

Regulation (EU) 2019/2155 of the European Central Bank of 5 December 2019  
amending Regulation (EU) No 1163/2014 on supervisory fees (ECB/2019/37)

REGULATION (EU) 2019/2155 OF THE EUROPEAN CENTRAL BANK  
of 5 December 2019

amending Regulation (EU) No 1163/2014 on supervisory fees (ECB/2019/37)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

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

Having regard to 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<sup>(1)</sup>, and in particular the second subparagraph of Article 4(3), Article 30 and the second subparagraph of Article 33(2) thereof,

Having regard to the public consultation and to the analysis carried out in accordance with Article 30(2) of Regulation (EU) No 1024/2013,

Whereas:

- (1) Regulation (EU) No 1163/2014 of the European Central Bank (ECB/2014/41)<sup>(2)</sup> lays down the arrangements for calculating the total amount of the annual supervisory fees to be levied in respect of supervised entities and supervised groups; the methodology and criteria for calculating the annual supervisory fee to be borne by each supervised entity and each supervised group; and the procedure for the collection by the ECB of the annual supervisory fees.
- (2) Article 17(2) of Regulation (EU) No 1163/2014 (ECB/2014/41) requires the ECB to conduct a review of that Regulation, in particular regarding the methodology and criteria for calculating the annual supervisory fees to be levied on each supervised entity and supervised group, by 2017.
- (3) On 2 June 2017 the ECB launched an open public consultation aimed at collecting comments from interested parties with a view to assessing possible improvements to Regulation (EU) No 1163/2014 (ECB/2014/41). The public consultation ended on 20 July 2017.
- (4) Taking into account the responses received, the ECB reviewed Regulation (EU) No 1163/2014 (ECB/2014/41) and concluded that the Regulation should be amended.
- (5) In particular, the ECB has decided to no longer require advance payment of the annual supervisory fees. The fees should be levied only after the end of the relevant fee period when the actual annual costs have been determined. The reference date for the fee factors should, as a general rule, remain 31 December of the preceding fee period to allow sufficient time for fee factor validation.

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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/2155 of the European Central Bank. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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- (6) For the vast majority of fee debtors, the ECB already receives the information on total assets and total risk exposures pursuant to Commission Implementing Regulation (EU) No 680/2014<sup>(3)</sup> and Regulation (EU) 2015/534 of the European Central Bank (ECB/2015/13)<sup>(4)</sup>. This information is readily available for use in the calculation of their annual supervisory fee. The dedicated collection of the fee factors for such fee debtors should therefore cease.
- (7) Furthermore, the ECB has decided to reduce the supervisory fees to be paid by less significant supervised entities and less significant supervised groups with total assets of EUR 1 billion or less. To this end, the minimum fee component for these supervised entities and supervised groups should be halved.
- (8) Moreover, experience gained with the application of Regulation (EU) No 1163/2014 (ECB/2014/41) since 2014 has shown that some clarifications and technical amendments to that Regulation are appropriate.
- (9) It is necessary to provide for transitional arrangements in respect of the 2020 fee period, since that year will be the first fee period for which the ECB no longer requires advance payment of the annual supervisory fee. This Regulation should therefore enter into force at the beginning of 2020.
- (10) Therefore, Regulation (EU) No 1163/2014 (ECB/2014/41) should be amended accordingly,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 287, 29.10.2013, p. 63](#).
- (2) Regulation (EU) No 1163/2014 of the European Central Bank of 22 October 2014 on supervisory fees (ECB/2014/41) ([OJ L 311, 31.10.2014, p. 23](#)).
- (3) Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council ([OJ L 191, 28.6.2014, p. 1](#)).
- (4) Regulation (EU) 2015/534 of the European Central Bank of 17 March 2015 on reporting of supervisory financial information (ECB/2015/13) ([OJ L 86, 31.3.2015, p. 13](#)).

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