06-02 batch of categorisations to be approved by SRB

Mailing from ESRS Q&A Platform to Sustainability Reporting Board

Cut-off date for question	s processed by s	ecretariat:	17/04/2024	Mailing for:	SR Board	Mailing type:	a: ca	t. to be sent to SRE	3
Category of question: * explanation Re- * Imp.G sponse * Amendment ID * out of scope * Rejection (secretariat proposal)	bundling of related questions (only applicable for implementation guidance and 5c already asked)	Allocatio n to E, S, G, x- cutting and others	Q+A Title (Secretariat)	Question asked (Secretariat)	ESRS reference (Secretariat)	Reason for categorisation	Main Sector	Stakeholder group	Country question coming from
437 1 - explanation	n/a	Environm	Waste;	Is "incineration with energy recovery" to	ESRS E5-5 paragraph	Incineration is to be treated as a recovery operation, if it meets the	Chemicals	Preparer	Germany
question		ent	incineration	be reported under "other recovery operations"?	37, b, iii	conditions to be considered as an R1 operation, according to Annex II do the Waste directive. In this case, it shall be considered as an "other recovery operation" (ESRS E5, paragraph 37(b)(iii)). If the conditions in which incineration occur are conducive for its classification as a D10 operation (Annex II of the Waste Directive), then it shall be classified as a disposal operation.			
438 1 - explanation question	n/a	Environm ent	Radioactive	Why is it necessary to report radioactive waste from analytical devices and tracer applications?		ESRS E5, para 39 requires to disclose the total amount of hazardous waste and radioactive waste but point out that ESRS 1 para 31 applies (materiality of informationo) and therefore reporting of de minimis amounts is not required		Preparer	Germany
556 2a - implementation guidance (new)	n/a	ent	accute and chronic	Can EFRAG provide more guidance for companies as to what materiality thresholds for chronic and acute physical climate risks are?	ESRS E1 paragraph 66a; ESRS Disclosure Requirement E1-9	The answer to this question is AR 68 (could then be a simple EXPLANATION) - depends on the undertaking's internal methodology. However, to answer this question with the level of detail suggested would require extensive research and consultation, in what could be quite a lengthy and complex process. We suggest that to treat it as a IG (and a complex one), to be prioritized in accordance and to get back to author flagging AR68 and that this will be treated as IG, to be prioritized appropriately.	Information Technology	Industry Group	United States of America
678 2a - implementation guidance (new)	n/a	ent	prepare consolidated accounts	What organizational boundary method should be used for GHG emissions when the entity does not prepare consolidated financial statements per the exemption in ESRS 1 para. 62 (e.g. 48i transitional provision)? ESRS E1 paragraph 50 (a) & (b) requires the Scope 1 and 2 emissions to be disaggregated by the consolidated accounting group and nonconsolidated entities (considering operational control), but the entity may be exempt from financial consolidation.	ESRS E1 paragraph	** * *	Not applicable	Preparer	United States of America

211 2b - implementation guidance (addendum to existing one)	IG 2	Environm ent	emissions scope 3; joint	How shall reporting undertakings report GHG emissions from joint arrangements and associates, including in category 15 of scope 3, given the general value chain reporting requirements in ESRS 1?	paragraph 46, AR40, and AR46; ESRS 1,	See replies to ID 78 and ID 212 for operational control. [PEDRO: PLEASE NOTE THAT THIS QUESTION IS ALSO ASKING HOW TO CLASSIFY IN OR OUT CATEGORY 15 THE EMISSIONS SCOPE 3 OF JVS AND ASSOCIATES THAT ARE AND THOSE THAT ARE NOT ACTORS IN THE VALUE CHAIN. THIS SEEMS TO BE BEYOND THE SCOPE OF WHAT WE HAVE IN THE STANDARD. SHALL WE CONSIDER IT AS DESERVING OTHER IG? OR SHALL WE ATTEMP TO REPLY. [Chiara: refer to 2.3 VC, In answer, split into two: provide link Scope 3 categories depndeing on key of VC2.3] agreed to have that nuance in IG 2 when finalizing it (Secretariat 26.3 follow-up when IG 2 finalized!!)	Chemicals	User	Switzerland
