Directive (EU) 2019/2162 of the European Parliament and of the Council of 27 November 2019 on the issue of covered bonds and covered bond public supervision and amending Directives 2009/65/EC and 2014/59/EU (Text with EEA relevance)

TITLE I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1 Subject matter

Article 2 Scope

Article 3 Definitions

TITLE II

STRUCTURAL FEATURES OF COVERED BONDS

CHAPTER 1

Dual recourse and bankruptcy remoteness

Article 4 Dual recourse

Article 5 Bankruptcy remoteness of covered bonds

CHAPTER 2

Cover pool and coverage

Section I

Eligible assets

- Article 6 Eligible cover assets
- Article 7 Collateral assets located outside the Union
- Article 8 Intragroup pooled covered bond structures
- Article 9 Joint funding
- Article 10 Composition of the cover pool
- Article 11 Derivative contracts in the cover pool
- Article 12 Segregation of cover assets
- Article 13 Cover pool monitor
- Article 14 Investor information

Section II

Coverage and liquidity requirements

- Article 15 Coverage requirements
- Article 16 Requirement for a cover pool liquidity buffer
- Article 17 Conditions for extendable maturity structures

TITLE III

COVERED BOND PUBLIC SUPERVISION

- Article 18 Covered bond public supervision
- Article 19 Permission for covered bond programmes
- Article 20 Covered bond public supervision in the event of insolvency or
- resolution
- Article 21 Reporting to the competent authorities
- Article 22 Powers of competent authorities for the purposes of covered bond public supervision
- Article 23 Administrative penalties and other administrative measures
- Article 24 Publication of administrative penalties and other administrative measures
- Article 25 Cooperation obligations
- Article 26 Disclosure requirements

TITLE IV

LABELLING

Article 27 Labelling

TITLE V

AMENDMENTS TO OTHER DIRECTIVES

Article 28	Amendment to Directive 2009/65/EC
Article 29	Amendment to Directive 2014/59/EU

TITLE VI

FINAL PROVISIONS

- Article 30 Transitional measures
- Article 31 Reviews and reports
- Article 32 Transposition
- Article 33 Entry into force
- Article 34 Addressees
 - Signature

Status: This is the original version (as it was originally adopted).

(1) OJ C 367, 10.10.2018, p. 56.

- (2) Position of the European Parliament of 18 April 2019 (not yet published in the Official Journal) and decision of the Council of 8 November 2019.
- (3) Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ L 302, 17.11.2009, p. 32).
- (4) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).
- (5) Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1).
- (6) Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013 of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11, 17.1.2015, p. 1).
- (7) 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).
- (8) Recommendation of the European Systemic Risk Board of 20 December 2012 on funding of credit institutions (ESRB/2012/2) (OJ C 119, 25.4.2013, p. 1).
- (9) 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).
- (10) EBA Report on covered bonds Recommendations on harmonisation of covered bond frameworks in the EU (2016), EBA-Op-2016-23.
- (11) Commission Directive 2006/111/EC of 16 November 2006 on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings (OJ L 318, 17.11.2006, p. 17).
- (12) Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (OJ L 168, 27.6.2002, p. 43).
- (13) 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).
- (14) OJ C 369, 17.12.2011, p. 14.
- (15) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).
- (16) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).
- (17) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).