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**DECISION OF THE EUROPEAN CENTRAL BANK**  
**of 29 July 2010**  
**on access to and use of certain TARGET2 data**  
**(ECB/2010/9)**  
**(2010/451/EU)**  
**(OJ L 211, 12.8.2010, p. 45)**

Amended by:

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► <b><u>M1</u></b>	Decision (EU) 2017/2080 of the European Central Bank of 22 September 2017	L 295	86	14.11.2017

**▼B****DECISION OF THE EUROPEAN CENTRAL BANK****of 29 July 2010****on access to and use of certain TARGET2 data***(ECB/2010/9)*

(2010/451/EU)

**▼M1***Article 1*

1. CBs shall access transaction-level data extracted from TARGET2 from all participants of all TARGET2 components for the purposes of ensuring the efficient functioning of TARGET2 and its oversight. CBs may also access the data in order to carry out the analyses necessary for macroprudential oversight, financial stability, financial integration, market operations, monetary policy functions and the Single Supervisory Mechanism, in accordance with the separation principle.

2. Access to the data referred to in paragraph 1 and their use for quantitative analyses and numerical simulations shall be limited to the following:

- (a) for ensuring efficient functioning and oversight of TARGET2, one staff member and up to three alternates separately for both the operation and oversight of TARGET2. The staff members and their alternates shall be staff members dealing with the operation of TARGET2 and with market infrastructure oversight;
- (b) for all other analyses, a group of up to 15 staff members conducting research, coordinated by the European System of Central Banks' heads of research.

3. CBs may appoint the staff members and their alternates. The appointment of staff members from operations, including heads of research, who are permitted to access TARGET2 data in accordance with paragraph 2, shall be subject to approval by the Market Infrastructure Board (MIB). The appointment of staff members from oversight, who are permitted to access TARGET2 data in accordance with paragraph 2, shall be subject to approval by the Market Infrastructure and Payments Committee (MIPC). The same procedures shall apply for their replacement.

4. The MIB shall establish specific rules for guaranteeing the confidentiality of transaction-level data. CBs shall ensure compliance with these rules by their staff members designated in accordance with paragraphs 2 and 3. Without prejudice to the application of any other rule on professional conduct or confidentiality by CBs, in the event of non-compliance with the specific rules established by the MIB, CBs shall prevent any of their designated staff members having access to and use of data referred to in paragraph 1. The MIB shall monitor compliance with the provisions of this paragraph.

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5. The Governing Council may also decide to grant access to other users on the basis of precise and predefined rules. In such cases, the MIB shall monitor their use of the data and, in particular, their compliance with the rules of confidentiality, both as established by the MIB and as set out in Article 38 of Annex II to Guideline ECB/2012/27 <sup>(1)</sup>.

**▼ B***Article 2***▼ M1**

1. The TARGET2 Simulator shall be established for the performance of the quantitative analyses and numerical simulations referred to in Article 1(1).

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2. The TARGET2 Simulator shall be developed and maintained by the SSP-providing CBs and Suomen Pankki. It shall comprise the necessary technical infrastructure, data extraction tools, simulation tools and analytical software to be installed in the SSP.

3. The services and technical specifications of the TARGET2 Simulator shall be further determined in an agreement between the SSP-providing CBs and Suomen Pankki and the CBs, approved by the Governing Council.

**▼ M1***Article 3*

1. The MIB shall establish a medium-term operational work programme and the MIPC shall establish an oversight work programme to be performed by the staff members designated in accordance with Article 1(2) and (3), using transaction-level data.

2. The MIB may decide to publish information derived from the use of transaction-level data, provided that it is not possible to identify participants or participants' customers.

3. The MIB shall act by simple majority. Its decisions shall be subject to review by the Governing Council.

4. The MIB shall regularly inform the Governing Council of all matters related to the application of this Decision.

*Article 4*

Without prejudice to Article 38(3) of Annex II to Guideline ECB/2012/27, the MIB shall coordinate the disclosure and publication by CBs of payment information regarding a participant or a participant's customers provided for in that Article.

**▼ B***Article 5*

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Union*.

<sup>(1)</sup> Guideline ECB/2012/27 of 5 December 2012 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (OJ L 30, 30.1.2013, p. 1).