467 5a -rejection: non- conclusive	n/a	Environm ent	Resource inflow; materiality	How shall I assess whether an inflow is material or not?	ESRS E5-4 paragraph 31	MAIG guide is already explaing that MA is based on the use of professional judgement; in addition to that EFRAG secretariat cannot perform the materiality assessment for a specific fact pattern; specific facts and circumstances are unknown; answer is specific on them; specific fact pattern itself is non-widespread	Electronics and electrical equipment	Industry Group	Sweden
659 5d - rejection: already asked/answered	ID 479	Governan ce	ESRS G1 and PAT	Is it mandatory to disclose actions and targets for G1?	ESRS 2 MDR-A § 66 ESRS 2 MDR-T § 80	Already asked in ID 479 which is: "Do MDRs not have to be applied for matters that are matched to the G1 standard?"	Not applicable	User	Germany
679 2a - implementation guidance (new)	ID 731	Other	3rd country reporting and scope	Are entities required to incorporate financial data into disclosure requirements when the entity does not prepare consolidated financial statements at the required sustainability reporting level due to an exemption? For example, total revenue or capital expenditure metrics? Would preparers not need to comply with ESRS 1 paragraphs 124 and 125 in these situations?	CSRD Art 48i Transitional provisions ficticious consolidation at EU	CSRD Art 48i allows a member state option for undertakings subject to Art 19a and 29a whose parent undertaking is not goverened by the law of a member state to prepare consolidated sust. reporting that includes all Union subsidiary undertakings of such parent undertaking subject to Art 19a or 29a. Here called "ficticious consolidation at EU level". In this situation it is not possible to prepare "connected information" as required by ESRS 1 paragraph 124 and 125. Recommend to develop what to do in this situation in an IG and propose to public for feedback. Alternative: Reject question as out-of-scope (slightly different but related question ID 731: Can non-listed companies, which are not required to draw-up financial statements, publish a stand-alone Sustainability Report instead of presenting sustainability information in a dedicated section of the management report?)	Not applicable	Preparer	United States of America
732 2a - implementation guidance (new)	ID 679, 732	Other	3rd country reporting and scope	Even if a reporting company is non-listed and has no legal obligation to disclose financial information(financial statements), is it obligated to publicly disclose its financial information required by ESRS?	ESRS 2 48d; ESRS 2 40(b)	this is pertaining to ESRS for non EU; point needs to be addressed as part of standards for non EU > out of scope of Set 1 and so of Q&A for the time being	Electronics and electrical equipment	Preparer	South Korea
725 4 - out-of-scope of EFRAG	n/a	Other	Enforcement	How does ESRS (EFRAG) ensure that companies implement the standards? Resp. what happens to companies if they do not report or do not report sufficiently?	CSRD	question is on enforcement	Food and Beverages	Preparer	Switzerland

731 4 - out-of-scope o EFRAG	f ID 679, 732	Other	3rd country reporting and scope	Can non-listed companies, which are not required to draw-up financial statements, publish a stand-alone Sustainability Report instead of presenting sustainability information in a dedicated section of the management report?	ESRS 1 Para. 110; ESRS 2 Para. 5	EU to decide on the location of the report, including for non EU companies	Electronics and electrical equipment	Preparer	South Korea
844 4 - out-of-scope o EFRAG	f n/a	Other	Third country parent and reporting of EU subsidiaries	Application scope of sustainability reporting under ESRS	N/A	Question is on the applicability of CSRD / Accounting Directive no ESRS	Not applicable	Other	South Korea
284 1 - explanation question	IG 2: Value chain; ID 787	x-cutting	associates;	How should joint venture (or associates) employees be taken into account in the sustainability statement?		an explanation would be beneficial: VCIG already states that operational control does not apply to JV or associates (except if they are part of the value chain); group is only parent and subs; need to more clearly elaborate where opertional control is relevant (some E standards) and where not (S standards?); so JVs/associates are not part of own operations combine with ID 787: Are their precise criterias on how companies should consolidate? Is it financial or operational consolidation?	Not applicable	Preparer	Switzerland
