
QUESTIONNAIRE ON THE ASSESSMENT OF THE EQUIVALENCE WITH THE EUROPEAN REGULATORY AND SUPERVISORY FRAMEWORK

STEP 2 QUESTIONNAIRE – MARCH 2025

1. General considerations and overview of the banking sector

Explanation

*In this section, we would ask you to provide a description of the main features of your country's financial sector (e.g. size, number and type of institutions under prudential supervision), as well as the recent performance of the banking sector as a whole.
We would also ask to attach relevant documents supporting this description (e.g. public reports from your supervisory authority, from international organizations such as the IMF or World Bank), if they can help paint a picture of the financial and banking system in your country. Please use tables and charts where this can help a better comprehension of the recent evolution.*

1.1 STATE OF PLAY ON THE IMPLEMENTATION OF BASEL III

Explanation

The banking regulatory framework is a dynamic system that goes through changes and reviews. Jurisdictions across the world have been or are implementing Basel III into their domestic system.

1)

While this questionnaire includes targeted questions on your own implementation, please provide a general overview of the advancement of your implementation, the timeline and the potential deviations.

1.2 STRUCTURE OF THE BANKING SYSTEM

2)

Please provide an overview of the most recent trends and developments of your jurisdiction's financial and banking sector in recent years in terms of structure and types of institution

3)

2. Please provide the most recent data (possibly with the evolution over the past three years) on your country's banking system in terms of:

- a. Total Assets
- b. Number and type of institutions
- c. Assets per type of institutions
- d. Total deposits
- e. Deposits per type of institutions
- f. Other funding items/sources (total and per type of institution)
- g. Liability composition
- h. Type of ownership
- i. % of institutions that apply a Basel-like framework
- j. % of capital instruments that has been issued by local institutions outside your jurisdiction (i.e. under the private law of another jurisdiction)

1.3 1.3 PERFORMANCE AND TRENDS OF THE BANKING SYSTEM

4)

Please provide a self-assessment of the main risks and vulnerabilities of the financial and banking system in your country. Please provide details of recent trends in the following metrics:

- a. Household debt (in absolute value and vs. income)
- b. Corporate debt in absolute value and vs. total assets

5)

Please provide a self-assessment of the recent performance of the banking system in your country
Please provide, as much as they are available, data on the following metrics (last 5 years):

- I. CAPITAL ADEQUACY
 - a. CET1 ratio %
 - b. TOTAL CAPITAL RATIO %
 - c. LEVERAGE RATIO %
 - d. RWA Composition breakdown (Credit Risk, Market Risk, Operational Risk)
- II. LIQUIDITY
 - a. Liquidity Coverage Ratio, % (if implemented)
 - b. Net Stable Funding Ratio (NSFR), % (if implemented)
 - c. 30-day Cash Flow (or any other measure for short term liquidity)
 - d. Loan to deposit ratio
- III. PROFITABILITY
 - a. Return on Equity (RoE), %
 - b. Return on Assets (RoA), %
 - c. Main drivers (e.g. Net Interest Income, Net Trading Income, Net Fees and Commissions Income)
 - d. Cost/Income ratio, %
 - e. Litigation/conduct risk costs (if data are available)
- IV. ASSET QUALITY
 - a. Non-Performing Loans (NPLs) ratio, % (if available, please provide figures by sector)
 - b. Coverage Ratio, %

6)

2. Supervisory framework

2.1 GENERAL ISSUES, APPLICABILITY OF LAWS

Explanation

The CRD and CRR set out prudential requirements applicable to institutions as defined in Art. 4(1)(c) CRR and to certain investment firms as defined in Art. 1(2) IFR and Art. 5 IFD.

As for supervisory authorities, the EU framework applicable to institutions requires Member States to designate supervisory authorities in order to carry out all supervisory functions provided for in the EU law.

1)

Please explain which authorities are responsible for prudential regulation and supervision and briefly describe their respective responsibilities (to this extent, it would be helpful if you can provide an organigram of the prudential and regulatory authority). What is the structure and governance of cooperation between authorities?

Explanation

One of the key features of the CRD is the empowerment of competent authorities with specific tasks and duties, with legal enforceability. In particular, Member States must guarantee that competent authorities have the expertise, the resources, the operational capacity, powers and independence to carry out their duties relating to prudential supervision.

2)

Please describe the legal framework for conducting banking activities (i.e. relevant laws and regulations, with the respective issuance date)

3)

Are the laws and regulations supplemented by additional guidance? (e.g. interpretative notes issued by the relevant supervisor(s)?)

4)

For each category of executive guidance and operational rules issued by the regulatory and supervisory authority, please clarify their enforceability (i.e. which penalties are envisaged in case of breach of such guidance?)

2.2 AUTHORISATION

Explanation

The EU legislation requires institutions to hold a minimum initial capital or separate own funds prior to receiving authorisation to commence their activities. The requirements envisaged by the EU legislation follow the key principle that the initial capital should give the institution a stable basis to fund the core business without taking excessive risk and should show adequate commitment from the investors.

The EU framework also envisages specific rules about the acquisition of “qualifying holding” in a credit institution (i.e. acquiring participations in the credit institution as a result of which the percentage of voting rights or capital held in this institution would exceed any of the thresholds defined in the CRD (e.g. 20%, 30%, 50%). Specific criteria are also set out in order to properly assess the suitability of the proposed acquirer and the financial soundness of the proposed acquisition. Furthermore, specific information and disclosure requirements are envisaged in the CRD.

References

Provisions about the requirements for access to the activity of credit institutions are laid down in Title III of CRD; in particular, Art. 21a details the conditions for the approval of financial holding companies and mixed financial holding companies. The rules on initial capital are detailed in Art. 12 CRD while provisions of notification and assessment of a proposed acquisition, as well as the concept of qualifying holding are laid down in Art. 22-27 CRD.

5)

What are the requirements for granting authorisation to institutions to run their activities? Do these requirements differ according to the type of services provided? Are there notification requirements for a firm intending to cease/increase or decrease substantially the provision of already authorized services? If so, how does this notification process work (e.g. is it a non-objection procedure or a fully-fledged assessment?)

- 6) What are the reasons and circumstances (detriments of law committed by the credit institution) for the withdrawal of an authorisation that was granted to a credit institution or an investment firm?
- 7) Does your jurisdiction require that acquisitions or increases of qualifying or significant holdings in credit institutions must be subject to notification or application for approval and prudential assessment?
- a) If so, how is a qualifying or significant holding defined?
- b) Within this context, are there specific provisions concerning cross-border cooperation between supervisory authorities?

2.3 PRUDENTIAL SUPERVISION

Explanation

This section aims at understanding which types of institutions fall under the scope of prudential supervision in your jurisdiction and whether prudential supervision is performed on an individual institution level or a consolidated level or a combination of both. Regarding the level of consolidation, note that according to the CRR both levels are supervised (i.e. individual and consolidated); supervision at only one level should be carefully explained.

In the EU framework, external auditors (and similar functions) are obliged to inform supervisors about identified material breaches of the laws, regulations or administrative provisions specifying conditions for authorisation or carrying out activities of institutions. In the EU legislation, supervisors are allowed to impose administrative penalties and other administrative measures in various circumstances ranging from reporting of incomplete or inaccurate information to breach of limits. Moreover, supervisors are required to have appropriate mechanisms in place to encourage reporting of potential or actual breaches of law and institutions are required to have appropriate procedures in place for their employees to report breaches internally

References

Please refer to Art.1 CRR for the scope of the regulation and to Art. 6-9 CRR for level of supervision on individual basis and Art. 10a-19 CRR for the level of supervision on a consolidated basis. The control of consolidated accounts is defined in Art.63 CRD, while Art. 65 and 66 CRD specify the administrative penalties and other administrative measures, and the circumstances where such administrative penalties or other administrative measures can be imposed. The need for establishing an appropriate system of reporting breaches is set out in Art. 71 CRD.

- 8) In case the supervision is performed on a consolidated basis in your jurisdiction, please explain the rules applicable for the determination of the entities in the scope of prudential consolidation (as opposed to the accounting scope of consolidation).
- 9) Where the supervision is performed on a consolidated basis, please explain the methods used for prudential consolidation (e.g. full consolidation, proportionate, equity method?)
- 10) Is there a legal obligation for persons responsible for legal control of annual and consolidated accounts (external public auditor) to inform the supervisory authorities about their findings related to any material breach of laws or regulations?
- 11) Is there a legal obligation for internal auditors (not just external auditors) to inform the supervisory authorities about their findings related to any material breach of laws or regulations?
- 12) Are the supervisory authorities legally in a position to impose administrative penalties, sanctions or other administrative measures on institutions? If so, for which types of detriments of law and regulations and under which conditions?
- 13) Can supervisory authorities impose additional own funds requirements vs. Pillar 1? Under which circumstances? Please provide examples, if possible. Is there any requirement in terms of the quality of capital needed for these additional own funds requirement?
- 14) With respect to the additional own funds requirement, do you make a distinction between a (hard) requirement and a guidance to be communicated by the supervisors?

2.4 SUPERVISION OF BRANCHES OF THIRD COUNTRY GROUPS

Explanation	<p><i>This section aims to understand how third country branches (TCB) are supervised in your jurisdiction.</i></p> <p><i>To provide banking services (deposit-taking, lending, guarantees and commitments) in an EU Member State, third country institutions must establish a branch and apply for authorisation. The requirement to seek authorisation is coupled with a set of minimum requirements.</i></p> <p><i>TCBs are being classified according to their size and relevance, resulting in different capital and liquidity endowment requirements. TCBs with head offices in countries whose regulatory and supervisory regimes have been assessed equivalent would be qualifying TCB, which makes them eligible for Class 2 for smaller TCBs and benefit from less stringent prudential requirements.</i></p> <p><i>Under certain circumstances, European supervisory authorities have the power to require foreign institutions to convert a branch into a subsidiary.</i></p>
References	<p><i>Art. 21c, 47 CRD</i></p> <p><i>Art. 48 – 48s CRD</i></p>
15)	Please describe your approach to the supervision of branches of third country groups.
16)	Please describe whether you consider the degree of equivalence of the home state supervisor's supervisory and regulatory regime during the authorisation and ongoing supervision of branches and your approach to assess the degree of equivalence with the home regime.

2.5 SUPERVISORY REVIEW PROCESS

Explanation	<p><i>European supervisors are required to perform an independent evaluation of the institutions' risk situation, since the supervisor might evaluate the risks of the institution differently than the institution itself. Following such independent evaluation of risks, the competent authority is empowered to impose additional capital or other requirements to cover any potential additional risk not covered by the institution following its internal evaluation of risks.</i></p> <p><i><u>Supervisory Review and Evaluation process (SREP):</u> Competent authorities shall review arrangements and processes implemented by the institutions and evaluate the risks to which such institutions are exposed, together with the risks posed to the financial system and its stability. Following such assessment, the competent authorities are endorsed with supervisory measures and supervisory powers to minimize or reduce such risks</i></p> <p><i><u>Internal Capital Adequacy Assessment Process (ICAAP):</u> The ICAAP is at the core of the so- called "Pillar 2" approach and requires that institutions undertake a regular assessment of the amounts, types and distribution of capital that they consider adequate to cover the risks to which they are exposed. Such an assessment should cover the major sources of risks to the institutions' ability to meet their liabilities as they fall due and incorporate stress testing and scenario analysis. The ICAAP, and the corresponding internal processes, should be proportionate to the nature, scale and complexity of the institution.</i></p>
References	<p><i>The provisions on Supervisory Review and Evaluation Process are defined in Art. 97-100 and 110 CRD. The provisions on ICAAP are set out in Art. 73 and 108 CRD. Ongoing review of internal models is defined by Art. 101 CRD.</i></p>

Please describe the Supervisory Review Process, by providing details on the following:

- a) The categorisation of institutions for the purpose of the Supervisory Review Process (i.e. whether there are differences in methodologies applied due to size and complexity or other reasons);
 - b) The methodologies employed for the Supervisory Review Process;
 - c) The areas of investigation/scope of the Supervisory Review Process;
 - 17) d) The indicators monitored or findings that would normally trigger supervisory measures;
 - e) The frequency of the evaluation and assessment (supervisory cycle);
 - f) The minimum elements that are included in your Supervisory Review and Process (key indicators, the results of stress testing, exposure & management of concentration risks, assessment of business models and sustainability of strategy);
 - g) Whether the Supervisory Review Process includes any specific assessment of liquidity and funding risks;
 - h) The communication of the results (timing, form, obligatory content/elements, final assessment/scoring)
- 18) Does your legislation include the need for institutions to carry out their own Internal Capital Adequacy Assessment Process (ICAAP)? Please provide details about the content of the ICAAP and its frequency.
- 19) Are there requirements in place for the assessment of the internal governance framework?
- 20) Are Pillar 2 requirements (additional capital requirements or additional liquidity requirements) used as a supervisory tool? If yes, which are the main drivers behind Pillar 2 requirements in your authority?
- 21) Please explain the articulation of additional Pillar 2 requirements, in particular what metrics or ratios are used
- 22) Is an ongoing review of internal approaches equivalently established?

2.6 GOVERNANCE INCLUDING FIT AND PROPER

- Explanation* *The provisions on governance arrangements set requirements relating to the organisational structure of the institution, the role and responsibilities of the management body and its composition. These provisions lay down the management body's responsibilities in relation to risk issues, including as regards the setting up of an independent internal control framework (including risk management function, compliance function and internal audit function).*
- References* *Articles. 74, 76, 88 and 91 of CRD*
- 23) Article 91(3), (4), (5), and (6) of the CRD set out requirements regarding time commitment and the limit of the number of directorships that a member of the management body can have. Please provide similar references in your law
- 24) Article 91(7) of the CRD set out requirements on the management body's "collective knowledge". Please provide similar references in your law.
- 25) Are there any provisions on the composition of the management body in particular with regards to diversity requirements including gender, geographical and educational background, age?
- 26) Please elaborate on the suitability assessment of members of the management body (E.g. what requirements exist to become part of the management body of a credit institution or an investment firm).
- 27) Are the requirements indicated above also included for the assessment of the suitability of key function holders ?
- 28) Does the regulations provide the possibility to remove members of the management body when they do not fulfil suitability requirements?
- 29) Are there any requirements regarding the induction and training of the members of the management board?
- 30) Please elaborate on the possibilities / requirements for the management body to form committees.

31) Do you re-assess the suitability requirements in case there is reasonable suspicion that money laundering or terrorist financing is being or has been committed or attempted, or there is increased risk at a specific institution?

2.7 REMUNERATION

Explanation The provisions on remuneration require institutions to apply remuneration policies and practices that are consistent with effective risk management and long-term interest of the institution. They include rules on the level of variable remuneration, the basis on which variable remuneration is awarded and how it should be paid. The role of the remuneration committee is also laid down in these provisions.

References Articles 75, 92, 94 and 95 CRD

32) How will you ensure that remuneration policies are consistent with sound and effective risk management and provide incentives for prudent and sustainable risk taking?

33) How do you intend to apply rules on remuneration of categories of staff whose professional activities have a material impact on the risk profile of their institutions?

34) What are the supervisory practices regarding the monitoring of remuneration practices?

35) Are there any limitations between the variable and fixed part of the remuneration?

2.8 ENVIRONMENTAL, SOCIAL AND GOVERNANCE (ESG) RISKS

Explanation In the EU banking regulation, ESG risks are addressed in various respects e.g., banks will have to draw up transition plans under the prudential framework that will need to be consistent with the sustainability commitments banks undertake under other pieces of Union law, such as the Corporate Sustainability Reporting Directive (CSRD). ESG risks must be taken into consideration in risk management, remuneration policies and internal stress tests.

Moreover, bank supervisors will oversee how banks handle ESG risks and include ESG considerations in the context of the annual supervisory examination review (SREP).

Furthermore, ESG reporting and disclosure requirements will apply to all EU banks, with proportionality for smaller banks.

Art. 76 (2)

Art. 74 (1)(b), Art. 74 (1)(d), 76 (4) UA 2, Art. 87a (3)

References Art. 87a (1)-(4), 98 (9)

430 (1)(h)

Art. 449a

36) Please describe your approach to the supervision of ESG risks. In which areas have ESG risks must be taken into consideration?

3. Own funds

CRR/CRD

BASEL REF

3.1 GENERAL PRINCIPLES

Explanation

The EU regulation intends to cover different risks faced by institutions with their Own Funds encompassing capital instruments which can be classified according to their loss absorption capacity as: Common Equity Tier 1 (“CET1” – the highest quality capital), Additional Tier 1 capital instruments (“AT1”) and Tier 2 capital instruments (“T2”).

The total amount of Own Funds qualifying to cover the different risks is calculated as Total Capital= CET1+AT1+T2.

The CRR also establishes a predefined minimum amount and composition in terms of quality of the own funds, whereas lower quality requirements can be fulfilled with higher quality capital (the Tier 1 requirement can be met with CET1 fully or with CET1 and up to 1.5% AT1 and the Total Own Funds requirement can be met with Tier 1 fully or with Tier 1 and up to 2.0% Tier 2).

The overall principles on classification of Own Funds items into CET1, AT1 or T2 are the loss absorbency and the availability of capital in cases of severe distress. For example, only capital instruments that are permanently available for absorbing losses of the institution would qualify as CET1 – the highest quality capital.

Please note the information below gives a broad overview of the EU criteria. When completing the assessment supervisors should refer to the CRR Articles detailed below and highlight where the law in your jurisdiction differs to that contained in the CRR.

In the Basel framework, own funds provisions are detailed in the RBC and CAP standard (https://www.bis.org/basel_framework/standard/RBC.htm, https://www.bis.org/basel_framework/standard/CAP.htm)

In parallel, the EU Regulation complements the range of loss absorbing instruments with “eligible liabilities instruments” meant to facilitate the implementation of resolution action in case of failure.

