

06 10 2022

JC 2022 61

Annex

Joint Committee deliverables

October 2021 - October 2022

Cross-sectoral risk

Joint Committee Report on Risks and Vulnerabilities in the EU financial system – Spring 2022 (JC 2022 09)

Published: 13 April 2022

The 2022 Spring Risk Report highlighted increasing vulnerabilities across the financial sector, notably regarding inflation risk, a possible deterioration in asset quality, increase in yields and a sudden reversal of risk premia, as well as the rise of environmental and cyber risks. It also included a preliminary assessment of the consequences of Russia's invasion of Ukraine.

Reference:

[joint committee report on risks and vulnerabilities in the eu financial system - spring 2022.pdf \(europa.eu\)](#)

Joint Committee Report on Risks and Vulnerabilities in the EU financial system – Autumn 2022 (JC 2022 40)

Published: 12 September 2022

The 2022 Autumn Risk report highlighted that the deteriorating economic outlook, high inflation and rising energy prices had increased vulnerabilities across the financial sectors. It considered the implications of Russia's invasion of Ukraine, inflationary pressures and their impact on interest rates and cyber and digitalisation-related risks. The ESAs advised national supervisors, financial institutions and market participants to prepare for challenges ahead.

Reference:

[joint committee report on risks and vulnerabilities in the eu financial system - autumn 2022.pdf \(europa.eu\)](#)

Sustainable finance

Final Report on draft Regulatory Technical Standards (RTS) on the content and presentation of disclosures under the Sustainable Finance Disclosure Regulation (SFDR)

Date: 22 October 2021

The European Supervisory Authorities (ESAs) developed through the Joint Committee draft Regulatory Technical Standards concerning the content and presentation of disclosures under Articles 8(4), 9(6) and 11(5) of the SFDR Regulation. The Taxonomy Regulation amended the SFDR. Hence, the ESAs developed further product disclosure obligations for products that make sustainable investments contributing to environmental objectives and amended the existing finalised draft RTS under the SFDR to minimise duplication and complexity. The draft RTS contain templates for pre-contractual and periodic product disclosures.

Reference:

[Final Report on draft Regulatory Technical Standards | Eiopa \(europa.eu\)](#)

Updated Joint ESA Supervisory Statement on the application of the SFDR (JC 2022 12)

Date: 24 March 2022

The ESAs updated their joint supervisory statement on the application of the SFDR. National competent authorities and market participants are invited to use the interim period from 10 March 2021 until 1 January 2023 to prepare for the future application of the RTS as well as implement the relevant measures of SFDR and the Taxonomy Regulation in line with the timeline indicated in the statement. Under Article 5 and 6 of the Taxonomy Regulation, market participants should provide an explicit quantification (i.e., a numerical disclosure of the percentage), of the extent to which investments underlying the financial product are taxonomy-aligned.

Reference:

[jc_2022_12 - updated supervisory statement on the application of the sfdr.pdf \(europa.eu\)](#)

Clarification on the ESAs' draft RTSs under SFDR (JC 2022 23)

Date: 2 June 2022

The ESAs provided clarifications in relation to their draft RTSs under the SFDR on a number of issues, including Principal Adverse Impact (PAI) disclosures, financial product disclosure

and Do Not Significantly Harm (DNSH) disclosures. The clarification document came after requests received from stakeholders and national competent authorities. While the European Commission has adopted a Delegated Regulation including the ESAs RTSs, its application is delayed until 2023 to enable market participants to adjust to the new rules. Hence, the ESAs published this clarification document.

Reference:

[jc-2022-23-clarifications-on-the-esas-draft_rts-under-sfdr.pdf \(europa.eu\)](#)

Digitalisation

European Forum of Innovation Facilitators (EFIF) - Procedural framework for innovation facilitator cross-border testing

Published: 15 December 2021

The European Forum of Innovation Facilitators developed a non-binding procedural Framework for cross-border testing in national innovation facilitators (sandboxes and innovation hubs). The Framework assists innovative FinTechs in their engagement with innovation facilitators through digital tools (the EU Digital Finance Platform). It lays down rules for bilateral and multilateral cooperation between NCAs and facilitates the sharing of testing-related information on a cross-border basis. The ultimate purpose of this initiative is to help innovators save time and money as they deliver new products and services and increase scalability across the Internal Market while helping regulators and supervisors identify emerging risks.