429 1 - explanation question	n/a	x-cutting	Entity-specific disclosures	"its disclosures include, where applicable, all material information related to the reporting areas of governance; strategy; impact, risk and opportunity management; and metrics and targets (see ESRS 2 chapters 2 to 5)." When replying to an entity specific disclosure, which are the data point or the disclosure requirements to take into account from ESRS 2?	ESRS 2 Appendix A: AR2 (b)	explanation need that an entity specific matter not covered by any ESRS could result in some GOV, SBM-1 to 3 and all MDR Disclosure Requirements depending on the facts and circumstances	Not applicable	Other	Belgium
496 1 - explanation question	related question received under ID 513, 803 (will be answered on a sector agnostic basis together under ID 496)		Own operations - defintion; subcontractor s in construction sector	How should "own operations" be understood in the case of a construction company (general contractor)?	ESRS E5, DR E5-5, paragraph 37	•	Construction and Engineering	Preparer	Finland
644 1 - explanation question	n/a	x-cutting	Fossil fuel sector, scope	What are the limits of the fossil fuel sector? Is petrochemical sector included? Like ethylene production?	ESRS 2 paragraph 40 d (i)	explanation on the boundaries of the fossil fuel sector is helpful for this sector-agnostic Disclosure Requirement of ESRS 2	Professional Services	Preparer	France
728 1 - explanation question	n/a	x-cutting	representative	Is the "representation of employees and other workers" asking which of the board members is also an employee or is it about if there are workers representants in the board?	21.b	ESRS requires (only) information whether (or not) employees or other workers are represented in AMS bodies. This can be driven by national law. Consistency with CG statement is needed.	Not applicable	Other	Belgium

733 1 - explanation question	n/a	x-cutting	ESRS 2 versus topical DR	I think many of the ESRS 2 datapoints can be overlapping with those in Topical standards. What would be the scope of information the preparer is expected to provide within ESRS 2 (that are distinctive of topical standards	ESRS 1	So far it has not been received that the ESRS DR are overlapping with the topical standards. On the contrary the topical standards have DR that relate to ESRS 2 disclosures and specify them in relation to the respective topic. So these are a specifications that must be disclosed as part of the ESRS 2 DR if the topic is assessed as material.	equipment	Preparer	South Korea
781 1 - explanation question	n/a	x-cutting		datapoints) Is the General Meeting to be considered as an "administrative, management and supervisory body"? The General Meeting is usually a company's highest decision making body. However, it seems that the General Meeting is not mentioned once in any EFRAG materials, such as Q&A's, and the focus is on the Board of Directors and its committees, and the CEO.	GOV-2	General meeting is a seperate governance body then AMS. Body includes powers of shareholders. ESRS does not adress General Meeting. In contrast Accounting Directive and National CG Code refer to this body. Consider when answering: that the general meeting or shareholders meeting as it is often called an important aspect where shareholders can provide their input on the management of the company/group as a whole. However, while it may ratify or approve important decisions such as dividends and major investments/divestments etc. it is not involved in the continuous management of the undertaking and therefore not considered in the ESRS as it embodies the rights of the shareholders themselves.	Electronics and electrical equipment	Preparer	Finland
787 1 - explanation question	see also ID 284; 792	x-cutting	financial vs operational control / what to use when	Are their precise criterias on how companies should consolidate? Is it financial or operational consolidation?	General question	explain when to use operational control instead of financial control combine with ID 284: How should joint venture employees be taken into account in the report?	Not applicable	User	Belgium
534 2b - implementation guidance (addendum to existing one)	ID 500	x-cutting	Application	I hope to clarify if Application Requirements sometimes count as individual data points under a DR to be reported upon. As an example in relation to ESRS E1, E1. IRO-1 20b	ESRS E1, E1. IRO-1 20b and AR 11 a,b,c,d	Similar comments have been provided in the public feedback of IG3. Clarification will be reflected in the final version of IG 3	Not applicable	Assurance Services Provider	Denmark