The G-SII requirement laid down in the EU Regulation is drawing on the Principles on Loss-absorbing and Recapitalisation Capacity of G-SIBs adopted by the FSB (<https://www.fsb.org/wp-content/uploads/TLAC-Principles-and-Term-Sheet-for-publication-final.pdf>, FSB TTS). In the EU this standard has been implemented by its integration into the overall resolution framework. The BRRD provides notably for the setting of MREL for all banks in the EU.

Does your jurisdiction have similar components and ratios of own funds as detailed below?

- | | | | |
|----|--|------------------------|--------------------|
| 1) | <ul style="list-style-type: none"> - CET 1 capital ratio of 4.5% - Tier 1 capital ratio of 6% (composed of CET1 and AT1) - Total capital ratio of 8% (composed of CET1, AT1 and T2) | CRR Art 25, 70, 71, 92 | RBC 20.1, CAP 20.1 |
| 2) | Does your jurisdiction have a G-SII requirement for own funds and eligible liabilities of 18% of risk weighted assets and 6.75% of the leverage ratio exposure for domestically incorporated G-SIIs? | CRR Art 92a | FSB TTS P 4 |
| 3) | Are material subsidiaries of foreign G-SIIs in your jurisdiction required to satisfy a requirement for own funds and eligible liabilities equal to 90% of the requirement for own funds and eligible liabilities applicable to G-SIIs incorporated in your jurisdiction? | CRR Art 92b | FSB TTS P 18 |

3.2.1 CET 1 INSTRUMENTS

What are the components of CET1 capital? Does CET1 capital include other items apart from these:

- | | | | |
|----|---|---------------|---------------|
| 4) | <ul style="list-style-type: none"> a) Capital instruments (if eligible, see qualifying conditions in section below) b) share premium accounts related to capital instruments referred to in point (a) c) retained earnings d) accumulated other comprehensive income e) other reserves f) funds for general banking risks | CRR Art 26(1) | CAP 10.6-10.7 |
| 5) | Should be CET1 components available for use to institutions for unrestricted and immediate use to cover risks and/or losses as soon as these occur in order to be able to recognize them? | CRR Art 26(1) | |
| 6) | What are the conditions for including interim or year-end profits in CET1 capital? | CRR Art 26(2) | |

Are the following requirements necessary conditions to be eligible as a CET1 instrument?

a) Instruments are issued directly by the institution with the prior approval of the owners of the institution or, where permitted under applicable national law, the management body of the institution

b) Instruments are fully paid up and the acquisition of ownership of those instruments is not funded directly or indirectly by the institution

c) Instruments must meet all the following conditions:

- They qualify as capital

- They are classified as equity within the meaning of applicable accounting framework

- They are classified as equity capital for insolvency

d) Instruments are clearly and separately disclosed on the balance sheet

e) Instruments are perpetual

f) The principal amount of the instrument may not be reduced or repaid – with the following exceptions:

- Liquidation of the institution

- Discretionary repurchases, where the institution has received the prior permission of the competent authority⁵

- Resolution

g) The provisions governing the instrument do not expressly nor indirectly indicate that the instruments would or might be reduced or repaid

h) Instruments meet the following conditions with regard to distributions:

- There is no preferential treatment regarding the order of distribution payments and the terms governing the instruments do not provide preferential rights to payment of distributions

7) - Distributions to holders must only be paid out of distributable items

CRR Art 28

CAP 10.8

- There is no cap or other restrictions on the maximum level of distributions

- The level of distributions is not determined on the basis of the amount for which the instruments were purchased at issuance

- There is no obligation for the institutions to make distributions to their holders. Is this condition met notwithstanding a subsidiary being obliged to transfer its annual result to its parent undertaking?

- Non-payment of distributions does not constitute an event of default of the institution

- Cancellation of the distributions imposes no restrictions on the institution

i) The instruments absorb the first and proportionately greatest share of losses, pari passu among each other [Is this condition to be met notwithstanding write downs on principal amounts on AT1 and Tier 2 instruments?]

j) The instruments rank below all other claims in the event of insolvency or liquidation

k) The instruments entitle its owners to a claim on the residual assets of the institution, which, in the event of its liquidation and after the payment of all senior claims, is proportionate to the amount of such instruments issued and is not fixed or subject to a cap

l) The instruments are not secured or subject to a guarantee that enhances the seniority of the claim by any of the following:

- the institution or its subsidiaries

- the parent undertaking of the institution or its subsidiaries

- the parent financial holding company or its subsidiaries

- the mixed activity holding company or its subsidiaries

- the mixed financial holding company or its subsidiaries

- any undertaking that has close links to the entities described above

m) The instruments are not subject to any arrangement, contractual or otherwise, that enhances seniority of the claims under the instrument

8) Does the supervisor evaluate whether issuances of capital instruments meet these qualifying conditions? Do institutions classify issuances of capital instruments as CET1 instruments only after permission is granted by the supervisor? Is this permission substituted by a notification requirement in case a subsequent issuance of the same instrument where the provisions are substantially the same?

CRR Art 26 (3)

9) Are there specific conditions for the eligibility of capital instruments issued by mutuals, cooperative societies, savings institutions and similar institutions? Please elaborate on these.

CRR Art 29

10) What are the consequences if the conditions pertaining to CET1 instruments are no longer met?

CRR Art 30

3.2.2 PRUDENTIAL FILTERS

11) If accounting is based on IFRS (or another set of accounting principles that allow the fair value measurement), please specify whether prudential filters on securitized assets, cash flow hedges and additional value adjustments are considered in the computation of CET1 capital

CRR Art 32-25

12)	<p>With regard to securitised assets, do you require institutions to exclude from any elements of own funds any increase in its equity, including:</p> <ul style="list-style-type: none"> - An increase associated with future margin income? - Where the institution is the originator of the securitisation, net gains that arise from the capitalisation of future income from the securitised assets that provide credit enhancements to positions in the securitisation? <p>With regard to cash flow hedges and changes in the value of own liabilities do you expect institutions not to include the following items in any element of own funds (or do you have any alternative items to those below that may change the value of own liabilities):</p>	CRR Art 31(1)	CAP 30.14
13)	<ul style="list-style-type: none"> - The fair value reserves related to gains or losses on cash flow hedges of financial instruments that are not measured at fair value, including projected cash flows? - Gains or losses on liabilities of the institution that are measured at fair value that result from changes in the own credit standing of the institution? - All fair value gains and losses on derivative liabilities of the institution that result from changes in the own credit risk of the institution? <p>With regard to additional value adjustments, do you require institutions to apply prudent valuation adjustments to own funds in relation to assets measured at fair value when calculating the amount of their own funds and deduct from CET1 the amount of any additional value adjustments?</p>	CRR Art 33(1)-(3)	CAP 30.11, 30.12, 30.15
14)		CRR Art 34	

3.2.3 DEDUCTIONS FROM CET 1 CAPITAL

Explanation

This section relates to the principles applicable to deductions from CET1 capital and the categories of items deducted from CET1 capital. With regard to deductions from CET1 capital, both the CRR and Basel III framework establish as a guiding principle that those items for which realisation has not yet occurred or may occur only in the future (with a certain degree of uncertainty) cannot be considered fully loss absorbent and thus must be removed from the highest quality capital.

15)	<p>Does your legislation require institutions to deduct the following items from CET1?</p> <ul style="list-style-type: none"> - Losses for the current financial year - Intangible assets, with the exception of prudently valued software assets the value of which is not negatively affected by resolution, insolvency or liquidation of the institution - Deferred tax assets that rely on future probability - For institutions using the IRB approach negative amounts resulting from the calculation of expected loss amounts - Defined pension benefit fund assets - Direct, indirect and synthetic holdings by an institution of own CET1 instruments - Direct, indirect and synthetic holdings of CET1 instruments of financial sector entities where those entities have a reciprocal cross holding with the institution - The applicable amount of direct, indirect and synthetic holdings by the institution of CET1 instruments of financial sector entities where the institution does not have a significant investment in those entities - The applicable amount of direct, indirect and synthetic holdings by the institution of CET1 instruments of financial sector entities where the institution has a significant investment in those entities - The amount of items required to deduct from AT1 items [based on the corresponding deduction rules] that exceeds the AT1 capital of the institution - The exposure amount of the following items (qualifying holdings outside the financial sector, securitisation positions, free deliveries, positions for which an institution cannot determine a risk weight under the IRB approach, equity exposures under an internal models approach) which qualify for a risk weight of 1250% where the institution deducts that exposure amount from the amount of CET1 items as an alternative to applying a risk weight of 1250% (= total value of the exposure) - Any foreseeable tax charges relating to CET1 - The applicable amount of insufficient coverage for non- performing exposures - Any amount by which the current market value of the units or shares in CIUs underlying the minimum value commitment falls short of the present value of the minimum value commitment and for which the institution has not already recognized a reduction of CET1 item 	CRR Art 36	CAP 30
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	Does the legislation require institutions to deduct intangible assets in accordance with the following: - The amount to be deducted would be reduced by the amount of associated deferred tax liabilities - The amount to be deducted shall include goodwill in the valuation of significant investments in the institution - The amount to be deducted would be reduced by the amount of the accounting revaluation of the subsidiaries' intangible assets derived from the consolidation of subsidiaries attributable to persons other than the undertakings included in the consolidation	CRR Art 36(1)(b), 37	Basel III 67
16)	Does the legislation provide for an exception from the up-front full deduction of software assets? <i>[Note: With specific reference to software assets, the EU regulatory framework envisages the application of a prudential treatment based on i) their prudential amortisation over a period of maximum three years and ii) the full deduction from CET1 items of the capitalised costs related to software assets under development until the beginning of their amortisation]</i>		
17)	Are deferred tax assets that rely on future profitability required to be deducted? If yes, do they have to be calculated without reducing the amount of the associated deferred tax liabilities of the institution? Is there any exception to this? Please elaborate.	CRR Art 38	
18)	Is there a specific treatment for tax overpayments for the current year and for tax losses carried back to previous years that give rise to a claim on, or a receivable from a central government, regional government or local tax authority? Are these items subject to a risk weight? Is there a specific treatment for deferred tax assets that do not rely on future which arise from temporary differences? If yes, under which conditions?	CRR Art 39	CAP 30.9
19)	Are institutions required to deduct defined benefit pension fund assets by the following: - The amount of any associated deferred tax liability which can be extinguished if the assets become impaired or were derecognised - The amount of assets in the defined benefit pension fund which the institution has an unrestricted ability to use	CRR Art 41	CAP 30.16-17
20)	With regard to the deduction of holdings of own CET1 instruments. Shall own holdings of CET1 shall be calculated on the basis of a gross long position. Are there any exceptions to this provision? Please elaborate.	CRR Art 42	CAP 30.18
21)	What is the definition of significant investment in a financial sector entity for deduction purposes?	CRR Art 43	CAP 30.22
22)	Is the deduction of an institution's holdings of CET1 instruments of financial sector entities and holdings of CET1 instruments of financial sector entities where those entities have a reciprocal cross holding with the institution (that the supervisors considers to have been designed to artificially inflate the own funds of the institution) subject to any condition?	CRR Art 44	CAP 30.21
23)	Is the deduction of holdings of CET1 instruments of financial sector entities subject to any condition?	CRR Art 45	
24)	What is the regime for deductions of holdings of CET 1 instruments where an institution does not have a significant investment in a financial sector entity?	CRR Art 46	CAP 30.22
25)	What is the regime for deductions of deferred tax assets that rely on future profitability and deductions of holdings of CET 1 instruments of financial sector entities where an institution has a significant investment ? Are such deductions subject to a threshold and how is this threshold calculated?	CRR Art 47, 48	CAP 30.32
26)	Are there any items that can be deducted from CET1 as an alternative to applying a 1250% risk weight?	CRR Art 36(1)	
27)	What is the definition of qualifying holdings and of undertakings outside the financial sector for deduction purposes? Is there any prohibition of qualifying holdings outside the financial sector?	CRR Art. 89, 90, 91	
28)	For the purpose of deductions of the relevant amount of insufficient coverage of non-performing exposures, please provide information on your legislative framework regarding items that are regarded as exposures, the measurement of the exposure value and the definition of an exposure as non-performing? What is the definition of a forbearance measure Does your legislative framework requires at least specific types of situations to be recognised as forbearance measures? Are there any indicators used for determining that a forbearance measure has been adopted? How is the applicable amount of insufficient coverage determined for the purpose of CET1 deductions?	CRR Art 47a-c	

3.3.1 AT1 INSTRUMENTS

Explanation	<p>AT1 items consist of AT1 capital instruments (whose eligibility criteria are defined in Art. 52 of the CRR) and share premium accounts related to those instruments.</p> <p>AT1 instruments are perpetual and the provisions governing them do not include any incentive to redeem them; they rank below Tier 2 instruments in the event of liquidation or insolvency; they may be called, redeemed or repurchased only after meeting the conditions laid down in Art. 52 CRR. Moreover, upon occurrence of a trigger event, the principal amount shall be written down on a permanent or temporary basis or the instruments converted to CET1 instruments.</p> <p>The institution has full discretion to cancel the distributions for an unlimited period and on a non-cumulative basis; and this cancellation of distributions does not constitute an event of default</p>		
29)	<p>What are the components of AT1 capital? Does AT1 capital include other items apart from these?</p> <ul style="list-style-type: none"> - Capital instruments meeting qualifying conditions (see below) and which do not qualify as CET1 or Tier 2 items - Share premium accounts related to such instruments <p>Are the qualifying conditions for AT1 instruments as follows?</p> <ul style="list-style-type: none"> a) Instruments are directly issued and fully paid up b) The instruments are not owned by any of the following; <ul style="list-style-type: none"> - the institution or its subsidiaries - an undertaking in which the institution has a participation in the form of ownership, either direct or by way of control, of 20% of the voting rights or capital in that undertaking c) The acquisition of ownership of the instruments is not funded directly or indirectly by the institution d) The instruments rank below Tier 2 instruments in the event of the insolvency of the institution e) The instruments are not secured or subject to a guarantee that enhances the seniority of the claim by any of the following: <ul style="list-style-type: none"> - the institution or its subsidiaries - the parent undertaking of the institution or its subsidiaries - the parent financial holding company or its subsidiaries - the mixed activity holding company or its subsidiaries - the mixed financial holding company or its subsidiaries - any undertaking that has close links with entities referred above f) The instruments are not subject to any arrangement, contractual or otherwise, that enhances the seniority of the claim under the instruments in insolvency or liquidation g) The instruments are perpetual and their governing provisions do not include incentives for the institution to redeem them h) Where the instruments include one or more early redemption options, including call options, the options are exercisable at the sole discretion of the issuer i) The instruments cannot be called, redeemed or repurchased within five years of issuance [except under specific conditions and always subject to competent authorities prior approval] 	CRR Art 51	CAP 10.9-10
30)	<ul style="list-style-type: none"> j) The governing provisions do not indicate explicitly or implicitly that the instruments may be called, redeemed or repurchased by the institution other than in the case of insolvency or liquidation and the institution does not otherwise provide such an indication k) The institution does not indicate explicitly or implicitly that the competent authority (supervisor) would consent to a request to call, redeem or repurchase the instruments l) Distributions meet the following conditions <ul style="list-style-type: none"> - they are paid out of distributable items - the level of distributions made will not be amended on the basis of the credit standing of the institution or its parent undertaking - the institution has full discretion to cancel the distributions for an unlimited period and on a non-cumulative basis, and the institution may use such cancelled payment without restriction to meet its obligations as they fall due - cancellation of distributions does not constitute a default of the institution - the cancellation of distributions imposes no restrictions on the institution 	CRR Art 52(1)	CAP 10.11

- m) The instruments do not contribute to a determination that the liabilities of an institution exceed its assets, where such a test constitutes a test of insolvency under national law
- n) The provisions governing the instruments require that, upon the occurrence of a trigger event, the principal amount of the instruments be written down on a permanent or temporary basis or the instruments be converted to CET 1 instruments
- o) The provisions governing the instruments include no feature that could hinder the recapitalisation of the institution
- p) The law or contractual provisions governing the instruments require that, upon a decision by the resolution authority to exercise the write-down and conversion powers, the principal amount of the instruments is to be written down on a permanent basis or the instruments are to be converted to Common Equity Tier 1 instruments
- q) The instruments may only be issued under, or be otherwise subject to the laws of a foreign jurisdiction where, under those laws, the exercise of the write-down and conversion powers is effective and enforceable on the basis of statutory provisions or legally enforceable contractual provisions that recognise resolution or other write-down or conversion actions
- r) The instruments are not subject to set-off or netting arrangements that would undermine their capacity to absorb losses

- | | | | |
|-----|--|---------------|--|
| 31) | Are there certain terms and conditions that render instruments ineligible to be included as AT1? Please elaborate. | CRR Art 53 | |
| 32) | What provisions are there governing the write down or conversion of AT1 instruments? | CRR Art 54 | |
| 33) | Does the write down or conversion of an AT1 instrument generate items that qualify as CET1 items under the applicable accounting framework? | CRR Art 54(2) | |
| 34) | Are there provisions that allow the recognition in AT1 items only of the amount of AT1 instruments up to the minimum amount CET1 items that would be generated if the principal amount of the AT1 instruments were fully written down or converted into CET1 instruments? | CRR Art 54(3) | |
| 35) | Are there provisions in your jurisdiction that require that the aggregate amount of AT1 instruments that is required to be written down or converted upon the occurrence of a trigger event is no less than the lower of the following:
- the amount required to restore fully the Common Equity Tier 1 ratio of the institution to 5.125%
. the full principal amount of the instrument | CRR Art 54(4) | |
| 36) | What are the obligations of an institution in case a trigger event has occurred? | CRR Art 54(5) | |
| 37) | What are the consequences if the conditions pertaining to AT1 instruments are no longer met? | CRR Art 55 | |

3.3.2 DEDUCTIONS FROM AT1 ITEMS

Should institutions deduct the following from AT1 items?

