

**Central Bank Statement for MiFID investment firms authorised to provide the MiFID investment services of dealing on own account or underwriting of financial instruments on a firm commitment basis (MiFID activities (3) or (6))**

On 20 December the EBA published a package of [two final draft regulatory technical standards](#) relating to the reclassification of MiFID investment firms as credit institutions.

This followed the [second EBA consultation](#) on the draft regulatory technical standards (RTS) on the calculation of the threshold set out in Article 8a(1) of Directive 2013/36/EU as amended by Article 62(6) of the Directive 2019/2034 above which MiFID investment firms are required to seek re-authorisation as credit institutions.

All MiFID investment firms authorised to provide the MiFID investment services of dealing on own account or underwriting of financial instruments on a firm commitment basis<sup>1</sup> should give due regard to both the threshold reporting requirements and the threshold calculation methodology for determining the need for reclassification of an investment firm as a credit institution set out in these publications.

In line with the [Opinion published by the EBA](#) MiFID investment firms that anticipate meeting the threshold triggering the requirement to seek re-authorisation as a credit institution (“impacted MiFID investment firms”) are expected to:

- Engage with the Central Bank regarding their re-authorisation within 3 months of the date of entry into force of the Delegated Act; and
- Submit an application for re-authorisation as a credit institution within 6 months of the date of entry into force of the Delegated Act.

Under Article 58 of the Investment Firms Regulation and as set out in the [Statement by the European Commission](#), impacted MiFID investment firms continue to be subject to the prudential capital requirements under Regulation (EU) No 575/2013 (CRR) and to Directive 2013/36/EU (CRD IV) as they stood on the day prior to the application date of Investment Firms Directive and the Investment Firms Regulation pending re-authorisation as credit institutions.

*Notwithstanding the above paragraph, impacted MiFID investment firms are required to engage with their usual supervisory team setting out a reasonable plan to bring the respective firm into compliance with the prudential framework under CRR (as amended by Regulation (EU) No 2019/876 (CRRII)) and CRDIV (as amended by Directive 2019/878/EU (CRDV)) including Part VI liquidity requirements (“the steady state prudential framework”) as soon as possible. For the avoidance of doubt any impacted MiFID investment firm must be in compliance with the steady state prudential framework by the end Q3 2022 reporting date.*

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<sup>1</sup> MiFID activities (3) or (6)