

## Response of the Global Legal Entity Identifier Foundation (GLEIF) to the European Banking Authority (EBA) Consultation Paper on Draft Regulatory Technical Standards on Disclosure of Investment Policy by Investment Firms under Article 52 of Regulation (EU) 2019/2033 on the Prudential Requirements of Investment Firms

July 2021

The Global Legal Entity Identifier Foundation (GLEIF) is pleased to provide comments to the European Banking Authority (EBA) Consultation Paper on Draft Regulatory Technical Standards on Disclosure of Investment Policy by Investment Firms under Article 52 of Regulation (EU) 2019/2033 on the Prudential Requirements of Investment Firms. GLEIF will focus its comments on using the Legal Entity Identifier (LEI), which is provided under Article 2 of the draft RTS and IF IP1 – Template on Proportion of Voting Rights.

First, GLEIF would like to respond to **Question 1: “Are the instructions, tables and templates clear to the respondents?”**.

GLEIF finds the instructions, tables, and templates provided by the EBA to be clear. This level of standardization and harmonization will help EBA collect consistent and comparable public information on the public policy of investment firms. GLEIF also welcomes the LEI requirement for all disclosing companies under the *Article 2* General specifications and IF IP1 – Template on Proportion of Voting Rights.

GLEIF also would like to comment on **Question 2: “Do the respondents identify any discrepancies between these tables, templates and instructions and the requirements set out in the underlying regulation?”**.

The draft RTS aims that disclosures be meaningful and consistent over time to enable users to compare information across disclosure periods.

According to Article 5, “*Disclosure of explanation of the use of proxy advisor firms*”, (a) the information on the list of proxy advisor firms used by the investment firm by using table IF IP3.01 of Annex I to this Regulation and by following the instructions set out in Annex II to this Regulation.

In the Annex I, IF IP3 “Proxy Advisory Firms”, the “identifier of the proxy advisory firm” is requested. According to the Annex II, which lays out the instructions to populate Annex I, the “identifier of the proxy firm” is explained as the “identifier of the proxy advisory firm, preferably a LEI.”. GLEIF suggests that for complete harmonization of identification and transparency purposes, the LEI should be mandatory for “proxy advisory firms” as well.

Additionally, uniquely identifying proxy advisory firms with the LEI would help to disclose the links between proxy firms and undertakings or groups in which investment firms hold shares and prevent any potential conflicts of interest.