- | | | | |
|-----|--|----------------|--------|
| 38) | <ul style="list-style-type: none"> - direct, indirect and synthetic holdings by an institution of own AT 1 instruments, including own AT1 instruments that an institution could be obliged to purchase as a result of existing contractual obligations - direct, indirect and synthetic holdings of the AT1 instruments of financial sector entities with which the institution has reciprocal holdings that the supervisor considers to have been designed to inflate artificially the own funds of the institution - direct, indirect and synthetic holdings of the AT1 instruments of financial sector entities, where an institution does not have a significant investment in those entities - direct, indirect and synthetic holdings by the institution of the AT1 instruments of financial sector entities where the institution has a significant investment - the amount of items required to be deducted from Tier 2 items [based on the corresponding deduction rules] that exceeds the Tier 2 capital of the institution - any tax charge relating to AT1 items foreseeable at the moment of its calculation, except where the institution suitably adjusts the amount of AT1 items insofar as such tax charges reduce the amount up to which those items may be applied to cover risks or losses | CRR Art 56 | CAP 30 |
| 39) | Is the deduction of holdings of own AT1 instruments calculated on the basis of gross long positions? Is there any exemption from this provisions? Please elaborate. | CRR Art 56, 57 | |
| 40) | What are the provisions/deductions that apply to direct, indirect and synthetic holdings of AT1 instruments of financial sector entities (where the institution has a reciprocal cross holding that the supervisor considers having been designed to artificially inflate own funds)? | CRR Art 56, 58 | |
| 41) | What are the provisions/deductions that apply to direct, indirect and synthetic holdings of AT1 instruments of financial sector entities where an institution does not have a significant investment? | CRR Art 59, 60 | |
| 42) | What are the provisions/deductions that apply to direct, indirect and synthetic holdings of AT1 instruments of financial sector entities where an institution does have a significant investment? | CRR Art 56, 59 | |

3.4.1 TIER 2 CAPITAL

43)	<p>What are the components of Tier 2 capital? Does Tier 2 capital include other items apart from these?</p> <ul style="list-style-type: none"> - capital instruments meeting the qualifying conditions below; and which do not qualify as CET1 or AT1 items - the share premium accounts related to those instruments - for institutions calculating risk-weighted exposure amounts under the SA, general credit risk adjustments, gross of tax effects, of up to 1,25 % of risk-weighted exposure amounts - for institutions calculating risk-weighted exposure amounts under IRB, the excess of total eligible provisions over the expected loss, gross of tax effects, up to 0,6 % of risk-weighted exposure amounts <p>Are the qualifying conditions of Tier 2 as follows?</p> <ol style="list-style-type: none"> a) Instruments are directly issued and fully paid up b) Instruments are not owned by any of the following: <ul style="list-style-type: none"> - the institution or its subsidiaries - an undertaking in which the institution has participation in the form of ownership, either direct or by way of control, of 20% or more of the voting rights or capital in that undertaking c) The acquisition of ownership of the instruments is not funded directly or indirectly by the institution d) The claim on the principal amount of the instruments under the provisions governing the instrument ranks below any claim from eligible liabilities e) The instruments are not secured or subject to a guarantee that enhances the seniority of the claim by any of the following: <ul style="list-style-type: none"> - the institution or its subsidiaries - the parent undertaking of the institution or its subsidiaries - the parent financial holding company or its subsidiaries - the mixed activity holding company or its subsidiaries - the mixed financial holding company or its subsidiaries - any undertaking that has close links with the entities listed above 	CRR Art 62	CAP 10.14-15, 17-18
44)	<ol style="list-style-type: none"> f) The instruments are not subject to any arrangement that otherwise enhances the seniority of the claim under the instrument g) The instruments have an original maturity of at least five years h) The provisions governing the instruments do not include any incentive for their principal amount to be redeemed or repaid by the institution prior to their maturity i) Where the instruments include one or more early replacement options, including call options, the options are exercisable at the sole discretion of the issuer j) The instruments may be called, redeemed, repaid or repurchased early, subject to conditions and not before five years [except under specific conditions and subject to supervisor's prior approval k) The provisions governing the instruments do not indicate explicitly or implicitly that the instruments would be called, redeemed or repaid early, other than in the case of insolvency or liquidation of the institution, and the institution does not otherwise provide such an indication l) The provisions governing the instruments do not give the holder the right to accelerate the future scheduled payment of interest or principal other than in the case of insolvency or liquidation of the institution m) The level of interest or dividend payments due on the instruments will not be amended on the basis of the credit standing of the institution or its parent undertaking n) The provisions governing the instruments require that, upon a decision by the resolution authority to exercise the write-down and conversion powers, the principal amount of the instruments is to be written down on a permanent basis or the instruments are to be converted to Common Equity Tier 1 instruments o) The instruments may only be issued under, or be otherwise subject to the laws of a foreign jurisdiction where, under those laws, the exercise of the write-down and conversion powers is effective and enforceable on the basis of statutory provisions or legally enforceable contractual provisions that recognize resolution or other write-down or conversion actions 	CRR Art 63, 64, 77, 78	CAP 10.16
45)	<p>p) The instruments are not subject to set-off or netting arrangements that would undermine their capacity to absorb losses</p> <p>Please explain what are the provisions with regard to amortisation of Tier 2 instruments?</p>	CRR Art 64	CAP 10.16
46)	<p>What are the consequences if the conditions pertaining to Tier 2 instruments are no longer met?</p>	CRR Art 65	

3.4.2 DEDUCTIONS FROM TIER 2 ITEMS

- Should institutions deduct the following from Tier 2 items?
- Direct, indirect and synthetic holdings by an institution of own Tier 2 instruments, including own Tier 2 instruments that an institution could be obliged to purchase as a result of existing contractual obligations
 - Direct, indirect and synthetic holdings of Tier 2 instruments of financial sector entities with which the institution has reciprocal cross holdings that the supervisor considers having been designed to inflate artificially the own funds of the institution
 - Direct, indirect and synthetic holdings of the Tier 2 instruments of financial sector entities, where an institution does not have a significant investment in those entities
 - Direct, indirect and synthetic holdings of the Tier 2 instruments of financial sector entities where the institution has a significant investment
 - The amount of items required to be deducted from eligible liabilities items [based on the corresponding deduction rules] that exceeds the eligible liabilities items of the institution
- 47) CRR Art 66
- 48) Is the deduction of holdings of own Tier 2 instruments calculated on the basis of gross long positions? Is there any exemption from this provisions? Please elaborate. CRR Art 67
- 49) Please describe the regime of deduction of direct, indirect and synthetic holdings of Tier 2 instruments of financial sector entities where an institution has a reciprocal cross-holding that the supervisor considers having been designed to artificially inflate the own funds of the institution CRR Art 66, 68
- 50) Please describe the regime of deduction of direct, indirect and synthetic of holdings of Tier 2 instruments of financial sector entities where an institution has a significant investment CRR Art 66, 69
- 51) Please describe the regime of deduction of direct, indirect and synthetic holdings of Tier 2 instruments of financial sector entities where an institution does not have a significant investment CRR Art 66, 70

3.5.1 ELIGIBLE LIABILITIES INSTRUMENTS

- 52) Are institutions required to meet combined buffer requirements in addition to minimum requirement for own funds and eligible liabilities? Are authorities entitled to restrict distributions on eligible liabilities upon the occurrence of an event? If yes, what are those events? BRRD Art 16
- 53) Is the broader population of institutions (G-SIIs and non G-SIIs) subject to a bank specific minimum requirement for own funds and eligible liabilities? Please specify the applicable requirements (level and eligibility conditions). BRRD Art 45
- 54) What are the features (authorities, trigger, sequence) of the write down and conversions powers? BRRD Art 59
- 55) What are the components of eligible liabilities items for the purposes of compliance with internal TLAC or additional requirements to TLAC or compliance with MREL of institutions other than G-SIIs (Pillar II MREL)? Do they include other items apart from these?
 - eligible liabilities instruments (whose eligibility criteria are defined in Art. 72b of the CRR) to the extent that they do not qualify as Common Equity Tier 1, additional Tier 1 or Tier 2 items
 - Tier 2 instruments with a residual maturity of at least one year, to the extent that they do not qualify as Tier 2 items.
 What other criteria are considered with regards to eligible liabilities? CRR Art 72a(1), 92b(3)
 BRRD Art 45b, 45f(2)
- 56) Which liabilities are excluded from eligible liabilities?
 Are the qualifying conditions for eligible liabilities instruments as follows?
 a) Instruments are directly issued or raised, as applicable, by an institution and are fully paid up
 b) The instruments are not owned by any of the following:
 - the institution or an entity included in the same resolution group
 - an undertaking in which the institution has a direct or indirect participation in the form of ownership, direct or by way of control, of 20 % or more of the voting rights or capital of that undertaking
 c) The acquisition of ownership of the liabilities is not funded directly or indirectly by the resolution entity
 d) The claim on the principal amount of the liabilities under the provisions governing the instruments is wholly subordinated to claims arising from excluded liabilities; that subordination requirement shall be met in any of the following situations: contractual subordination; statutory subordination; structural subordination
 e) The instruments are not secured or subject to a guarantee or any other arrangement that enhances the seniority of the claim by any of the following:
 - the institution or its subsidiaries
 - the parent undertaking of the institution or its subsidiaries
 - any undertaking that has close links with entities referred above CRR Art 72a(2)

57)	<p>f) The liabilities are not subject to set-off or netting arrangements that would undermine their capacity to absorb losses in resolution</p> <p>g) The provisions governing the liabilities do not include any incentive for their principal amount to be called, redeemed or repurchased prior to their maturity or repaid early by the institution, as applicable</p> <p>h) The liabilities are not redeemable by the holders of the instruments prior to their maturity (<i>see this question in combination with the questions on amortisation as per Art. 72c(2) CRR</i>)</p> <p>i) Where the liabilities include one or more early repayment options, including call options, the options are exercisable at the sole discretion of the issuer</p> <p>j) The liabilities may only be called, redeemed, repaid or repurchased early subject to a permission of the resolution authority</p> <p>k) The provisions governing the liabilities do not indicate explicitly or implicitly that the liabilities would be called, redeemed, repaid or repurchased early, as applicable by the resolution entity other than in the case of the insolvency or liquidation of the institution and the institution does not otherwise provide such an indication</p> <p>l) The provisions governing the liabilities do not give the holder the right to accelerate the future scheduled payment of interest or principal, other than in the case of the insolvency or liquidation of the resolution entity</p> <p>m) The level of interest or dividend payments, as applicable, due on the liabilities is not amended based on the credit standing of the resolution entity or its parent undertaking</p> <p>n) For instruments issued after 28 June 2021 the relevant contractual documentation and, where applicable, the prospectus related to the issuance explicitly refer to the possible exercise of the write-down and conversion powers</p>	CRR Art 72b(2)	
58)	<p>May the resolution authority permit liabilities, that are not subordinated to excluded liabilities in the hierarchy of claims in insolvency, to qualify as eligible liabilities instruments for the purposes of compliance with MREL Pillar I (TLAC)? Please describe the applicable provisions and limitations</p>	CRR Art 72b(3-5)	FSB-TTS P 11
59)	<p>Are non-subordinated liabilities eligible for compliance with MREL Pillar II (additional requirement to TLAC for G-SIIs) or MREL for other institutions)?</p>	BRRD Art 45b(1)	
60)	<p>Are certain structured notes eligible for compliance with MREL Pillar II (additional requirement to TLAC for G-SIIs) or MREL for other institutions)?</p>	BRRD Art 45b(3)	
3.5.2 AMORTISATION OF ELIGIBLE LIABILITIES INSTRUMENTS AND CONSEQUENCES OF INSTRUMENTS NOT MEETING ELIGIBILITY CONDITIONS			
61)	<p>Shall eligible liabilities instruments with a residual maturity of at least one year fully qualify as eligible liabilities items, and then do not qualify at all as eligible items after that?</p>	CRR Art 72c(1)	FSB-TTS P 9
62)	<p>How are redemption options treated from the point of view of the maturity requirement?</p>	CRR Art 72c(2-4)	FSB-TTS P 9
63)	<p>If the conditions for eligible liabilities instruments cease to be met, should the instrument immediately cease to qualify as an eligible liabilities instrument?</p>	CRR Art 72d	
3.5.3 DEDUCTIONS FROM ELIGIBLE LIABILITIES ITEMS			
64)	<p>Is there any item that should be deducted from eligible liabilities?</p>	CRR Art 72e	FSB-TTS P 3, 15
65)	<p>With regard to the deduction of holdings of own eligible liabilities instruments, should own holdings of eligible liabilities instruments be calculated on the basis of a gross long position? Is there any exemption to this rule? Please elaborate.</p>	CRR Art 72f	
66)	<p>What are the provisions/deductions that apply to holdings of eligible liabilities instruments of G-SII entities (where the institution has a reciprocal cross holding designed to artificially inflate the loss absorption and recapitalisation capacity of the resolution entity)?</p>	CRR Art 72g	
67)	<p>What are the provisions/deductions that apply to holdings of eligible liabilities instruments where an institution does not have a significant investment in a financial sector entity?</p>	CRR Art 72i	

3.6 REDUCTION OF OWN FUNDS AND ELIGIBLE LIABILITIES

To reduce own funds and share premium accounts related to own funds (reduce, redeem, repurchase, distribute, reclassify, call, or repay), institutions must ask for permission to the competent authority (supervisor), and ensure an adequate level of own funds and eligible liabilities after the reduction (with specific requirements for either the replacement of the instrument by another one of equal or higher quality where necessary, or the demonstration that the institution, following the call, repurchase, repayment or redemption of the instrument, exceeds the quantitative requirements for own funds and eligible liabilities by a margin that the competent authority considers necessary). Similar requirements are applicable, mutatis mutandis, to eligible liabilities, where the institution must ask for permission to the resolution authority.

Explanation

- 68) Is the reduction of own funds and share premium accounts related to own funds subject to prior supervisory permission? Please provide an overview on the conditions for the supervisor to grant permission for reducing own funds and for redemption (e.g. limits, deduction rules, deadlines to apply etc.)
 - 69) Is permission to reduce own funds before five years of the date of issue subject to special conditions? If so, which ones?
- Is the reduction of eligible liabilities instruments subject to a resolution authority's permission? Please provide an overview on the conditions for the resolution authority to grant permission for reducing eligible liabilities instruments and for redemption, including applicable limits, deduction rules, deadlines to apply etc.

CRR Art 77-78

CRR Art 78(4)

CRR Art 77-78a

3.7 MINORITY INTERESTS

Under the CRR, 'minority interest' means the amount of Common Equity Tier 1 capital of a subsidiary of an institution that is attributable to natural or legal persons other than those included in the prudential scope of consolidation of the institution. Minority interests in excess of minimum capital requirements, including national systemic buffers, of each subsidiary cannot be counted within the group capital, according to the so-called "corresponding approach" (i.e. excess CET1 cannot be counted in CET1 capital, excess AT1 cannot be counted in AT1 and excess T2 cannot be counted in T2). The prudential rationale behind this requirement is that while minority interest supports the risks taken by the subsidiary, it is not necessarily available to back the risks taken by the group. Therefore, excess capital above the minimum requirement of the subsidiary can be included in the group capital only in proportion to the minority share. Please note that the relevant level of CET1 capital to be employed to calculate minority interests also includes the capital conservation buffer, countercyclical buffer and any systemic risk buffer that might be imposed by the competent authority. Following the introduction of the TLAC framework the concept of minority interests has been extended to eligible liabilities within a narrow scope due to the specific nature of the resolution measures.

Explanation

- 70) What are the requirements for minority interests and their inclusion in CET 1 consolidated capital? Please describe any limits to the eligible issuers and to the amounts of minority interests to be computed in CET1 consolidated capital
- 71) What are the requirements for minority interests and their inclusion in Tier 1 and Tier 2 capital and qualifying own funds? Please describe any limits to the eligible issuers and to the amounts of minority interests to be computed in consolidated Tier 1 and Tier 2 capital
- 72) Are minority interests issued by a special purpose entity allowed to be included in CET1, Tier 1 or Tier 2 capital?
- 73) What are the requirements for minority interests and their inclusion in eligible liabilities instruments? Please describe any limits to the eligible issuers and to the amounts of minority interests to be computed in consolidated eligible liabilities instruments.

CRR Art 81-84

Cap 10.20-21

CRR Art 85-88

Cap 10.22-23

CRR Art 83

CRR Art 88

3.8 OUTPUT FLOOR

To reduce excessive variability of risk weighted assets (RWA) and to enhance the comparability of risk weighted capital ratios, the European Union follows the Basel framework and introduced with the "Output Floor" (OF) a backstop measure for banks that use model approaches to calculate their own funds requirements.

The OF requires from banks to meet the capital ratios (CET1, T1, TC) described in this chapter, including the various buffer requirements, that the RWAs must be calculated as the maximum of:

- the total RWAs calculated using the approaches that the bank has supervisory approval to use in accordance with the Basel capital framework (including both standardised and internally-modelled based approaches); and*
- 72.5% of the total RWAs, calculated using only the standardised approaches.*

The Basel framework allows some transitional measure to introduce the OF, that are a gradual phase-in over five years and to cap the incremental increase in a bank's total RWAs that results from the application of the floor. This transitional cap will be set at 25% of a bank's RWAs before the application of the floor.