682 4 - out-of-scope of EFRAG	f n/a	x-cutting	company with	As part a group, only our largest understaking meets the criteria to start reporting in FY2025. We would like to understand if the group and the largest company shall present separate reports, where the group report would include the large company sustainability as well as other group undertakings, and the large company should report on itself alone. Alternatively, would the group report comprising the largest company be sufficient?	Phase in	The question requires an interpretation of the accounting directive and it is not related to ESRS. HOWEVER: Based on the question received it can be assumed that in the case of the submitter the parent company is a non-EU company. It might be beneficial for that fact pattern to explain that indeed the large EU sub must prepare its own sustainability statement before the 3rd country reporting applies.	Food and Beverages	Preparer	Malta
687 4 - out-of-scope of EFRAG	f n/a	x-cutting	Reporting by parent / by subsidiaries	Do groups with companies in several EU countries and holding company headquarters in Germany have to report exclusively to a German authority or is the report submitted to an EU authority? In the respective EU countries with subsidiaries, does a report also have to be submitted to a competent authority in the respective country for each subsidiary or a consolidated report for the subsidiaries within a country?		Reporting of financial statements and management reporting (including the sustaiinability statement) is governed by the accounting directive not ESRS. Also not clear, what is meant by "report to a German / EU authority". Sustainability statement is part of the management report. So, no "report to a German or any other authority". All EU subsidiaries can prepare individual sustainability statements or use subsidiary exemption (ESRS 1 chapter 7.6)	Not applicable	User	Germany

680 5a -rejection: non- conclusive	n/a	x-cutting	Practicable thresholds	When it comes to report information to concerning performance indicators, e. g. for ESRS Standards E1 - E4, is it applicable to use practicable thresholds for determining the information?	Qualitative characteristics of	·	Construction Materials	Preparer	Germany
506 5d - rejection: already asked/answered	ID 148	x-cutting	consolidation - non-EU	Shall an EU entity (i.E. EU-based listed holding company) that falls under the scope of the CSRD reporting obligation, and which has a non-EU subsidiary (a credit institution), include in its consolidated report ESRS data points/KPIs of that Non-EU subsidiary (credit institution)?	ESRS 1 7.6	ID 148, is more general but as agnostic includes also credit institutions: Does the (consolidated) sustainability statement of a parent company has to include all its subsidiaries even if some of them are located out-side of the EU and/or if some are not (financially/legally) consolidated?	Not applicable	Preparer	Bulgaria
645 5d - rejection: already asked/answered	ID 644	x-cutting	Fossil fuel sector, scope	Should an Engineering, Procurement and Construction contractor of an LNG plant include its EPC revenues under this caption?		Question is combined with ID 644 as it is also related to ESRS 1 para 40 (d) i fossil fuel; ID 644: What are the limits of the fossil fuel sector? Is petrochemical sector included? Like ethylene production?	Professional Services	Preparer	France
683 5d - rejection: already asked/answered	ESRS 2 paragraph 8	x-cutting	location of ESRS 2 BP	For each "basis of preparation" described in the standard ESRS 2, should all the disclosures concerned by the standard be listed in the ESRS 2 paragraph at the beginning of the report?	ESRS 2 BP-2		Food and Beverages	Preparer	France
684 5d - rejection: already asked/answered	ID 148	x-cutting	consolidation - non EU - unconsolidate	Which countries are to be included in the reporting? If the holding company is based in Germany, are all subsidiaries worldwide to be included or only those based in Europe? Should subsidiaries in the UK be included?	ESRS S1	ID 148: Does the (consolidated) sustainability statement of a parent company has to include all its subsidiaries even if some of them are located out-side of the EU and/or if some are not (financially/legally) consolidated?	Not applicable	User	Germany
