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Director General
Directorate-General Financial Stability, Financial Services and
Capital Markets Union (FISMA)
European Commission
Rue de Spa 2
1049 Brussels
Belgium

29 September 2023

JC 2023 53

EBA-2023-D-4505

Subject: European Commission request for technical advice to the European Supervisory Authorities regarding designation criteria and fees for the DORA oversight framework

Dear Mr. Berrigan,

The European Commission requested technical advice from the European Supervisory Authorities (ESAs) by 30 September 2023 regarding criticality criteria and fees for the DORA oversight framework. This technical advice aims to assist the European Commission in formulating elements needed to enact the two respective delegated acts on criticality criteria and oversight fees.

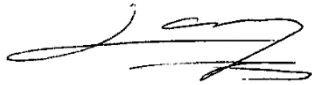
It is our pleasure to provide you with the Joint Technical Advice of the ESAs in response to the request.

In summary, the ESAs are proposing eleven quantitative and qualitative indicators for the criticality criteria, along with the necessary information to build up and interpret such indicators following a two-step approach. A number of minimum relevance thresholds are proposed for quantitative indicators, where possible and applicable, to be used as a starting point in the assessment process to designate critical third-party providers. As regards the oversight fees, the ESAs are making proposals for the types of estimated expenditures (for both the ESAs and the competent authorities) that shall be covered by fees, as well as the appropriate method, basis and available information for determining the applicable turnover of the CTPPs. To inform this advice the ESAs carried out a public consultation between May and June of this year. The annex

of the report includes a detailed statement on the feedback received during the public consultation on both topics.

The ESAs remain at your disposal to provide any further support to the European Commission in preparing the two delegated acts.

Yours sincerely,



José Manuel Campa
EBA Chairperson
Chair of the Joint Committee



Petra Hielkema
EIOPA Chairperson



Verena Ross
ESMA Chair

CC: Alexandra Jour-Schröder, DG FISMA, Deputy Director-General, European Commission
Marcel Haag, DG FISMA, Director Dir B, Horizontal Policies
Jan Ceysens, DG FISMA, Head of Unit B4, Digital Finance, European Commission
Mattias Levin, DG FISMA, Deputy Head of Unit B4, Digital Finance, European Commission

Encl: Joint-ESAs' response to the Call for advice on the designation criteria and fees for the DORA oversight framework