EBA/RTS/2026/01

9 January 2026

Final report

Draft Regulatory Technical Standards

specifying the booking arrangements that third-country branches are to apply for the purposes of Article 48h of Directive 2013/36/EU

Contents

1. Executive Summary

The regulatory framework introduced by Directive 2013/36/EU (CRD) for branches established by undertakings in a third country (TCBs) that provide banking services in a Member State envisages a minimum set of harmonised requirements. More specifically, Chapter 1 of Title VI of Directive 2013/36/EU lays down the minimum requirements applicable to TCBs carrying out in a Member State the activities mentioned in Article 47(1) of the CRD. These include, among others, the requirement to maintain a registry book that enables third-country branches to track and keep a comprehensive record of all the assets and liabilities booked or originated by the third-country branch in the Member State, and to manage those assets and liabilities autonomously within the third-country branch.

Article 48h of the CRD requires the EBA to develop draft regulatory technical standards (RTS) to specify the booking arrangements that third-country branches are to apply for the purposes of that Article. In particular, the EBA is required to specify (a) the methodology to identify and keep a comprehensive and precise track record of the assets and liabilities booked by the third-country branch in the Member State; and (b) the methodology to identify and keep a record of off-balance sheet items and of the assets and liabilities originated by the third-country branch and booked or held remotely in other branches or subsidiaries of the same group, on behalf of or for the benefit of the originating third-country branch.

The EBA is required to submit those draft RTS to the Commission by 10 January 2026. These draft RTS elaborate on the methodology that third-country branches should follow to track and keep a precise and comprehensive record of all assets, liabilities, and off-balance sheet items that arise from the activities of third-country branches. To this end, these draft RTS specify the bookkeeping system that third-country branches should have in place to timely and accurately identify their transactions and record any assets and liabilities booked or originated, as well as off-balance sheet items. The minimum set of information to be maintained in the registry book with reference to such assets, liabilities, and off-balance sheet items is also specified, as well as the information to be provided regarding their associated risk.

Considering the differentiation made within the requirement set out in paragraph 1 of Article 48h of the CRD between assets and liabilities originated and booked, these RTS provide clarity on the concepts that should be applied by third-country branches. Those concepts have been aligned with and based on the general principles of recognition and derecognition, as envisaged by accounting frameworks used by the TCBs, which should also prevent any room for different interpretations that could undermine the harmonised application of the booking requirement provisions introduced by these draft RTS.

The draft RTS included in this document have been finalised by the EBA after considering the feedback received from a three-month public consultation[1] on the draft RTS, which took place from 11 July 2025 until 10 October 2025.

Next steps

The draft regulatory technical standards will be submitted to the Commission for endorsement following which they will be subject to scrutiny by the European Parliament and the Council before being published in the Official Journal of the European Union.

[1] EBA/CP/2025/16

2. Background and rationale

1. The EBA has developed these draft Regulatory Technical Standards (RTS) in accordance with the mandate in Article 48h(4) of the Capital Requirements Directive 2013/36/EU (CRD)[2] pursuant to which the "EBA shall develop draft regulatory technical standards to specify the booking arrangements that third-country branches are to apply for the purposes of this Article, in particular as regards:

    a. the methodology to identify and keep a comprehensive and precise track record of the assets and liabilities booked by the third-country branch in the Member State; and

    b. the methodology to identify and keep a record of off-balance-sheet items and of the assets and liabilities originated by the third-country branch and booked or held remotely in other branches or subsidiaries of the same group on behalf of or for the benefit of the originating third-country branch".

2.1 Overview of the CRD provisions

2. The new EU banking package envisages the implementation of a minimum harmonisation regime for the regulation of branches established by undertakings in a third country. Under this new regime, undertakings established in a third country that seek to provide core banking services in the Union will be required to establish, at least, a branch in a Member State.

3. According to the new framework, third-country branches (TCBs) are subject, as a minimum, to specific prudential requirements, including capital endowment, liquidity, internal governance, risk management, and reporting. Moreover, TCBs are required to apply booking requirements for the purposes of maintaining a registry book in accordance with Article 48h of the CRD.

4. More in particular, Article 48h of the CRD provides the following:

    a. under paragraph 1, TCBs are required to maintain a registry book to track and keep a comprehensive and precise record of all assets and liabilities booked or originated by the TCBs in the Member State, and to manage those assets and liabilities autonomously within the TCBs;

    b. under paragraph 2, TCBs are required to develop and regularly review and update a policy on booking arrangements for the management of the registry book referred to in

[2] Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC.

paragraph 1. Such a policy must be documented and approved by the relevant governing body of the head undertaking, and must provide a clear rationale for the booking arrangements, and set out how those arrangements align with the third-country branch's business strategy;

c. under paragraph 3, TCBs are required to provide the competent authority an independent written and reasoned opinion – with the findings and conclusions – on the implementation of and ongoing compliance with the requirements laid down in Article 48h of the CRD.

5. It is worth highlighting the importance of the booking arrangements laid down in Article 48h of the CRD to the whole TCB prudential framework. In fact, the classification of TCBs in different classes is determined on the basis of, among others, the total value of the assets booked or originated by the TCBs in the Member State in accordance with Article 48a of the CRD. Such classification is determinant for setting the intensity of the supervisory regime envisaged for TCBs, as the different classes correspond to different minimum requirements imposed on TCBs.

6. Moreover, the obligation for TCBs to track and keep a record of all assets and liabilities that are either booked or originated by TCBs is also essential for a sound management of the risks that TCB pose to financial stability and market integrity in the Union and Member States. In the absence of such requirement, assets and liabilities would be recognised only at the level of the head undertaking, thereby preventing the monitoring of the risks associated with the assets and liabilities booked or originated by the TCBs or the application of the CRD requirements.

7. The booking requirements introduced by Article 48h of the CRD relate to both assets and liabilities that are booked or originated by the TCBs as well as off-balance sheet items. The reference and distinction in Article 48h between assets and liabilities booked or originated by the TCB are intended to prevent possible circumvention of the rules. This ensures that relevant prudential requirements are applied based on the total volume of operations carried out by TCBs, which provides a more accurate representation of the risk and complexity associated with the activities of TCBs.