706 5d - rejection: already asked/answered	IG1 chapter 3.6 and 3.7	x-cutting	opportunity / positive vs negative impact, thresholds	We understand that the exercise of assessment of the materiality of a topic results in determining a level of risk and a level of opportunity for the financial materiality on one side, and a level of negative impact and a level of positive impact for the impact materiality on the other side. However, we are wondering how to properly give a sense of risk vs opportunity and positive vs negative impact? Question rephrased to: Where to set thresholds for risks and opportunities respectively positive and negative impacts? For instance, if a topic has a high level of opportunity, and a low level of risk, where should we place it on our matrix for the reader to be able to know whether the level of financial materiality is driven by the risk or by the opportunity of this specific topic?	ESRS 1 Chapter 2.2	IG1 chapter 3.6 "deep dive on impact materiality" / 3.7 "deep dive on financial materiality"	Not applicable	Preparer	France

717 5d - rejection: already asked/answered	IG1 chapter 2.5	x-cutting	Datapoints derived from EU legislation and materiality	Are datapoints from ESRS 2, Appendix B (List of datapoints in cross-cutting and topical standards that derive from other EU legislation) always mandatory and if not, how can this be compatible with the CSRD (2022/2644, Article 1 - Amendments to Directive 2013/34/EU, paragraph 8, no. 1, subparagraph 2: "which shall at least include the information that financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088 need in order to comply with those obligations")?		IG1 chapter 2.5 deals with "datapoints derived from EU legislation". EU datapoints not considered material by the undertaking shall be stated as not material and are thereby disclosed. Strictly speaking this question is also not a technical question but asking why ESRS are drafted as they are drafted.	Professional s Services	Assurance Services Provider	Germany
721 5d - rejection: already asked/answered	ESRS 1 paragraph 32; IG1 paragraph 31	x-cutting	Always material topics?	If a topic is mandatory to report on (such as E1 climate change), can the materiality assessment for the IROs belonging to this topic be omitted and the IROs will become material automatically?	ESRS 1 General Requirements paragraph 25, 27, 42, 45, 46	There is no sustainability matter that is mandatory in any case. Therefore, the question is based on a wrong assumption.	Food and Beverage Services	Preparer	Germany
729 5d - rejection: already asked/answered	IG1 chapter 3.5, FAQ1 and chapter 5.4	x-cutting	stakeholder engagement	What is the correct approach to stakeholder engagement? Detailed questions provided in background: 1) When is the right time to engage stakeholders into the dialogue? Is it correct approach to engage stakeholders only in the last step of Double Materiality Assessment, for validation of identified material topics, sub-topics etc.? 2) Would it be correct to engage them in the form of questionnaire with a scale to score materiality of each topic? Is it sufficient to explain the reason why this topic was deemed material and not to include the exhausting list of IROs? 3) Should stakeholders consider what is material to them or consider what is material to them or consider what is material to the reporting entity in their view? 4) Is it correct to assign different weights to different stakeholder types when evaluating the results of stakeholder dialogue? Could these weights be decided solely by internal managerial decision of the reporting entity? 5) Is it correct approach to choose a sample of people from each stakeholder category a engage them in	ESRS E1, paragraph 3.1	Question is very broad with detailed subquestions that are addressed in IG1	Professional Services	Preparer	Slovakia

737 5d - rejection: already asked/answered	ESRS 1 paragraph 33 and 24; Draft ID1 paragraph 54 and 55	x-cutting	relationship of PAT and metrics			Targets are grouped together with policies and actions; metrics are treated differently in respect of the materiality assessment. Details are provided in ESRS 1 para 33 and 34 and in Appendix E; also in Draft IG1 para 54 and 55		Preparer	Sweden
