



THE CNMV ADOPTS EBA GUIDELINES ON SOUND REMUNERATION POLICIES FOR IFs UNDER DIRECTIVE (EU) 2019/2034

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The Spanish National Securities Market Commission (CNMV) has informed EBA of its intention to comply with the [guidelines on sound remuneration policies for IFs under Directive \(EU\) 2019/2034](#)¹.

Therefore, the CNMV will take such criteria into account and focus its attention, within the scope of its supervisory powers, on compliance with them by the firms to which they apply.

The aim of these Guidelines is to improve the clarity and convergence in the application of certain aspects of the requirements on remuneration policies, following the amendments to Directive (EU) 2019/2034 on this matter.

The Guidelines supplement the details contained in Directive (EU) 2019/2034 on the governance and processes relating to the implementation of remuneration policies for all staff and identified staff. The most relevant aspects of these guidelines are indicated below:

- They detail the requirements to ensure gender neutral remuneration policies, i.e., that staff, irrespective of their gender, receive equal pay for equal work or work of equal value. In this regard, the guidelines detail how to monitor the gender pay gap according to the size of the firm.
- They also contain the requirements that the remuneration policy must comply with in terms of approval and payment of variable remuneration for identified staff, in particular on aspects relating to the deferral of variable remuneration and payment in instruments.
- They detail the requirements on remuneration ratios that firms' remuneration policies must comply with in the variable part of remuneration for identified staff under previous legislation.
- They contain the supervisory approach to be applied by competent authorities in the supervision of remuneration policies and practices.

¹ Pending transposition.

The most notable new features incorporated via Directive (EU) 2019/2034 are the following:

- The removal of the threshold on the 200% fixed remuneration ratio for the variable remuneration of identified staff².
- The application of a waiver for IFs with on- and off-balance-sheet assets valued under €100 million over the last four-year period to establish a Remuneration Committee and for the deferral requirements for variable remuneration and payments in instruments for IFs under such threshold.
- The non-application of the remuneration rules to small and non-interconnected IFs.

EBA published these guidelines on 14 March 2022, and they are applicable as of 30 April 2022.

The Guidelines have been issued under Article 16(3) of Regulation No 1093/2010 of the European Parliament and of the Council, of 24 November 2010, regulating the creation of the European Supervisory Authority (European Banking Authority), which establishes that competent authorities and financial institutions will do everything possible to adhere to these guidelines. Additionally, the EBA Regulation also establishes the obligation of competent authorities to inform EBA, within two months of publishing the translated Guidelines, whether they comply or intend to comply with the Guidelines published by EBA.

² Spanish legislation has not yet made any amendment relating to this threshold, although it was not included in the transposition project that was submitted to public consultation.