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**Consultation paper EBA/CP/2014/05:**

**“Draft guidelines on the data collection exercise**

**regarding high earners”**



Matter on implantation of Article 75 (3) of Directive 2013/36/EU1 and scope on high earner of EEA countries are clear.
However, it seems to us redundant with report on high earners of the benchmarking exercise which also include a report on high earners and also confusing with it due to the difference of scope between the two reports:

* Current report on “all staff” in EEA countries
* Benchmarking exercises report on “identified staff” in all countries



Q2:

Yes

Q3:

First, required remuneration data on high earners is significantly more detailed than required data in the preceding templates on data collection for high earners whereas the remuneration data collected already complied with the provisions of the article 75 §3 of the Directive CRD4.

Regarding breakdown by activities, we have the same comments as consultation on benchmark exercise:

* first, MB Supervisory function and MB Management function categories are not enough clear and might not be relevant: persons concerned could be in both categories and most of them do not received a remuneration but only attendance fees.
* Secondly, business categories are not enough clear because activities like private banking or lending could be reported in several categories. Moreover, such breakdown depends on choice of organization of each institution and comparison between institutions may not be consistent.
* Thirdly, Asset management is governed by another directive than CRD4. It is therefore questionable to include it annex 1 and at least specification should include expected information (top management covered by CRD4?)
* Quarterly, information on control function, highly complicated data collect for institutions because it forced them to collect information no more by subsidiaries but by activities of each subsidiary. Due to that comparison between institutions may not be consistent.

Moreover, due to collection of:

* separate set of data by each EEA state in which high earners are located
* and each set broken down by business area and responsibility and by brackets of EUR 1 million

the number of sheets by EEA state members to be finally submitted to the competent authority will significantly increase and the level of granularity of the data requested will reduce the confidentiality of the data disclosed and will imply to give remuneration data sometimes by individuals.



Sufficiently clear



It seems that 31 august 2014 deadline is not compatible with the 2-month “comply or explain” period given to local regulator after the publication of the guidelines translation.
Consequently, we suggest extending the deadline for data submission by the end of 2014.



Yes