



STATUTORY INSTRUMENTS.

S.I. No. 45 of 2022

CENTRAL BANK (SUPERVISION AND ENFORCEMENT) ACT 2013
(SECTION 48(1)) (INVESTMENT FIRMS) (AMENDMENT)
REGULATIONS 2022

CENTRAL BANK (SUPERVISION AND ENFORCEMENT) ACT 2013
(SECTION 48(1)) (INVESTMENT FIRMS) (AMENDMENT)
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In exercise of the powers conferred on the Central Bank of Ireland (the “Bank”) by section 48 of the Central Bank (Supervision and Enforcement) Act 2013 (No. 26 of 2013) (the “Act”), the Bank, having consulted the Minister for Finance and the Minister for Enterprise, Trade and Employment in accordance with section 49(1) of the Act, hereby makes the following regulations:

1. (1) These Regulations may be cited as the Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Investment Firms) (Amendment) Regulations 2022.

(2) These Regulations come into operation on 21 February 2022 .

2. In these Regulations “Principal Regulations” means the Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Investment Firms) Regulations 2017 (S.I. No. 604 of 2017).

3. Regulation 2(1) of the Principal Regulations are amended by inserting the following definition before the definition of “investment fund”:

“Investment Firm Regulation’ means Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014.

4. The Principal Regulations are amended by substituting for Regulation 8 the following Regulation:

“8. (1) In this Regulation “data item” means an account, record, report, return or other information referred to in column 1 of each of the Parts of the Schedule;

(2) A fund administrator shall submit to the Bank all data items specified—

(a) in Part 1 of the Schedule, and

(b) on the Online Reporting System in respect of the fund administrator.

(3) An investment business firm who is not a fund administrator shall submit to the Bank all data items specified—

(a) in Part 2 of the Schedule, and

(b) on the Online Reporting System in respect of the investment business firm.

(4) A MiFID investment firm which meets the criteria set out in Articles 1(2) of the Investment Firm Regulation or has been granted a derogation under 1(5) of the Investment Firm Regulation (a Class 1 minus firm) shall submit to the Bank all data items specified—

- (a) in Part 3 of the Schedule, and
- (b) on the Online Reporting System in respect of the MiFID investment firm.

(5) A MiFID investment firm which does not meet either the criteria set out in Articles 1(2) or the criteria set out in Article 12(1) of the Investment Firm Regulation and has not been granted a derogation under 1(5) of the Investment Firm Regulation (a Class 2 firm) shall submit to the Bank all data items specified—

- (a) in Part 4 of the Schedule, and
- (b) on the Online Reporting System in respect of the MiFID investment firm.

(6) A MiFID investment firm which meets all the conditions set out in Article 12 of the Investment Firm Regulation (a Class 3 firm) shall submit to the Bank all data items specified—

- (a) in Part 5 of the Schedule, and
- (b) on the Online Reporting System in respect of the MiFID investment firm.”

5. The Principal Regulations are amended by deleting Parts 6 and 7 of the Schedule.

6. The Principal Regulations are amended by substituting for Parts 3 to 5 of the Schedule the following:

Part 3

| MiFID investment firms which meet the criteria set out in Article 1(2) of the Investment Firm Regulation or MiFID investment firms which have been granted a derogation under Article 1(5) of the Investment Firm Regulation (Class 1 minus firms) | | |
|---|------------------------------------|--|
| Data Item (1) | Reporting Frequency (2) | Reporting Deadline (3) |
| Annual Audited Accounts (Upload) | Annual | 6 months after firm reporting year end |
| FINREP+ Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| Related Party Annual Accounts Upload (if required) | Annual | 6 months after firm reporting year end |
| FINREP Solo Class 1 Minus/FINREP Solo GAAP Class 1 Minus ¹ | Quarterly | Quarterly by close of business on 12 May, 11 August, 11 November and 11 February. If the remittance day falls on a public holiday, or a Saturday or a Sunday, data must be submitted on the following working day ² |
| FINREP Management Accounts Vs Budget (if required) | Quarterly | 20 working days after calendar quarter end ² |
| FINREP+ Monthly Management Accounts (if Required) | Monthly | 20 working days after calendar month end |
| Annual Ownership Confirmation Upload | Annual | 6 months after firm reporting year end |

¹ Applicable only where a Class 1 minus firm is not in scope of Article 430(3)(b) of the Capital Requirement Regulation.

² In situations where Class 1 minus firms are permitted by national laws to report their financial information based on their accounting year-end, which deviates from the calendar year, reporting reference dates should be adjusted accordingly, so that reporting of financial information is done every 3, 6 or 12 months from their accounting year-end, respectively.

| | | |
|---|-----------|--|
| Annual Conduct of Business | Annual | 3 months after calendar year end |
| Investments Product Template | Annual | 3 months after calendar year end |
| Annual PCF Confirmation | Annual | 2 months after calendar year end |
| ICCL Report | Annual | 31 March each year |
| ICAAP Questionnaire | Annual | Initial reporting deadline is 20 working days after calendar quarter in which ICAAP is reviewed by the firm. All subsequent reporting deadlines shall be the anniversary of the initial reporting date. |
| PRISM Impact Metric Data Report | Quarterly | 20 working days after calendar month end |
| Monthly Metrics Report | Monthly | 20 working days after calendar month end |
| If Authorised for MiFID Investment Service 4 | | |
| Assets Under Management Data | Quarterly | 20 working days after calendar quarter end |
| If subject to Part 6 of these Regulations | | |
| Monthly Client Asset Report | Monthly | 20 working days after calendar month end |
| If subject to consolidated supervision | | |
| Consolidated Annual Accounts Upload | Annual | 6 months after firm reporting year end |
| FINREP+ Consolidated Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| FINREP Consolidated Class 1 Minus/ FINREP Consolidated GAAP Class 1 Minus (Quarterly) | Quarterly | Quarterly by close of business on 12 May, 11 August, 11 November and 11 February. If the remittance day falls on a public holiday, or a Saturday or a Sunday, data must be submitted on the following working day ² . |

