporting the objectives of the Savings and Investments Union. Where a securitisation position is fully, unconditionally and irrevocably guaranteed by a multilateral development bank listed in Article 117(2) of Regulation (EU) 575/2013 of the European Parliament and of the Council[1], the credit risk arising from the securitisation position is effectively transferred from the pool of underlying assets to the guarantor, resulting in a 0% risk weight of such exposure. In addition, such securitisation position is categorised as Level 1 asset under Article 10(1), point (g), of Commission Delegated Regulation (EU) 2015/61[2]. In such cases, it is appropriate to exempt institutional investors, except the entity providing the guarantee, from their due diligence requirements in full under Regulation (EU) 2017/2402. 1. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/201 (OJ L 176, 27.6.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/575/oj). 2. Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013	(9) Multilateral development banks can play a significant role in facilitating investor access to securitisation markets, enhancing liquidity, and supporting the objectives of the Savings and Investments Union. Where a securitisation position is fully, unconditionally and irrevocably guaranteed by a multilateral development bank listed in Article 117(2) of Regulation (EU) 575/2013 of the European Parliament and of the Council[1], the credit risk arising from the securitisation position is effectively transferred from the pool of underlying assets to the guarantor, resulting in a 0% risk weight of such exposure. In addition, such securitisation position is categorised as Level 1 asset under Article 10(1), point (g), of Commission Delegated Regulation (EU) 2015/61[2]. In such cases, it is appropriate to exempt institutional investors, except the entity providing the guarantee, from their due diligence requirements in full under Regulation (EU) 2017/2402. 1. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/201 (OJ L 176, 27.6.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/575/oj). 2. Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013	

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	of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11, 17.1.2015, p. 1, ELI: http://data.europa.eu/eli/reg_del/2015/61/oj).	of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11, 17.1.2015, p. 1, ELI: http://data.europa.eu/eli/reg_del/2015/61/oj).	
23	(10) Transactions where the first loss tranche is either held or guaranteed by the Union, national promotional banks or institutions within the meaning of point (3) of Article 2 of Regulation (EU) 2015/1017 of the European Parliament and of the Council[1] inherently possess characteristics that mitigate the need to carry out the full due diligence and fulfil the risk retention requirement. These transactions carry an assurance by the guarantor, who carries out due diligence processes before affording such a guarantee. This assessment removes the need for the institutional investors to perform a full due diligence assessment under Regulation (EU) 2017/2402. Furthermore, the essence of a guarantee is the assumption of risk by the guarantor. Therefore, it is appropriate to lift the risk retention requirement. These changes are expected to crowd in private investment in derisked structures with a public guarantee. 1. Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).	(10) ~~*Transactions where the first loss tranche is either held or guaranteed by the Union, national promotional banks or institutions within the meaning of point (3) of Article 2 of Regulation (EU) 2015/1017 of the European Parliament and of the Council[1] inherently possess characteristics that mitigate the need to carry out the full due diligence and fulfil the risk retention requirement. These transactions carry an assurance by the guarantor, who carries out due diligence processes before affording such a guarantee. This assessment removes the need for the institutional investors to perform a full due diligence assessment under Regulation (EU) 2017/2402. Furthermore, the essence of a guarantee is the assumption of risk by the guarantor. Therefore, it is appropriate to lift the risk retention requirement. These changes are expected to crowd in private investment in derisked structures with a public guarantee.*~~ ~~*1. Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).*~~	
24	(11) An institutional investor that delegates the authority to make investment management decisions to another institutional investor should be able to instruct the delegate to perform the due diligence obligations set out in Regulation (EU)	(11) An institutional investor that delegates the authority to make investment management decisions to another institutional investor should be able to instruct the delegate to perform the due diligence obligations set out in Regulation (EU)	

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	2017/2402. However, such delegation should not transfer legal responsibility. The delegating institutional investor should remain ultimately responsible for ensuring compliance with the due diligence requirements. That specification is intended to reflect established regulatory practice and to ensure that obligations are fulfilled effectively while maintaining clear lines of accountability.	2017/2402. However, such delegation should not transfer legal responsibility ***along with the due diligence obligation***. The delegating institutional investor should ~~*remain ultimately responsible for ensuring compliance with the*~~***, therefore, assess and monitor the effectiveness of the delegate's performance of the delegated*** due diligence ~~*requirements*~~***tasks***. That specification is intended to reflect established regulatory practice and to ensure that obligations are fulfilled effectively while maintaining clear lines of accountability.	
25	(12) The disclosure requirements should consider the granularity of the underlying pool of exposures, i.e. how many loans are in the underlying pool. In addition, it is important to consider the average maturity of the underlying exposures. Loan level disclosure for highly-granular pools of very short-term exposures can be particularly costly and entails a considerable burden for issuers, often without offering significant benefits in terms of additional information to investors. Therefore, disclosure requirements for securitisations of credit card exposures and certain types of consumer loans should not need to encompass reporting at the level of each individual underlying exposure. However, competent authorities should still have the possibility to ask for additional information to ensure that they have a complete overview of the market, including on the exposures that constitute the underlying pool, in carrying out their duties under Regulation (EU) 2017/2402.	(12) The disclosure requirements should consider the granularity of the underlying pool of exposures~~*, i.e. how many loans are in the underlying pool*~~. In addition, it is important to consider the ~~*average*~~ maturity of the underlying exposures. Loan level disclosure for highly-granular pools of ~~*very*~~ short-term exposures can be particularly costly and entails a considerable burden for issuers, often without offering significant benefits in terms of additional information to investors. Therefore, disclosure requirements for securitisations of ~~*credit card*~~***highly-granular pools of short-term*** exposures ~~*and certain types of consumer loans*~~ should not need to encompass reporting at the level of each individual underlying exposure. However, competent authorities should still have the possibility to ask for additional information to ensure that they have a complete overview of the market, including on the exposures that constitute the underlying pool, in carrying out their duties under Regulation (EU) 2017/2402.	
26	(13) The current reporting templates[1] both for public and private securitisations are too costly	(13) The current reporting templates[1] both for public and private securitisations are too costly	

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	and burdensome. The burden on entities when complying with their reporting obligations should be therefore reduced, without undermining the goal of providing transparency to the market. The reporting templates should be streamlined to reduce the number of mandatory data fields. The revision of the template should aim to bring a reduction of at least 35% of mandatory data fields. The conversion of certain mandatory fields into voluntary fields could add further flexibility, but appropriate attention should be given to ensure that that does not compromise data quality or usability. _____ 1. Commission Delegated Regulation (EU) 2020/1224 of 16 October 2019 supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the information and the details of a securitisation to be made available by the originator, sponsor and SSPE and Commission Implementing Regulation (EU) 2020/1225 of 29 October 2019 laying down implementing technical standards with regard to the format and standardised templates for making available the information and details of a securitisation by the originator, sponsor and SSPE (OJ L 289, 3.9.2020, p. 1, ELI: http://data.europa.eu/eli/reg_del/2020/1224/oj).	and burdensome. The burden on entities when complying with their reporting obligations should be therefore reduced, without undermining the goal of providing transparency to the market. The reporting templates should be streamlined to reduce the number of mandatory data fields. The revision of the template should ~~*aim to bring a*~~***target a burden*** reduction of at least 35%~~ *of mandatory data fields*~~. The conversion of certain mandatory fields into voluntary fields could add further flexibility, but appropriate attention should be given to ensure that that does not compromise data quality or usability. _____ 1. Commission Delegated Regulation (EU) 2020/1224 of 16 October 2019 supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the information and the details of a securitisation to be made available by the originator, sponsor and SSPE and Commission Implementing Regulation (EU) 2020/1225 of 29 October 2019 laying down implementing technical standards with regard to the format and standardised templates for making available the information and details of a securitisation by the originator, sponsor and SSPE (OJ L 289, 3.9.2020, p. 1, ELI: http://data.europa.eu/eli/reg_del/2020/1224/oj).	
27	(14) The reporting framework should account for the specific characteristics of private securitisations. A dedicated and simplified reporting template for private securitisations should be developed. In specifying the details of reporting requirements, the information required to be reported should be aligned as closely as possible with other well-established templates, in particular with the guide on the notification of securitisation transactions developed by the European Central Bank in accordance with	(14) The reporting framework should account for the specific characteristics of private securitisations. A dedicated and simplified reporting template for private securitisations should be developed. In specifying the details of reporting requirements, the information required to be reported should be aligned as closely as possible with other well-established templates, in particular with the guide on the notification of securitisation transactions developed by the European Central Bank in accordance with	

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	Article 6(5), point (a), of Council Regulation (EU) No 1024/2013[1]. Any future changes to the European Central Bank guide should be assessed and the reporting templates may need to be reviewed, where appropriate. To allow for basic visibility for supervisors over the private market, private securitisations should report to repositories. Private securitisations should not need to report the same amount of information as public securitisations. Requiring private transactions to report to securitisation repositories, using a simplified template, would improve supervisory oversight and market monitoring. However, to maintain the confidentiality of private transactions, data from those transactions should not be publicly disclosed. _____ 1. Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287, 29.10.2013, p. 63, ELI: http://data.europa.eu/eli/reg/2013/1024/oj).	Article 6(5), point (a), of Council Regulation (EU) No 1024/2013[1]. Any future changes to the European Central Bank guide should be assessed and the reporting templates may need to be reviewed, where appropriate. To allow for basic visibility for supervisors over the private market, private securitisations should report to ***securitisation*** repositories. Private securitisations should not need to report the same amount of information as public securitisations. Requiring private transactions to report to securitisation repositories, using a simplified template, would improve supervisory oversight and market monitoring. However, to maintain the confidentiality of private transactions, data from those transactions should not be publicly disclosed. _____ 1. Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287, 29.10.2013, p. 63, ELI: http://data.europa.eu/eli/reg/2013/1024/oj).	
28	(15) The securitisation sub-committee of the Joint Committee of the European Supervisory Authorities (the "Joint Committee Securitisation Committee - JCSC"), referred to in Article 36(3) of Regulation (EU) 2017/2402, under the leadership of the European Banking Authority (EBA), should develop draft regulatory technical standards to further specify the information that the originator, sponsor and SSPE are to provide to comply with the reporting obligation. Those draft regulatory technical standards should take into account the usefulness of the information for the holder of the securitisation position, whether the securitisation is public or private, whether the	(15) The securitisation sub-committee of the Joint Committee of the European Supervisory Authorities (the "Joint Committee Securitisation Committee - JCSC"), referred to in Article 36(3) of Regulation (EU) 2017/2402, under the leadership of the European Banking Authority (EBA), should develop draft regulatory technical standards to further specify the information that the originator, sponsor and SSPE are to provide to comply with the ~~*reporting*~~***transparency*** obligation. Those draft regulatory technical standards should take into account the usefulness of the information for the holder of the securitisation position, whether the securitisation	