Explanation

74)	<p>Has your jurisdiction introduced the requirements of the OF and set the floor at 72.5% of the total risk weighted assets, calculated using only the standardised approaches (S-TREA = standardised total risk exposure amount)?</p> <p>On which level of consolidation has the OF been applied in your jurisdiction (e.g. only on group level, on group level of your jurisdiction or on any level of consolidation)?</p>	CRR Art 92(3)	RBC 20.4
75)	<p>If a financial institution becomes bound by the OF, the OF might cause unjustified increase of certain buffers and also address certain risks that were before addressed by these buffer requirements (e.g. Pillar 2 add on, Systemic Risk buffer)?</p> <p>How do you intend to address these effects in your jurisdiction? Are there any direct or indirect measures in place to address the issue of double-count of risks? If, please describe these measures</p> <p>Are the standardised total risk exposure amount for credit risk, dilution risk, counterparty credit risk and market risk calculated as follow:</p> <ul style="list-style-type: none"> - without using the internal models approach (IRBA) - without using the Securitisation Internal Ratings-Based Approach (SEC-IRBA) and Internal Assessment Approach (IAA) - without using the internal model approach (IMA) <p>If there are deviations from the EU/Basel approach, please describe them.</p>	CRD Art 104a(6-7), 104b(4a). 131(6)c, 133(8)(d)	
76)	<p>Does your jurisdiction apply any of the transitional arrangements allowed by Basel, namely the phase in over five years and the cap of RWA increase of 25%?</p> <p>Do you apply any other transitional measures?</p>	CRR Art 465(1-2), 465 (3-7)	RBC 90

4. General requirements

Explanation	<p><i>The EU capital requirements regulation sets the minimum capital requirement as a ratio of RWAs. The total risk exposure amount, composed of RWA (credit risk), and the exposure measures for Market Risk, Operational Risk and other relevant risks ratio need to be fulfilled with high quality loss absorbing capital. The capital requirement should ensure either the going concern (i.e. business as usual and recovery phase) of the institution or allow an organized winding down, if necessary ("gone concern"). The total risk exposure amount is defined as the sum of the different risk categories; for each risk category, institutions can choose (within the limitations established by the CRR) an approach to calculate the risks.</i></p>	CRR/CRD	BASEL RE
1)	<p>How do you determine the minimum capital requirements? For which risk categories are institutions required to hold capital?</p>	CRR Art. 92(3)	
2)	<p>What are the provisions for the calculation and reporting requirements for own funds? (i.e. reporting on own funds requirements and financial information; additional reporting requirements and are there any specific reporting requirements around losses stemming from exposures to immovable property etc.) Please elaborate on content, granularity and frequency of reporting requirements</p>	CRR Art. 99-101	
3)	<p>Do institutions report on a standard template?</p>	CRR Art. 99-101	
4)	<p>What are the provisions for disclosure requirements for own funds? Do institutions disclose on standardised templates? What is the frequency of disclosures?</p>	CRR Art. 434(a)	

5. Credit risk - Standardised method

CRR/CRD

BASEL REF

Explanation	CRR/CRD	BASEL REF
<p><i>Credit risk can be defined as the potential risk that institution's borrower or counterparty will fail to meet its obligations in accordance with agreed terms. The credit risk typically resides in assets in the banking book of an institution (loans and debt instruments held to maturity) but it can also arise in the trading book as a counterparty credit risk.</i></p> <p><i>EU rules require institutions to classify all exposures to their obligors into exposure classes and differentiate them on the basis of the obligor's ability to meet its obligations. The risk-weighted exposure amounts are based on the exposure value and risk weights (assigned on the basis of exposures' classification and their credit quality). Depending on the sophistication of the approach applied the risk weight can be assigned following the standardised rules (Standardised Approach) or it can be determined by the institution on the basis of statistical methods (Internal Ratings-Based Approach – IRB Approach) where an institution estimates the Probability of Default (PD) and other risk components such as Loss Given Default (LGD), Exposure at Default (EAD) and Maturity of exposure [M].</i></p>		
1) How is the exposure value defined? Please specify the case of an on-balance sheet item, of an off-balance sheet item and of a commitment on an off-balance sheet item.	CRR Art. 111	
2) Is there a specific definition of “commitment” for the calculation of capital requirements for credit risk? What is the treatment for these items? Please elaborate.	CRR Art. 5(10) CRR Art. 111(2), (3) and (4)	
3) Are intragroup exposures exempted from the obligation to be risk-weighted? Under which conditions? <i>Risk weight to exposure classes</i>	CRR Art. 113 (6)	
4) Please specify the risk weights assigned to:		
a) Central Governments/central banks	CRR Art. 114	CRE 20.4-20.6
b) Regional governments/local authorities	CRR Art.115	CRE20 Footnote 6
c) Public sector entities	CRR Art. 116	CRE20.8- 20.9
d) Multilateral development banks	CRR Art. 117	CRE20.10
e) International organisations	CRR Art. 118	CRE20.7
f) Credit institutions and investment firms	CRR Art. 120 and 130	CRE20.11- 20.15
fa) Are there any difference in risk weights between rated and unrated institutions as well as between short-term and long- term exposures? Please specify whether short-term maturity is referred to residual or to original maturity.	CRR Art. 120 and 121	
fb) Is there a specific treatment for exposures that arise from the movement of goods across national borders with an original maturity of six months or less and for which a credit assessment by a nominated ECAI is available?	CRR Art.120	
fc) Does the risk weight of exposures to an institution for which a credit assessment by a nominated ECAI is not available depend on its capacity to meet its financial commitments and the margin of fulfillment of the requirements for own funds?	CRR Art. 121	
g) Corporates	CRR Art. 122	CRE-20.17- 20.19
ga) Is there a specific treatment for specialised lending exposures? Does the risk weight depend on the availability of a directly applicable credit assessment by a nominated ECAI? Which different activities can be included within this category? Please elaborate.	CRR Art. 122a	
h) Retail exposures	CRR Art.123	CRE-20.20-20.22
ha) Is there a specific treatment for exposures to natural persons that are assigned to either the retail exposure class or to the mortgages on residential property when there is a currency mismatch? Please elaborate	CRR Art.123a	
hb) Is there a specific treatment for these different categories within the real estate mortgages class? - land acquisition, development and construction exposures (ADC exposures) - income producing real estate exposure (IPRE exposures)	CRR Art. 124 and 126a	
Does the risk weight depend on the existence of several liens and on the loan-to-value ratio of the property? How is the loan-to-value ratio calculated? Please elaborate		
i) Residential properties secured by mortgages	CRR Art. 125	CRE-20.23- 20.24
j) Commercial real estate secured by mortgages	CRR Art. 126	CRE-20.25
k) Default exposures	CRR Art.127	CRE-20.26-20.29
ka) Is there a specific treatment for exposures that are purchased while already being in default? Please elaborate.	CRR Art. 127	
l) Subordinated debt exposures	CRR Art. 128	CRE-20.30- 20.31
m) Covered Bonds	CRR Art. 129	
n) Shares in Collective Investment Undertaking	CRR Art. 129	

o)	Equity Exposures	CRR Art. 132, 132a, 132b, 132c and 133	CRE-20.35
oa)	Please specify the approaches for calculating RWA for CIUs		
5)	The EU framework requires that the competent authorities of a third country apply supervisory and regulatory arrangements equivalent to the European framework in order to allow banks to use of any preferential treatment (lower risk weights) recognised by the third country authorities for specific exposures located in third countries (e.g. central governments, regional governments, local authorities, credit institutions, investment firms, clearing houses, central banks). Is a similar treatment allowed? Under which conditions?	CRR Art. 107, 114, 115, 116, 132, 142	CRE-20.5, 20.15
6)	How does your legislation define and qualify a Public Sector Entity (PSEs)?	CRR Art. 4.1(8)	CRE 20 footnotes 5,6
7)	Does a designated authority have to periodically assess the risk weights for exposures secured by immovable property located in its territory based on their loss experience and on forward-looking market developments? Can the designated authority, according to that assessment, increase the risk weights for exposures secured by residential or commercial real estate mortgages? Please specify and provide the ranges, if relevant.	CRR Art. 124(9)	CRE-20.23- 20.24
8)	Is there a condition on cross dependence between the value of property and credit quality of the borrower? (i.e. the value of the property shall not materially depend upon the credit quality of the borrower and the risk of the borrower shall not materially depend upon the performance of the underlying property or project)	CRR 125 (3.c)	
9)	How does your legislation define exposures that are in default?	CRR Art. 178	CRE20.26- 20.29
10)	How are "other items" risk-weighted?	CRR Art. 134	
11)	Are credit assessments performed by an External Credit Assessment Institution (ECAI) used in the process of risk-weighting exposures? How are their assessments translated into credit quality steps?	CRR Art. 135-141	

6. Credit risk - Internal ratings

CRR/CRD

BASEL REF

Explanation

Approach) used to estimate the Probability of Default (PD) and other risk components under the advanced IRB such as Loss Given Default (LGD), Exposure at Default (EAD) and Maturity of exposure (M).

6.1 GENERAL REQUIREMENTS

- | Number | Description | CRR/CRD | BASEL REF |
|--------|--|--|---------------------|
| 1) | Do institutions need to get prior permission to use the IRB approach? | CRR/CRD CRR Art. 143 (1)(2) | Basel ref. CRE-30.1 |
| 2) | Do institutions need to get prior permission for material changes of the rating systems or their range of application? | CRR Art. 143 (3) | |
| 3) | Which are the elements assessed and required by your authority to authorise the use of the IRB approach? Is there any requirement in terms of prior experience in using internal models? | CRR 144-145 | |
| 4) | Which classes of exposures are envisaged in your legislation for the IRB approach? Please specify the criteria used to assign exposures to each respective class? Is there any exposure that can be assimilated to an exposure to a central government or a central bank, a regional government, an institution or an equity exposure? Please elaborate. | CRR 147 (2), (3), (3a), (4) and (6)
CRE-30.5- 30.33 | CRE-30.5- 30.33 |
| 5) | In the EU regulation, institutions may be authorised by the competent authorities to use own estimates of LGDs and conversion factors for some class of exposures (Advanced-IRB), or to use values set out in the Regulation (Foundation- IRB). Are both the F-IRB and the A-IRB approaches envisaged? Please provide details on the class of exposures for which the own estimate of LGDs is admitted | CRR Art. 151 CRE-30.34-30.45 | CRE-30.34- 30.45 |
| 6) | Which is the procedure to implement the IRB Approach across different classes of exposure and business units? Has a sequential approach - across the different types of exposures within a certain exposure class, within the same business unit, and across different business units in the same group of institutions- been implemented? | CRR Art. 148 | CRE-30.46- 30.52 |
| 7) | Under which condition is possible to revert to Standardised Approach once the IRB method has been authorised by the supervisor?
Is supervisory approval needed in order to revert to a less sophisticated approach? (Y/N) | CRR Art.149 | |
| 8) | Under which conditions and for which exposures does your legislation envisage the possibility of permanent partial use? (i.e. the use of the Standardised Approach for some portfolios when the IRB approach has already been authorised for other portfolios?) | CRR Art.150 | |

6.2 CALCULATION OF RISK-WEIGHTED EXPOSURES AMOUNTS

- | | | | |
|-----|---|-----------------------|---------------------------|
| 9) | Please provide details of the supervisory formula employed to calculate risk weighted exposure amounts to corporates, institutions and central government and central banks, regional governments, local authorities and public sector entities, including the formula for risk weighted exposure amounts for exposures in default. | CRR Art. 153(1) | CRE-31.3- 31.6 |
| 10) | Which correlation coefficient do you apply for financial entities? What are the criteria for the entities to apply a higher correlation coefficient? | CRR 153(2), 142(4)(5) | CRE-31.8 |
| 11) | Is there adjustment allowed for small and medium-sized enterprises (SMEs)? | Art. CRR 153(4) | CRE-31.9- 31.10 |
| 12) | The European legislation allows for a special treatment of specialised lending transactions when banks are not able to estimate PDs. It puts forward a set of supervisory risk weights. Have you implemented any special treatment for specialised lending? If yes, which are the risk weights envisaged for specialised lending exposures under supervisory slotting approach? | Art. CRR 153(5) | CRE31.11, CRE-33 |
| 13) | Please provide details of the supervisory formula employed to calculate risk weighted exposures amount for retail exposures including the formula for risk weighted exposure amounts for exposures in default | CRR 154 | CRE31.19- 31.24 |
| 14) | Is there a differentiate treatment for “qualifying revolving retail exposures (QRRE)”? How does your provisions define qualifying revolving retail exposures? | CRR Art. 154(4) | CRE31.21- 31.22, CRE30.24 |
| 15) | Can purchased receivables be eligible for retail treatment? Under which conditions? | CRR Art. 154(5) | |
| 16) | How is the risk weighted exposure amount for other non- credit obligation assets calculated? | CRR 156 | |
| 17) | How is the risk weighted exposure amount for dilution risk of purchased receivables calculated? | CRR 157 | |

6.3 CALCULATION AND TREATMENT OF EXPECTED LOSS AMOUNT

- | | | | |
|-----|--|-------------|--|
| 18) | Please provide details of the calculation of the Expected Loss (EL) amount, including EL for exposures in default, and specialised lending exposures under the supervisory slotting. | CRR Art.158 | |
|-----|--|-------------|--|

19)	What is the treatment of expected loss amounts? Do they have to be subtracted from the sum of general and specific credit risk adjustments, additional value adjustments and other own funds reductions?	CRR Art.159	
6.4 ESTIMATION AND USE OF RISK PARAMETERS (PD, LGD, MATURITY)			
6.4.1 Corporates, institutions and central governments, central banks, regional governments, local authorities and public sector entities			
20)	Do PD, LGD and CCF input floors apply to the part of an exposure that is covered by an eligible guarantee provided by a central government or a central bank?	CRR Art. 159a	
21)	What is the minimum value of PD depending on the exposure class? What is the value of PD for exposures in default?	CRR Art. 160 (1), 160(3),	
22)	Under which conditions/requirements is unfunded credit protection (i.e. guarantees and credit derivatives) recognised in the PD or LGD estimation? Please differentiate between institutions adopting F-IRB Method and institutions using own- LGD estimates (A-IRB)	CRR Art. 160(4), 160(5), 161(3), 183	
23)	How are relevant risk factors (PD, LGD and maturity) for purchased corporate receivables estimated under the IRB Method?	CRR Art. 160(2), 160(6), 161(1)(e-f), 161(2)	
24)	Under the F-IRB approach, please indicate which LGD values should be applied by institutions per different class of exposure?	CRR Art. 161(1)	CRE32.5- 32.6
25)	In case of institutions that have not received permission to use on-LGD estimates (i.e. adopting F-IRB), please provide details of the calculation of Maturity for corporates, institutions, central government and central banks, regional governments, local authorities and public sector entities	CRR 162(1) and (2)	CRE-32.39
26)	In case of institutions that have received permission to use own- LGD estimates (i.e. adopting A-IRB), please provide details of the calculation of Maturity for corporates, institutions, central government and central banks, regional governments, local authorities and public sector entities	CRR 162(2)	CRE.32.40- 32.42
6.4.2 Retail Exposures			
27)	What is the minimum value of PD? What is the value of PD for exposures in default?	CRR Art. 163(1), 163(2)	
28)	Which are the requirements to be fulfilled for the estimation of LGD values? In particular, under which conditions/requirements is unfunded credit protection (i.e. guarantees and credit derivatives) recognised in the PD or LGD estimation?	CRR Art. 163(4), 164(2-3)	
29)	In case of retail exposures secured by residential property or commercial property are there any floors to the value of LGD? If yes, does your legislation envisage the possibility to increase LGD floors for exposures secured by residential or commercial real estate mortgages?	CRR Art. 164 (4), 164(6)	
6.5 CALCULATION OF THE EXPOSURE VALUE			
30)	Please provide details about the calculation of exposure value depending on the exposure class	CRR 166 and 168	
6.6 QUALITATIVE REQUIREMENTS FOR THE APPLICATION OF THE IRB APPROACH			
<i>Explanation</i>			
<i>The CRR requires that institutions using IRB approaches have a number of qualitative requirements in place in terms of rating systems, risk quantification, validation of internal estimates, internal governance and oversight</i>			
31)	Which are the requirements for the rating systems in terms of their structure, assignment of exposures to grades or pools, documentation and data maintenance? Please refer both to model development requirements and to the application of the model in the ongoing rating assignment processes.	CRR Art. 169-176	CRE-36.9- 36.49
32)	Is there a requirement to regularly perform credit risk stress tests? Which stress testing procedures do institutions need to have in place? Do the scenarios that have to be considered in stress tests include ESG risk factors, in particular physical and transition risks stemming from climate change?	CRR Art. 177	CRE-36.50- 36.54
33)	What is the definition of default? How is materiality threshold for past due credit obligations specified? Is there any provision to define the “unlikelihood to pay” of an obligor?	CRR Art.178	CRE- 36.69-36.74
34)	Which are the overall requirements for estimations of risk parameters?	CRR Art.179	CRE-36.63- 36.68
35)	Which are the specific requirements for estimation of Probability of Default (PD)?	CRR Art.180	CRE-36.78- 36.84
36)	Which are the specific requirements for estimation of Loss Given Default (LGD)?	CRR 181	CRE-36.85- 36.90
37)	Which are the specific requirements for estimation of conversion factors?	CRR 182	

38)	Which requirements are in place for the recognition of guarantees and credit derivatives (see also section on Credit Risk Mitigation)?	CRR 183	CRE-36.98- 36.107
39)	What are the conditions for purchased receivables to be included under the IRB Approach?	CRR 184	CRE- 36.109-36.117
40)	Which are the requirements for the validation of rating systems and estimates of risk parameters?	CRR Art.185	CRE- 36.118-36.123
41)	Which are the requirements related to the IRB Approach for the senior management and management body of an institution? In particular, is there a requirement for the management body to approve all material aspects of the rating and estimation processes? What are the requirements with regard to the management reporting?	CRR Art.189	CRE-36.55- 36.57
42)	Is there a requirement to have a "Credit Risk Control" function independent from originating/ renewing exposures, that should be responsible for the design, implementation, oversight and performance of the rating system and that should report directly to senior management?	CRR Art.190	CRE-36.58- 36.59
43)	Is there a requirement for an internal or external audit unit to review at least annually the rating systems and its operations?	CRR Art.191	CRE-36.60

7. Credit risk - Mitigation techniques

Credit risk mitigation (CRM) techniques allow institutions to reduce credit risk associated with exposures held by them.