Reference: [Procedural Framework for Innovation Facilitator Cross-Border Testing \(europa.eu\)](#)

Joint ESAs Report on Digital Finance

Published: 7 February 2022

This report sets out the findings and advice of the ESAs in response to the European Commission's Call for Advice on digital finance and related issues. It covers cross-sectoral and sector-specific market developments in relation to fragmented financial services value chains, digital platforms and mixed-activity groups. It also considers the risks and opportunities posed by digitalisation in finance. The ESAs present ten cross-sectoral and two insurance-specific recommendations for actions to ensure the EU regulatory and supervisory framework remains fit for the digital age.

Reference: [ESA joint advice master file \(EIOPA\) for BOS \(europa.eu\)](#)

JC Sub Committee on Digital Operational Resilience (JC SC DOR)

Published: 10 June 2022

The ESAs established a JC Sub-Committee on Digital Operational Resilience (JC SC DOR). The SC DOR's mandate was published in June. The Sub-Committee will assist the three ESAs in undertaking the work related to the policy mandates stemming from the Digital Operational Resilience Act (DORA). The Sub-Committee will develop technical advice and draft technical standards, guidelines and recommendations mandated by the European Commission or by EU legislation, notably by DORA. It will help the ESAs ensure consistency in cross-sectoral work and gradually enable an effective EU-level coordinated response in the event of a major cross-border ICT-related incident or related threat.

Reference: [JC 2022 32 JCSC DOR mandate \(europa.eu\)](#)

Annual report under Article 18 SFDR

Date: 28 July 2022

The ESAs published their first annual report under Article 18 SFDR on the extent of voluntary disclosure of principal adverse impacts of investment decisions on sustainability factors. The report examined the state of disclosures under Article 4 SFDR on principal adverse impacts, noting that disclosures were made under Level 1 measures. Based on a survey of NCAs' practices, the report found that implementation varied across jurisdictions with discrepancies in how the principal adverse impacts were disclosed and in the level of details used in explaining why financial market participants did not take into account principal adverse impacts of their investment decisions.

Reference:

[jc-2022-35-joint-esas-report-on-the-extent-of-voluntary-disclosures-of-pai-under-sfdr.pdf \(europa.eu\)](#)

Final report on amending RTS on fossil gas and nuclear energy investments under SFDR

Date: 30 September 2022

The ESAs published a Final Report containing RTS amending the SFDR Delegated Regulation related to disclosures in financial products of investments in fossil gas and nuclear energy. The Report was prepared in response to an urgent request by the European Commission received on 8 April 2022. The amendments add a 'yes/no' question to identify whether financial products make fossil gas or nuclear energy Taxonomy-aligned investments. In case of a positive answer to the question, additional graphical representations are required. The ESAs also propose minor technical revisions to the SFDR Delegated Regulation. Due to

the urgency of the matter, the European Commission will include the application date when endorsing the RTS.

Reference:

[jc_2022_42 - final report on sfdr amendments for nuclear and gas activities.pdf \(europa.eu\)](#)

Consumer Protection

Joint ESAs thematic repository of national financial education initiatives on digitalisation - with a specific focus on cybersecurity, scams and fraud

Date: 31 January 2022

The ESAs built a joint repository of financial education initiatives on digitalisation, focusing on cybersecurity, scams and fraud. The repository contains a list of 127 national initiatives and related description and hyperlinks that consumers can avail themselves with to obtain helpful information to improve their financial literacy.

Reference:

[joint-esas-thematic-financial-education-repository-on-digitalisation.pdf \(europa.eu\)](#)

ESAs high level conference on financial education and literacy

Date: 1 February 2022

The ESAs organised a conference on how to enhance financial education for consumers in the financial services field. The discussion focused on financial education and Capital Markets Union; digitalisation with a specific focus on cybersecurity, scams and fraud; financial resilience of vulnerable groups; and sustainable finance. The conference brought together high-level government representatives as well as experts from public authorities, academia, NGOs, consumer associations and the industry, to exchange ideas and experiences, stimulate the discussion and raise awareness on financial education and literacy.

Reference: [ESAs high-level conference on financial education and literacy | Eiopa \(europa.eu\)](#)

Warning to Consumers on the Risks of Crypto-Assets

Date: 17 March 2022

The ESAs issued a joint warning to consumers informing them that many crypto-assets were highly risky and speculative. The ESAs set out key steps consumers can take to ensure they make informed decisions. The warning came against the backdrop of growing consumer

activity and interest in crypto-assets and aggressive promotion of those assets and related products to the public, including through social media.