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	securitisation position is of a short-term nature and, in the case of an asset-backed commercial paper programme (ABCP) transaction, whether it is fully supported by a sponsor. The Commission should be empowered to supplement Regulation (EU) 2017/2402 by adopting those regulatory technical standards by means of delegated acts pursuant to Article 290 of the Treaty on the Functioning of the European Union (TFEU) and in accordance with Regulation (EU) No 1093/2010 of the European Parliament and of the Council[1], Regulation (EU) No 1094/2010 of the European Parliament and of the Council[2] and Regulation (EU) No 1093/2010 of the European Parliament and of the Council[3]. Moreover, the JCSC, under the leadership of the EBA, should develop draft implementing technical standards to specify the format for the provision of the information to repositories. The Commission should be empowered to adopt those implementing technical standards by means of an implementing act pursuant to Article 291 TFEU and in accordance with Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010. _____ 1. Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12, ELI: http://data.europa.eu/eli/reg/2010/1093/oj). 2. Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48)	is public or private, whether the securitisation position is of a short-term nature and, in the case of an asset-backed commercial paper programme (ABCP) transaction, whether it is fully supported by a sponsor. The Commission should be empowered to supplement Regulation (EU) 2017/2402 by adopting those regulatory technical standards by means of delegated acts pursuant to Article 290 of the Treaty on the Functioning of the European Union (TFEU) and in accordance with Regulation (EU) No 1093/2010 of the European Parliament and of the Council[1], Regulation (EU) No 1094/2010 of the European Parliament and of the Council[2] and Regulation (EU) No 1093/2010 of the European Parliament and of the Council[3]. Moreover, the JCSC, under the leadership of the EBA, should develop draft implementing technical standards to specify the format for the provision of the information to repositories. The Commission should be empowered to adopt those implementing technical standards by means of an implementing act pursuant to Article 291 TFEU and in accordance with Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010. _____ 1. Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12, ELI: http://data.europa.eu/eli/reg/2010/1093/oj). 2. Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending	

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	3. Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84)	Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48) 3. Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84)	
29	(16) To support access to market-based financing for SMEs, and to facilitate the development of cross-border securitisations involving exposures from multiple Member States, the criteria for the homogeneity of asset pools should be revised. While it is possible to have securitisations involving exposures from multiple Member States, the requirement of homogeneity, as defined at present, is considered as an obstacle for SMEs securitisations. To overcome that obstacle, a pool of underlying exposures should be deemed homogeneous where at least 70 % of the exposures at origination consists of exposures to SMEs. That lower threshold recognises the specific financing needs and characteristics of SMEs and ensures that mixed pools with a predominant SME component can benefit from the legal certainty and operational efficiencies associated with homogeneous pools. The remaining portion of the pool should be allowed to include other types of exposures, also from different Member States, without affecting the securitisation's status as STS.	(16) To support access to market-based financing for SMEs, and to facilitate the development of cross-border securitisations involving exposures from multiple Member States, the criteria for the homogeneity of asset pools should be revised. While it is possible to have ***STS*** securitisations involving exposures from multiple Member States, the requirement of homogeneity, as defined at present, is considered as an obstacle for SMEs securitisations ***to qualify for the STS label***. To overcome that obstacle, a pool of underlying exposures ~~*should be deemed homogeneous*~~ where at least 70 % of the exposures at origination consists of exposures to SMEs***, should be able to consist of exposures from multiple Member States***. That ~~*lower*~~ threshold recognises the specific financing needs and characteristics of SMEs and ensures that mixed pools with a predominant SME component can benefit from the legal certainty and operational efficiencies associated with homogeneous pools. The remaining portion of the pool should ***also*** be allowed to include ~~*other types of*~~ exposures~~*, also*~~ from different Member States ***and to other types of obligors that are not considered SME***, without affecting the securitisation's status as STS.	

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30	(17) In 2021, Regulation (EU) 2017/2402 was amended by Regulation (EU) 2021/557 of the European Parliament and of the Council[1] to extend the STS framework to synthetic securitisations. As indicated in the report of the Joint Committee of European Supervisory Authorities, that extension of the STS label has led to satisfactory results in terms of opening the way for new issuance and encouraging greater activity in this market segment. However, the practical implementation of the STS requirements has revealed the necessity to further improve the clarity and consistency in specific requirements with some technical adjustments. 1. Regulation (EU) 2021/557 of the European Parliament and of the Council of 31 March 2021 amending Regulation (EU) 2017/2402 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation to help the recovery from the COVID-19 crisis (OJ L 116, 6.4.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/557/oj).	(17) In 2021, Regulation (EU) 2017/2402 was amended by Regulation (EU) 2021/557 of the European Parliament and of the Council[1] to extend the STS framework to synthetic securitisations. As indicated in the report of the Joint Committee of European Supervisory Authorities, that extension of the STS label has led to satisfactory results in terms of opening the way for new issuance and encouraging greater activity in this market segment. However, the practical implementation of the STS requirements has revealed the necessity to further improve the clarity and consistency in specific requirements with some technical adjustments. 1. Regulation (EU) 2021/557 of the European Parliament and of the Council of 31 March 2021 amending Regulation (EU) 2017/2402 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation to help the recovery from the COVID-19 crisis (OJ L 116, 6.4.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/557/oj).	
31	(18) To ensure the consistent selection of the underlying exposures in a securitisation and to enable investors to assess the credit risk of the asset pool prior to investment, active portfolio management on a discretionary basis of a securitisation exposure is prohibited. Article 26b of Regulation (EU) 2017/2402 contains an exhaustive list of permitted management activities and stipulates that certain activities should not be considered active portfolio management on a discretionary basis and therefore not be prohibited. It is necessary to update that list to include removals due to sanctions imposed on an entity during the life of the transaction or fraudulent practices, or	(18) To ensure the consistent selection of the underlying exposures in ~~a~~ ***an STS*** securitisation and to enable investors to assess the credit risk of the asset pool prior to investment, active portfolio management on a discretionary basis of ~~a~~ ***an STS*** securitisation exposure is prohibited. Article 26b of Regulation (EU) 2017/2402 contains an exhaustive list of permitted management activities and stipulates that certain activities should not be considered active portfolio management on a discretionary basis and therefore not be prohibited. It is necessary to update that list to include removals due to sanctions imposed on an entity during the life of the transaction or fraudulent practices, or	

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	amendments to the loan due to a change in the law affecting the enforceability, which are outside the control of the originator. Both circumstances would have an impact on the enforceability of the underlying exposures (beyond the control of the originator) and the removal of those underlying exposures should not be considered as active portfolio management on a discretionary basis.	amendments to the loan due to a change in the law affecting the enforceability, which are outside the control of the originator. Both circumstances would have an impact on the enforceability of the underlying exposures (beyond the control of the originator) and the removal of those underlying exposures should not be considered as active portfolio management on a discretionary basis.	
32	(19) The criteria relating to standardisation laid down in Article 26c of Regulation (EU) 2017/2402 outline the mechanisms for loss allocation to securitisation position holders and determine the application of various amortisation methods to tranches. The central aim of those criteria is to ensure that non-sequential amortisation is employed only when accompanied by distinctly specified contractual triggers. Those triggers are intended to prompt a switch to sequential payments based on the hierarchy of seniority, thereby protecting the transaction from the premature amortisation of credit enhancement in the event of a decline in credit quality. Such premature amortisation could expose originators holding those tranches to risks associated with a diminishing credit enhancement cushion. However, those criteria fail to adequately consider the loss-bearing capacity of tranches subordinated to the protected tranches within a securitisation, leading to misapplication when interpreted literally in the context of synthetic securitisations that include mezzanine tranches. Those criteria inadvertently assume that all associated losses fall solely on the protected tranche, and thus ignoring an assignment to more junior tranches. It should	(19) The criteria relating to standardisation laid down in Article 26c of Regulation (EU) 2017/2402 outline the mechanisms for loss allocation to securitisation position holders and determine the application of various amortisation methods to tranches. The central aim of those criteria is to ensure that non-sequential amortisation is employed only when accompanied by distinctly specified contractual triggers. Those triggers are intended to prompt a switch to sequential payments based on the hierarchy of seniority, thereby protecting the transaction from the premature amortisation of credit enhancement in the event of a decline in credit quality. Such premature amortisation could expose originators holding those tranches to risks associated with a diminishing credit enhancement cushion. However, those criteria fail to adequately consider the loss-bearing capacity of tranches subordinated to the protected tranches within a securitisation, leading to misapplication when interpreted literally in the context of synthetic securitisations that include mezzanine tranches. Those criteria inadvertently assume that all associated losses fall solely on the protected tranche, and thus ignoring an assignment to more junior tranches. It should	

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	therefore be specified that, in instances where junior tranches absorb portions of the underlying exposure losses, their loss-bearing capacities should be taken into consideration for the application of the criteria.	therefore be specified that, in instances where junior tranches absorb portions of the underlying exposure losses, their loss-bearing capacities should be taken into consideration for the application of the criteria.	
33	(20) Article 26e(3) of Regulation (EU) 2017/2402 currently specifies that the credit protection premiums to be paid under the credit protection agreement are to be structured as contingent on the outstanding nominal amount of the performing securitised exposures at the time of the payment and reflect the risk of the protected tranche. To ensure the effectiveness of the credit protection agreement from the originators' perspective and at the same time provide legal certainty for investors on the termination date to make payments by specifying the maximum extension period for the debt workout, it should be specified that only credit protection premiums contingent on the size of the outstanding tranche and credit risk of the protected tranche are allowed.	(20) Article 26e(3) of Regulation (EU) 2017/2402 currently specifies that the credit protection premiums to be paid under the credit protection agreement are to be structured as contingent on the outstanding nominal amount of the performing securitised exposures at the time of the payment and reflect the risk of the protected tranche. To ensure the effectiveness of the credit protection agreement from the originators' perspective and at the same time provide legal certainty for investors on the termination date to make payments by specifying the maximum extension period for the debt workout, it should be specified that only credit protection premiums contingent on the size of the outstanding tranche and credit risk of the protected tranche are allowed.	
34	(21) Article 26e(7) of Regulation (EU) 2017/2402 specifies the conditions under which an originator may commit synthetic excess spread as credit enhancement for investors. One of those conditions is that, for originators not using the IRB Approach referred to in Article 143 of Regulation (EU) No 575/2013, the calculation of the one-year expected loss of the underlying portfolio is to be clearly determined in the transaction documentation. In order to specify the requirements for the synthetic excess spread committed by the originator and available as credit enhancement for the investors, a	(21) Article 26e(7) of Regulation (EU) 2017/2402 specifies the conditions under which an originator may commit synthetic excess spread as credit enhancement for investors. One of those conditions is that, for originators not using the IRB Approach referred to in Article 143 of Regulation (EU) No 575/2013, the calculation of the one-year expected loss of the underlying portfolio is to be clearly determined in the transaction documentation. In order to specify the requirements for the synthetic excess spread committed by the originator and available as credit enhancement for the investors, a	