2.2 Approach used for the RTS and overview of the main provision introduced

8. The EBA has developed these draft RTS to specify the procedures that TCBs are to apply for the purposes of maintaining a registry book in accordance with Article 48h of the CRD. The primary objective of the draft RTS is to specify the process and methodology that TCBs should follow for identifying transactions and activities, and for recording all the related assets and liabilities booked or originated, as well as to harmonise the content of the registry book.

9. In a nutshell, the draft RTS provide the methodology to track and keep a precise and comprehensive track record of all assets, liabilities and off-balance sheet items associated with the activities of the TCBs in a Member State. For this purpose, TCBs are required to have a bookkeeping system in place to timely and accurately identify all their transactions and to record all their associated assets and liabilities booked or originated, as well as off-balance sheet items. Moreover, the draft RTS specify the minimum set of data to be maintained with regard to the assets and liabilities, including off-balance sheet items, recorded in the registry book, as well as on the associated risk information to be kept by the TCB.

10. The draft RTS are structured in four different articles, which specify the following:

    i. the definition of the accounting framework used by the TCBs ('accounting framework') for the purposes of these draft RTS;

    ii. the accounting-like process (i.e. bookkeeping requirement) that TCBs should have in place to identify and keep a track record of all assets and liabilities booked or originated and of off-balance sheet items;

    iii. the minimum set of information to be recorded in the registry book in order to provide a comprehensive overview of those assets and liabilities; and

    iv. the information to be maintained regarding the risks stemming from the activities of the TCB and the way they are managed.

11. Under the new framework, TCBs may only conduct authorised activities within the Member State where they are established and are explicitly excluded from offering or conducting those activities in other Member States on a cross-border basis, except for intragroup funding transactions with other TCBs of the same head undertaking, for transactions entered into on the basis of reverse solicitation of services or for transactions concerning activities not requiring authorisation. To further clarify the scope of activities that should be recorded in the registry book, the RTS specify that any transactions carried out by the TCB should be documented. This should also include transactions that do not require authorisation or concern intragroup transactions or transactions entered into on the basis of reverse solicitation of services.

12. The obligation to record all assets and liabilities that arise from the transactions conducted by the TCB ensures that intragroup transactions are adequately accounted for. This requirement is needed, in particular, to ensure an adequate monitoring of intragroup funding transactions, including those with the head undertaking and any other TCBs, as the draft RTS are developed considering TCBs as separate operational units from their head undertaking. For this reason, the draft RTS require TCBs to track and keep a comprehensive record of those intragroup transactions as if they were carried out with external counterparties.

13. While Article 48h of the CRD is based on the general assumption that TCBs are not subject to accounting requirements separate from their head undertaking under Union law, the draft

RTS acknowledge the existence of requirements for some TCBs to prepare financial statements in accordance with the applicable national law of the Member State in which they operate. Furthermore, TCBs are required to apply the international accounting standards[3] or the applicable generally accepted accounting principles in the Member State, for reporting purposes, in accordance with the first subparagraph of Article 48k(1) of the CRD.

14. Based on these considerations, the draft RTS have been developed leveraging, to the extent possible, on existing accounting standards across Member States. This aims to align the process of maintaining a precise and comprehensive registry book set forth in these draft RTS, with any pre-existing accounting processes, thereby ensuring consistency in definitions and procedures, especially in those cases where the application of accounting standards by TCBs is already in place.

15. With regard to the concepts of 'booked' and 'originated', the RTS acknowledge the utmost importance of these concepts for the proper implementation of the TCBs framework, as envisaged by the CRD. In order to prevent any room for different interpretations that could undermine its harmonised application, these draft RTS specify those terms leveraging, to the extent possible, on the one followed under the accounting framework.

16. The two concepts provided by the draft RTS are based on the assumption that assets and liabilities arise as a result of transactions that create rights or obligations for the parties that are involved. Additionally, the concepts provided follow the accounting concepts of 'recognition' and 'derecognition' which, in general, focus on the risks, rewards and obligations that arise from a specific transaction creating rights or obligations to the parties involved.

17. In this regard, the following specifications have been made within the draft RTS:

    a. assets and liabilities should be considered 'booked' when activities carried out by the TCB in a Member State create rights or obligations that would give rise to the recognition of an asset or liability according to the accounting framework, as clarified within the draft RTS;

    b. assets and liabilities should be regarded as 'originated', and not booked, when the risks and rewards or obligations, that arise from transactions initiated by TCBs, are initially or subsequently, in full or partially, transferred to another entity.

18. Article 48h of the CRD also requires TCBs to identify and keep a record of off-balance sheet items. A specification of such concept has been provided accordingly, to ensure that all financial rights or obligations that do not result in the recognition of an asset or liability, but that would constitute a contingent asset or liability in accordance with the accounting framework, are recorded in the registry book. In this regard, the non-exhaustive list of off-

[3] As applied in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council.

balance sheet items laid down in Annex I to the CRR should be considered, to ensure clear and homogenous approaches for TCBs operating within Member States.

19. In the case of derivatives instruments, the draft RTS specify that they should be tracked and recorded in the registry book, regardless of the accounting framework used. This is because, while undertakings following IFRS would recognise derivative instruments on the balance sheet in accordance with IFRS 9, certain national GAAPs might not allow for the recognition of those instruments on the balance sheet. For this reason, the concept of off-balance sheet items referred in the draft RTS should also encompass all types of derivative instruments that are not recognised by TCBs under the accounting framework, but that would need to be recorded for the purpose of evaluating the risks to which they are exposed.

20. For the purposes of maintaining a registry book, the draft RTS are developed considering TCBs as operational units that are separate from their head undertaking. This is because while certain Member States require TCBs to prepare financial statements, TCBs are not separate legal entities and are therefore under EU law not required to apply such requirements unless otherwise specified.

21. Therefore, a bookkeeping process has been included in the RTS to track and keep a record of all assets, liabilities and off-balance sheet items which are booked or originated by the TCB, separately from its head undertaking. Its main objective is to ensure an accurate and timely tracking of all assets and liabilities associated with the activities performed by TCBs in Member States. Within that process, TCBs are also requested to classify, measure and periodically assess the value of all the assets and liabilities 'booked'. Conversely, different requirements are requested for assets and liabilities 'originated', given that for those items the risks associated have been transferred to another entity.