757 5d - rejection: already asked/answered	IG1 chapter 2.4 para 55	x-cutting	omission of part of metrics datapoints	Would it be possible to report only part of the metrics of a material ESRS ?	ESRS 1 part 3.2	Is stated in para 55 of IG1 that also datapoints must not be reported if not material. Also ESRS 1 para 34 (b) is clear: " May omit information presribed by a datapoint of a DR if it assess such information to be not material"	Construction and Engineering	Preparer	France
788 5d - rejection: already asked/answered	IG 2 VC FAQ 1 and also FAQ 7 similar question ID 122	U	Value chain - tier N	How far from the company should we go when analysing affected stakeholders from the DMA perspective?	ESRS 1 General requirements 3./3.1./ 22. (a)	(Draft) IG 2 VC - FAQ 1: Where does the VC begin and end? see also: Chapter 5.1 ESRS 1, ESRS E1 para 46, Section 2.2,2.3 and 2.4 of VCIG and FAQ 1 and FAQ 7 of the VCIG. The answer is in ESRS, and explained further in VCIG (see also ID 122 with similar question: As part of the materiality analysis it is necessary to identify all material upstream activities.My question is about when it is allowed to make a cut, as some considerations would clearly exceed the scope. Example: Among other activities a logistic company uses trucks to transport the goods. This naturally results in various environmental effects (e.g co2-emission), but does the company now have to record the entire production of the truck? This would at once	Not applicable	Preparer	Finland
790 5d - rejection: already asked/answered	IG 1 - FAQ 23 ; see also ID 515 on impact materiality; ID 791	x-cutting	residual risks;	Should mitigation measures already in place be taken into consideration while doing the financial materiality assessment?	ESRS 1 chapter 3	make all ESRS issues material.) contentious question - warrants an addition to IG 1 - FAQ 23 (gross/net) ID 515: When scoring impacts, should we consider residual risk or inherent risk? ID 791: Does "before considering climate change mitigation/adaptation actions" also include actions that has already been implemented, or does it only refer to future actions?	Not applicable	Preparer	Sweden
813 5d - rejection: already asked/answered	IG 1 MA chapter 2	x-cutting	Prioritisation of IROs	Can/should IROs be prioritised for reporting purposes?	par.53 (b) iv; ESRS 2	IG 1 chapter 2: "If the undertaking identifeis a large number of IROs, it may priritise them for managment purposes. However, for reporting purposes this prioritisation shoulld not exclude any material IROs, in particular"	Not applicable	Preparer	South Korea
820 5d - rejection: already asked/answered	ID 58	x-cutting	employees; ESRS 2 related	Can Minimum Disclosure Requirements (and the related data points) be subject to phase-in provisions for the sustainability matters that have been assessed as material according to the undertaking's materiality assessment?	•	ID 58: If appendix C of ESRS 1 allows companies under 750 employees to omit E4 and S1-4 for the first three years, why does ESRS 2 paragraph 17 then say that the information still needs to be disclosed if considered material? Is there a difference in granularity of information disclosed?	Not applicable	Assurance Services Provider	Belgium

830 5d - rejection: already asked/answered	(Draft) IG 1 FAQ 22	x-cutting	holding and topic only material for subsidary	When performing the DMA for a holding company, should a topic, considered only material for subsidiary A be considered material at the holding level? At the end, should it be reported for all the other subsidiaries? Or due to weighting reasons it could be disregarded (if subsidiary A does not represent much neither in terms of impact nor financially)? Also, should we consider holding-level specific topics (e.g. holding company employee matters)??	67,68,69,70	FAQ 22: Is a multi-sector group required to include metrics for the entire group or only data related to the material IRO? Plus an example given in that FAQ.	Capital Markets	Assurance Services Provider	Portugal
697 5d - rejection: already asked/answered	ID 326	XBRL	XBRL - complete list of requirements	application requirements included in the excel draft list of esrs data points? Some		,	Professional Services	Non- Governmental Organisation	France
838 5d - rejection: already asked/answered	ID 326 and 697	XBRL	XBRL - complete list of requirements		ESRS E1 AR 46 and AR 51	,	Professional Services	Preparer	Germany