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	specific criterion has been introduced in the 2021 amendment to Regulation (EU) 2017/2402. The application of this criterion has shown that it requires further clarification. In addition, an inconsistency has been identified regarding the requirements for originators not using the IRB Approach. That requirement should be amended to align with the intent to set a cap, equivalent to one year's expected loss, on the total amount of synthetic excess spread that the originator should commit per year, thereby ensuring consistency and clarity in the application of that provision.	specific criterion has been introduced in the 2021 amendment to Regulation (EU) 2017/2402. The application of this criterion has shown that it requires further clarification. In addition, an inconsistency has been identified regarding the requirements for originators not using the IRB Approach. That requirement should be amended to align with the intent to set a cap, equivalent to one year's expected loss, on the total amount of synthetic excess spread that the originator should commit per year, thereby ensuring consistency and clarity in the application of that provision.	
35	(22) The current criterion requiring credit protection is to be funded in the STS framework for on-balance-sheet synthetic securitisation under the STS regime has limited the ability of insurance or reinsurance companies to participate in the on-balance-sheet STS securitisation market. That is detrimental to the development of the STS market and the ability of originators to transfer credit risk outside the banking system. Allowing unfunded credit protection to be eligible for the STS label should, however, not undermine the quality of the STS label or the reliability of the credit protection agreement, nor should it create incentives for inexperienced or undiversified insurance or reinsurance undertakings to become exposed to high levels of risk. It is therefore appropriate to put in place safeguards to ensure that participation is limited to insurers with a certain level of robustness and diversification. Therefore, eligibility for providing unfunded credit protection under the STS label should be accompanied by requirements related to diversification, solvency, risk measurement, and minimum size of the	(22) The current criterion requiring credit protection ~~*is*~~ to be funded ~~*in the STS framework*~~ for on-balance-sheet synthetic securitisation under the STS ~~*regime*~~***framework*** has limited the ability of insurance or reinsurance companies to participate in the on-balance-sheet STS securitisation market. That is detrimental to the development of the STS market and the ability of originators to transfer credit risk outside the banking system. Allowing unfunded credit protection to be eligible for the STS label should, however, not undermine the quality of the STS label or the reliability of the credit protection agreement, nor should it create incentives for inexperienced or undiversified insurance or reinsurance undertakings to become exposed to high levels of risk. It is, therefore, appropriate to put in place safeguards to ensure that participation is limited to insurers ***or reinsurers*** with a certain level of robustness and diversification. Therefore, eligibility for providing unfunded credit protection under the STS label should be accompanied by requirements related to diversification, solvency,	

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	protection provider. Specifically, when it comes to risk measurement, the insurance or reinsurance undertaking should use an approved internal model to calculate capital requirements for such credit protection agreements. When it comes to solvency, the insurance or reinsurance undertaking should comply with the Solvency Capital Requirement and Minimum Capital Requirement referred to in Articles 100 and 128 of Directive 2009/138/EC, respectively, and should have been assigned to credit quality step 3 or better. When it comes to diversification, the insurance or reinsurance undertaking should effectively operate business activities in at least two classes of non-life insurance, which should reduce overexposure to any single risk type. Finally, when it comes to minimum size, the insurance or reinsurance undertaking should have total assets above EUR 20 billion.	risk measurement, and minimum size of the protection provider. Specifically, when it comes to risk measurement, the insurance or reinsurance undertaking should use an approved internal model to calculate capital requirements for such credit protection agreements. When it comes to solvency, the insurance or reinsurance undertaking should comply with the Solvency Capital Requirement and Minimum Capital Requirement referred to in Articles 100 and 128 of Directive 2009/138/EC, respectively, and should have been assigned to credit quality step ***2 or better at the time the credit protection was first recognised and have a currently credit quality step*** 3 or better. When it comes to diversification, the insurance or reinsurance undertaking should ~~*effectively operate*~~***have significant*** business activities in ~~*at least two*~~ classes of non-life insurance ***that are not correlated with the provision of credit protection***, which should reduce overexposure to any single risk type. Finally, when it comes to minimum size, the insurance or reinsurance undertaking***, or under certain conditions its parent,*** should have total assets above EUR ~~*20*~~***15*** billion.	
36	(23) Third-party verifiers have a role in assessing the compliance of securitisations to the STS criteria. Regulation (EU) 2017/2402 only requires third-party verifiers to be authorised by national competent authorities. Such authorisation is, however, of limited assurance if competent authorities are not in position to assess whether those third-party verifiers continue to comply with the conditions for their authorisation on an ongoing basis. It is therefore appropriate to	(23) Third-party verifiers have a role in assessing the compliance of securitisations ~~*to*~~***with*** the STS criteria. Regulation (EU) 2017/2402 only requires third-party verifiers to be authorised by national competent authorities. Such authorisation is, however, of limited assurance if competent authorities are not in position to assess whether those third-party verifiers continue to comply with the conditions for their authorisation on an ongoing basis. It is	

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	lay down that competent authorities are also responsible for the ongoing supervision of such third-party verifiers and adequately empowered to do so.	therefore appropriate to lay down that competent authorities are also responsible for the ongoing supervision of such third-party verifiers and adequately empowered to do so.	
37	(24) To ensure the effective implementation and enforcement of Regulation (EU) 2017/2402, it is necessary to clarify the responsibilities of competent authorities in supervising the compliance of all relevant parties involved in a securitisation. Competent authorities should oversee the conduct of originators, sponsors, original lenders, and SSPEs. This includes verification of whether individual securitisation transactions comply with the applicable requirements under this Regulation.	(24) To ensure the effective implementation and enforcement of Regulation (EU) 2017/2402, it is necessary to clarify the responsibilities of competent authorities in supervising the compliance of all relevant parties involved in a securitisation. Competent authorities should oversee the conduct of originators, sponsors, original lenders, and SSPEs. This includes ~~*verification of whether individual securitisation transactions comply*~~***the supervision of compliance*** with the applicable requirements under ~~*this*~~ Regulation ***(EU) 2017/2402, which should be possible to carry out in accordance with a risk-based supervisory approach. Such an approach may warrant verification of selected requirements also at the level of selected individual transactions.***	
38	(25) In order to strengthen compliance with, and to enhance the effectiveness of, Regulation (EU) 2017/2402, the scope of sanctioning powers under Article 32 of that Regulation should be broadened to explicitly include infringements of due diligence obligations. Institutional investors play a key role in ensuring the soundness and transparency of the securitisation market by conducting appropriate due diligence before and during their exposures. To ensure consistent enforcement across the Union of those due diligence requirements, it should be specified that failure to comply with those requirements is to be subject to remedial measures and	(25) In order to strengthen compliance with, and to enhance the effectiveness of, Regulation (EU) 2017/2402, the scope of sanctioning powers under Article 32 of that Regulation should be broadened to explicitly include infringements of due diligence obligations. Institutional investors play a key role in ensuring the soundness and transparency of the securitisation market by conducting appropriate due diligence before and during their exposures. To ensure consistent enforcement across the Union of those due diligence requirements, it should be specified that failure to comply with those requirements is to be subject to remedial measures and	

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	administrative sanctions by competent authorities.	administrative sanctions by competent authorities.	
39	(26) Fostering supervisory convergence is essential to the proper functioning and further development of the securitisation market which brings together a wide range of economic actors often based in different jurisdictions, even for the same transaction. The involvement of several competent authorities, combined with the current complexity of the decision-making process, highlights the need to strengthen the supervisory coordination. Simplifying and reinforcing existing frameworks for supervisory coordination, where feasible, should support the broader aim of simplification in regulation and supervision. Stronger convergence can be achieved by using more efficiently and effectively existing powers that allocated to the ESAs and the competent authorities. This outcome should be also supported by giving a more prominent role to the EBA, which should assume permanent stewardship of supervision coordination issues for the securitisation market in the Union.	(26) Fostering supervisory convergence is essential to the proper functioning and further development of the securitisation market which brings together a wide range of economic actors often based in different jurisdictions, even for the same transaction. The involvement of several competent authorities, combined with the current complexity of the decision-making process, highlights the need to strengthen the supervisory coordination. Simplifying and reinforcing existing frameworks for supervisory coordination, where feasible, should support the broader aim of simplification in regulation and supervision. Stronger convergence can be achieved by using more efficiently and effectively existing powers that ***are*** allocated to the ESAs and the competent authorities. This outcome should be also supported by giving a more prominent role to the EBA, which should assume permanent stewardship of supervision coordination issues for the securitisation market in the Union.	
40	(27) The Joint Committee Securitisation Committee, composed of market and prudential competent authorities, should focus on issues stemming from supervision and should facilitate and promote supervisory convergence through common supervisory practices. The current mandate of the JCSC should be reviewed to put emphasis on supervisory convergence and work related to Article 44 of this Regulation. The JCSC can meet in different formats or establish subgroups for specific tasks according to the	(27) The Joint Committee Securitisation Committee, composed of market and prudential competent authorities, should focus on issues stemming from supervision and should facilitate and promote supervisory convergence through common supervisory practices. The current mandate of the JCSC should be reviewed to put emphasis on supervisory convergence and work related to Article 44 of this Regulation. The JCSC can meet in different formats or establish subgroups for specific tasks according to the	