22. Assets and liabilities that are 'originated' should be tracked and recorded until all associated risks, rewards or obligations transferred have expired, been discharged, cancelled or fulfilled and TCBs should measure those assets and liabilities at their outstanding nominal amount. Tracking and keeping a record of those assets and liabilities, when they have been transferred to another undertaking of the group, is necessary as the classification under Article 48a of the CRD, as well as other requirements of the TCBs framework, are calibrated on the basis of the total volume of assets and liabilities booked or originated. Thus, having a registry of those assets and liabilities, even when transferred, and until they have expired, been discharged, cancelled or fulfilled ensures an accurate representation of the activity generated by the TCB, including information on the associated risks. Moreover, TCBs are required to record other relevant information such as the transferee entity or the type of risk transfer. Where risks, rewards, or obligations are transferred to entities outside of the group, the draft RTS requires TCBs to maintain a record of those transactions only for the reporting periods within the same reporting year in which the transfer occurred.

23. The draft RTS also specify the set of information to be maintained in the registry book for all assets, liabilities and off-balance sheet items, in line with the size and complexity of the

TCB's activities and their associated risks. A list of minimum information that should be considered by TCBs has been included, differentiating between assets and liabilities booked, those originated, and off-balance sheet items. The list of information aims at harmonising TCBs practices while ensuring that a common set of information is maintained by TCBs, on a minimum basis. This ensures that all information that might be relevant from a supervisory perspective is captured, also taking into account the reporting requirements in accordance with Article 48k of the CRD.

24. Finally, the draft RTS introduce complementary provisions with regard to the obligation set out in the first paragraph of Article 48h of the CRD for the registry book to provide all necessary and sufficient information on the risks generated by the TCB and on how they are managed. In this regard, the draft RTS set out an obligation to keep a record of all the risks generated by the TCB that is proportional to its size and internal organisation, taking into consideration the nature, scale and complexity of its activities and their associated risks. The type of information to be provided should also be specific to the different categories of risks, providing information on the risk management objectives and actions undertaken to mitigate the overall risk position of the TCB that would allow to obtain an overview of the requirement as laid down in Article 48h(1) of the CRD.

3. Draft regulatory technical standards

COMMISSION DELEGATED REGULATION (EU) …/…

of XXX

on supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the specifying the booking arrangements that third-country branches are to apply for the purposes of Article 48h of Directive 2013/36/EU

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC and in particular Article 48h(4), third subparagraph thereof,

Whereas:

(1) When determining the scope of activities to be recorded in the registry book referred to in Article 48h(1) of Directive 2013/36/EU, it should be considered that third-country branches may only conduct the authorised activities within the Member State where they are established, except for those situations specified in Article 48c(4)(d) of Directive 2013/36/EU. Against this backdrop, there is a need to clarify that the activities of third-country branches that should be recorded in the registry book are any transactions carried out by the third-country branch, including those on the basis of their authorised activities, those that do not require authorisation or concern intragroup transactions or transactions entered into on the basis of reverse solicitation of services.

(2) To maintain the registry book, a precise methodology, developed in line with the accounting framework, should be followed to ensure an accurate recording of all assets and liabilities booked or originated and of off-balance sheet items which arise as a result of the activities of the third-country branch established in a Member State.

(3) For the identification of assets and liabilities booked or originated to be recorded in the registry book, the principles of recognition and derecognition laid down in the accounting framework applied by third-country branches for the purposes of Article 48k of Directive 2013/36/EU should be followed. In the case of off-balance sheet items, their determination should be made on the basis of contingent assets or liabilities, as those items do not represent a present right or obligation that should be recognised on the balance sheet. A separate recording obligation should be established with regard to derivative instruments that are not recognised under the accounting framework. Those derivatives should be tracked and recorded as well, to ensure that the same treatment is applied across third-country branches despite the application of different accounting frameworks.

(4) To adequately monitor the financial and risk situation of the third-country branch, the registry book should ensure that all assets and liabilities, as well as off-balance sheet items, are comprehensively recorded. The registry book should capture any rights, obligations or

commitments, either present or contingent, and record all the assets, liabilities and off-balance sheet items that arise accordingly. Re-assessment of the value of assets and liabilities booked, including those related to their impairment, depreciation or amortisation, should be performed to ensure the accuracy of the registry book.

(5) For providing a comprehensive picture, intragroup transactions between the third-country branch and its head undertaking or other entities, including funding transactions with other third-country branches of the same head undertaking in accordance with Article 48c(4)(d) of Directive 2013/36/EU, should be treated as if they were carried out with external counterparties and, as such, duly recorded in the registry book. Assets and liabilities originated by the third-country branch should be tracked and recorded as long as any of the associated risks, rewards or obligations transferred are still present. Where risks, rewards, or obligations are transferred to entities outside of the group, those assets and liabilities should be recorded only for the reporting periods within the same reporting year in which the transfer occurred.

(6) In order to ensure an adequate and autonomous management of the risks generated by the activities of the third-country branch, the registry book should contain all necessary information on its assets, liabilities, derivative instruments and off-balance sheet items. To promote consistency and safeguard proportionality, this regulation should provide a minimum set of information for the registry book.

(7) To provide the necessary information on the risks generated and the methods used to manage them, third-country branches should include all relevant risks in their registry book, with a level of detail proportionate to the size and complexity of their operations. This risk information should encompass qualitative and quantitative data, ensuring a comprehensive overview and effective monitoring of the risks generated by the third-country branch.

(8) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Banking Authority.

(9) The European Banking Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council[4].

HAS ADOPTED THIS REGULATION:

Article 1

Definitions

For the purposes of this Regulation, the following definition shall apply:

(a) ‘accounting framework’ means the accounting framework used by the third-country branch for the purposes of reporting the information on the assets and liabilities held on their books, referred to in Article 48k paragraph 1 of Directive (EU) No 2013/36/EU;

[4] 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).