The CRR distinguishes two types of the CRM techniques: (i) 'funded credit protection' and (ii) 'unfunded credit protection'. To this extent, Articles 4(1)(58) and 4(1)(59) of the CRR include, respectively, the following definitions¹⁰:

Explanation 'funded credit protection' means a technique of credit risk mitigation where the reduction of the credit risk on the exposure of an institution derives from the right of that institution, in the event of the default of the counterparty or on the occurrence of other specified credit events relating to the counterparty, to liquidate, or to obtain transfer or appropriation of, or to retain certain assets or amounts, or to reduce the amount of the exposure to, or to replace it with, the amount of the difference between the amount of the exposure and the amount of a claim on the institution;

'unfunded credit protection' means a technique of credit risk mitigation where the reduction of the credit risk on the exposure of an institution derives from the obligation of a third party to pay an amount in the event of the default of the borrower or the occurrence of other specified credit events

According to the CRR, upon meeting specific requirements for the CRM, institutions are allowed to recognise the effects of the CRM in the calculation of the minimum capital requirements for credit risk.

CRR/CRD

BASEL REF

7.1 Eligible forms of Credit Risk Mitigation

1)	Is on-balance sheet netting an eligible form of credit risk mitigation?	CRR Art. 195	CRE-22.21
2)	Are master netting agreements covering repurchase transactions or securities or commodities lending or borrowing transactions or other capital market-driven transactions an eligible form of credit risk mitigation?	CRR Art. 196	CRE-22.44
3)	Which types of financial collateral are an eligible form of credit risk mitigation under all allowed methods?	CRR Art. 197	CRE-22.37
4)	Which additional types of financial collateral are eligible for purpose of credit risk mitigation only under the Financial Collateral Comprehensive Method?	CRR Art. 198	CRE-22.39
5)	Which additional types of collateral are eligible for purpose of credit risk mitigation only under the IRB approach?	CRR Art.199	CRE- 36.129-36.140
6)	Which other types of non-physical collateral are eligible only for funded credit protection?	CRR Art. 200	
7)	Which parties are eligible as providers of unfunded credit protection?	CRR Art. 201	CRE-22.76
8)	Are guarantees eligible as a form of credit risk mitigation for unfunded credit protection?	CRR Art. 203	
9)	What kind of credit derivatives, if any, are eligible as a form of unfunded credit protection?	CRR Art. 204	CRE- 22.88

7.2 Funded Credit Protection (FCP)

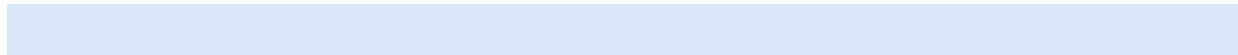
Section a) Requirements and eligibility criteria

Explanation In the EU framework, for funded credit protection, instruments must fulfil certain requirements and eligibility criteria. In the questions below, please provide details about the requirements and the eligibility criteria in your jurisdiction.

10)	Which are the eligibility requirements to recognise on-balance sheet netting agreements? Is this method limited to loans and deposits?	CRR Art. 196, 206	CRE- 22.69-22.70
11)	Which are the eligibility requirements to recognise master netting agreements?	CRR Art. 207	CRE-22.9- 22.19
12)	Which are the eligibility requirements to recognise financial collateral? Are legal certainty and the existence of no material positive correlation between the credit quality of the obligor and the value of the collateral part of those requirements?	CRR Art. 124, 125,126, 208	CRE-20.71
13)	Which are the eligibility requirements to recognise immovable property (residential and commercial real estate) under the standardized approach?	CRR Art. 209	CRE- 36.129
14)	Which are the eligibility requirements to recognise financial receivables under the IRB approach?	CRR Art. 210	CRE- 36.139-36.140
15)	Which are the eligibility requirements to recognise other physical collateral (other than residential or commercial real estate) under the IRB approach?	CRR Art. 211	CRE- 36.141-36.142
16)	Is there a special treatment for lease exposures under the IRB approach? If yes, which conditions must be met for banks to apply that special treatment?	CRR Art.212	
17)	Which are the eligibility requirements to recognise other type of non-physical collateral, if any?	CRR Art. 218	
18)	Which are the eligibility requirements to recognise credit-linked notes as funded credit protection?	CRR Art. 181 (1)(f)	
19)	Which are the eligibility requirements in terms of collateral management, legal certainty and risk management in case of funded credit protection other than master netting agreements and on-balance sheet netting?	CRR Art. 218 et seq	
Section b) The effects of funded credit protection			
20)	Which methods (Financial Collateral Simple Method, Financial Collateral Comprehensive Method, Financial Collateral for Master Netting Agreement, etc.) are envisaged under your legislation to calculate the effects of funded credit protection?	CRR Art. 219	CRE-22.82, 22.40
21)	i. ON BALANCE SHEET NETTING (OBSN) - How are the effects of funded credit protection calculated when on balance sheet netting is employed?	CRR Art. 220	CRE- 22.72-22.73
22)	ii. MASTER NETTING AGREEMENTS (MNAs) - Please provide details of the supervisory formula employed to calculate the value of exposures in case of master netting agreements under the standardised approach	CRR Art. 221	CRE- 22.76

23)	Which are the conditions to include the effects of master netting agreements when estimating exposure values under the internal models approach? Please provide details of the formula to calculate the fully adjusted exposure value	CRR Art. 166(2)-(3)	
24)	How are the effects of master netting agreements and on-balance sheet netting recognised in the exposure value?		
<i>Explanation</i>	<i>In the CRR framework, other than through OBSN and MNAs, the effects of using financial collateral for Funded Credit Protection can be calculated using either the Financial Collateral Simple Method (FCSM) or the Financial Collateral Comprehensive Method (FCCM). When using the standardized approach, both FCSM and FCCM are available; when using the IRB approach, only the FCCM is available for the purposed of Funded Credit Protection.</i>	CRR Art. 223 and 228	CRE- 22.40-22.43
25)	iii. FINANCIAL COLLATERAL Which are the conditions/requirements to use the Financial Collateral Simple Method? How are the risk weights calculated under this method?	CRR Art. 224	CRE- 22.44-22.47
26)	How are the risk-weights calculated under the Financial Collateral Comprehensive Method? Is the fully adjusted value of exposure calculated considering both the volatility adjustment and the mitigating effect of collateral?	CRR Art. 226	CRE- 22.63-22.65
27)	Which are the standard supervisory volatility adjustments to be applied by institutions under the Financial Collateral Comprehensive Method?	CRR Art. 227	CRE- 22.66-22.67
28)	Which is the formula used to estimate the volatility adjustment coefficient in case of longer frequency of re-margining/revaluation than the minimum under the Financial Collateral Comprehensive Method?	CRR Art. 181(1) (c)-(g)	
29)	Which are the necessary conditions for setting a 0% coefficient of volatility adjustment (H) under the Financial Collateral Comprehensive Method?	CRR Art. 124 125 126	
30)	In case of funded credit protection different from OBSN and MNA, how is funded credit protection (collateral) recognised in the LGD modelling/adjustments?	CRR Art. 229-230	CRE.32.13- 32.14
31)	iv. PHYSICAL COLLATERAL - How do your provisions calculate the effects of using physical collateral as funded credit protection under the standardised approach?	CRR Art. 231	CRE.32.15
32)	v. OTHER ELIGIBLE COLLATERAL UNDER IRB - How are the effects of funded credit protection calculated from using all other eligible collateral under the IRB approach?	CRR Art. 232	CRE.32.13- 32.14
33)	Which is the methodology to determine the effective LGD of a collateralised transaction in case of pools of collateral?	CRR Art. 218	
34)	vi. OTHER (NON-PHYSICAL) FUNDED CREDIT PROTECTION - How are the effects of funded credit protection calculated in case other non-physical collateral is employed?		
35)	vii. CREDIT-LINKED NOTES - How is the effect of using credit linked notes as collateral calculated (if allowed)?	CRR Art. 213	CRE22.84
7.3 Unfunded Credit Protection (UFCP)		CRR Art. 214	CRE- 22.96
	Section a) Requirements and eligibility criteri		
36)	Which are the eligibility common requirements for guarantees and credit derivatives?	CRR Art. 213	CRE- 22.85
37)	Are sovereign and public sector counter-guarantees allowed? Under which conditions?	CRR Art. 214	CRE- 22.86
38)	Are there any additional eligibility requirements for guarantees to be recognised as a method of credit protection?	CRR Art. 215	
39)	Are there any additional eligibility requirements for credit derivatives to be recognised as a method of credit protection?	CRR Art. 216	
40)	Which are the legal certainty requirements for the assessment and eligibility of guarantees and credit derivatives?	CRR Art. 213	CRE- 22.94
	Section b) The effects of unfunded credit protection		
<i>Explanation</i>	<i>In the unfunded credit protection framework, under the standardised approach, the CRM effects may be recognised using the substitution approach, i.e. the risk weight of the secured part of the exposure is replaced with the risk weight associated with the protection provider as determined under the standardised approach, while, for the unsecured part of the exposure, the risk weight of the original obligor is used.</i>		
	<i>Under the IRB approach, the substitution approach also applies, whereby, for the covered part of the exposure, the PD to be plugged in the risk weight function is that related to the protection provider or a PD between that of the borrower and that of the protection provider where a full substitution is deemed not to be warranted.</i>		
41)	How are the effects of unfunded credit protection calculated?	CRR Arts. 235, 235a, 236, 236a	CRE- 22.92-22.93
42)	Is an adjustment envisaged in case the unfunded credit protection is provided in a currency different from that in which the exposure is denominated? If yes, how is it carried out?	CRR Arts. 235, 235a, 236, 236a	
43)	Which is the treatment of any credit protection in case the amount guaranteed is less than the amount of the exposure (proportional or tranche cover)?	CRR Art. 235, 235a, 236, 236a	
44)	How is the risk weighted exposure amount computed in case unfunded credit protection is applied under the standardized approach?	CRR Art. 235, 235a, 236, 236a	
45)	How is the risk weighted exposure amount computed in case unfunded credit protection is applied under the IRB approach? Is there a different treatment depending on the specific IRB approach (foundation or advanced) that is used and on how is a comparable direct exposure to the protection provider treated? Please elaborate.	CRR Art. 235, 235a, 236, 236a	
46)	In the EU, institutions may recognise the effects of unfunded credit protection by adjusting PD or LGD estimates in accordance with Article 183 (2) and (3) of the CRR and under the constraint that the resulting adjusted risk weight should not be lower than the risk weight that the institution would assign to a comparable, direct exposure to the guarantor. How is unfunded credit protection recognised in the LGD and PD estimates?	CRR Art. 237-239	CRE22.97- 22-100

**7.4 Maturity Mismatches
and Basket Techniques**



47)

How is the value of credit protection (both funded and unfunded) adjusted to consider any maturity mismatches?

CRR Art. 240

CRE22- 101-22.103

48)

In case of a basket of credit risk mitigation techniques, which is the treatment envisaged for first-to-default credit derivatives?

CRR Art. 237

CRE22- 104-22.105

49)

In case of a basket of credit risk mitigation techniques, which is the treatment envisaged for nth-to-default credit derivatives?

8. Securitisation

The Securitisation legislative Framework in the EU is composed of the Securitisation Regulation (Regulation (EU) 2017/2402 and Regulation (EU) 2021/557 amending Regulation (EU) 2017/2402) and the Capital Requirements Regulation (CRR and Regulation (EU) 2017/2401 and Regulation (EU) 2021/558 amending the securitisation section in the CRR). The Securitisation Regulation puts forward comprehensive rules applicable to all types of securitisations including due diligence, risk retention and transparency rules. It also specifies a set of criteria to identify simple, transparent and standardised (STS) securitisation. The amendments to the CRR specify risk weight treatment of securitisation exposures for banks and investment firms, for non-STS securitisation as well as for STS-securitisations, which are more risk sensitive, reflecting the specific features of STS securitisation.

Explanation	<p>The securitisation framework applies to all types of securitisations including: i) traditional securitisation which involves the economic transfer of the exposures being securitised by the transfer of ownership from the “originator” institution to a special purpose vehicle (SPV) and ii) “synthetic securitisation” which occurs when the transfer of credit risk is achieved by the use of credit derivatives or guarantees, and the exposures being securitised remain exposures of the originator institution.</p>	CRR/CRD	BASEL REF
8.1 Definitions	<p>The CRR employs the concept of “significant risk transfer”: it allows the originator of a securitisation transaction to exclude the securitised exposures from the calculation of its risk-weighted exposure amounts, while risk weighting any retained position in the securitisation transaction¹², provided that the capital relief is justified by a significant transfer of risk (SRT) associated with the securitised exposures to third parties, i.e. provided that the transaction achieves regulatory SRT. The overarching principle for the concept of SRT is that any reduction in own funds requirements must be matched by a transfer of risk that is significant and commensurate. The main focus of the supervisory assessments by the competent authorities is therefore to ensure that significant and commensurate risk transfer effectively occurs, so as to justify the capital relief achieved by the originator, not only according to the conditions set out in legislation, but also as regards the economic substance of each specific transaction.</p>		
1)	<p>Is there an active securitisation market in your jurisdiction? If yes, please provide information about the size and type of the market (synthetic, traditional, term, ABCP, types of asset classes securitised). Should your securitisation market not be of significant size, do you nevertheless have a securitisation regulatory framework in place?</p>		
2)	<p>Have you established specific rules for simple, transparent and standardised (STS) /simple, transparent and comparable (STC) securitisations in line with EU rules or Basel III? How would you intend to apply rules for EU-regulated entities within the STS securitisation framework (with application to banks, investors, sponsors, SPEs)?</p>	SecReg andAm CRR	CRE40. 66-40.165
3)	<p>Are the following concepts defined in your regulatory framework? If yes, please provide more information. -Securitisation (please note that in the EU the definition of securitisation is based on the concept of “tranching” rather than the issuance of securities and payments to investors) -Tranche (including first loss tranche, mezzanine tranche) -Traditional securitisation -Synthetic securitisation -Re-securitisation -Asset-backed commercial paper programme (ABCP programme) -Asset-backed commercial paper transaction (ABCP transaction) -‘Revolving securitisation’ -Securitisation position</p>	CRR Art. 4, Sec Reg Art. 2(1), 2(4), 2(6) 2(9), 2(10), 2(13) and 2(18) Art 2(7), 2(8) Art 2(15), 2(16)	CRE 40.01-40.65
4)	<p>Are the following concepts defined in your regulatory framework? If yes, please provide more information. -Securitisation special purpose entity (SSPE) -Originator -Sponsor -Original lender -Investor and/or institutional investor -Servicer</p>	SecReg Art. 2(2), 2(3), 2(5), 2(11), 2(12), 2(13), 2(20)	CRE 40.01-40.65
Explanation	<p>In the EU we have established certain operational requirements and special capital treatment for securitisation containing the following features (see below). Please provide information about how these structural features are implemented in your jurisdiction.</p>		

5)	How is the 'liquidity facility' defined in your regulatory framework? Do you have a special capital treatment for liquidity facilities?	Sec Reg Art. 2(14)	
6)	How is 'early amortization' defined in your regulatory framework?	Sec Reg Art 2(17)	
7)	How is 'credit enhancement' defined in your regulatory framework? Does a national authority check in case there is an implicit enhancement? If yes and there is implicit credit enhancement, do you require higher capital for that? Is the 'excess spread' considered a credit enhancement? How is 'excess spread' defined in your regulatory framework?	CRR Art 3 (65) CRR Art. 242(1) and Art. 248(1)€	CRE 40.01-40.65
8)	How is the concept of 'clean-up call options' defined in your regulatory framework?	CRR Art 1(9) CRR Art 242(1)	CRE 40.01-40.65
8.2 Due diligence and transparency requirements			
9)	Do you have any restrictions for selling securitisation positions, especially when selling to retail clients?	Sec Reg Art 3	
10)	Before investing in a securitisation, investors will be required to check that the credit-granting, risk retention and transparency requirements have been complied with and to carry out a due diligence assessment of the risks and structural features of the securitisation. What information needs to be disclosed to investors? Are there any due diligence requirements for institutional investors? If yes, please provide details.	Sec Reg Art 5	
11)	What are the transparency requirements for originators, sponsors and SSPEs on securitisation? Are there any differences in transparency requirements for private and public securitisations?	Sec Reg Art 7	
12)	Are there any rules for risk retention (i.e. "skin in the game")?	Sec Reg Art 6	
13)	Are there any measures/sanctions in place in case the originator fails to meet transparency or any other requirements, such as due diligence ones?	Sec Reg Art 32-34	
8.3 Simple, Transparent and Standardised (STS) securitisation			
<i>Explanation</i>	<i>The EU equivalent for Basel's STC securitisation is Simple, transparent and standardised (STS) securitisation, therefore the term STS is used in the following questions.</i>		
14)	Are there any third parties that could assess the compliance to verify STS compliance? If yes, what are the conditions for the third party?	Sec Reg Art 27	
8.3.1 STS non-ABCP securitisation			
15)	In case your jurisdiction has implemented Basel STC (you answered 'yes' to Question 1), what are the requirements for 'simplicity' for traditional securitisation?	Sec Reg Art 20	CRE40.6 6- 40.165
16)	What are the requirements relating to 'standardisation' for traditional securitisation?	Sec Reg Art 21	
17)	What are the requirements (for originators and sponsors) relating to 'transparency' for traditional securitisation?	Sec Reg Art 22	
18)	In case your jurisdiction has implemented Basel STC (you answered 'yes' to Question 1), what are the additional credit-risk related requirements for a securitisation transactions being eligible for the STC treatment (differentiated capital treatment) in an ABCP programme? Are 'fully supported ABCP programme' defined in your regulatory framework? If yes, please describe.	CRR Art 243(1)	CRE40.6 6- 40.165
8.3.2 STS ABCP securitisation			
19)	Can an ABCP transaction be considered STS? If yes, what are the transaction level requirements?	Sec Reg Art 24	
20)	Can an ABCP programme be considered STS? If yes, what are the main programme-level requirements?	Sec Reg Art 26	
21)	Who can be a sponsor of the ABCP programme and what conditions does it have to meet before becoming a sponsor?	Sec Reg Art 25	
22)	In case your jurisdiction has implemented Basel STC (you answered 'yes' to Question 1), what are the additional credit-risk related requirements for a securitisation transactions being eligible for the STC treatment (differentiated capital treatment) in a non-ABCP programme?	CRR Art 243(2)	
8.4 Credit risk transfer			
23)	In the EU where the originator has not transferred significant credit risk, it may not calculate risk-weighted exposure amounts for any position it may have in the securitisation. How is the recognition of significant risk transfer (SRT) granted? Is it based on economic substance or on legal form?	Am CRR Art109 (Art 247.2 CRR)	CRE40.24- 40.34
24)	What are the conditions that the originator institution of a traditional securitisation need to meet in order to achieve significant risk transfer i.e. to be able to exclude underlying exposures from the calculation of a risk-weighted exposure? What tests does the securitisation transaction need to meet (e.g. quantitative tests, permission from the CA, commensurate test)?	Am CRR Art 244(1)-(4)	