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	issues to be discussed. The EBA should provide the secretariat and a vice-chairperson for the Joint Committee Securitisation Committee on a permanent basis, deputising and supporting the chairperson in the exercise of his or her duties. In the absence of the chairperson, the vice-chairperson should perform the tasks of the chairperson, including in situations where no chairperson is elected. Representatives to this body from participating market and prudential competent authorities should have the appropriate level of knowledge and experience in matters under discussion. The regular monitoring of the state of the market and evaluation of the supervisory securitisation framework in the Union through monitoring reports, development of guidelines and regular peer reviews would further strengthen the supervisory framework promoting best (supervisory) practices.	issues to be discussed. The EBA should provide the secretariat and a vice-chairperson for the Joint Committee Securitisation Committee on a permanent basis, deputising and supporting the chairperson in the exercise of his or her duties. In the absence of the chairperson, the vice-chairperson should perform the tasks of the chairperson, including in situations where no chairperson is elected. Representatives to this body from participating market and prudential competent authorities should have the appropriate level of knowledge and experience in matters under discussion. The regular monitoring of the state of the market and evaluation of the supervisory securitisation framework in the Union through monitoring reports, development of guidelines and ~~*regular*~~ peer reviews would further strengthen the supervisory framework promoting best (supervisory) practices.	
41	(28) Given that securitisation activity in the Union is primarily concentrated in the banking sector, it is appropriate that the EBA assumes the permanent stewardship role in the Joint Committee Securitisation Committee. In the exercise of its permanent role in the Joint Committee Securitisation Committee, the EBA should attach particular attention to nourishing strong and collaborative working relationships with the European Securities Markets Authority (ESMA) and the European Insurance and Occupational Pensions Authority (EIOPA) and duly taking account of their sectoral perspectives. It should be expected that such reinforced supervisory coordination will result in more robust and consistent supervision of the securitisation market in the Union. In this	(28) Given that securitisation activity in the Union is primarily concentrated in the banking sector, it is appropriate that the EBA assumes the permanent stewardship role in the Joint Committee Securitisation Committee. In the exercise of its permanent role in the Joint Committee Securitisation Committee, the EBA should attach particular attention to nourishing strong and collaborative working relationships with the European Securities Markets Authority (ESMA) and the European Insurance and Occupational Pensions Authority (EIOPA) and duly ~~*taking*~~***take*** account of their sectoral perspectives. It should be expected that such reinforced supervisory coordination will result in more robust and consistent supervision of the securitisation market in the Union. ~~*In this*~~	

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	capacity, the EBA should also lead the work on the development of the disclosure templates as provided for in Article 7 of this Regulation. This will be instrumental in preparing the market for the anticipated growth and developing supervisory capacity and preparedness to support this expansion. Assigning a stewardship role to EBA in this supervisory capacity aligns with the strategic vision of an efficient and simplified regulatory landscape.	~~*capacity, the EBA should also lead the work on the development of the disclosure templates as provided for in Article 7 of this Regulation.*~~ This will be instrumental in ~~*preparing the market for the anticipated growth and*~~ developing supervisory capacity and preparedness to support ~~*this expansion*~~***the anticipated growth of the market***. Assigning a stewardship role to EBA in this supervisory capacity aligns with the strategic vision of an efficient and simplified regulatory landscape.	
42	(29) In case of cross-border securitisations, appointing a lead supervisor would streamline the supervision of compliance with Regulation (EU) 2017/2402 and ensure consistency and better coordination among the different competent authorities. The lead supervisor should be appointed from among the competent authorities of the entities involved in the transaction, with the decision taken by the competent authorities concerned. In case of disagreements the matter should be dealt with at the level of the Joint Committee Securitisation Committee. Whenever a new transaction involves entities supervised by the same competent authorities, the lead previously appointed can keep that role.	(29) ~~*In case of cross-border securitisations, appointing a lead supervisor would streamline the supervision of compliance with Regulation (EU) 2017/2402 and ensure consistency and better coordination among the different competent authorities. The lead supervisor should be appointed from among the competent authorities of the entities involved in the transaction, with the decision taken by the competent authorities concerned. In case of disagreements the matter should be dealt with at the level of the Joint Committee Securitisation Committee. Whenever a new transaction involves entities supervised by the same competent authorities, the lead previously appointed can keep that role.*~~	
43	(30) It is important to ensure that the regulatory framework for securitisations remains effective and adapts to the evolving financial landscape. For that reason, the Commission should comprehensively review the impact and functionality of this Regulation within 5 years after its adoption, with careful attention to its influence on the securitisation market and its	(30) It is important to ensure that the regulatory framework for securitisations remains effective and adapts to the evolving financial landscape. For that reason, the Commission should comprehensively review the impact and functionality of this Regulation within 5 years after its adoption, with careful attention to its influence on the securitisation market and its	

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	broader economic implications. That review should focus on critical aspects, including market dynamics, the accessibility of credit in particular for SMEs, investments, and the interconnectedness of financial institutions which is vital for maintaining the stability of the financial sector. Combining insights from the reports referred to in Article 44 of Regulation (EU) 2017/2402 and further analyses, the Commission should determine the necessity for legislative updates to safeguard the role of Regulation (EU) 2017/2402 in supporting a resilient and dynamic economy within the European Union.	broader economic implications. That review should focus on critical aspects, including market dynamics, the accessibility of credit in particular for SMEs, investments, and the interconnectedness of financial institutions which is vital for maintaining the stability of the financial sector. Combining insights from the reports referred to in Article 44 of Regulation (EU) 2017/2402 and further analyses, the Commission should determine the necessity for legislative updates to safeguard the role of Regulation (EU) 2017/2402 in supporting a resilient and dynamic economy within the European Union.	
44	(31) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States given that securitisation markets operate globally and that a level playing field in the internal market for all institutional investors and entities involved in securitisation should be ensured but, by reason of their scale and effects, can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(31) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States given that securitisation markets operate globally and that a level playing field in the internal market for all institutional investors and entities involved in securitisation should be ensured but, by reason of their scale and effects, can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	
45	(32) Regulation (EU) 2017/2402 should therefore be amended accordingly,	(32) Regulation (EU) 2017/2402 should therefore be amended accordingly,	
46	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
47	Article 1 Amendment to Regulation (EU) No 2017/2402	Article 1 Amendment to Regulation (EU) No 2017/2402	

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48	Regulation (EU) 2017/2402 is amended as follows:	Regulation (EU) 2017/2402 is amended as follows:	
49	(1) in Article 1, paragraph 2 is replaced by the following:	(1) in Article 1, paragraph 2 is replaced by the following:	
50	'This Regulation applies to institutional investors and to originators, sponsors, original lenders, servicers and securitisation special purpose entities.;'	'This Regulation applies to institutional investors ~~and to~~, originators, sponsors, original lenders, servicers***, securitisation repositories, third parties verifying STS compliance*** and securitisation special purpose entities.;'	
51	(2) in Article 2, the following points (32) and (33) are added:	(2) in Article 2, the following points (32) ~~and (33~~***to (35***) are added:	
52	'(32) 'public securitisation' means a securitisation that meets any of the following criteria:	'(32) 'public securitisation' means a securitisation ***where a prospectus has to be drawn up for that securitisation pursuant to Article 3 of Regulation (EU) 2017/1129*** ~~that meets any~~ of the ~~following criteria:~~***European Parliament and of the Council[1];*** ***1. Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12, ELI: http://data.europa.eu/eli/reg/2017/1129/oj).***	
53	(a) a prospectus has to be drawn up for that securitisation pursuant to Article 3 of Regulation (EU) 2017/1129 of the European Parliament and of the Council[1]; 1. Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing	(a) ~~a prospectus has to be drawn up for that securitisation pursuant to Article 3 of Regulation (EU) 2017/1129 of the European Parliament and of the Council[1];~~ ~~1. Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing~~	

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	Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12, ELI: http://data.europa.eu/eli/reg/2017/1129/oj).	~~*Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12, ELI: http://data.europa.eu/eli/reg/2017/1129/oj).*~~	
54	(b) the securitisation is marketed with notes constituting securitisation positions admitted to trading on a Union trading venue as defined in Article 4(1), point (24) of Directive 2014/65/EU of the European Parliament and of the Council[1]; _____ 1. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).';	(b) ~~*the securitisation is marketed with notes constituting securitisation positions admitted to trading on a Union trading venue as defined in Article 4(1), point (24) of Directive 2014/65/EU of the European Parliament and of the Council[1];*~~ _____ ~~*1. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).';*~~	
55	(c) the securitisation is marketed to investors and the terms and conditions are not negotiable among the parties.	(c) ~~*the securitisation is marketed to investors and the terms and conditions are not negotiable among the parties.*~~	
56	(33) 'private securitisation' means a securitisation that does not meet any of the criteria laid down in point (32).'	(33) 'private securitisation' means a securitisation that does not meet ~~*any of the criteria*~~***the criterion*** laid down in point (32).'	
56a		***(34) "repeat transactions" mean a sequence of securitisation transactions that exhibit all of the following criteria:*** ***(a) they have the same originator(s),*** ***(b) they are backed by pools of exposures that have the same proportion of asset types reflected in the pools,*** ***(c) they display the same structural features, notably concerning the number and hierarchy of tranches, credit enhancement mechanisms and cash flow distribution.***	
56b		***(35) 'highly-granular pools of short-term exposures' means a pool of exposures where no single exposure represents more than 0.005 %***	

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		of the overall pool and every exposure has an original maturity of one year or less.	
57	(3) Article 5 is amended as follows:	(3) Article 5 is amended as follows:	
58	(a) paragraph 1 is amended as follows:	(a) paragraph 1 is amended as follows:	
59	(i) point (c) is deleted;	(i) point (c) is deleted;	
60	(ii) points (e) and (f) are replaced by the following:	(ii) points (e) and (f) are replaced by the following:	
61	‘(e) if established in a third country, the originator, sponsor or SSPE designated in accordance with Article 7(2) has made available the information required by Article 7(1) in accordance with the frequency and modalities provided for in that paragraph;	(e) if established in a third country, the originator, sponsor or SSPE designated in accordance with Article 7(2) has made available the information required by Article 7(1) in accordance with the frequency and modalities provided for in that paragraph;	
62	(f) if established in a third country, in the case of non-performing exposures, the originator, sponsor or original lender has applied sound standards in the selection and pricing of the exposures.;’	(f) if established in a third country, in the case of non-performing exposures, the originator, sponsor or original lender has applied sound standards in the selection and pricing of the exposures.;	
63	(b) paragraph 3 is amended as follows:	(b) paragraph 3 is amended as follows:	
64	(i) point (b) is replaced by the following:	(i) point (b) is replaced by the following:	
65	‘ (b) all the structural features of the securitisation that can materially impact the performance of the securitisation position;; ’	(b) all the structural features of the securitisation that can materially impact the performance of the securitisation position;;	
66	(ii) point (c) is deleted;	(ii) point (c) is ~~*deleted*~~***amended as follows:***	