Article 2

Methodology for identification and keeping a track record of assets, liabilities and off-balance sheet items

1. Third-country branches shall record in the registry book referred in Article 48h(1) of Directive 2013/36/EU, separately from their head undertaking, all of the following items that arise as a result of their activities:
   (a) assets and liabilities recognised in accordance with the accounting framework (“assets and liabilities booked”);
   (b) assets and liabilities not recognised in accordance with the accounting framework due to the initial or subsequent full or partial transfer of risks and rewards or obligations to other entities (“assets and liabilities originated”);
   (c) items representing a contingent asset or liability, as well as derivative instruments not recognised under the accounting framework, including those listed in Annexes I and II to Regulation (EU) No 575/2013 (“off-balance-sheet items”)
2. Third-country branches shall apply paragraph 1 to the following transactions:
   (a) transactions carried out on the basis of their authorised activities;
   (b) transactions carried out on the basis of services or activities for which no authorisation is required;
   (c) intragroup transactions, including funding transactions carried out with their head undertaking and other third-country branches of the same head undertaking;
   (d) transactions entered into on the basis of reverse solicitation.
3. To identify and keep a comprehensive and precise track record of the assets, liabilities and off-balance sheet items referred to in points (a) to (c) of paragraph 1, third-country branches shall:
   (a) maintain processes, systems, and procedures to ensure an accurate and timely tracking and recording of their activities;
   (b) assess and track all rights, obligations and commitments, that are present or contingent, arising from their activities;
   (c) record all the assets, liabilities and off-balance sheet items referred to in points (a) to (c) of paragraph 1;
   (d) classify and measure all assets and liabilities referred to in point (a) of paragraph 1 in accordance with the accounting framework;
   (e) assess the value of assets and liabilities referred to in point (a) of paragraph 1 for impairment, depreciation and amortisation in accordance with the accounting framework;
   (f) assess and track any provision on off-balance sheet items referred to in point (c) of paragraph 1 recognised in accordance with the accounting framework.
   (g) keep record of any transfer of risks, rewards or obligations to other entities.

4. For the purposes of paragraphs 1 and 3:

   (a) Assets and liabilities referred to in point (b) of paragraph 1 shall be tracked and recorded until all associated risks, rewards or obligations transferred have expired, been discharged, cancelled or fulfilled. They shall be measured at their outstanding nominal amount;

   (b) By way of derogation from point (a) of paragraph 4, assets and liabilities referred to in point (b) of paragraph 1, arising from the transfer of risks, rewards, or obligations to entities outside the group, shall be tracked and recorded only for the reporting periods within the same reporting year in which the transfer occurred. They shall be measured at their carrying amount as of the transfer date.

   (c) off-balance sheet items referred to in point (c) of paragraph 1 shall be tracked and recorded, until all associated risks, rewards or obligations have expired, been discharged, cancelled or fulfilled.

Article 3

Minimum content of the registry book

1. The registry book referred to in Article 48h(1) of Directive 2013/36/EU shall contain all the information necessary to provide a comprehensive and precise track record of all the assets and liabilities booked or originated, and off-balance sheet items, recorded in accordance with Article 2 of this Regulation.

2. For the purposes of paragraph 1, third-country branches shall determine, having regard to their size, internal organization and the nature, scale and complexity of their activities and risks, the content, type and level of granularity of the information to be recorded in registry book. At a minimum, the following information shall be recorded for all assets and liabilities booked or originated, where appropriate, taking into account the nature of the instrument and availability of the relevant data:

   (a) information related to counterparty, including name, geographical area, economic activity and default status;

   (b) information related to the instrument, including principal or notional amount, outstanding nominal amount, instrument type, inception date, maturity date, interest rate, amortisation type, payment frequency and currency denomination;

   (c) information relevant for accounting purposes, including accounting classification of instrument, carrying amount, accumulated impairment amount and amortisation type;

   (d) information related to the protection received, including type of protection and protection value;

   (e) identification of the instruments kept in an escrow account to meet the capital endowment requirement under Article 48e of Directive 2013/36/EU.

3. In addition to paragraph 2, for assets and liabilities originated, the following information shall be recorded where appropriate:

   (a) information related to transferee or booking entity information, including name, geographical area and LEI code;

(b) information related to type of transfer or derecognition.

4. In addition to paragraph 2, for off-balance-sheet items, the following information shall be recorded where appropriate:

   (a) information related to counterparty, including name geographical area, economic activity and default status;

   (b) information related to the instrument, including nominal or notional amount, instrument type, inception date, maturity date, payment frequency, trigger events and currency denomination;

Article 4

Information on risks

1. For the purposes of paragraph 1 of Article 48h of Directive 2013/36/EU, third-country branches shall provide in the registry book referred to in Article 48h(1) of Directive 2013/36/EU sufficient information on the risks associated to the assets, liabilities and off-balance sheet items, and how they are managed. The type of information and level of granularity to be recorded in the registry book shall be commensurate to the size and internal organization of the third country branch and the nature, scale and complexity of its activities and associated risks. At a minimum, third country branches shall provide in the registry book the following information:

   (a) qualitative information on the risks associated to the assets and liabilities booked or originated, and off-balance sheet items, recorded in accordance with Article 2 of this Regulation;

   (b) qualitative information on risk management framework, methods and metrics used to measure risks and strategies undertaken for hedging or mitigating risk;

   (c) quantitative information on the risks generated by risk type for all the assets and liabilities booked or originated, and off-balance sheet items, recorded in accordance with Article 2 of this Regulation, measured according to the relevant internal risk management metrics, including information on concentration of risk.

Article 5

Entry into force

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 be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President

[For the Commission
On behalf of the President

[Position]

4. Accompanying documents

4.1 Draft cost-benefit analysis / impact assessment

Article 48h of the CRD requires the EBA to develop draft regulatory technical standards (RTS) to specify the booking arrangements that third-country branches (TCBs) are to apply for the purposes of that Article. In particular, the EBA is required to specify (a) the methodology to identify and keep a comprehensive and precise track record of the assets and liabilities booked by the third-country branch in the Member State; and (b) the methodology to identify and keep a record of off-balance sheet items and of the assets and liabilities originated by the third-country branch and booked or held remotely in other branches or subsidiaries of the same group on behalf of or for the benefit of the originating third-country branch.

These draft RTS provide the methodology that TCBs should follow to track and keep a precise and comprehensive record of all assets, liabilities and off-balance sheet items that arise from the activities of TCBs.

The sound and consistent implementation of booking arrangement requirements by TCBs is of paramount importance for the application of the TCB framework. In fact, booking arrangements have a direct impact on the classification of TCBs envisaged by Article 48a of the CRD, which is determinant for setting the intensity of the applicable TCB supervisory regime. Moreover, they are also essential for a sound management of the risks generated by TCBs, as in absence of such requirement the effective monitoring and management of the risks associated to the assets and liabilities booked or originated by the TCBs would not be guaranteed.

