



Brussels, 13.5.2022  
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**COMMISSION DECISION**

**of 13.5.2022**

**on the adoption of the answers to be provided to questions submitted by the European Supervisory Authorities under Article 16b(5) of Regulation (EU) No 1093/2010, Regulation (EU) No 1094/2010 and Regulation (EU) No 1095/2010 of the European Parliament and of the Council**

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### **on the adoption of the answers to be provided to questions submitted by the European Supervisory Authorities under Article 16b(5) of Regulation (EU) No 1093/2010, Regulation (EU) No 1094/2010 and Regulation (EU) No 1095/2010 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to 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<sup>1</sup>, and in particular Article 16b(5) thereof,

Having regard to Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC<sup>2</sup>, and in particular Article 16b(5) thereof,

Having regard to Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC<sup>3</sup>, and in particular Article 16b(5) thereof,

Whereas:

- (1) Article 16b(5) of Regulation (EU) No 1093/2010, Regulation (EU) No 1094/2010 and Regulation (EU) No 1095/2010 requires the European Supervisory Authorities to forward to the Commission questions that have been submitted by a natural or legal person under Article 16b(1) of these Regulations and that require the interpretation of Union law. Article 16b(5) requires the European Supervisory Authorities to publish any answers provided by the Commission to such questions.
- (2) On 10 December 2021, the European Supervisory Authorities forwarded a number of questions to the Commission under Article 16b(5) of Regulation (EU) No 1093/2010, Regulation (EU) No 1094/2010 and Regulation (EU) No 1095/2010 Regulation (EU). The questions concern the interpretation of Regulation (EU) 2019/2088 of the European Parliament and of the Council<sup>4</sup> and Regulation (EU) 2020/852 of the European Parliament and of the Council<sup>5</sup>. The Commission may provide the European Supervisory Authorities with answers to those questions. The Director-General for

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<sup>1</sup> OJ L 331, 15.12.2010, p. 12.

<sup>2</sup> OJ L 331, 15.12.2010, p. 48.

<sup>3</sup> OJ L 331, 15.12.2010, p. 84.

<sup>4</sup> Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector. (OJ L 317, 9.12.2019, p. 1).

<sup>5</sup> Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

Financial Stability, Financial Services and Capital Markets Union, or the person designated by the Director-General for that purpose, should be instructed to transmit those answers to the European Supervisory Authorities.

HAS DECIDED AS FOLLOWS:

*Article 1*

The answers set out in the Annex to the questions on the interpretation of Regulation (EU) 2019/2088 and Regulation (EU) 2020/852, submitted by the European Supervisory Authorities on 10 December 2021, are hereby adopted.

*Article 2*

The Director-General for Financial Stability, Financial Services and Capital Markets Union, or the person designated by the Director-General for this purpose, is instructed to transmit to the European Supervisory Authorities the answers set out in the Annex.

Done at Brussels, 13.5.2022

*For the Commission  
Mairead McGUINNESS  
Member of the Commission*