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		With regard to a securitisation notified as STS in accordance with Article 27, the compliance of that securitisation with the requirements provided for in Articles 19 to 22 or in Articles 23 to 26, and Article 27. Institutional investors may rely to an appropriate extent on the STS notification pursuant to Article 27(1) and on the information disclosed by the originator, sponsor and SSPE on the compliance with the STS requirements, without solely or mechanistically relying on that notification or information. ***By derogation from the first sentence of the previous subparagraph, institutional investors shall not be required to conduct due diligence on the requirements provided in Articles 19 to 22 or in Articles 23 to 26, and Article 27, where either of the originator, sponsor or SSPE has used the services of a third party authorised under Article 28 to assess whether a securitisation complies with Articles 19 to 22, Articles 23 to 26 or Articles 26a to 26e and the third party has assessed that the securitisation complies with these requirements.***;	
67	(c) paragraph 4 is amended as follows:	(c) paragraph 4 is amended as follows:	
68	(i) in point (a), the second subparagraph is deleted;	(i) in point (a), the second subparagraph is deleted;	
69	(ii) the following point (g) is added:	(ii) the following point (g) is added:	
70	‘(g)in the case of secondary market investments, document the due diligence assessment and verifications within a reasonable period of time	(g) in the case of secondary market investments, document the due diligence assessment and verifications within a reasonable period of time	

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	which in any case shall not exceed 15 calendar days after the investment.;'	which in any case shall not exceed 15 calendar days after the investment.;	
71	(d) the following paragraphs 4a and 4b are inserted:	(d) the following paragraphs 4a and 4b are inserted:	
72	‘ (4a) Paragraphs 1 to 4 shall not apply to institutional investors that hold a securitisation position where such securitisation position is guaranteed by a multilateral development bank listed in Article 117(2) of Regulation (EU) No 575/2013.	(4a) Paragraphs 1 to 4 shall not apply to institutional investors that hold a securitisation position where such securitisation position is guaranteed by a multilateral development bank listed in Article 117(2) of Regulation (EU) No 575/2013.	
73	For the purposes of the first subparagraph, the guarantee shall meet the conditions of Article 213 and 215 of Regulation (EU) No 575/2013.	For the purposes of the first subparagraph, the guarantee shall meet the conditions of Article 213 and 215 of Regulation (EU) No 575/2013.	
74	(4b) Paragraphs 1 and 4 shall not apply to institutional investors that hold a securitisation position where the first loss tranche representing at least 15% of the nominal value of the securitised exposures is either held or guaranteed by the Union or by national promotional banks or institutions within the meaning of point (3) of Article 2 of Regulation (EU) 2015/1017 of the European Parliament and of the Council.; ’	~~*(4b) Paragraphs 1 and 4 shall not apply to institutional investors that hold a securitisation position where the first loss tranche representing at least 15% of the nominal value of the securitised exposures is either held or guaranteed by the Union or by national promotional banks or institutions within the meaning of point (3) of Article 2 of Regulation (EU) 2015/1017 of the European Parliament and of the Council.;*~~	
75	(e) paragraph 5 is replaced by the following:	(e) paragraph 5 is replaced by the following:	
76	‘(5)Without prejudice to paragraphs 1 to 4 of this Article, where an institutional investor has given another institutional investor authority to make investment management decisions that might expose it to a securitisation, the delegating	(5) Without prejudice to paragraphs 1 to 4 of this Article, where an institutional investor has given another institutional investor authority to make investment management decisions that might expose it to a securitisation, the delegating	

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	institutional investor may instruct the delegated institutional investor to fulfil its obligations under this Article in respect of any exposure to a securitisation arising from those decisions. The delegating institutional investor's liability under this Article shall not be affected by the fact that the institutional investor has delegated functions.'	institutional investor may instruct the delegated institutional investor to fulfil its obligations under this Article in respect of any exposure to a securitisation arising from those decisions. The delegating institutional investor's liability under this Article shall not be affected by the fact that the institutional investor has delegated functions.	
77	(4) Article 6 is amended as follows:	(4) Article 6 is amended as follows:	
78	(a) in paragraph 5 point (f) is added:	(a) in paragraph 5 point (f) is added:	
79	'(f) the Union.'	'(f) the Union. '	
80	(b) paragraph 5a is inserted:	(b) Paragraph 5a is inserted:	
81	'(5a) Paragraph 1 shall not apply where the first loss tranche representing at least 15% of the nominal value of the securitised exposures is either held or guaranteed by one of the entities listed under points (a) to (f) of paragraph 5.'	'(5a) ***By way of derogation from the fifth sentence in*** paragraph 1 ~~***shall not apply***~~***, for NPE securitisations*** where ~~***the first loss tranche representing at least 15% of the nominal value of the securitised exposures is***~~***all tranches that are not subordinated to any other tranches are*** either held ***by or fully, unconditionally, and irrevocably*** ~~***or***~~ guaranteed by one of the entities listed under points (a) to (f) of paragraph 5***, the requirement to retain a material net economic interest of not less than 5% as set out in paragraph 1 shall also be deemed to be fulfilled where the retention of not less than 5% of the nominal value of each of the remaining tranches sold or transferred to investors is achieved in accordance with paragraph 3(a)***.'	

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82	(5) Article 7 is amended as follows:	(5) Article 7 is amended as follows:	
83	(a) in paragraph 1 the fourth subparagraph is replaced by the following:	(a) in paragraph 1 the fourth subparagraph is replaced by the following:	
84	'In the case of an ABCP or of a securitisation of highly-granular pools of short-term exposures, the information described in points (a), (c)(ii) and (e)(i) of the first subparagraph shall be made available in aggregate form to holders of securitisation positions and, upon request, to potential investors.;'	'In the case of an ABCP ***transaction*** or of a securitisation of highly-granular pools of short-term exposures, the information described in points (a), (c)(ii) and (e)(i) of the first subparagraph shall be made available in aggregate form to holders of securitisation positions and, upon request, to potential investors.;'	
85	(b) in paragraph 2, the third subparagraph is replaced by the following:	(b) in paragraph 2, the third subparagraph is replaced by the following:	
86	'Private securitisations shall be subject to a distinct reporting framework that acknowledges their unique characteristics, differing from public securitisation, in a dedicated and simplified reporting template. That dedicated and simplified reporting template shall ensure that essential information relevant to national competent authorities is adequately reported, without imposing the full extent of reporting obligations applicable to public securitisations. Private securitisations shall fulfil their obligations under this subparagraph as of [date set in the fourth subparagraphs of paragraphs 3 and 4 of this Article.].'	'Private securitisations shall be subject to a distinct ~~*reporting*~~***transparency*** framework that acknowledges their unique characteristics, differing from public securitisation, in a dedicated and simplified ~~*reporting*~~***transparency*** template. That dedicated and simplified ~~*reporting*~~***transparency*** template shall ensure that essential information relevant to national competent authorities is adequately ~~*reported*~~***made available***, without imposing the full extent of ~~*reporting*~~***tranparency*** obligations applicable to public securitisations. Private securitisations shall fulfil their obligations under this subparagraph as of [date set in the fourth subparagraphs of paragraphs 3 and 4 of this Article.].'	
87	(c) paragraph 3 is replaced by the following:	(c) paragraph 3 is replaced by the following:	

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88	'3. The ESAs shall develop, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, draft regulatory technical standards in accordance with Articles 10 to 14 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010 to specify the information that the originator, sponsor and SSPE shall provide to comply with paragraph 1, first subparagraph, points (a) and (e), and paragraph 2 taking into account:	'3. The ESAs shall develop, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, draft regulatory technical standards in accordance with Articles 10 to 14 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010 to specify the information that the originator, sponsor and SSPE shall provide to comply with paragraph 1, first subparagraph, points (a) and (e), and paragraph 2 taking into account:	
89	(a) the usefulness of information for the holder of the securitisation position and for supervisors;	(a) the usefulness of information for the holder of the securitisation position and for supervisors;	
90	(b) whether the securitisation is public or private;	(b) whether the securitisation is public or private;	
91	(c) whether the securitisation position is of a short-term nature;	(c) whether the securitisation position is of a short-term nature;	
92	(d) in the case of an ABCP transaction, whether that transaction is fully supported by a sponsor.	(d) in the case of an ABCP transaction, whether that transaction is fully supported by a sponsor.	
93	The ESAs, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, shall submit those draft regulatory technical standards to the Commission by [6 months after the date of entry into force of this amending Regulation].	The ESAs, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, shall submit those draft regulatory technical standards to the Commission by [6 months after the date of entry into force of this amending Regulation].	
94	The Commission is empowered to supplement this Regulation by adopting the regulatory technical standards referred to in this paragraph in accordance with Articles 10 to 14 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010.	The Commission is empowered to supplement this Regulation by adopting the regulatory technical standards referred to in this paragraph in accordance with Articles 10 to 14 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010.	

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95	The regulatory technical standards shall enter into force [12 months] after the adoption by the Commission.	The regulatory technical standards shall enter into force [12 months] after the adoption by the Commission.	
96	At least every three years from the date of their adoption by the Commission the ESAs, through the Joint Committee of the European Supervisory Authorities, shall assess the regulatory technical standards to determine their continued relevance and accuracy, to ensure they remain effective, up to date, aligned with market practices and needs. The ESAs, through the Joint Committee of the European Supervisory Authorities, shall inform the Commission of the results of the assessment.'	At least every three years from the date of their adoption by the Commission the ESAs, through the Joint Committee of the European Supervisory Authorities, shall assess the regulatory technical standards to determine their continued relevance and accuracy, to ensure they remain effective, up to date, aligned with market practices and needs. The ESAs, through the Joint Committee of the European Supervisory Authorities, shall inform the Commission of the results of the assessment.'	
97	(d) paragraph 4 is replaced by the following:	(d) paragraph 4 is replaced by the following:	
98	'4. In order to ensure uniform conditions of application for the information to be specified in accordance with paragraph 3, the ESAs, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, shall develop draft implementing technical standards in accordance with Article 15 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010 specifying the format thereof by means of standardised templates.	'4. In order to ensure uniform conditions of application for the information to be specified in accordance with paragraph 3, the ESAs, through the Joint Committee of the European Supervisory Authorities, under the leadership of the EBA and in close cooperation with ESMA and EIOPA, shall develop draft implementing technical standards in accordance with Article 15 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010 specifying the format thereof by means of standardised templates.	
99	The ESAs, through the Joint Committee of the European Supervisory Authorities, shall submit those draft implementing technical standards to the Commission by [6 months after the date of entry into force of this amending Regulation].	The ESAs, through the Joint Committee of the European Supervisory Authorities, shall submit those draft implementing technical standards to the Commission by [6 months after the date of entry into force of this amending Regulation].	

