

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 and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (Text with EEA relevance)

## TITLE VII

### PRUDENTIAL SUPERVISION

#### CHAPTER I

#### *Principles of prudential supervision*

##### *Section II*

#### *Exchange of information and professional secrecy*

#### *[<sup>F1</sup>Article 58a*

#### **Transmission of information to international bodies**

1 Notwithstanding Article 53(1) and Article 54, competent authorities may, subject to the conditions set out in paragraphs 2, 3 and 4 of this Article, transmit or share certain information with the following:

- a the International Monetary Fund and the World Bank, for the purposes of assessments for the Financial Sector Assessment Program;
- b the Bank for International Settlements, for the purposes of quantitative impact studies;
- c the Financial Stability Board, for the purposes of its surveillance function.

2 Competent authorities may only share confidential information following an explicit request by the relevant body, where at least the following conditions are met:

- a the request is duly justified in light of the specific tasks performed by the requesting body in accordance with its statutory mandate;
- b the request is sufficiently precise as to the nature, scope, and format of the required information, and the means of its disclosure or transmission;
- c the requested information is strictly necessary for the performance of the specific tasks of the requesting body and does not go beyond the statutory tasks conferred on the requesting body;
- d the information is transmitted or disclosed exclusively to the persons directly involved in the performance of the specific task;
- e the persons having access to the information are subject to professional secrecy requirements at least equivalent to those referred to in Article 53(1).

3 Where the request is made by any of the entities referred to in paragraph 1, competent authorities may only transmit aggregate or anonymised information and may only share other information at the premises of the competent authority.

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4 To the extent that the disclosure of information involves processing of personal data, any processing of personal data by the requesting body shall comply with the requirements laid down in Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>(1)</sup>.]

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**Textual Amendments**

- F1** Inserted by [Directive \(EU\) 2019/878 of the European Parliament and of the Council of 20 May 2019 amending Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures \(Text with EEA relevance\)](#).

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- (1) [<sup>F1</sup>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).]

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