25)	Are there any conditions that the originator institution of a synthetic securitisation need to meet in order to achieve significant risk transfer i.e. to be able to exclude underlying exposures from the calculation of a risk-weighted exposure? What tests does the securitisation transaction need to meet (e.g. quantitative tests, permission from the CA, commensurate test)?	Am CRR Art245 (1)-(4)	
26)	Where the securitisation includes revolving exposures and early amortisation provisions, the EU legislation considers that significant credit risk is transferred by the originator institution where the early amortisation provision fulfils certain operational requirements. Do you have any operational requirements for early amortisation provisions? If yes, what are the conditions?	Am CRR Art 246	
8.5 Prudential treatment of securitisation exposures			
27)	How is the exposure value of a securitisation position calculated?	Am CRR Art. 248	
28)	Is there any recognition of CRM for securitisation positions? If yes, what are the conditions for it?	Am CRR Art. 249	CRE40.56- 40.65
29)	An originator should not provide support, directly or indirectly, to the securitisation beyond its contractual obligations with a view to reduce potential or actual losses to investors. Have you established any conditions that determine the existence of implicit support?	Am CRR Art. 250	
30)	What is the treatment of maturity mismatches in synthetic securitisations?	Am CRR Art. 252	
31)	Under European legislation, banks decide between deduction from CET1 or applying 1250% RW on securitisation positions. Is there any possibility to deduct the exposure value of securitisation position from CET1 under your legislation?	Am CRR Art. 253	
32)	What approaches (SEC-IRBA, SEC-SA, SEC-ERBA) can be used to calculate capital requirements? If more than one, is there any hierarchy between the approaches?	Am CRR Art. 254	
33)	Where an institution uses SEC-IRBA, how is KIRB calculated? What are the conditions for its use? How are the risk-weighted exposure amounts calculated?	Am CRR Art. 255(1)- (5) Art. 258 Art. 259	CRE44
34)	Where an institution uses SEC-SA, how is KSA calculated? How are the risk-weighted exposure amounts calculated?	Am CRR Art 255 (6) Art 261	CRE41
35)	How are the attachment point A and detachment point D determined?	Am CRR Art 256	CRE44
36)	How do you determine the tranche maturity?	Am CRR Art 257	
37)	In case SEC-ERBA is implemented, how are the risk-weighted exposure amounts calculated? Please differentiate between short-term and long-term credit assessments.	Am CRR Art 263	CRE42
38)	Have you implemented a special treatment for STS securitisation? If yes, please describe the main differences under SEC-IRBA, SEC-SA and SEC-ERBA.	Am CRR Art 260,262, 264 and 270	CRE42.11- 42.14 CRE41.20- 41.22 CRE44.27- 44.29
39)	Is the Internal Assessment Approach allowed under your legislation? What is the scope and operational requirements for Internal Assessment Approach? How are the risk- weighted exposure amounts calculated?	Am CRR Art 265,266	CRE43
40)	Are there any "caps" (maximum risk weights) for securitisation positions? If yes, which are they? Are there any specific conditions that need to be met?	Am CRR Art 267,268	CRE40.50- 40.55
41)	Is re-securitisation allowed? If yes, is there a different treatment of re-securitisation positions? If yes, please name the applicable risk weights and conditions/requirements. Do you impose any penalties?	Am CRR Art 269	
42)	Are there any "floors" (minimum risk weights) for securitisation positions? If yes, which are they?		
43)	Can the national authority set additional risk weights in case an institution does not meet some of the requirements? If yes, please describe.	Am CRR Art 270a	
44)	What are the requirements for the use of assessments by External Credit Assessment Institutions (ECAIs)?	Am CRR Art 270b-270e	
45)	How are own funds requirements calculated for instruments that are securitisation positions in a trading book?	Am CRR Art 337	
8.6 Structural features of securitisation transactions			

What are the market practices, supervisory expectations and regulatory treatment (if any) with respect to selected structural features of securitisation transactions:

- 46)
- a) Excess spread
 - b) Amortisation structure: pro-rata/sequential
 - c) Cost of credit protection
 - d) Early termination clauses
 - e) Credit events
 - f) Credit protection payments

9. Operational risk

Under the CRR, “operational risk” (OpRisk) means the risk of loss resulting from inadequate or failed internal processes, people and systems or from external events, and includes legal risk. Operational risk is a significant risk faced by institutions requiring coverage by own funds.

With the implementation of a capital requirement for operational risk the regulator recognized that there are specific risks that are not linked to a portfolio. Operational Risk (OpRisk) is generally regarded as a highly volatile risk mainly driven by less frequent but high impact losses. This makes it difficult to model.

With the new standardised approach (new SA) for operational risk introduced by the BCBS in 2017, operational risk is measured by a single approach.

Explanation

The new SA uses two ways to determine the capital requirement for operational risk and combines them in a certain way:

1. The first way is a more stable but less risk sensitive proxy for the operational risk exposure: the “business indicator component” (BIC). It primarily relies on P&L data. The BIC reflects more the business volume of a bank than its risk exposure. However, it integrates some features that are deemed to increase the risk sensitivity e.g., by giving P&L items a higher weight in the calculation method (e.g. fee business) that bear more operational risk than other items.

2. The second one is the Loss component (LC) based on the average annual net losses of a bank over the last 10 years. By using direct loss data, LC is more risk sensitive. However, given the nature of operational risk, LC tends to be more volatile than the BIC. As a result, rare but large loss events can easily multiply the measured risk exposure value of the LC. Thus, to avoid too volatile capital requirements, the LC is used “to adjust” the capital requirements derived from the BIC by using the internal loss multiplier (ILM). This ILM leads to add-ons or discounts of the BIC exposure value in case the LC is larger or smaller than the BIC.

1)	What is your definition of operational risk? Does it include legal risk and model risk? Is conduct risk covered by legal risk? Does operational risk exclude reputational/strategic/ business risk?	CRR Art 4(52), CRD Art 85(1)	OPE-
2)	What is the approximate share of Op risk in total capital requirements? Please split it by the used approach (as referred below in Q3, Q7 and Q14). For the purpose of calculating the capital requirements, do you use one or more of the following national discretion of the Basel Framework: - Disregarding the use of losses for the capital requirement calculation (ILM=1)		
3)	- If not; o Allowing the threshold of 100,000 €, or o Allowing the use of the loss component also for Bucket 1 banks (see BI)	CRR Art 312	OPE- 25.
4)	Is the Business Indicator calculated by summing up the following three sub-components: - Interest, leases and dividend component (ILDC) = min(net interest margin, 0.0225*Interest Earning Assets)+Dividend Income - Service component (SC) =max(Fee Income, Fee Expenses) + max(Other Operating Income, Other Operating Expenses) - Financial Component (FC)= Net P&L Trading Book + Net P&L Banking Book Do you apply an annual average of the BI items over the last three financial years? Do you apply absolute values of netted BI items and if, do you apply the absolute value on the basis of annual net values or only for the average value over three years?	CRR Art 314 (1) and (2) and (5) and (6)	OPE-25.4,
5)	Are the definitions of the components of the BI in line with the definitions provided by the Basel Framework? In particular, are lease income and lease expenses as well as lease assets part of the BI items of the ILDC? Do other operating expenses comprise losses, expenses, provisions and other financial impacts due to operational risk events? Are there differences to profit and loss items that shall not contribute to any of the items of the BI as described in the Basel Framework? If yes, what are the differences?	CRR Art 314 (2), (5), (6), (7) and (9)	OPE 2 OPE-10.2,
6)	Are banks obliged to include business indicator items of merged or acquired entities or activities in their business indicator calculation of the last three financial years? Are any reliefs implemented that help to reduce the burden to recalculate the BI items of the last three years?	CRR Art 315 (1) and (3)	OPE-
7)	May banks request permission from the competent authority to exclude from the business indicator amounts related to disposed entities or activities? If yes, are there conditions under which this permission is granted?	CRR Art 315 (2) and (3)	OPE-
8)	By calculating the Business Indicator Component, which thresholds do you apply for bucketing of the BI (please express as implemented in your national currency)? Do you apply the same marginal coefficient for each bucket (Bucket 1=0.12, Bucket 2=0.15 and Bucket 3=0.18) as defined in the Basel Framework?	CRR Art 313	OPE-
9)	Despite an ILM=1, all Banks of the EU with a BI of more than 750 million Euro are obliged to collect loss data and to calculate an average annual operational risk loss. What’s are the conditions for banks in your jurisdictions to collect loss data?	CRR Art 316	OPE2

	<p>Are the following requirements for a loss data set in place, that banks:</p> <ul style="list-style-type: none"> - shall have in place arrangements, processes and mechanisms that assure to establish and maintain updated on an ongoing basis the loss data set - capture all operational risk events stemming from all entities that are part of the scope of consolidation to assure a comprehensive loss data base - use the date of accounting for including losses in the loss data set and have processes in place that assures an appropriate allocation of losses and recoveries of an loss event in line with their accounting treatment 		
10)	<ul style="list-style-type: none"> - record further reference dates like the date of occurrence, and the date of discovery - collect additional information about the drivers or causes of the loss events -don't include credit risk related boundary losses in the loss data set as long as these losses are covered by the risk exposure amount for credit risk - include Operational risk events related to market risk - are able to map upon request its historical internal loss data to the event type - ensure the soundness, robustness and performance of their IT systems and infrastructure necessary to maintain and update the loss data set <p>Does independent review assure the Comprehensiveness, accuracy and quality of the loss data?</p>	CRR Art 317 & 322	OPE-25.16 -
	<p>In the EU, banks are only obliged to calculate the average annual loss based on the following:</p> <ul style="list-style-type: none"> - Banks include all (aggregated) net losses that exceed 20,000 Euro or 100,000 Euro of the last 10 years - Net loss = gross loss (loss before recovery) – recoveries (including insurance recoveries) 		
11)	<p>- Aggregated gross/net losses is the sum of all gross/net losses linked to the same operational risk event over one or multiple financial years. Such losses are to include in the loss data set if the amount exceeds within the 10 year window the threshold.</p> <p>Do you calculate the average annual loss differently? Which loss data threshold(s) do you apply?</p> <p>Can recoveries be used to reduce the gross losses only where the institution has received payment?</p>	CRR Art 318 (1) & (4), Art 319	OPE-25.18, OPE-:
	<p>Does the gross loss computation comprise the following items:</p> <ul style="list-style-type: none"> - direct charges - costs incurred as a consequence of the operational risk event 		
12)	<ul style="list-style-type: none"> - provisions or reserves accounted for in the profit and loss accounts against the potential operational loss impact, including those from misconduct events - pending losses - timing losses <p>Can certain items (like insurance premiums) be excluded from the gross loss computation?</p>	CRR Art 318 (2) & (3)	OPE-25.26,
13)	<p>Under which conditions may a bank request permission to exclude losses from the loss data base? Is there a materiality threshold and/or a minimum period? If yes, are these conditions also applicable for losses of divested activities?</p>	CRR Art 320	OPE-:
14)	<p>Do banks have to include losses from merged or acquired entities or activities?</p>	CRR Art. 321	OPE-:
15)	<p>Are there any additional qualitative criteria for operational risk management to fulfil, i.e. in Basel Principles for Sound Management for Operational Risk (PSMOR)14? Are there certain requirements on the management system for operational risk, e.g. its independence?</p>	CRR Art 323	
16)	<p>Do banks have to disclose qualitative information of its operational risk management framework and/or quantitative information of the BI component, the impact of divestment on BI, and certain loss information</p>	CRR Art 446	OPE-25.:
17)	<p>Is Oprisk addressed under Pillar II? If yes, what is the practice in general (e.g. reports by banks, supervisory checks etc)?</p>		OPE10 fo
18)	<p>Are there any additional reporting requirements which could be used for the supervisory judgement (e.g. regular loss reporting)?</p>		

10. Market risk

10.1 Trading book

1)	What is the definition of trading book in your jurisdiction?	CRR/CRD CRR Art. 4(86), 102	BASEL REF RBC-25.1
2)	How are the 'positions held with trading intent' defined in your jurisdiction?	CRR Art 4(85)	RBC-25.3
3)	Do you have any waivers/thresholds for the treatment of trading book or trading book positions? If yes, which ones?	CRR Art 94	
4)	What are the requirements for positions to be included in the trading book in your jurisdiction?	CRR Art. 103	
4a)	Does your framework include presumptions on which types of instruments must, should, should not or must not be included in the trading book? If yes: Please detail those presumptions, as well as any conditions or requirement that need to be met by banks to deviate from these presumptions.	CRR Article 104	RB25.5 to RB 25.12
4b)	Do you impose any conditions or restrictions on the re-designation of an instrument from the trading to the banking book, or vice versa, after its initial designation? Do you impose measures to prevent, or temporarily suspend, a capital benefit in case of a redesignation, and if yes, what are the conditions for ending that suspension? Do you have any requirements for prudent valuation for the positions in the trading book? If yes, please name the requirements and/or principles.	CRR Article 104a	RB25.14 to RB 25.17
5)	Please also outline to which extent prudent valuation requirements result in deductions from CET1, and what is the approximate ratio of total additional valuation adjustments which are deducted from capital as a result of the prudent valuation framework to total fair-valued assets and liabilities for banks in your jurisdiction.	CRR Art 105, COM DR 2016/101	CAP-50
6)	What is the definition of the correlation trading portfolio in your jurisdiction?	CRR Art 325(6) to (8), 338	MAR- 10.10
7)	If you have not implemented the FRTB framework yet, does your jurisdiction intend to implement it? If yes, could you provide a general timeline for its implementation?		
8)	If your jurisdiction intends to implement the FRTB, or has implemented it, how do you intend to implement or implemented it? Please also list potential divergences from Basel that your jurisdiction is expecting to introduce or introduced when implementing the FRTB.		
9)	Are institutions in your jurisdiction subject to any reporting requirements for market risk stemming from the FRTB? If yes, what do institutions need to report regarding the FRTB and from when?	CRR2 Art 325a, 430b	

10.2 Methods measuring market risks

	<i>Market risk is defined as a risk of losses in on and off-balance-sheet positions arising from movements in market prices. The risks subject to this requirement are i) the risks pertaining to interest rate related instruments and equities, as well as residual risks, in the trading book and ii) foreign exchange risk and commodities risk throughout the bank.</i>		
Explanation	<i>Under Regulation (EU) No 575/2013 (i.e. the Capital Requirements Regulation – CRR), an institution may calculate own funds requirements for market risk in accordance with either i) the Simplified Standardised Approach (SSA), , ii) the Internal Models Approach (IMA) subject to supervisory approval, or iii) in case the institution qualifies for the “small trading book business” derogation it may calculate the capital requirements for position risk of debt and equity instruments in accordance with credit risk rules.</i> <i>In the context of the calculation of the output floor, banks in the EU either use the SSA, or the standardized approach of the Fundamental Review of the Trading book (FRTB) for determining the floored RWEA, depending on an assessment of the size and significance of their trading activities.</i>		
10)	Is offsetting of positions between institutions belonging to the same group for the purposes of calculating consolidated capital requirements allowed (Y/N)? If yes, please name any conditions that you have for offsetting.	CRR Art 325	
11)	Do you allow the simplified standardised approach (SSA) as set out in Basel Standards for the calculations of capital requirements of market risk (building block approach that includes addressing specific risk and general risk for debt instruments and equities and also foreign exchange risk, commodities risk and risk of options)? Please list any major divergences.	CRR Art 92(3)(b) and(c) and 92(4) CRR Art 334-361	
11a)	Do you allow the application of the standardised approach of the FRTB (FRTB-SA)? Please list any major divergences from Basel Standards (Basel 3).	CRR Art 325c	MAR20 – MAR23

11b)	Do you allow the application of the boundary between trading book and banking book? Please list any major divergences from Basel Standards (Basel 3)	CRRArt 104	RB25
12)	Do you allow the application of internal model approach (IMA)? Please list any major divergences from Basel Standards (Basel 2.5).	CRRArt 362, 363	
13)	Can an institution revert to a less sophisticated approach than the simplified standardised approach or the internal models approach (i.e. a simplified approach not envisaged in the Basel standards)? If yes, what are the conditions for the usage of such simplified approach?		

10.2.1 Simplified Standardised Approach

a) Interest rate risk

14)	How is the capital charge for the specific risk for non-securitisation debt instruments calculated? Please list any divergences from the Basel Standards.	CRRArt 336(incl table 1)	MAR- 20.4-20.6
15)	Are there any specific conditions for the instruments issued by a government that would receive 0% or 20% under Standardised Approach for credit risk?		
16)	How are the own funds (OF) requirements for the specific risk for securitisation debt instruments in the trading book calculated? Are the risk weights aligned with the treatment in the banking book?	CRRArt 337	
17)	What positions can be included in the correlation trading portfolio?	CRRArt 338(1),(3)	MAR- 10.10
18)	Are there any positions that cannot be included in the correlation trading portfolio?	CRRArt 338(2)	MAR- 10.10
19)	How are the own funds requirements for the correlation trading portfolio calculated?	CRRArt 338(4)	MAR- 20.21
20)	How are the capital requirements calculated for positions hedged by credit derivatives?	CRRArt 346	
21)	Are there own funds requirements for collective investment undertakings (CIUs)? If yes, what risk weights are applied?	CRRArt 348	

In case there are OF requirements for CIUs, and the institution is aware of the underlying investments, can the own funds requirements for position risk (specific and general risk) be calculated by any of the following ways:

- a) The positions in CIUs are allowed to be treated as positions in underlying investments of the CIU, i.e. 'look through' approach?
- b) The positions in CIUs can be assumed to replicate the composition and performance of an external index or fixed basket of equities or debt securities in case the purpose of the CIU is to replicate the index or fixed basket of equities or debt securities?