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100	The Commission is empowered to adopt the implementing technical standards referred to in this paragraph in accordance with Article 15 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010.	The Commission is empowered to adopt the implementing technical standards referred to in this paragraph in accordance with Article 15 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010.	
101	The implementing technical standards shall enter into force [12 months] after the adoption by the Commission.	The implementing technical standards shall enter into force [12 months] after the adoption by the Commission.	
102	At least every three years from the date of their adoption by the Commission the ESAs, through the Joint Committee of the European Supervisory Authorities, shall assess the implementing regulatory technical standards to determine their continued relevance and accuracy, to ensure they remain effective, up to date, aligned with market practices and needs. The ESAs, through the Joint Committee of the European Supervisory Authorities, shall inform the Commission of the results of that assessment.;'	At least every three years from the date of their adoption by the Commission the ESAs, through the Joint Committee of the European Supervisory Authorities, shall assess the implementing regulatory technical standards to determine their continued relevance and accuracy, to ensure they remain effective, up to date, aligned with market practices and needs. The ESAs, through the Joint Committee of the European Supervisory Authorities, shall inform the Commission of the results of that assessment.;'	
103	(6) Article 10 is amended as follows:	(6) Article 10 is amended as follows:	
104	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
105	'1. A securitisation repository shall register with ESMA for the purposes of Article 7 under the conditions and the procedure set out in this Article.;'	'1. A securitisation repository shall register with ESMA for the purposes of Article 7 under the conditions and the procedure set out in this Article.;'	
106	(b) paragraph 2 is replaced by the following:	(b) paragraph 2 is replaced by the following:	
107	'2. To be eligible to be registered under this Article, a securitisation repository shall be a legal person established in the Union, apply	'2. To be eligible to be registered under this Article, a securitisation repository shall be a legal person established in the Union, apply	

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	procedures to verify the completeness and consistency of the information made available to it under Article 7(1) of this Regulation, and meet the requirements laid down in in Articles 78 and 79, and Article 80(1), (2), (3), (5) and (6) of Regulation (EU) No 648/2012. For the purposes of this Article, references in Articles 78 and 80 of Regulation (EU) No 648/2012 to Article 9 thereof shall be construed as references to Article 7 of this Regulation.'	procedures to verify the completeness and consistency of the information made available to it under Article 7(1) of this Regulation, and meet the requirements laid down in in Articles 78 and 79, and Article 80(1), (2), (3), (5) and (6) of Regulation (EU) No 648/2012. For the purposes of this Article, references in Articles 78 and 80 of Regulation (EU) No 648/2012 to Article 9 thereof shall be construed as references to Article 7 of this Regulation.'	
108	(7) Article 17 is amended as follows:	(7) Article 17 is amended as follows:	
109	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
110	'1. Without prejudice to Article 7(2), the securitisation repository referred to in Article 10 shall collect and maintain details of the securitisation. It shall provide direct and immediate access free of charge to all of the following entities to enable them to fulfil their respective responsibilities, mandates and obligations:	'1. Without prejudice to Article 7(2), the securitisation repository referred to in Article 10 shall collect and maintain details of the securitisation. It shall provide direct and immediate access free of charge to all of the following entities to enable them to fulfil their respective responsibilities, mandates and obligations:	
111	(a) the EBA;	(a) the EBA;	
112	(b) EIOPA;	(b) EIOPA;	
113	(c) ESMA;	(c) ESMA;	
114	(d) the ESRB;	(d) the ESRB;	
115	(e) the relevant members of the European System of Central Banks (ESCB), including the European Central Bank (ECB) in carrying out its tasks within a single supervisory mechanism under Regulation (EU) No 1024/2013;	(e) the relevant members of the European System of Central Banks (ESCB), including the European Central Bank (ECB) in carrying out its tasks within a single supervisory mechanism under Regulation (EU) No 1024/2013;	

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116	(f) the relevant authorities whose respective supervisory responsibilities and mandates cover transactions, markets, participants and assets which fall within the scope of this Regulation;	(f) the relevant authorities whose respective supervisory responsibilities and mandates cover transactions, markets, participants and assets which fall within the scope of this Regulation;	
117	(g) the resolution authorities designated under Article 3 of Directive 2014/59/EU of the European Parliament and the Council[1]; _____ 1. Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190, ELI: http://data.europa.eu/eli/dir/2014/59/oj).	(g) the resolution authorities designated under Article 3 of Directive 2014/59/EU of the European Parliament and the Council[1]; _____ 1. Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190, ELI: http://data.europa.eu/eli/dir/2014/59/oj).	
118	(h) the Single Resolution Board established by Regulation (EU) No 806/2014 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).	(h) the Single Resolution Board established by Regulation (EU) No 806/2014 of the European Parliament and of the Council[1]; _____ 1. Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).	
119	(i) the authorities referred to in Article 29 of this Regulation;	(i) the authorities referred to in Article 29 of this Regulation;	
120	(j) the Commission, upon request;	(j) the Commission, upon request;	
121	(k) in case of public securitisations, investors and potential investors.'	(k) in case of public securitisations, investors and potential investors.'	

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122	(b) in paragraph 2, point (a) is deleted.	(b) in paragraph 2, point (a) is deleted.	
123	(8) Article 20 is amended as follows:	(8) Article 20 is amended as follows:	
124	(a) in paragraph 8, the following subparagraph is added:	(a) in paragraph 8, the following subparagraph is added:	
125	'A pool of underlying exposures shall be deemed to comply with the first subparagraph where at least 70% of the exposures in the pool at origination consists of exposures to SMEs.;'	'A pool of underlying exposures ~~*shall be deemed to comply with the first subparagraph*~~ where at least 70% of the exposures in the pool at origination consists of exposures to SMEs~~.~~ ***, shall for the purposes of the first sentence of the first subparagraph, be treated as if all the exposures in the pool are from the same jurisdiction***;'	
126	(b) in paragraph 11, in point (a), point (ii) is replaced by the following:	(b) in paragraph 11, in point (a), point (ii) is replaced by the following:	
127	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	
128	(9) Article 22 is amended as follows:	(9) Article 22 is amended as follows:	
129	(a) in paragraph 4, the first subparagraph is replaced by the following:	(a) in paragraph 4, the first subparagraph is replaced by the following:	
130	'In case of a securitisation where the underlying exposures are residential loans or auto loans or leases, the originator and sponsor shall publish the available information related to the environmental performance of the assets financed by such residential loans or auto loans or leases.;'	'In case of a securitisation where the underlying exposures are residential loans or auto loans or leases, the originator and sponsor shall publish the available information related to the environmental performance of the assets financed by such residential loans or auto loans or leases.;'	

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131	(b) paragraph 5 is replaced by the following:	(b) paragraph 5 is replaced by the following:	
132	'5. The originator and the sponsor shall be responsible for compliance with Article 7. In case of a public securitisation, the information required by Article 7(1), first subparagraph, point (a), shall be made available to potential investors before pricing upon request. In case of a public securitisation, the information required by Article 7(1), first subparagraph, points (b) to (d), shall be made available before pricing at least in draft or initial form. The final documentation shall be made available to investors at the latest 15 days after closing of the transaction.;'	'5. The originator and the sponsor shall be responsible for compliance with Article 7. In case of a public securitisation, the information required by Article 7(1), first subparagraph, point (a), shall be made available to potential investors before pricing upon request. In case of a public securitisation, the information required by Article 7(1), first subparagraph, points (b) to (d), shall be made available before pricing at least in draft or initial form. The final documentation shall be made available to investors at the latest 15 days after closing of the transaction.;'	
133	(10) Article 24 is amended as follows:	(10) Article 24 is amended as follows:	
134	(a) in paragraph 9, in point (a), point (ii) is replaced by the following:	(a) in paragraph 9, in point (a), point (ii) is replaced by the following:	
135	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	
136	(b) in paragraph 15 the following subparagraph is added:	(b) in paragraph 15 the following subparagraph is added:	
137	'A pool of underlying exposures shall be deemed to comply with the first subparagraph where at least 70% of the exposures in the pool at origination consists of exposures to SMEs.;'	'A pool of underlying exposures ~~*shall be deemed to comply with the first subparagraph*~~ where at least 70% of the exposures in the pool at origination consists of exposures to SMEs***, shall for the purposes of the first sentence of the first***	

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		subparagraph be treated as if all the exposures in the pool are from the same jurisdiction.;'	
138	(11) Article 26b is amended as follows:	(11) Article 26b is amended as follows:	
139	(a) in paragraph 7, in the fourth subparagraph, the following points (e) and (f) are added:	(a) in paragraph 7, in the fourth subparagraph, the following points (e) and (f) are added:	
140	'(e) has been the object of Union restrictive measures or of proven fraudulent practices;	'(e) has been the object of Union restrictive measures or of proven fraudulent practices;	
141	(f) has been subject to changes in the national legal framework that would affect the enforceability of the claims of the underlying exposures.;'	(f) has been subject to changes in the national legal framework that would affect the enforceability of the claims of the underlying exposures.;'	
142	(b) in paragraph 8, the following subparagraph is added:	(b) in paragraph 8, the following subparagraph is added:	
143	'A pool of underlying exposures shall be deemed to comply with the first subparagraph where at least 70% of the exposures in the pool at origination consists of exposures to SMEs.;'	'A pool of underlying exposures ~~*shall be deemed to comply with the first subparagraph*~~ where at least 70% of the exposures in the pool at origination consists of exposures to SMEs***, shall, for the purposes of the first sentence of the first subparagraph, be treated as if all the exposures in the pool are from the same jurisdiction***.;'	
144	(c) in paragraph 11, in point (a), point (ii) is replaced by the following:	(c) in paragraph 11, in point (a), point (ii) is replaced by the following:	
145	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	'(ii) the information provided by the originator, sponsor and SSPE explicitly sets out the proportion of restructured underlying exposures, the time and details of the restructuring, and their performance since the date of the restructuring;;'	