Article 10(1) of the EBA Regulation provides that any submission of regulatory technical standards (RTS) from the EBA to the Commission for adoption should be accompanied by an impact assessment which, inter alia, includes the analysis of 'the related potential costs and benefits'. To this end, the present section provides an impact assessment (IA) of the draft RTS. It includes an overview of the existing problem which the draft RTS deals with, the options proposed for resolving the problem as well as the potential impact of these options.

A. Problem identification

Article 48h of the CRD introduced the obligation for TCBs to maintain a registry book to track and keep a comprehensive and precise record of all the assets and liabilities booked or originated by the TCBs in the Member State and to manage those assets and liabilities autonomously within the TCBs. Therefore, the primary issue these draft RTS aim to address is to specify the process and methodology that TCBs should follow to identify and keep track of all the assets and liabilities booked or originated, the main contents that the registry book should include in that regard and the information on their associated risks and how they are managed within the TCB.

Lack of common and consistent application of the booking arrangements by TCBs across Member States may lead to different practices, not ensuring that all the activities and risks of the TCBs are duly recorded in the registry book and impairing the effective monitoring of the TCBs' business and activities conducted in a Member State, the management of the associated risks within the TCB and the effective supervision which TCBs are subject to in accordance with the CRD 6 framework.

B. Policy objectives

The objective of the draft RTS is to ensure convergence of TCBs' practices regarding the implementation of booking arrangements and the maintenance of the registry book. Harmonisation of practices followed to identify and keep track of all the assets and liabilities booked or originated by TCBs are expected to enhance the effective functioning of the TCB framework and to reduce the burden for cross border undertakings in complying with different regulatory frameworks.

To this end, these draft RTS aim to specify the bookkeeping system that TCBs should have in place to timely and accurately identify their transactions and record any assets and liabilities booked or originated, as well as off-balance sheet items. Moreover, the draft RTS aim to establish and harmonise the minimum set of information that TCBs should maintain in the registry book with reference to such assets, liabilities and off-balance sheet items, as well as the information to be provided related to their associated risks.

C. Baseline scenario

The current EU legislative framework (i.e. status quo without the proposed regulatory intervention) does not provide per se guidance to ensure harmonisation of the processes and methodologies that TCBs would have to put in place to comply with the requirement to maintain a registry book laid down in Article 48h of the CRD. In such scenario, TCBs would develop their own process, methodologies, and would provide information on the assets and liabilities booked or originated based on either own assumptions or on existing national laws that may differ across Member States. Inconsistent practices may ultimately lead to (i) a different identification of the assets and liabilities booked or originated among TCBs, (ii) a different identification of off-balance sheet items, and (iii) diverse information provided regarding those items. This may ultimately lead to divergences in the implementation of the new TCB regime envisaged by the CRD, hampering the monitoring of TCBs operations and the risks posed by TCBs' activities to the EU market as well as supervisory convergence.

D. Options considered, Cost-Benefit Analysis and Preferred option

In drafting these draft RTS several policy options were considered with regard to different dimensions to be addressed when specifying the booking arrangements that TCBs should apply for the purposes of Article 48h of the CRD.

Policy issue 1: Bookkeeping system requirements

Option 1.a: Leveraging on the concepts and definitions provided by the accounting framework.

Option 1.b: Establishing a new process and define new requirements to specify which assets and liabilities are to be considered booked or originated by TCBs, and under which circumstances they are required to be recorded in the registry book.

For assessing the policy issue, it was considered that, despite the lack of specific EU requirements to draw-up separate financial statements, many TCBs are - de facto – subject to certain national accounting requirements, as well as subject to apply the international accounting standards or the applicable generally accepted accounting principles in their Member State, for reporting purposes, in accordance with the first subparagraph of Article 48k(1) of the CRD.

For these reasons, it was assessed that specifying the process to identify and record the assets, liabilities and off-balance sheet exposures leveraging on existing accounting standards across Member States should, in general, reduce the implementation burden and costs for TCBs. This approach should also align the bookkeeping process set forth in these draft RTS, with any pre-existing accounting processes already put in place by TCBs. Moreover, it was also considered that anchoring the bookkeeping process to the relevant definitions and concepts already embedded within the accounting frameworks ensures consistency on the processes and procedures that TCB are to put in place.

In the light of this, the preferred policy option has been to leverage on existing accounting standards (option 1.a).

Option 1.b has been disregarded as it would have required the definition of a fully-fledged process and further specification of relevant definitions. This would have required further investments for TCBs and brought additional burdens to keep different processes for accounting (where accounting requirements are already in place), reporting and booking arrangements purposes.

Policy issue 2: Contents of the registry book

Option 2.a: Providing a detailed list of information to be reported in the registry book, differentiated for any type of instruments booked, originated, and for off-balance sheet items.

Option 2.b: Requiring TCBs to determine the type of information to report and provide a list of minimum information that should be considered by TCBs.

For assessing this policy issue, due considerations have been given to the need to ensure proportionality and reduce implementation burden for TCBs.

It was considered that implementing option 2.a would have resulted, in practice, in not differentiating the requirements among TCBs which may vary significantly in terms of size, scale and complexity of the activity performed in the Member State. Moreover, this approach would have been rigid in terms of nature, granularity and quantity of the information to be provided for assets, liabilities and off-balance sheet items, disregarding the magnitude of TCBs' operations and the volume, nature and risks of the items booked or originated.

On the contrary, it was deemed that option 2.b ensures a more balanced approach, as the calibration of the information requirements would fall under the TCB's remit, allowing them to determine the requirements based on their size, internal organization and the scale, complexity and risks of their activities. In the meantime, this approach ensures a minimum harmonisation of the type of information to be provided in the registry book, as the draft RTS provide a minimum list of information TCBs need to assess in order determine its contents.

Considering the considerations above, the preferred policy option has been to require TCBs to determine the type of information to report and provide a list of minimum information that should be considered by TCBs (option 2.b).

Option 2.a has been disregarded as this approach would have required the definition of a rigid set of information to be provided by TCB, not differentiated for the different size, scale and complexity of the TCB activity, which would not be consistent with the proportionality principle and would result in unjustified burden for TCBs.