In case any of the methods above are allowed, are there any conditions that the CIU needs to meet, for example:

- a) CIU's prospectus (or equivalent) needs to include:
 - i. the categories of assets the CIU is allowed to invest in,
 - ii. where investment limits apply, relative limits and methodologies to calculate them,
 - iii. where leverage is allowed, the maximum level of leverage,
 - iv. a policy to limit counterparty credit risk where concluding OTC derivatives transactions or securities borrowing or lending is allowed,
- b) the business of the CIU shall be reported in half-yearly and annual reports in order to assess assets, liabilities, income and operations over reporting period,
- c) the shares or units of the CIU are redeemable in cash, out of the undertaking's assets, on a daily basis at the request of the unit holder,
- d) investments in the SIU are segregated from the assets of the CIU manager,
- e) Investing institution has adequate risk assessment of the CIU,
- f) CIUs are managed by persons who are supervised in accordance with the applicable law to undertakings for collective investment in transferable securities (UCITS) or equivalent.

22)		CRRArt 349, 350	
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General interest rate risk

23)	Are both principal methods, i.e. the maturity-based method and duration-based method allowed?	CRRArt 339, 340	
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Maturity method

24)	Are the time-bands and weights the same as in Table 2 of Art 339? If not, please list any divergences.	CRRArt 339	MAR- 20.25
25)	Are the factors of horizontal disallowance the same as in CRR Art 339(7)?	CRR Art 339(7)	MAR- 20.27

Duration method

26)	Is the duration method applied the same way as set out in Basel, including the time bands and assumed changes in yield? Please list any divergences.	CRRArt 340	MAR- 20.28
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	Are capital charges for derivatives calculated and treated in the same manner as set out in the CRR:		
	- Netting		
	- Interest rate futures and forwards		
27)	- Options and warrants	CRRArt. 327-332	
	- Swaps		
	- Interest rate risk on derivative instruments		
	- Credit derivatives		
	b) Equity position risk		
28)	How are the equity positions treated for the purposes of capital requirements (net-long, net-short positions, different national markets etc)?	CRRArt 341-342	MAR- 20.40-20.41
29)	What is the risk weight for specific risk?	CRRArt 342	MAR- 20.42
30)	What is the risk weight for general market risk?	CRRArt 343	MAR- 20.42
31)	Is there a specific treatment for stock indices? If yes, please describe the treatment	CRRArt 344	
32)	Do you have specific treatment for underwriting?	CRRArt 345	
	c) Foreign exchange risk		
33)	How is the capital charge for foreign exchange (FX) risk calculated (net open position in a currency)?	CRRArt 352	MAR- 20.52-20.61
34)	Do you have any de minimis threshold below which there is no capital charge for FX risk? If yes, please name the threshold and any other specificities regarding this.	CRRArt 351	
35)	Is there a specific treatment for structural FX?		
	If yes, what are the general criteria to grant the permission for waiving structural FX positions?	CRRArt 352(2)17	MAR- 10.4-10.6
36)	Do you have any requirements or separate treatment regarding closely correlated currencies? If yes, please describe the main features.	CRRArt 354	MAR- 20.52-20.61
	d) Commodities risks		
37)	Which methods (maturity ladder approach, simplified approach etc) can be used to measure commodities risk?	CRR Art 359-360	
38)	Is there any threshold, for example de minimis or are there certain positions, where the capital charge is not applied? Please list all that apply.		
39)	If applicable, is the maturity ladder approach applied in the same manner as set out in CRR Art 359? Please name any divergences.	CRRArt 359	MAR- 20.67-20.70
40)	If applicable, is the simplified approach applied in the same manner as set out in CRR Art 360? Please name any divergences.	CRRArt 360	
41)	Is there any other method used? If yes, please describe it briefly.		
	d) Risk of options		
	<i>The treatment of options is set out in the CRR Articles 329, 352 and 358 and is further specified under Commission Delegated Regulation 528/2014 (Henceforth COM DR 528), which can be found under the following link: https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32014R0528. This Regulation 528/2014 sets out the three methods for the determination of own funds for market risk in relation to non-delta risk (simplified approach, delta-plus method and scenario approach) as set out in Basel Standards 718LIV-718LXIX.</i>		
Explanation			
42)	Which of these three methods can be used for the market risk charge for options?		
43)	If applicable, is the simplified approach applied in the same manner as set out in Basel MAR-20.75? Please state any divergences.	COMDR 528/2014	MAR- 20.75
44)	If applicable, is the delta-plus method applied in the same manner as set out in Basel MAR-20.76? Please state any divergences.	COMDR 528/2014	MAR- 20.76
45)	If applicable, is the scenario approach applied in the same manner as set out in MAR-20.80? Please state any divergences.	COMDR 528/2014	MAR- 20.80
	e) Overall capital requirement		
45a)	Do you apply a scaling factor when aggregating the capital requirements for the different 'building blocks' of the simplified standardised approach, or apply another measure to (re)calibrate its output?	CRR Art. 325(2)	MAR- 40.2
10.2.2 Standardised approach (FRTB-SA)			
45b)	Is there any criterion or threshold, based on which you identify banks that must or do not have to apply the FRTB-SA	CRRArt 325a	
45c)	Did you introduce any divergences from the Basel framework when implementing the sensitivities-based method (e.g. exclusions from the scope, specific risk weights, changes to the correlation factors)?	CRRArt 325d to 325t	Mar-21
45d)	Did you introduce any divergences from the Basel framework when implementing the default risk capital requirement (e.g. exclusions from the scope, modifications to the hedging recognition criterion, specific treatment of positions in indices)?	CRR Art 325v to 325ad	Mar-22
45e)	Did you introduce any divergences from the Basel framework when implementing the residual risk add-on (e.g. exclusions from scope, exemptions, divergences as regards what counts as exotic underlyings, different capital charges)?	CRRArt 325u	Mar-23
10.2.3 Internal models approach			

46)	If internal models are allowed, what are the general criteria to grant permission to use IMA in a bank? Is there a requirement that for the position to be included in the IMA model, it needs to cover a significant share of the positions?	CRRArt 363	MAR-30.2- 30.4
	What qualitative standards do banks need to have in place to obtain an authorisation to use IMA, for example: i) Internal model needs to be closely integrated into daily risk management process, ii) Requirement to have risk control unit that is independent from trading units and reports directly to the management, iii) Institution's management body and senior management are actively involved in the risk-control process and daily reports produced by the risk control unit are reviewed by the level of management with sufficient authority to enforce reductions of positions, iv) Sufficient number of skilled staff in the use of sophisticated internal models, trading, risk control, audit and back-office areas, v) Established procedures for monitoring and ensuring compliance with documented set of internal policies and controls concerning the overall operation of its internal models, vi) Frequent rigorous stress testing programme conducted, including reverse stress tests.		
47)		CRRArt 368	MAR-30.5
48)	How are own funds requirements calculated when using an internal model approach (i.e. the inclusion of different components, such as VaR, stressed VaR, incremental risk charge IRC, correlation trading and standardised method)?	CRRArt 364	
49)	What are the requirements and parameters for the calculation of value-at-risk (VaR)?	CRRArt 365	
50)	Do you have a requirement to calculate Stressed VaR? If yes, what are the requirements/parameters? If not, will a requirement be in place and by when?	CRRArt 365 (2)	
51)	What are the requirements for back-testing and which multiplication factors are used?	CRRArt 366, table1	
52)	What are the requirements on risk measurement that the institution's internal models need to have?	CRRArt 367	
53)	In case there are requirements for stress testing what are they?	CRRArt 368(9)	
54)	What are the requirements for internal validation of the model?	CRRArt 369	
55)	Are there any additional requirements for the modelling of specific risk in internal model?	CRRArt 370	
56)	Does your jurisdiction require for an Incremental Risk Charge (IRC) for institutions that use IMA? If yes, what is the scope of IRC?	CRRArt 372, 373	
57)	What are the requirements for the internal IRC model?	CRRArt 374-376	
58)	What are the requirements for correlation trading?	CRRArt 377	
10.3 Settlement risk			
<i>Explanation</i>	<i>Settlement risk is the risk stemming from transactions that remain unsettled after their due delivery date, so that there might be a difference between the agreed settlement price and its current market value. If such a difference implies a loss for the institution, it must be accounted for as a capital requirement.</i>		
59)	Is there a capital requirement for settlement risk? If yes, which transactions are included in the calculation of the capital requirement for settlement risk?	CRRArt 378-380	CRE70
60)	How are the capital requirements for the settlement risk calculated? Please include the multiplication factors that are used.	CRRArt 378, table 1	CRE70
61)	What is the treatment of free deliveries?	CRRArt 379, table 2	CRE70
62)	Are there any waivers or exceptions applied for settlement risk?	CRR Art 380	CRE70
10.4 CVA Risk			
<i>Explanation</i>	<i>CVA (Credit Valuation Adjustment) Risk is defined as the risk of losses arising from changing CVA values in response to changes in counterparty credit spreads and market risk factors that drive prices of derivative transactions and SFTs. CVA reflects the adjustment of default risk-free prices of derivatives and securities financing transactions (SFTs) due to a potential default of the counterparty.</i> <i>The calculation of CVA also takes into account certain risk mitigants such as netting and collateral arrangements and certain offsetting hedges. Thus, the actual risk that is taken into account is the one that remains after these mitigants have been factored in.</i>		
63)	Is there a capital requirement for credit valuation adjustment (CVA) risk?	CRRArt 381	Mar-50
64)	If yes, please outline which transactions are in scope of the capital requirement for CVA risk. If there are any criteria or materiality thresholds for including /excluding transactions into / from the scope, please detail them.	CRRArt 382	Mar-50
65)	Are there transactions with specific counterparties that are excluded from the scope of the capital requirement for CVA risk? Please in particular outline any transactions that are included in the scope of the capital requirement for CVA risk under the Basel standards but which are excluded from the scope of the capital requirement for CVA risk, if any.	Art 382	Mar-50
66)	Which methods (e.g. Standardised approach and basic approach) can be used to calculate the capital requirement for CVA risk?	CRRArt 382a, 383, 384	Mar-50
67)	Are there any other methods allowed for the calculation of the capital requirement for CVA risk?	CRRArt 385	
68)	Are the methods implemented as set out in Basel standards? Please list any divergences.	CRRArt 383, 384	Mar-50

69)	If you have not implemented them yet, do you intend to implement the Basel III post- crisis reforms on CVA risk applicable as of 1 January 2023? If yes, could you provide a general timeline for their implementation? Can you list how you plan to implement it and if you will have some divergences from the Basel III framework?		Mar-50
70)	Are institutions subject to any reporting requirements for CVA risk stemming from the Basel III post- crisis reforms on CVA risk applicable since 1 January 2023? If yes, what do institutions need to report for the purposes of these reforms and from when?		Mar-50
10.5 Counterparty credit risk (CCR)			
<i>Explanation</i>	<p><i>Counterparty credit risk (CCR) is the risk that the counterparty to a transaction could default before the final settlement of the transaction's cash flows. An economic loss would occur if the transactions or portfolio of transactions with the counterparty has a positive economic value at the time of default. Unlike a firm's exposure to credit risk through a loan, where the exposure to credit risk is unilateral and only the lending bank faces the risk of loss, CCR creates a bilateral risk of loss: the market value of the transaction can be positive or negative to either counterparty to the transaction. The market value is uncertain and can vary over time with the movement of underlying market factors.</i></p> <p><i>CCR contains both elements of credit and market risk, and its peculiarities call for a separate treatment. A major difficulty in its calculation is the uncertainty of future exposure and the relative complexity of the distribution for different scenarios of market risk factors driving the exposure.</i></p>		
71)	Which transactions are in the scope of the capital requirement for CCR?	CRRArt 274-280, 283-298	CRE52, CRE53
72)	Which methods – e.g. Standardised Approach for counterparty credit risk (SA-CCR), Internal Model Method (IMM) – can be used to measure CCR exposures?	CRRArt 281, 282	
73)	The EU framework includes two methods to calculate CCR exposures that are not included in the Basel standards, i.e. the Simplified SA-CCR and the Original Exposure Method (OEM). Do you have any methods that are not included in the Basel standards? If yes, please also outline the main features of those methods.	CRR Art 273a and 283	CRE51, CRE53
74)	Are there any conditions to employ the methods available to measure CCR exposures? If yes, please outline any conditions that apply for using any of those methods.	CRR Art 273a and 283	CRE51, CRE53
75)	Can an institution use a combination of CCR methods? If yes, what are the conditions?	CRRArt 273	CRE51
76)	Which methods can be used to calculate CCR exposures of SFTs?	CRR Art 220, 221, 222, 223, 283	CRE51
77)	Which methods – e.g. Standardised Approach (SA), Internal Ratings Based Approach (IRB) – can be used to risk-weight CCR exposures?	CRRArt 111, 166	CRE51
78)	Is the SA-CCR implemented as set out in Basel standards? Please list divergences if any.	CRR Art 274 to 280	CRE52
79)	Is the IMM implemented as set out in Basel standards? Please list divergences if any.	CRR Art 283 to 298	CRE53
80)	Is the exposure value under IMM determined at the level of netting set? Please describe how is the exposure value determined.	CRRArt 284, 285	CRE53
81)	Are there any requirements for the management of CCR in case the institution uses IMM? If yes, what are they?	CRRArt 286-288, 293, 294	CRE53
82)	Are there any requirements for use test for the purposes of the IMM?	CRRArt 289	CRE53
83)	Do you apply requirements for stress testing across methods for CCR? If yes, please outline them.	CRRArt 290	CRE53
84)	Are there any requirements to address wrong-way risk across methods for CCR? If yes, please outline them.	CRRArt 291	CRE53.47, CRE53.48
85)	What are the requirements for IMM modelling?	CRRArt 292	CRE53
86)	Are contractual netting arrangements allowed? If yes, for what instruments? Please also name the conditions (if any).	CRRArt 295to 298	CRE52, CRE 53

11. Liquidity

Explanation		CRR/CRD	BASEL REF
	<p><i>Liquidity risk refers to the possibility that the bank may encounter difficulties in meeting expected or unexpected cash payments or delivery obligations, thereby impairing daily operations or the financial condition of the bank. It may refer to the fact that an institution may not be able to meet efficiently any expected or unexpected cash outflows, due to the unavailability of funding sources (Funding Risk), or to the fact that, when liquidating a sizeable amount of assets, an institution faces a considerable (and unfavourable) price change generated by exogenous or endogenous factors.</i></p> <p><i>Liquidity Coverage Ratio (LCR)</i> <i>The CRR alludes to a liquidity coverage requirement under a 30-day stress horizon, for which it contemplates a reporting framework and a reference to a delegated regulation (LCR Delegated Act) for its specification.</i> <i>The LCR Delegated Act aims to ensure that a bank maintains an adequate level of unencumbered, High-Quality Liquid Assets (HQLA) that can be converted into cash to meet its liquidity needs for a 30-day time horizon under a significantly severe liquidity stress scenario. From 2018, such a level is required to be 100%; prior to that, a transitional period is available. High Quality Liquid Assets (HQLA) are assets that can be easily and immediately converted into cash at little or no loss of value. Liquidity needs stem from liquidity inflows and liquidity outflows, to be assessed over a 30- day period, assuming a combined idiosyncratic and market-wide stress scenario.</i></p>		
1)	Do you require institutions to hold liquid assets, the sum value of which covers liquidity outflows under stressed conditions which ensures that the institution maintains adequate levels of liquidity buffers to face any possible imbalance between liquidity inflows and outflows in periods of grave stress over a 30-day period?	CRR Art. 412 DR Art. 4	Par. 20.1, 20. Basel III LCR
2)	Please describe the scope of application of the requirement (type of institutions, size, ...) and the level of application (solo level and/or consolidated level).	CRR Art. 6, 11 and 412	Par. 10.1 Basel II
3)	Is this requirement applicable also to branches from third countries' institutions? If so, is it applicable in a stricter/less strict/similar manner to the rest of institutions in the scope of application? Please elaborate.	CRD Art. 47	
4)	Where this requirement applies at a consolidated level with subsidiaries in third countries, which is the treatment for the purposes of consolidating the liquid assets, inflows and outflows in those subsidiaries?	DR Art. 2	Par. 10.5, 30.2 Basel III LCR
5)	Is it explicitly envisaged that banks may have a LCR value below 100% during stress periods? If so, under any explicit restrictions?	DR Art. 4	Par. 20.5 Basel III LCR
6)	<p>How do you define a stress scenario for the purposes of the LCR ratio? e.g.:</p> <ul style="list-style-type: none"> -the run-off of a significant proportion of its retail deposits; -a partial or total loss of unsecured wholesale funding capacity, including wholesale deposits and other sources of contingent funding such as received committed or uncommitted liquidity or credit lines; -a partial or total loss of secured, short-term funding; -additional liquidity outflows as a result of a credit rating downgrade of up to three notches; -increased market volatility affecting the value of collateral or its quality or creating additional collateral needs; -unscheduled draws on liquidity and credit facilities; -potential obligation to buy-back debt or to honour non- contractual obligations. 	DR Art. 5	Par. 20.2 Basel III LCR
High Quality Liquid Assets (HQLA)		DR Art. 7	Par. 30.6 to 30. Basel III LCR
7)	What are the general conditions that all HQLA must meet in order to be eligible for LCR purposes? e.g. regarding low risk, certainty of valuation, low correlation with risky assets, being listed on an exchange, having an active market, low volatility, or flight to quality?	DR Art. 7	Par. 30.16 Basel III LCR
8)	Have you got specific criteria in place that HQLA must meet in order to be considered unencumbered for LCR purposes? If so, please list them. Are these criteria expected to change in the future? If so, how and by when?	DR Art. 7	Par. 30.41 Basel I
9)	Are assets issued by certain financial entities (e.g. credit institutions, investment firms, insurance undertakings, financial holding companies) excluded from qualifying as HQLA for LCR purposes? If so, what are the conditions?	DR Art. 8	Par.30.13 to 30 Basel III LCR
11)	In particular, do you have any particular provision or guidance as regards the definition of free transferability of assets held in third countries and about their eligibility to pay outflows? If so, which. In addition, do you envisage the existence of any practical or legal impediment to the prompt transfer of assets and repayment of liabilities, and how do you define them?	DR Art 8	Par. 10.7,10.8 Ba: LCR
12)	Do you distinguish different categories of HQLA? If so, how many (e.g. Level 1, Level 2, Level 2B)?	DR Art. 10-13	Par. 30.31, 30. Basel III LCR