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146	(12) in Article 26c, in paragraph 5, the eighth subparagraph is replaced by the following:	(12) in Article 26c, in paragraph 5, the eighth subparagraph is replaced by the following:	
147	'Where a credit event, as referred to in Article 26e, has occurred in relation to underlying exposures and the debt workout for those exposures has not been completed, the amount of credit protection remaining at any payment date plus the amount of any retained tranches which rank junior to the tranches covered by the credit protection remaining at any payment date shall be at least equivalent to the outstanding nominal amount of those underlying exposures, minus the amount of any interim payment made in relation to those underlying exposures.;'	'Where a credit event, as referred to in Article 26e, has occurred in relation to underlying exposures and the debt workout for those exposures has not been completed, the amount of credit protection remaining at any payment date plus the amount of any retained tranches which rank junior to the tranches covered by the credit protection remaining at any payment date shall be at least equivalent to the outstanding nominal amount of those underlying exposures, minus the amount of any interim payment made in relation to those underlying exposures.;'	
148	(13) Article 26e is amended as follows:	(13) Article 26e is amended as follows:	
149	(a) in paragraph 3, the third subparagraph is replaced by the following:	(a) in paragraph 3, the third subparagraph is replaced by the following:	
150	'The credit protection premiums to be paid under the credit protection agreement shall be structured as contingent on the outstanding size of the tranche and credit risk of the protected tranche. For those purposes, the credit protection agreement shall not stipulate guaranteed premiums, upfront premium payments, rebate mechanisms or other mechanisms that may avoid or reduce the actual allocation of losses to the investors or return part of the paid premiums to the originator after the maturity of the transaction.;'	'The credit protection premiums to be paid under the credit protection agreement shall be structured as contingent on the outstanding size of the tranche and credit risk of the protected tranche. For those purposes, the credit protection agreement shall not stipulate guaranteed premiums, upfront premium payments, rebate mechanisms or other mechanisms that may avoid or reduce the actual allocation of losses to the investors or return part of the paid premiums to the originator after the maturity of the transaction.;'	

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151	(b) in paragraph 7, point (d) is replaced by the following:	(b) in paragraph 7, point (d) is replaced by the following:	
152	'(d)for originators not using the IRB Approach referred to in Article 143 of Regulation (EU) No 575/2013:	'(d)for originators not using the IRB Approach referred to in Article 143 of Regulation (EU) No 575/2013:	
153	(i) the total committed amount per year shall not be higher than the one-year expected loss of the portfolio for that year;	(i) the total committed amount per year shall not be higher than the one-year expected loss of the portfolio for that year;	
154	(ii) the calculation of the one-year expected loss of the underlying portfolio shall be clearly determined in the transaction documentation.;'	(ii) the calculation of the one-year expected loss of the underlying portfolio shall be clearly determined in the transaction documentation.;'	
155	(c) paragraph 8 is amended as follows:	(c) paragraph 8 is amended as follows:	
156	(i) the following point (aa) is inserted:	(i) the following point (aa) is inserted:	
157	'(aa) a guarantee meeting the requirements set out in Part Three, Title II, Chapter 4 of Regulation (EU) No 575/2013, by which the credit risk is transferred to an insurance or reinsurance undertaking that meets all of the following criteria:	'(aa) a guarantee meeting the requirements set out in Part Three, Title II, Chapter 4 of Regulation (EU) No 575/2013, by which the credit risk is transferred to an insurance or reinsurance undertaking that meets all of the following criteria:	
158	(i) the undertaking uses an internal model approved in accordance with Articles 112 and 113 of Directive 2009/138/EC for the calculation of capital requirements for such guarantees;	(i) the undertaking uses an internal model approved in accordance with Articles 112 and 113 of Directive 2009/138/EC for the calculation of capital requirements for such guarantees;	
159	(ii) the undertaking complies with its Solvency Capital Requirement and its Minimum Capital Requirement referred to in Articles 100 and 128 of Directive 2009/138/EC, respectively, and has been assigned to credit quality step 3 or better;	(ii) the undertaking complies with its Solvency Capital Requirement and its Minimum Capital Requirement referred to in Articles 100 and 128 of Directive 2009/138/EC, respectively, and has been assigned ~~to~~***a credit assessment by a recognised ECAI which was credit quality step***	

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		2 or above at the time the credit protection was first recognised and is currently credit quality step 3 or ~~*better*~~***above***;	
160	(iii)the undertaking effectively operates business activities in at least two classes of non-life insurance within the meaning of Annex I to Directive 2009/138/EC;	(iii)the undertaking ~~*effectively operates business activities in at least two classes of non-life insurance*~~***'s total non-life technical provisions, net of amounts recoverable from reinsurance contracts and special purpose vehicles, across all lines of business,*** within the meaning of ~~*Annex I to*~~***the Delegated Regulation adopted pursuant to Article 86(1)(e) of*** Directive 2009/138/EC***, except those that contain insurance or reinsurance activity in the non-life classes of insurance of "Credit", "Suretyship" and "Miscellaneous financial loss", shall represent at least 40% of the total non-life technical provisions of the undertaking, net of amounts recoverable from reinsurance contracts and special purpose vehicles***;	
161	(iv) the assets under management by the insurance or reinsurance undertaking exceed 20 billion euro;'	(iv)***any of the following conditions are fulfilled:*** ***- the value of the total*** ~~*the*~~ assets ~~*under management by*~~***, calculated in accordance with article 75 of Directive 2009/138/EC, of*** the insurance or reinsurance undertaking ***providing the unfunded credit protection*** exceed ~~*20*~~***EUR 15*** billion***; or*** ***- where that undertaking is not part of the same group as the originator and is a subsidiary of a group subject to group supervision within the meaning of Article 213(2), points (a), (b) or (c), of Directive 2009/138/EC, the value of the total assets, calculated in accordance with article 75 of Directive 2009/138/EC, of the parent***	

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		undertaking of that group exceeds EUR 15 billion, and there are financial arrangements, including ancillary own funds, ensuring effective financial support through the provision of additional own funds on demand by the parent undertaking to the insurance or reinsurance undertaking, in the event that the latter is unable to provide timely compensation to the originating credit institution." ~~*euro;*~~'	
162	(ii) point (c) is replaced by the following:	(ii) point (c) is replaced by the following:	
163	'(c) another credit protection not referred to in points (a), (aa) and (b) of this paragraph in the form of a guarantee, a credit derivative or a credit linked note that meets the requirements set out in Article 249 of Regulation (EU) No 575/2013, provided that the obligations of the investor are secured by collateral meeting the requirements laid down in paragraphs 9 and 10 of this Article.;'	'(c) another credit protection not referred to in points (a), (aa) and (b) of this paragraph in the form of a guarantee, a credit derivative or a credit linked note that meets the requirements set out in Article 249 of Regulation (EU) No 575/2013, provided that the obligations of the investor are secured by collateral meeting the requirements laid down in paragraphs 9 and 10 of this Article.;	
163a		***(13a) in Article 27(2), the last sentence of the first subparagraph is deleted:***	
164	(14) in Article 28(1), first subparagraph, the introductory wording is replaced by the following:	(14) in Article 28(1), first subparagraph, the introductory wording is replaced by the following:	
165	'A third party as referred to in Article 27(2) shall be authorised and supervised by the competent authority to assess compliance of securitisations with the STS criteria provided for in Articles 19 to 22, Articles 23 to 26, and Articles 26a to 26e. The competent authority shall grant the	'A third party as referred to in Article 27(2) shall be authorised and supervised by the competent authority to assess compliance of securitisations with the STS criteria provided for in Articles 19 to 22, Articles 23 to 26, and Articles 26a to 26e. The competent authority shall grant the	

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	authorisation if the following conditions are met:;'	authorisation if the following conditions are met:;'	
166	(15) Article 29 is amended as follows:	(15) Article 29 is amended as follows:	
166a		***(-a)paragraph 3 is replaced by the following:***	
166b		***Where originators, original lenders, servicers and SSPEs are supervised entities in accordance with Directives 2003/41/EC, 2009/138/EC, 2009/65/EC, 2011/61/EU and 2013/36/EU and Regulation (EU) No 1024/2013, the relevant competent authorities designated according to those acts, including the ECB with regard to specific tasks conferred on it by Regulation (EU) No 1024/2013, shall supervise compliance with the obligations set out in Articles 6, 7, 8 and 9 of this Regulation.***	
166c		***(-aa) paragraph 4 is replaced by the following:***	
166d		***For originators, original lenders, servicers and SSPEs established in the Union and not covered by the Union legislative acts referred to in paragraph 3, Member States shall designate one or more competent authorities to supervise compliance with the obligations set out in Articles 6, 7, 8 and 9. Member States shall inform the Commission and ESMA of the designation of competent authorities pursuant to this paragraph by 1 January 2019. That obligation shall not apply with regard to those entities that are merely selling exposures under an ABCP programme or another securitisation transaction or scheme and are not actively***	

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		originating exposures for the primary purpose of securitising them on a regular basis.;	
167	(a) the following paragraph 4a is inserted:		
168	'4a.Competent authorities responsible for the supervision of originators, sponsors and SSPEs in accordance with Directive 2013/36/EU, including the ECB with regard to specific tasks conferred on it by Regulation (EU) No 1024/2013, shall supervise compliance by originators, sponsors and SSPEs with the obligations set out in Articles 18 to 27 of this Regulation.;'		
169	(b) in paragraph 5, the first sentence is replaced by the following:		
170	'For entities supervised by competent authorities other than the ones referred to in paragraph 4a, Member States shall designate one or more competent authorities to supervise the compliance of originators, sponsors and SSPEs with Articles 18 to 27, and the compliance of third parties with Article 28.;'		
171	(16) Article 30 is amended as follows	(16) Article 30 is amended as follows	
172	(a) the following paragraph 1a is inserted:	(a) the following paragraph 1a is inserted:	
173	'1a.The competent authority shall supervise the compliance of originators, sponsors, SSPEs and original lenders with this Regulation in accordance with Article 29.;'	'1a.The competent authority shall supervise the compliance of originators, sponsors, ***servicers,*** SSPEs and original lenders with this Regulation in accordance with Article 29.;'	

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174	(b) paragraph 5 is deleted.	(b) paragraph 5 is deleted.	
175	(17) in Article 32(1), first subparagraph, the following point (i) is added:	(17) ~~*in*~~ Article ~~*32(1), first subparagraph, the following point (i) is added*~~***32 is amended as follows***:	
175a		***(a) in the first paragraph of the first subparagraph, point (a) is replaced by the following:***	
175b		***an originator, sponsor, services or original lender has failed to meet the requirements provided for in Article 6;***	
175c		***(b) in the first paragraph, first subparagraph, the following point (i) is added:***	
176	'(i) an institutional investor, other than the originator, sponsor or original lender, has failed to meet the requirements provided for in Article 5.;'	'(i) an institutional investor, other than the originator, sponsor or original lender, has failed to meet the requirements provided for in Article 5.;'	
176a		***(c) in the second paragraph, the following point (fa) is added:***	
176b		***(fa) by derogation from point (f), in the case of situations referred to under point (i) of paragraph 1, maximum administrative pecuniary sanctions of at least twice the amount of the investment;***	
177	(18) Article 36 is amended as follows:	(18) Article 36 is amended as follows:	
178	(a) paragraph 2 is deleted	(a) ~~*paragraph 2 is deleted*~~	
179	(b) paragraph 3, is replaced by the following:	(b) paragraph 3, is replaced by the following:	