Reference:

[esa_2022_15_joint_esas_warning_on_crypto-assets_en.pdf \(europa.eu\)](#)

ESAs' advice on the review of the PRIIPs (Packaged Retail and Insurance-Based Investment Products) Regulation (JC 2022 20)

Date: 2 May 2022

The ESAs delivered their advice of the review of the PRIIPs Regulation following a Call for Advice received by the European Commission. The advice will serve as input to the Commission's work to develop a strategy for retail investment and make appropriate adjustments to the PRIIPs framework. The ESAs recommend changes to the Key Information Document (KID) to make it more user-friendly, notably by presenting information in a layered format, including a section for sustainable objectives and allowing different approaches for different types of products where necessary. They also suggest not to extend the scope to additional products but clarify the existing scope and improving comparison between different investments in multi-option insurance products.

Reference:

[esa_advice_on_the_review_of_the_priips_regulation.pdf \(europa.eu\)](#)

Joint ESA Supervisory Statement on expectations regarding "What is this product" section of the Key Information Document for Packaged Retail and Insurance-Based Investment Products (JC 2022 23)

Date: 9 May 2022

The ESAs issued a joint Supervisory Statement about the "What is this product" section of the Key Information Document for PRIIPs. This is the first section of the KID, which the PRIIPs manufacturer is free to draft without pre-defined narrative or explanations. The aim of the statement is to ensure high, effective and consistent level of supervision and regulation throughout the EU and ensure retail investor protection by providing guidance on what is expected to be included in this section of the KID.

Reference:

[joint_esa_supervisory_statement_on_expectations_regarding_the_what_is_this_product_section_in_priips_kid.pdf \(europa.eu\)](#)

Joint ESAs' Consumer Protection Day 2022

Date: 23 September 2022

The 10th Joint ESAs Consumer Protection Day took place as hybrid event in Frankfurt am Main, Germany and virtually this year. The event focused on addressing the needs of consumers and helping them navigate the current complex landscape. It tackled issues related to sustainable finance, open finance and financial inclusion.

Reference:

[Joint ESAs Consumer Protection Day | Eiopa \(europa.eu\)](#)

Financial Conglomerates

List of Financial Conglomerates (JC 2021 95)

Published: 17 December 2021

The 2021 list included 65 financial conglomerates with the group's head located in the European Union or European Economic Area (EEA), one financial conglomerate with the group's head in Switzerland and one in the United Kingdom.

Reference: [jc-2021-95-list-of-financial-conglomerates-2021_0.pdf \(europa.eu\)](#)

Clearing and central counterparties

ESAs Final Report on EMIR draft RTS with regards to intragroup contracts

Published: 13 June 2022

The final report comprised new draft amending Regulatory Technical Standards (RTS) on the risk mitigation techniques for over-the-counter (OTC) derivative contracts not cleared by a central counterparty (CCP), notably bilateral margining. The draft RTS proposed to amend the European Commission Delegated Regulation setting out the detailed bilateral margin requirements in relation to the treatment of OTC derivative contracts concluded between counterparties that are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union. The ESAs have also issued a statement to provide clarifications for the period between the publication of the report and the finalisation of the non-objection procedure by the European Parliament and the Council.

Reference:

[ESAs Final Report on EMIR draft RTS with regards to intragroup contracts | Eiopa \(europa.eu\)](#)

Annual report and work programme

Joint Committee Annual Report 2021 (JC 2022 01)

Published: 6 April 2022

In 2021, the Joint Committee ensured coordination and exchange of information between the ESAs, the European Commission and the European Systemic Risk Board (ESRB). The key areas of cross-sectoral work included risk assessment, consumer protection, notably in relation to Packaged Retail Insurance-Based Investment Products (PRIIPs), and sustainable finance, particularly sustainability-related disclosures. The Joint Committee also focused on securitisation, digital finance through the European Forum for Innovation Facilitators (EFIF) and cyber security.

Reference:

[joint_committee_annual_report_2021.pdf \(europa.eu\)](#)

2023 Work Programme of the Joint Committee of the European Supervisory Authorities (JC 2022 28)

Published: 30 September 2022

The Joint Committee established a Sub-Committee on Digital Operational Resilience (JC SC DOR) to develop the policy mandates foreseen by DORA legislation and coordinating the ESAs' follow up actions to the ESRB Recommendation on an EU systemic cyber incident coordination framework. In addition, in 2023 the JC will continue to work on issues related to the review of the PRIIPs Regulation and on the Sustainable Finance Disclosure Regulation (SFDR) and will also be involved in the one-off system wide climate risk stress test. The JC will also continue working on cross-sectoral risk analysis, securitisation work, financial conglomerates and the European Forum on Innovation Facilitators (EFIF) as well as financial education and to the use of findings from behavioural finance for supervisory purposes.

Reference:

[joint_committee_work_programme_2023.pdf \(europa.eu\)](#)