Policy issue 3: Information on risks

Option 3.a: introducing detailed information requirements differentiated for each type of risk, in line with the disclosure requirements envisaged by the accounting standards.

Option 3.b: Requiring TCBs to determine the type of information to report and provides a list of minimum information that should be considered by TCBs.

For assessing this policy issue, due considerations have been given to the need to ensure proportionality and reduce implementation burden for TCBs.

It was considered that with option 3.a, all TCBs would have been required to record in the registry book detailed information on the relevant risks arising from assets and liabilities booked or originated, as well as off-balance sheet items. Under this approach, TCBs of different size, scale and complexity would have been subject to the same requirements, not ensuring proportionality. Moreover, this approach would have required the definition of relevant risk metrics to be used by TCBs to monitor and measure the risks of the TCB, not discriminating among different business models and complexity of TCBs and different risk management practices developed by different TCBs and, ultimately, going beyond the remit of the RTS since it is Article 48g of the CRD that deals with the internal governance and risk management arrangement, processes and mechanisms that TCBs should have in place. Therefore, it was considered that this approach would have resulted in not warranted additional burden for TCBs, which would have been required to develop ad-hoc risk management tools and indicators only to comply with the obligations set forth by the draft RTS.

On the contrary, it was deemed that option 3.b ensures to follow a more proportional approach, where the level of complexity and granularity of the information to be recorded in the registry book would fall under the remit of the TCBs, ensuring that the final requirements are commensurate to the scale, complexity of the activities of the TCBs and the risks associated to the assets, liabilities and off-balance sheet items of the TCB. Moreover, it was also considered that this approach ensures a minimum harmonization of the type of information to be provided in the registry book, as the draft RTS require TCBs to report quantitative and qualitative information on the risks the TCBs are exposed to, as well as on the risk management practices put in place by the TCB to monitor, manage, mitigate and reduce those risks. It was also considered that specific supervisory reporting needs were already addressed under Article 48k of the CRD. Therefore, it was evaluated that adopting a more flexible approach would better fulfil the objective for the registry book to effectively provide TCBs all necessary and relevant information regarding their generated risks.

In light of the above considerations, the preferred policy option has been to require TCBs to determine the type of information to report and provide a list of minimum information that should be considered by TCBs (option 3.b).

Option 3.a has been disregarded as this approach would have resulted in imposing the same requirements to the whole universe of TCBs, not differentiating for the different size, scale and complexity of the TCBs, which would have been not consistent with the objective to ensure a proportional approach and limiting undue burden.

4.2 Feedback from public consultation

The EBA publicly consulted on the draft technical standards.

The consultation period lasted for 3 months and ended on 10 October 2025. Five responses were received, of which three were published on the EBA website.

This paper presents a summary of the key points and other comments arising from the consultation and the analysis and discussion triggered by these comments and the actions taken to address them if deemed necessary.

In many instances, several industry bodies provided similar comments, or the same organisation reiterated same views in response to different questions. To avoid repetitions, these comments - along with the EBA's analysis – have been included in the section considered most relevant.

Changes to the draft RTS have been incorporated as a result of the responses received during the public consultation.

Summary of key issues and the EBA's response

Treatment of risk transfer to third parties

In accordance with Article 48h, paragraph 1 of the CRD, third-country branches should track and keep a comprehensive and precise record of all the assets and liabilities booked or originated by the third-country branch in a Member State. For this purpose, these draft technical standards provide the methodology to identify assets and liabilities associated with the activities of the third-country branch, differentiating those that are "booked" and "originated" in accordance with the level 1 text. Specifically, assets and liabilities booked are those recognised in accordance with the accounting framework, and assets and liabilities originated are those not recognised in accordance with the accounting framework due to the initial or subsequent full or partial transfer of risks and rewards or obligations to other entities.

Some respondents expressed their concerns on the reference to transfers to "other entities", noting that these could be interpreted to include transfers to third parties, such as via asset sales, for which the third-country branch would no longer have access to the relevant data. These respondents asked to limit the provision only to intragroup transfers.

In this regard, the EBA considers the monitoring of both booked and originated exposures essential to ensure a comprehensive view of the third-country branch's activities, including exposures for which it no longer bears residual risk and that have been derecognised. The overall scope of the branch's activities also determines its classification as a level 1 or level 2 branch under Article 48a of the CRD. It is therefore important that the entire range of the branch's activities, including any risk transfer operations, be appropriately recorded in the registry book.

Nevertheless, the EBA acknowledges the operational challenges raised by respondents and considers that targeted amendments to the draft technical standards are warranted to ensure a more proportionate approach. Accordingly, the draft technical standards have been revised to specify that exposures "originated" as a result of transfers to entities outside of the group should be tracked and recorded only for the reporting periods within the same reporting year in which the transfer occurred. In addition, an additional requirement has been introduced to ensure that any risk transfer is duly documented in the registry book for monitoring purposes.

Use of group processes, systems or procedures

Several respondents raised concerns about the requirement for third-country branches to establish processes, systems, and procedures separately from their head undertaking for the purpose of tracking and recording their activities. Respondents noted that third-country branches typically rely on group-wide systems for information and risk management purposes and therefore considered the provision impractical and disproportionate.

Against this backdrop, the draft technical standards have been amended to remove the reference to the establishment of processes, systems, and procedures separate from the head undertaking. More generally, the EBA emphasises that third-country branches should demonstrate sound and effective governance arrangements commensurate with the nature, scale, and complexity of their activities, and maintain adequate resources to identify and manage their risks in accordance with Articles 48g and 74 of Directive 2013/36/EU. In this regard, any reliance on group processes, systems or procedures should ensure that the third-country branch remains able to manage its risks and, where necessary, adapt its arrangements to local risk management needs.

Risk management information in the registry book

Article 4 of the draft technical standards requires third-country branches to include in their registry book sufficient information on the risks associated to their assets, liabilities and off-balance sheet items, and how they are managed. The provision specifies that such information should be commensurate to the activities and risk profile of the third-country branch and should include: (a) qualitative information on the risks generated, (b) qualitative information on risk management framework, and (c) quantitative information on the risks generated.