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180	'A specific securitisation sub-committee shall be established within the framework of the Joint Committee of the European Supervisory Authorities, within which competent authorities shall closely cooperate, in order to carry out their duties pursuant to Articles 30 to 34. The securitisation sub-committee shall be led by the EBA with the cooperation of ESMA and EIOPA. The EBA shall provide the secretariat and a vice-chairperson to the securitisation sub-committee on a permanent basis. The securitisation sub-committee shall foster supervisory convergence to ensure common supervisory practices. The members of the securitisation sub-committee, under the stewardship of the EBA, shall closely coordinate their supervisory actions in order to identify and remedy infringements of this Regulation, develop and promote best practices, facilitate collaboration, foster consistentapplication of law and provide cross-jurisdictional assessments in the event of any disagreements. The securitisation sub-committee shall regularly monitor the state of the market and the application of this Regulation.;'	'A specific securitisation sub-committee shall be established within the framework of the Joint Committee of the European Supervisory Authorities, within which competent authorities shall closely cooperate, in order to carry out their duties pursuant to Articles 30 to 34. The securitisation sub-committee shall be led by the EBA with the cooperation of ESMA and EIOPA. The EBA shall provide the secretariat and a vice-chairperson to the securitisation sub-committee on a permanent basis. The securitisation sub-committee shall foster supervisory convergence to ensure common supervisory practices. The members of the securitisation sub-committee, under the stewardship of the EBA, shall closely coordinate their ~~*supervisory actions*~~***supervision*** in order to identify and remedy infringements of this Regulation, develop and promote best practices, facilitate collaboration, ~~*foster consistentapplication of law and*~~ provide cross-jurisdictional assessments in the event of any ~~*disagreements*~~***disagreeements and foster consistent application of the law***. The securitisation sub-committee shall regularly monitor the state of the market and the application of this Regulation.;'	
181	(c) the following paragraphs 3a and 3b are inserted:	(c) the following ~~*paragraphs 3a and 3b are*~~***paragraph 3a is*** inserted:	
182	'3a.The securitisation sub-committee referred to in paragraph 3 shall by [12 months after adoption] develop guidelines to establish common supervisory procedures.	'3a.The securitisation sub-committee referred to in paragraph 3 ~~*shall by [12 months after adoption]*~~***may*** develop guidelines to establish common supervisory procedures***, in areas where divergent supervisory practices have been***	

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		identified as an impediment to an effective application of this Regulation.	
183	3b. Following the notification to the competent authorities under Article 7(1), the competent authorities of the sell-side entities in the transaction shall appoint a lead supervisor to coordinate actions and avoid divergences of application of this Regulation for transactions involving sell-side entities under the remit of competent authorities from more than one Member State. A competent authority may delegate the exercise of some or all of the tasks and powers referred to in this Regulation to the lead supervisor. In case the competent authorities of the sell-side entities do not reach an agreement on the appointment of the lead supervisor, the securitisation sub-committee established under paragraph 3 shall appoint the lead supervisor.;'	3b. ~~*Following the notification to the competent authorities under Article 7(1), the competent authorities of the sell-side entities in the transaction shall appoint a lead supervisor to coordinate actions and avoid divergences of application of this Regulation for transactions involving sell-side entities under the remit of competent authorities from more than one Member State. A competent authority may delegate the exercise of some or all of the tasks and powers referred to in this Regulation to the lead supervisor. In case the competent authorities of the sell-side entities do not reach an agreement on the appointment of the lead supervisor, the securitisation sub-committee established under paragraph 3 shall appoint the lead supervisor.;*~~'	
184	(d) in paragraph 6, the first and second subparagraphs are replaced by the following:	(d) in paragraph 6, the first and second subparagraphs are replaced by the following:	
185	'Upon receipt of the information referred to in paragraph 4, the competent authority of the entity suspected of the infringement shall take within 15 working days any action necessary to address the infringement identified and notify the other competent authorities involved, in particular those of the originator, sponsor and SSPE, and the competent authorities of the holder of a securitisation position, where known. A competent authority that disagrees with another competent authority regarding the procedure or content of the action or inaction or that other	'Upon receipt of the information referred to in paragraph 4, the competent authority of the entity suspected of the infringement shall take within 15 working days any action necessary to address the infringement identified and notify the other competent authorities involved, in particular those of the originator, sponsor and SSPE, and the competent authorities of the holder of a securitisation position, where known. A competent authority that disagrees with another competent authority regarding the procedure or content of the action or inaction ~~*or that other*~~	

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	competent authority shall notify all other competent authorities involved about its disagreement without undue delay. Where that disagreement is not resolved within three months of the date on which all competent authorities involved were notified, the matter shall be referred to the EBA in accordance with Article 19 and, where applicable, Article 20 of Regulation (EU) No 1093/2010. The conciliation period referred to in Article 19(2) of Regulation (EU) No 1093/2010 shall be one month.	~~*competent authority*~~ shall notify all other competent authorities involved about its disagreement without undue delay. Where that disagreement is not resolved within three months of the date on which all competent authorities involved were notified, the matter shall be referred to the EBA in accordance with Article 19 and, where applicable, Article 20 of Regulation (EU) No 1093/2010. The conciliation period referred to in Article 19(2) of Regulation (EU) No 1093/2010 shall be one month.	
186	Where the competent authorities concerned fail to reach an agreement within the conciliation phase referred to in the first subparagraph, the EBA shall take the decision referred to in Article 19(3) of Regulation (EU) No 1093/2010 within one month. During the procedure set out in this Article, a securitisation appearing on the list maintained by ESMA pursuant to Article 27 of this Regulation shall continue to be considered an STS pursuant to Chapter 4 of this Regulation and shall be kept on that list.;'	Where the competent authorities concerned fail to reach an agreement within the conciliation phase referred to in the first subparagraph, the EBA shall take the decision referred to in Article 19(3) of Regulation (EU) No 1093/2010 within one month. During the procedure set out in this Article, a securitisation appearing on the list maintained by ESMA pursuant to Article 27 of this Regulation shall continue to be considered an STS pursuant to Chapter 4 of this Regulation and shall be kept on that list.;'	
187	(e) paragraph 7 is replaced by the following	(e) paragraph 7 is replaced by the following	
188	'7. Three years from the date of application of this Regulation, and every three years thereafter, the EBA, in cooperation with ESMA and EIOPA, shall conduct a peer review in accordance with Article 30 of Regulation (EU) No 1093/2010 on the implementation of the supervisory powers provided for in Article 30 of this Regulation.;'	'7. ~~*Three years from the date of application of this Regulation, and every three years thereafter,*~~ The EBA, in cooperation with ESMA and EIOPA, shall conduct ~~*a peer review*~~***peer reviews*** in accordance with Article 30 of Regulation (EU) No 1093/2010 on the implementation of the supervisory powers provided for in Article 30 of this Regulation.;'	

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189	(f) paragraph 8 is deleted;	(f) paragraph 8 is deleted;	
190	(19) Article 44 is amended as follows:	(19) Article 44 is amended as follows:	
191	(a) in the first subparagraph, point (e) is replaced by the following:	(a) in the first subparagraph, point (e) is replaced by the following:	
192	'(e) the contribution of securitisation to funding Union companies and to the economy of the Union.;'	'(e) the contribution of securitisation to funding Union companies and to the economy of the Union.;'	
193	(b) the second subparagraph is deleted;	(b) the second subparagraph is deleted;	
194	(20) Article 46 is replaced by the following:	(20) Article 46 is replaced by the following:	
195	'Article 46	'Article 46	
196	Review	Review	
197	By …[PO please insert the date: 5 years after date of entry into force], the Commission shall present a report to the European Parliament and the Council on the functioning of this Regulation, accompanied, where appropriate, by a legislative proposal.	By …[PO please insert the date: 5 years after date of entry into force], the Commission shall present a report to the European Parliament and the Council on the functioning of this Regulation, accompanied, where appropriate, by a legislative proposal.	
198	That report shall consider in particular the findings of the reports referred to in Article 44, and shall assess:	That report shall consider in particular the findings of the reports referred to in Article 44, and shall assess:	
199	(a) the effects of this Regulation on the functioning and the development of the market for securitisations in the Union;	(a) the effects of this Regulation on the functioning and the development of the market for securitisations in the Union;	
200	(b) the contribution of securitisation to:	(b) the contribution of securitisation to:	

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201	(i) to funding EU companies and economy, in particular on access to credit for SMEs and investments;	(i) ~~to~~ funding EU companies and economy, in particular on access to credit for SMEs and investments;	
202	(ii) the interconnectedness between financial institutions and the stability of the financial sector;	(ii) the interconnectedness between financial institutions and the stability of the financial sector;	
203	(c) whether in the area of STS securitisations, an equivalence regime could be introduced for third country originators, sponsors and SSPEs, including in relation to due-diligence requirements, taking into consideration international developments in the area of securitisation, in particular initiatives on simple, transparent and comparable securitisations;	(c) whether in the area of STS securitisations, an equivalence regime could be introduced for third country originators, sponsors and SSPEs, including in relation to due-diligence requirements, taking into consideration international developments in the area of securitisation, in particular initiatives on simple, transparent and comparable securitisations;	
204	(d) the implementation of the requirements set out in Article 22(4) and Article 26d(4) and whether those requirements may be extended to securitisation where the underlying exposures are not residential loans or auto loans or leases, with a view to mainstreaming environmental, social and governance disclosures.'	(d) the implementation of the requirements set out in Article 22(4) and Article 26d(4) and whether those requirements may be extended to securitisation where the underlying exposures are not residential loans or auto loans or leases, with a view to mainstreaming environmental, social and governance disclosures.'	
205	Article 2 Entry into force	Article 2 Entry into force	
206	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
207	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
208	Done at Strasbourg,	Done at Strasbourg,	

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209	For the European Parliament	For the European Parliament	
210	The President	The President	
211	For the Council	For the Council	
212	The President	The President	