Part 4

| MiFID investment firms which do not meet either the criteria set out in Articles 1(2) and the criteria set out in Article 12(1) of the Investment Firm Regulation and have not been granted a derogation under 1(5) of the Investment Firm Regulation (Class 2 firms) | | |
|--|------------------------------------|--|
| Data Item (1) | Reporting Frequency (2) | Reporting Deadline (3) |
| Annual Audited Accounts (Upload) | Annual | 6 months after firm reporting year end |
| FINREP+ Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| Related Party Annual Accounts Upload (if required) | Annual | 6 months after firm reporting year end |
| FINREP+ Quarterly Management Accounts | Quarterly | 20 working days after calendar quarter end ³ |
| FINREP Management Accounts Vs Budget (if required) | Quarterly | 20 working days after calendar quarter end ³ |
| FINREP+ Monthly Management Accounts (if Required) | Monthly | 20 working days after calendar month end |
| Annual Ownership Confirmation Upload | Annual | 6 months after firm reporting year end |
| Annual Conduct of Business | Annual | 3 months after calendar year end |
| Investments Product Template | Annual | 3 months after calendar year end |
| Annual PCF Confirmation | Annual | 2 months after calendar year end |
| ICCL Report | Annual | 31 March each year |
| ICAAP Questionnaire | Annual | Initial reporting deadline is 20 working days after calendar |

³ In situations where firms are permitted by national laws to report their financial information based on their accounting year-end, which deviates from the calendar year, reporting reference dates should be adjusted accordingly so that reporting of financial information is done every 3, 6 or 12 months from their accounting year-end, respectively.

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| | | quarter in which ICAAP is reviewed by the firm. All subsequent reporting deadlines shall be the anniversary of the initial reporting date. |
| PRISM Impact Metric Data Report | Quarterly | 20 working days after calendar month end |
| Monthly Metrics Report | Monthly | 20 working days after calendar month end |
| If authorised for MiFID Investment Service 4 | | |
| Assets Under Management Data | Quarterly | 20 working days after calendar quarter end |
| If subject to Part 6 of these Regulations | | |
| Monthly Client Asset Report | Monthly | 20 working days after calendar month end |
| If subject to consolidated supervision | | |
| Consolidated Annual Accounts Upload | Annual | 6 months after firm reporting year end |
| FINREP+ Consolidated Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| FINREP+ Consolidated Annual Management Accounts | Annual | 20 working days after firm reporting year end |
| FINREP+ Consolidated Interim Management Accounts | Annual | 20 working days after firm reporting half year end |

Part 5

| MiFID investment firms which meet all of the conditions set out in Article 12 (1) of the Investment Firm Regulation (Class 3 firms) | | |
|--|------------------------------------|---|
| Data Item (1) | Reporting Frequency (2) | Reporting Deadline (3) |
| Annual Audited Accounts (Upload) | Annual | 6 months after firm reporting year end |
| FINREP+ Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| Related Party Annual Accounts Upload (if required) | Annual | 6 months after firm reporting year end |
| FINREP+ Annual Management Accounts | Annual | 20 working days after firm reporting year end |
| FINREP+ Interim Management Accounts (if Required) | Annual | 20 working days after firm reporting half year end |
| FINREP Management Accounts Vs Budget (if Required) | Annual | 20 working days after firm reporting year end and, if required, 20 working days after firm reporting half year end |
| FINREP+ Monthly Management Accounts (if Required) | Monthly | 20 working days of calendar month end |
| Annual Ownership Confirmation Upload | Annual | 6 months after firm reporting year end |
| Annual Conduct of Business | Annual | 6 months after firm reporting year end |
| Investments Product Template | Annual | 3 months after calendar year end |
| Annual PCF Confirmation | Annual | 2 months after calendar year end |
| ICCL Report | Annual | 31 March each year |
| ICAAP Questionnaire | Annual | Initial reporting deadline is 20 working days after calendar quarter in which ICAAP is reviewed by the firm. All subsequent reporting deadlines |

| | | |
|--|-----------|---|
| | | shall be the anniversary of the initial reporting date. |
| PRISM Impact Metric Data Report | Quarterly | 20 working days after calendar month end |
| Monthly Metrics Report | Monthly | 20 working days after calendar month end |
| If subject to Part 6 of these Regulations | | |
| Monthly Client Asset Report | Monthly | 20 working days after calendar month end |
| If authorised for MiFID Investment Service 4 | | |
| Assets Under Management Data | Quarterly | 20 working days after calendar quarter end |
| If subject to consolidated supervision | | |
| Consolidated Annual Accounts Upload | Annual | 6 months after firm reporting year end |
| FINREP+ Consolidated Annual Audited Accounts | Annual | 6 months after firm reporting year end |
| FINREP+ Consolidated Annual Management Accounts | Annual | 20 working days after firm reporting year end |
| FINREP+ Consolidated Interim Management Accounts (if Required) | Annual | 20 working days after firm reporting half year end |

Signed for and on behalf of the CENTRAL BANK OF IRELAND
 1 February 2022

DERVILLE ROWLAND,
 Director General (Financial Conduct)

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

The purpose of these Regulations is to amend the Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Investment Firms) Regulations 2017 (S.I. No. 604 of 2017).

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