

INVITATION TO COMMENT ON EFRAG'S ASSESSMENTS ON Prepayment Features with Negative Compensation (Amendments to IFRS 9)

Comments should be submitted by 2 November 2017 by using the '[Express your views](#)' page on EFRAG website or by clicking [here](#)

EFRAG has been asked by the European Commission to provide it with advice and supporting material on *Prepayment Features with Negative Compensation (Amendments to IFRS 9)* ('the Amendments'). In order to do so, EFRAG has been carrying out an assessment of the Amendments against the technical criteria for endorsement set out in Regulation (EC) No 1606/2002 and has also been assessing the costs and benefits that would arise from their implementation in the European Union (the EU) and European Economic Area.

A summary of the Amendments is set out in Appendix 1 of the accompanying *Draft Letter to the European Commission* regarding endorsement of the Amendments.

Before finalising its assessment, EFRAG would welcome your views on the issues set out below. Please note that all responses received will be placed on the public record, unless the respondent requests confidentiality. In the interests of transparency, EFRAG will wish to discuss the responses it receives in a public meeting, so it is preferable that all responses can be published.

EFRAG's initial assessments, summarised in this questionnaire, will be updated for comments received from constituents when EFRAG is in the process of finalising its *Letter to the European Commission* regarding endorsement of the Amendments.

Your details

1 Please provide the following details:

- (a) Your name or, if you are responding on behalf of an organisation or company, its name:

International Swaps and Derivatives Association (ISDA) Inc.

- (b) Are you a:

Preparer User Other (please specify)

Industry Association

- (c) Please provide a short description of your activity:

Since 1985, the International Swaps and Derivatives Association has worked to make the global derivatives markets safer and more efficient.

ISDA's pioneering work in developing the ISDA Master Agreement and a wide range of related documentation materials, and in ensuring the enforceability of their netting and collateral provisions, has helped to significantly reduce credit and legal risk. The Association has been a leader in promoting sound risk management practices and processes, and engages constructively with

*Prepayment Features with Negative Compensation (Amendments to IFRS 9)
Invitation to Comment on EFRAG's Initial Assessments*

policymakers and legislators around the world to advance the understanding and treatment of derivatives as a risk management tool.

Today, ISDA has more than 875 member institutions from 68 countries. These members comprise of a broad range of derivatives market participants, including corporations, investment managers, government and supranational entities, insurance companies, energy and commodities firms, and international and regional banks. In addition to market participants, members also include key components of the derivatives market infrastructure, such as exchanges, intermediaries, clearing houses and repositories, as well as law firms, accounting firms and other service providers.

ISDA's work in three key areas – reducing counterparty credit risk, increasing transparency, and improving the industry's operational infrastructure – show the strong commitment of the Association toward its primary goals; to build robust, stable financial markets and a strong financial regulatory framework.

- (d) Country where you are located:

Global Association with Offices in Europe in London and Brussels

- (e) Contact details, including e-mail address:

One Bishops Square
London E1 6AD
United Kingdom
Phone: 44 (0) 20 3808 9700
Fax: 44 (0) 20 3808 9755
isdadeurope@isda.org

EFRAG's initial assessment with respect to the technical criteria for endorsement

- 2 EFRAG's initial assessment of the Amendments is that they meet the technical criteria for endorsement. In other words, the Amendments are not contrary to the principle of true and fair view and meet the criteria of understandability, relevance, reliability, comparability and no issues have been identified that would affect prudent accounting. EFRAG's reasoning is set out in Appendix 2 of the accompanying *Draft Letter to the European Commission* regarding endorsement of the Amendments.

- (a) Do you agree with this assessment?

Yes No

If you do not agree, please provide your arguments and what you believe the implications of this could be for EFRAG's endorsement advice.

- (b) Are there any issues that are not mentioned in Appendix 2 of the accompanying *Draft Letter to the European Commission* regarding endorsement of the Amendments that you believe EFRAG should take into account in its technical evaluation of the Amendments? If there are, what are those issues and why do you believe they are relevant to the evaluation?

Banks, whose lending includes features that are the subject of the amendment, will be seeking endorsement of the amendment in time for their 2017 ARAs where the quantified day 1 impact of IFRS 9 must be provided in accordance with IAS 8 requirements. Most banks will wish to adopt the amendment early and therefore endorsement by early February 2018 is seen as critical.

The European public good

- 3 In its assessment of the impact of the Amendments on the European public good, EFRAG has considered a number of issues that are addressed in Appendix 3 of the accompanying *Draft Letter to the European Commission* regarding endorsement of the Amendments.

Improvement in financial reporting

- 4 EFRAG has identified that in assessing whether the endorsement of the Amendments is conducive to the European public good it should consider whether the Amendments are an improvement over current requirements across the areas which have been subject to changes (see paragraphs 3 to 6 of Appendix 3 of the accompanying *Draft Letter to the European Commission*). To summarise, EFRAG's initial assessment is that the Amendments are likely to improve the quality of financial reporting.

Do you agree with the assessment?

Yes No

If you do not agree, please provide your arguments and indicate how this could affect EFRAG's endorsement advice.

Costs and benefits

- 5 EFRAG is also assessing the costs that are likely to arise for preparers and for users on implementation of the Amendments in the EU, both in year one and in subsequent years. Some initial work has been carried out, and the responses to this invitation to comment will be used to complete the assessment.

The results of the initial assessment of costs are set out in paragraphs 8 to 17 of Appendix 3 of the accompanying *Draft Letter to the European Commission* regarding endorsement of the Amendments. To summarise, EFRAG's initial assessment is the one-off and ongoing costs for preparers are not expected to be significant. Also, EFRAG expects users to incur a one-off cost of understanding the change, but not to incur further ongoing costs.

Do you agree with this assessment?

Yes No

If you do not, please explain why you do not and (if possible) explain broadly what you believe the costs involved will be?

- 6 In addition, EFRAG is assessing the benefits that are likely to be derived from the Amendments. The results of the initial assessment of benefits are set out in paragraph 18 to 20 of Appendix 3 of the accompanying *Draft Letter to the European*

*Prepayment Features with Negative Compensation (Amendments to IFRS 9)
Invitation to Comment on EFRAG's Initial Assessments*

Commission regarding endorsement of the Amendments. To summarise, EFRAG's initial assessment is that the Amendments are designed to address the concerns of some interested parties on how IFRS 9 classifies financial instruments with negative prepayment features. Also, users are expected to benefit from the Amendments, as the resulting information will likely increase comparability between entities.

Do you agree with this assessment?

Yes No

If you do not agree with this assessment, please provide your arguments and indicate how this could affect EFRAG's endorsement advice.

- 7 EFRAG's initial assessment is that the benefits from improved financial information being available on a more relevant, understandable and comparable basis to be derived from implementing the Amendments in the EU, as described in paragraph 6 above, are likely to outweigh the costs involved which are considered as insignificant, as described in paragraph 5 above.

Do you agree with this assessment?

Yes No

If you do not agree with this assessment, please provide your arguments and indicate how this could affect EFRAG's endorsement advice.

Overall assessment with respect to the European public good

- 8 EFRAG has initially concluded that endorsement of the Amendments would be conducive to the European public good (see paragraphs 22 to 25 of Appendix 3 of the accompanying *Draft Letter to the European Commission*).

Do you agree with this conclusion?

Yes No

If you do not agree, please explain your reasons.