Several respondents, however, considered this requirement inappropriate, arguing that the registry book is not the suitable tool for recording risk management related information. They suggested that such information would be more effectively captured through existing risk management frameworks and regulatory reporting processes.

Nevertheless, the EBA notes that Article 48h of the CRD already explicitly requires third-country branches to include in the registry book all necessary information on the risks generated and their management. The draft technical standards therefore only specify and operationalise this requirement, which is already embedded in the Level 1 text. Moreover, the requirement set out in Article 4 of the draft technical standards is consistent with existing accounting disclosure frameworks, such as IFRS, which also require the provision of information on risks and risk management practices. This approach ensures a consistent and harmonised framework across third-country branches, while allowing for flexibility to adapt the level of detail to the branch’s activities and local supervisory or regulatory reporting obligations.

Accordingly, no amendment to the draft technical standards has been made.

Summary of responses to the consultation and the EBA's analysis

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
General comments			
Scope of application	One respondent highlighted that an overly broad scope of application of the RTS – extending also to transactions carried out on the basis of services or activities for which no authorisation is required – could prevent third-country branches from providing certain products or services to clients located in EU Member States. Examples cited included foreign exchange clearing or payments services, which were typically performed by the head undertaking. The respondent argued that this difficulty arises from the requirement in Article 48h(1) of the CRD for third-country branches to be able to autonomously manage the assets and liabilities booked or originated.	Article 48h of the CRD requires third-country branches to track and record all assets and liabilities booked or originated by the branch, without distinguishing between the different types of activities that may give rise to such exposures. This requirement ensures that the registry book provides a comprehensive overview of all risks and obligations to which the third-country branch is or might be exposed, supporting the implementation of appropriate risk management measures at branch level.	None.
Responses to questions in Consultation Paper EBA/CP/2025/16			
Question 1. Is the proposed distinction between the concepts of "assets and liabilities booked" and "assets and liabilities originated" sufficiently clear?	One respondent argued that the draft RTS do not provide a clear methodology for distinguishing between asset and liabilities booked or originated. The same respondent also noted that, under IFRS and other accounting frameworks, recognition occurs at entity level rather than at	In accordance with Article 48h of the CRD, third-country branches are required to track and keep a record of all their assets and liabilities booked or originated. For this purpose, the draft RTS distinguish between booked and originated exposures by reference to the recognition and derecognition criteria under the accounting	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
	the branch level, which creates ambiguity regarding the application of the provision.	framework applicable to the third-country branch, as used for reporting the information in the registry book as specified in Article 48k(1) of the CRD. The draft RTS further clarify that the information on assets and liabilities booked or originated should be recorded separately from that of its head undertaking. Accordingly, the EBA considers the requirement to apply the relevant accounting framework for distinguishing among originated and booked exposures sufficiently clear and consistent with the reporting requirements envisaged by the Level 1 text. The requirement to maintain the information separately from the head undertaking is meant to consider third-country branches as a distinct entity for the purpose of this RTS and the envisaged bookkeeping requirements. In this regard, it follows that any transactions carried out by the third-country branch need to be booked into the third-country branch according to the methodology provided by this RTS.	
	One respondent requested clarifying that transactions that have been booked remotely	Article 2(1) of the draft RTS specifies that assets and liabilities booked are those that would be	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
	directly into another entity should not be considered as 'booked'.	recognised by the third-country branch in accordance with the relevant accounting framework. For this purpose, the third-country branch should assess the extent to which it retains the risks, rewards or obligations associated with the activities carried out by a third country branch, and determine, based on that assessment, whether an asset or liability should be recognised under the relevant accounting framework.	
	Four respondents raised concerns that the reference to "other entities" in Article 2(1)(b) of the draft RTS could be interpreted as encompassing all transfers, including those to third parties outside the group and the third-country branch no longer has access to the relevant data. They asked that the scope of this obligation be limited to intragroup transfers only.	The registry book should contain all relevant information on the activities carried out by the third-country branch, including whether the risks associated with the transactions are retained by the third-country branch ("booked") or transferred to other entities ("originated"). This ensures that a third-country branch can effectively monitor and manage the risks arising from its operations. In this context, it is also worth to note that exposures classified as "originated", according to the RTS contributes to its designation as a level 1 or level 2 branch under Article 48a of the CRD. The EBA acknowledges, however, that practical challenges may arise in continuously monitoring information on exposures that have been fully transferred to external parties and where the third-	Addition of Article 2(4)(b) of the draft RTS specifying the treatment of transfers to entities outside of the branch's group. Addition of Article 2(3)(g) of the draft RTS requiring recording any external transfer of risk in the registry book.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
		country branch no longer bears any residual risk. To address this, Article 2 of the draft RTS has been amended to require that transactions resulting in derecognition of the related assets or liabilities, when carried out with entities outside the branch's group, be tracked and recorded only for the reporting periods within the same reporting year in which the transfer occurred. Furthermore, amendments have been introduced to ensure that the occurrence of such transfers is duly documented in the third-country branch's registry book, enabling adequate monitoring of risk transfer operations.	
Question 2. Is the proposed concept of "off-balance sheet items" sufficiently clear?	Several respondents provided comments on the concept of off-balance sheet exposures. Two respondents suggested aligning the concept with that set out in the CRR, noting that the one provided in the draft RTS is ambiguous. Two others expressed concern that the current wording could inadvertently capture activities of special purpose vehicles and funds that are only indirectly connected to the third-country branch - for example, second-order lending by funds financed by banks as part of leveraged transactions. In this context, respondents requested the EBA to provide clearer guidance on	For the purposes of the draft RTS, off-balance sheet items are defined as any contingent asset or liability of the third-country branch. This approach ensures that all possible or present obligations which may give rise to risks but are not recognised in accordance with the accounting framework, are appropriately recorded in the registry book. In this regard, limiting this concept to the items listed in Annex I of the CRR might not allow to capture all the potential off-balance sheet obligations, as that list covers only credit risk–related contingent exposures and is not exhaustive. This is in particular relevant for financial derivatives, as they	Amendment to Article 2(1) of the draft RTS.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
	when an off-balance sheet item falls within the reporting perimeter and one respondent suggested clarifying that only direct exposures and contingent liabilities arising from the third-country branch's own activities should be included.	are not included (except for credit derivatives) in the list of Annex 1, while considered either as off-balance sheet or on-balance sheet items according to the relevant accounting standards. Accordingly, in the EBA's view, relying on the accounting definition of contingent assets and liabilities, complemented by the reference to financial derivatives, provides a more comprehensive and unambiguous basis for the identification of off-balance sheet items. The EBA also considers that the proposed concept adequately distinguishes between situations where the third-country branch may be exposed to a possible or present obligation and those where the branch is not exposed to any risks. For the avoidance of doubt, only present or future obligation stemming from the third-country branch's activities should be recorded.	
Question 3. Do you have any comments on the proposed bookkeeping requirements under paragraph 3?	Four respondents raised concerns regarding the requirement in Article 2(3)(a) of the draft RTS for third-country branches to establish processes, systems and procedures separately from their head undertakings to track and record their activities. They argued that this provision could restrict branches from using group-wide systems	The EBA acknowledges the industry's concerns and has removed the reference to the establishment of separate processes, systems or procedures, also to ensure more proportionality in the application of the requirements.	Amendment to Article 2(3)(a) of the draft RTS.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
	and applications, even in cases where the third-country branch manages its activities independently.		
Question 4. Do you agree with the proposed treatment of intragroup exposures, including intragroup funding from the head undertaking? Is the treatment of these exposures sufficiently clear?	Two respondents provided comments. One noted that transactions between branches of the same legal entity do not give rise to true assets or liabilities and questioned whether the Level 1 text allows such treatment. The respondent further argued that the concept of originated exposures does not adequately capture intra-entity risk transfers, as it refers only to transfers to another entity and not to another branch within the same entity. Another respondent disagreed with treating head office funding as equivalent to third-party deposits, which are viewed as a source of stability rather than risk. Consequently, the respondent requested that endowment capital related to head office funding, which does not represent genuine risk exposure, should not be required.	According to the RTS, third-country branches should record information in the registry book separately from their head undertaking. This implies that intragroup transactions, including funding transactions with the head undertaking or with other third-country branches of the same head undertaking, should be recorded as if they were conducted with external counterparties. In this context, the EBA notes that transactions between third-country branches of the same head undertaking are explicitly foreseen in the Level 1 text and should be limited to intragroup funding transactions, in accordance with Article 48c of the CRD. The recording of intragroup transactions, including those with the head undertaking, is also essential for ensuring a comprehensive track record of all the activities performed by a TCB. Their inclusion allows for a more accurate representation of the branch’s operational scale, which is also relevant for determining the intensity of regulatory	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
		requirements under the new CRD framework applicable to TCBs. In this context, the EBA considers it appropriate, from a bookkeeping perspective, that any source of funding available to the branch be consistently recorded by the TCB. The determination of capital endowment requirements follows the provisions set out in the Level 1 text, which does not explicitly differentiate between types of liabilities to be considered when calculating the capital endowment that TCBs must maintain.	
Question 5. Do you agree with the proposed treatment and measurement of assets and liabilities originated?	Four respondents emphasised that the reporting obligation for "assets and liabilities originated" should cease once the associated risks and obligations have been transferred, and the bank no longer has access to the relevant data. This would apply, in particular, to cases where exposures are transferred to third parties and the third-country branch has no further involvement. One of these respondents further noted that using the outstanding nominal amount could overstate the value of originated exposures and requested that the EBA clarify whether the record-keeping requirements, including those related to impairment measurement and	With regard to treatment of transfers of assets and liabilities to third parties, please refer to the EBA analysis and amendment to the proposal in Question 1. With regard to the measurement and record keeping of "assets and liabilities originated", the EBA highlights the importance of monitoring these exposures to assess the scope of activities of the third-country branch and its classification as level 1 or level 2 under Article 48a of the CRD. Nevertheless, taking into account the derecognition of these exposures from an accounting perspective, the draft RTS provides a	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
	amortisation, would also apply to such originated exposures.	simplified treatment for the purpose of recording this information in the registry book. Accordingly, as specified in Article 2, paragraphs 3 and 4 of the draft RTS, the assessment of impairment and amortisation applies only to “assets and liabilities booked”, while “assets and liabilities originated” should be measured at their outstanding nominal amount.	
Question 6. Do you have any comments on the minimum content of the registry book proposed in Article 3?	Only one comment was received. The respondent considered the requirement set out in this Article to be unnecessary and redundant, particularly for third-country branches already applying IFRS.	The EBA notes that, while the application of an accounting framework by the third-country branch will largely mitigate the implementation burden of the draft RTS, the maintenance of the registry book serves objectives distinct from the preparation of financial statements for accounting purposes. Indeed, Article 48h of the CRD requires third-country branches to track and keep a precise track record of their assets and liabilities booked or originated, ensuring that all necessary and sufficient information, including on the risks generated, is maintained. For this purpose, the draft RTS specify that third-country branches must maintain adequate information systems and procedures capable of tracking exposures with an appropriate level of content, detail and granularity. In this regard, the list of data elements set out in	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
		Article 3 of the RTS should be recorded for all assets and liabilities, where appropriate, taking into account the nature of the instrument and the availability of data.	
Question 7. Do you have any comments on the approach proposed to provide information in the registry book on the risks associated to the assets, liabilities and off-balance sheet items, and how they are managed?	Four respondents argued that the registry book is not the appropriate tool for recording information on risks. They recommended that such risk-related information be managed instead through existing risk management frameworks and regulatory reporting processes, in coordination with the relevant supervisory authorities. One other respondent stressed that this provision should not result in additional burden for third-country branches already applying IFRS.	Article 48h(1) of the CRD explicitly requires third-country branches to provide necessary and sufficient information on the risks they generate and how these risks are managed. The draft RTS therefore specify the Level 1 text requirement, clarifying the type of information that third-country branches would need to demonstrate in order to comply with this provision. Furthermore, it should be noted that the draft RTS specifies that the information provided should be commensurate to the size, internal organization, and nature of the activities of the third-country branch ensuring a proportional approach. The EBA further notes that the information on risks to be provided by third-country branches would generally correspond to the types of data typically used for risk monitoring and management purposes. This information is also consistent with the disclosure requirements already established under accounting standards such as IFRS. Consequently, the EBA does not anticipate	None.

Comments	Summary of responses received	EBA analysis	Amendments to the proposals
		significant additional burden for third-country branches that already apply accounting requirements.	