13)	Do you have in place caps to the amount of assets of each category that can be included in the stock of HQLA? Please differentiate between each category of assets to which the cap applies.	DR Art. 17	Par. 30.31, 30.33 III LCR
14)	What are the specific requirements, if any, that liquid assets of the highest quality (i.e. Level 1) must specifically meet?	DR Art. 10	Par. 30.40,30.41 B LCR
15)	What are the specific requirements, if any, that other liquid assets of high quality (i.e. Level 2) must specifically meet? Please differentiate, where applicable, between Level 2A and Level 2B assets.	DR Art. 11-12	Par. 30.42 to 30.47 III LCR
16)	Do you have in place specific requirements for the eligibility of asset-backed securities? If so, which?	DR Art. 13	Par. 30.45 Basel I
17)	Do you have in place specific requirements for the eligibility of shares or units in collective investment undertakings? If so, which?	DR Art. 15	
18)	Do you have in place specific requirements or limits for the eligibility of assets in third countries (e.g. assets representing claims or guaranteed by the central government of a third country)? If so, which?	DR Art. 10-12	e.g. Par. 30.41Bas LCR
19)	Is central bank eligibility a sufficient condition for some asset to be considered as a liquid asset?		Par. 30.1 Basel II
20)	Do you have in place specific requirements for the eligibility of central bank reserves held in the domestic central bank or in the central bank of a third country? If so, which?	DR Art. 10	Par. 30.41 Basel I
Valuation of liquid assets			
21)	Do you require that the value of liquid assets to be reported is its market value less appropriate haircuts?	CRR Art. 418 DR Art. 9	Par. 30.34 Basel III LCR
22)	What are the different haircuts, if any, that the valuation of HQLA is subject to? Please differentiate, where applicable, between Level 1, Level 2A and Level 2B assets.	DR Art. 10-13	Par. 30.40 to 30.47 III LCR
23)	In the calculation of the liquidity buffer and the computation of the HQLA caps, do you unwind securities financing transactions collateralised by non-HQLA?	DR Art. 17 and Annex I	Par. 30.34 to 30 Basel III LCR
Liquidity outflows			
24)	How do you calculate liquidity outflows for LCR purposes and what liquidity requirements are included? -Current amount outstanding on retail deposits -Current amount of other liabilities that come due -Additional outflows -Maximum amount that can be drawn for the next 30 days -Any additional outflows identified under assessments	DR Art. 22	Par. 40.1 Basel III LCR
Outflows on retail deposits			
25)	What rules are in place regarding the calculation of outflows on retail deposits? Please differentiate between stable and other retail deposits, if applicable.	DR Art. 24-25	Par. 40.5 to 40. and 40.22 to 40.25 III LCR
Outflows on operational deposits			
26)	What rules are in place regarding the calculation of outflows on operational deposits?	DR Art. 27	Par. 40.26 to 40.3 Basel III LCR
Outflows on other liabilities			
27)	What rules are in place regarding the calculation of outflows on other liabilities?	DR Art. 28	Par.40.19 to 40.21 to 40.47 Basel III LCR
Additional outflows			
28)	What rules are in place regarding the calculation of additional outflows (e.g. collateral securing derivative and other transactions, derivatives cash outflows, loss of funding on asset-backed commercial paper, etc.)?	DR Art. 30	Par. 40.48 to 40 Basel III LCR
Outflows from credit and liquidity facilities			
29)	What rules are in place regarding the calculation of outflows from credit and liquidity facilities?	DR Art. 31	Par. 40.59 to 40.64 Ba LCR
Inflows			

	30)	What rules are in place regarding the calculation of inflows for LCR purposes?	DR Art. 32	Par. 40.75, 40.7; 40.93 Basel III LCR
	31)	Do you apply a 75% inflow cap as a general rule? If not which one?	DR Art. 33	Par. 40.77 Basel III LCR
Compliance with liquidity requirements	32)	Do you envisage any exemption to the applicable inflow cap? Which ones? Under which conditions?	DR Art. 26 and 33	
Reporting obligation and reporting format	33)	Are institutions obliged to notify to the authorities any situation of non-compliance or likely non-compliance with the liquidity coverage requirement?	CRR Art. 414	Par. 20.8 Basel II
	34)	What reporting obligations are in place for the liquidity coverage requirement? Is there an obligation of reporting separately on the items denominated in significant currencies?	CRR Art. 415	Par. 20.7 Basel III LCR
Explanation		<i>Net Stable Funding Ratio (NSFR)</i> <i>The CRR refers to a stable funding requirement aimed at preventing excessive maturity mismatches between assets and liabilities and overreliance on short-term wholesale funding. Its objective is to ensure a stable funding structure on the longer term.</i> <i>As a result of it, the net stable funding ratio is adopted. The NSFR requires that an institution's amount of available stable funding is at least equal to its amount of required stable funding over a one-year horizon. This minimum level of 100% indicates that an institution holds sufficient stable funding to meet its stable funding needs over a one-year horizon under both normal and stressed conditions.</i>		
	35)	Do you require institutions to have available stable funding to cover their funding needs over a one-year time horizon?	CRR Art. 428b	Par. 20.1 and 20.2 III NSFR
	36)	Please, describe the scope of application of the requirement (type of institutions, size, ...) and the level of application (solo level and/or consolidated level).	CRR Art. 6, 11 and 413	Par. 10.4 Basel II
Available stable funding	37)	Where this requirement applies at a consolidated level with subsidiaries in third countries, which is the treatment for the purposes of consolidating the assets, off-balance sheet items, liabilities and own funds?	CRR Art. 428a	
	38)	How is the available stable funding calculated in your requirement? Do you consider for these purposes all liabilities and own funds? Is the accounting value used for their quantification? Is this value weighted by relevant stability factors?	CRR Art. 428i	Par. 30.6 Basel III LCR
	39)	Is the residual contractual maturity of liabilities and own funds a driver in the determination of the stability factors? If so, how are treated in this regards existing call options to be exercised by the institutions or by its counterparty?	CRR Art. 428j	Par. 30.5 and 30.7 Basel III
	40)	Which own funds or liabilities are fully considered (100% stability factor) in the available stable funding?	CRR Art. 428jo	Par. 30.10 Basel I
	41)	Which own funds or liabilities are not considered at all (0% stability factor) in the available stable funding?	CRR Art. 428k	Par. 30.14 Basel I
	42)	Which own funds or liabilities are considered are partially considered (with a stability factor between 0% and 100%) in the available stable funding?	CRR Art. 428l to 428n	Par. 30.11 to 30 Basel III LCR
Stable funding needs - Required stable funding				
	43)	How are the stable funding needs (required stable funding) calculated in your requirement? Do you consider for these purposes all assets and off-balance sheet items? Is the accounting value used for their quantification? Is this value weighted by relevant stability factors?	CRR Art. 428p	Par. 30.15 Basel III LCR
	44)	Is the residual contractual maturity of assets and off-balance sheet items a driver in the determination of the stability factors? If so, how are treated in this regard existing options to extend the maturity of an asset to be exercised by the institutions or by its counterparty?	CRR Art. 428q	Par. 30.16 and 30.17 Basel III LCR
	45)	Which assets or off-balance sheet items are considered not to have stable funding needs and therefore no stable funding is required for them (0% stability factor)?	CRR Art. 428r	Par. 30.25 Basel III LCR
	46)	Which assets or off-balance sheet items are considered to have to be fully funded in a stable manner and therefore 100% stable funding is required for them?	CRR Art. 428ah	Par. 30.32 Basel III LCR
Treatment for specific transactions	47)	Which assets or off-balance sheet items are considered to have to be partially funded in a stable manner and which specific level of stable funding is required for them?	CRR Art. 428sto 428ag	Par. 30.26 to 30 Basel III LCR

48)	Derivatives: Which stable funding requirements are envisaged for derivatives transactions? Please explain the treatment in terms of available or required stable funding of derivatives assets, derivatives liabilities and variation and initial margin posted and received.	CRR Art. 428d, 428k, 428ag and 428ah	Par. 30.8, 30.9, 30.23, 30.24, 30.32 Basel III LCR
49)	Securities financing transactions: Which stability factors are envisaged for securities financing transactions, both lending and funding transactions (e.g. reverse repos and repos)? Is any netting of these transactions (assets and liabilities) contemplated? If so, in which circumstances?	CRR Art. 428e, 428k, 428l, 428o, 428r, 428s, 428ad and 428ah	Par. 30.22, 30.27, 30.29, 30.32 Basel III LCR
50)	Encumbrance: What rules are in place regarding the calculation of the required stable funding on encumbered assets?	CRR Art. 428p, 428ad, 428ag and 428ah	Par. 30.20 Basel III LCR
51)	Interdependent assets and liabilities: Do you envisage any specific transaction where the relevant assets and liabilities are considered to be interdependent and hence apply 0% stability factors for both the assets and the liabilities? If so, please describe them. Does this approach need to be authorised in all cases by the relevant authorities?	CRR Art. 428f	Par. 30.35 Basel III LCR
Specific treatment for small and non-complex institutions			
52)	Is there a specific and different treatment for small and non-complex institutions? If so, does it directly apply to them or does it need to be authorised?	CRR Art. 428ai to 428az	
53)	How are these small and non-complex institutions defined?		
54)	Please describe the differences between the stable funding requirement for small and non-complex institutions and for the rest of the institutions	CRR Art. 428ai to 428az	
Stable funding requirement in foreign branches			
55)	Is the stable funding requirement applicable also to branches in your jurisdiction from third countries' institutions? If so, please describe any difference with respect to the general approach envisage for larger or smaller institutions.	CRD Art. 47	
Notification obligations			
56)	Are institutions obliged to notify to the authorities any situation of non-compliance or likely non-compliance with the stable funding requirement?	CRR Art. 414	
Reporting obligations			
57)	What reporting obligations are in place for the stable funding requirement? Is there an obligation of reporting separately on the items denominated in significant currencies?	CRR Art. 415	

12. Macro-prudential

Systemic risk has the potential to impair financial stability both in individual Member States and within the wider Single Market. Thus, the CRR provides national authorities with the possibility to deal with such risks in a complete and timely manner, through a set of several prudential tools.

Explanation

To this extent, apart from the capital buffers provided in CRD and the macro-prudential use of Pillar 2, national authorities may use the “macro-prudential flexibility” rules. Under certain conditions they may apply higher requirements on capital / liquidity / large exposures / risk weights. They might ask also more stringent requirements on Public Disclosure aimed at enhancing market discipline and mitigating informational asymmetries. It must be established that the measure is necessary, effective and proportionate, and that other specified measures cannot adequately address the systemic risk

CRR/CRD

BASEL RE

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|----|--|--------------|
| 1) | Which authority is responsible for financial stability and macroprudential supervision? | CRR Art. 458 |
| 2) | In case more authorities are involved, how are cooperation and communication among them ensured? | CRR Art. 458 |
| 3) | Which are the tools/instruments available for supervisors to mitigate excessive risks building up within the financial system as a whole (i.e. not related to a single institution)? | CRR Art. 458 |

13. Capital buffers

CRR/CRD

BASEL REF

Within the EU, the authorities for the supervision of macro-economic and financial stability risks, or Member States themselves might require the compliance with additional capital buffers for certain institutions. Depending on the nature of the buffer, it may not necessarily reflect a detected risk in a specific institution and may be applicable to all institutions, e.g. in a specific market or institutions above a certain size.

Explanation

The capital buffers in CRD require the holding of additional capital of the highest quality (CET1) for all institutions subject to them. The buffers are usually defined as a percentage calculated on a predefined risk measure.

Do your provisions require institutions to maintain the following capital buffers?

For each of the buffers, please indicate:

- Y/N

- | | | | |
|-----|--|--------------------------|-----------------|
| 1) | - the quality of capital (CET1, T1, T2)
- The respective value, in % of RWAs
- The authority that sets the buffers
- The criteria used to set (and, if applicable, release) the buffers | CRD Art. 128 | |
| a) | Capital Conservation Buffer | CRD Art. 129 | RBC 30.1-30.5 |
| b) | Countercyclical Capital Buffer (please provide details of the applicable rules to determine the buffer when authorities require it both at the individual and at consolidated basis) | CRD Art. 130 | RBC-30.6- 30.19 |
| c) | Systemically Important Institution (SII) buffer (for Globally and Other Systemically Important banks) | CRD Art. 131 | BCBS dp 25520 |
| 2) | How is a systemic risk buffer calculated? Does it consider aspects of systemic risks arising from climate change | CRD Art. 133 (1) and (2) | |
| 3) | What is the level of application (i.e. to which exposure) of a systemic risk buffer? | CRD Art. 133(5) | |
| 4) | Which type of information about capital buffers must your authority publish on its website? With which frequency? | CRD Art. 136(7) | |
| 5) | In the EU framework, the Combined Buffer is defined as the sum of Capital Conservation Buffer, Countercyclical Buffer, SII-Buffer and Systemic Risk Buffer. To this extent, it is expected that an institution cannot further deplete its Combined Buffer through payments of dividends, coupons, or as the distributable items are limited to those elements not included in the CET1. Are there any limitations to distribute payments/dividends/coupons when the requirement of the combined buffer is not met? | CRD Art. 141 | RBC30 |
| 6) | When is an institution considered to have breached the combined buffer requirement? | CRD Art. 141a | |
| 7) | Are there restrictions to payment distributions in case an institution fails to meet the leverage ratio requirement? How is it this maximum distributable amount computed? | CRD Art. 141b | |
| 8) | Does a Capital Conservation Plan have to be submitted in case the institution breaches the combined buffer threshold? | CRD Art. 142 | |
| 9) | In the EU framework, the Combined buffer has also the function of "protecting" the Pillar 2 capital, so that the Combined Buffer is actually the first layer of capital to be impacted. Please clarify the stacking order of additional capital requirements within Pillar 2 capital and Combined Buffer | EBA opinion21 | |
| 10) | Are there waivers / exemptions for specific categories of institutions that are thus excluded from this part of the framework? | | |

14. Large exposures framework

CRR/CRD

BASEL REF

Explanation

To protect institutions from significant losses caused by the sudden default of an individual client, the EU framework limits the ability of institutions to be exposed to their clients or group of connected clients beyond a certain threshold of their Tier 1 capital. This limit ('large exposure limit' thereafter) applies to the aggregated amount of exposures that an institution has to a same counterparty or a same group of connected counterparties. The large exposure limit applies to all banks on an individual basis and all banking groups on a consolidated basis.

General principles

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| 1) | How do your laws and regulations define "exposures" for the of calculation of large exposures? | CRR Art. 389 | |
| 2) | How does your legislation define a "large exposure"? | CRR Art. 392 | LEX- 10.8 |
| 3) | How is the exposure value computed for the calculation of large exposures? | CRR Art. 390 | LEX- 30.1-30.2 |
| | In the EU, the objective of the definition of 'connected clients' is to identify groups of clients that should be treated as a single risk on the basis of their control relationships or economic dependency. To this extent, Art. 4(1)(39) of the CRR identifies two types of interconnection considered in the definition of connected clients: | | |
| 4) | I.the clients are directly or indirectly interconnected by a control relationship as defined in Article 4(1)(37) CRR;
II.the clients are interconnected by some form of economic dependency as set out in Article 4(1)(39)(b) CRR, for instance:
-direct economic dependencies such as supply chain links or dependence on large customers; or
-a common main source of funding
How do your laws and regulations define a group of connected clients? | CRR Art. 4(1)(39) | LEX- 10.9- 10.18 |
| 5) | Art. 395 CRR prescribes a large exposure limit. This limit prescribes that an institution cannot incur an exposure, after considering the effect of credit risk mitigation, to a client or group or connected clients that exceeds the 25% of its Tier 1 capital. What is the large exposure limit in your legislation? | CRR Art. 395 | LEX- 20.1 |
| 6) | What are the limits in place for exposures from a G-SII to another G- SII? | CRR Art. 395 | |
| 7) | Could you please clarify at what level the limits to large exposures are applied in your jurisdiction (i.e. individual vs. consolidated level)? | CRR Art. 6 and 11 | |
| 8) | Are exposures on the trading book also included in the calculation of large exposures? What is their treatment? | CRR Art. 395(5) | LEX- 30.15-30.22, 30-23-30.31 (offsetting) |
| 9) | Could you please clarify which are the relevant provisions in case an institution breaches the large exposure requirement in your jurisdiction? | CRR Art 396 | LEX20.3 |
| 10) | Are credit mitigation techniques are eligible within the large exposure regime and, if so, which methods of calculation are used to compute the final amount? | CRR Art. 99 | LEX- 30.7-30.14 |
| 11) | How are the effects of credit risk mitigation treated for Large Exposures purposes? What methods are allowed to use and under which circumstances? | CRR Art. 401 | |
| 12) | In the EU, some large exposures shall be exempted from the application of the large exposure regime, while for other exposures discretion is left to competent authorities. Which exposures are automatically exempted from the large exposure regime in your jurisdiction, and is there some discretion of exemption for other exposures (i.e. the exemption is optional)? | CRR Art. 400(1) and 400(2) | LEX- 30.32-30.37 |
| 13) | In the EU, while certain exposures are or may be exempted from the calculation of Large Exposures limits (see question 12 above), there are no exemptions for the reporting of large exposures, i.e. all the exposures qualifying as "Large Exposures" shall be reported to competent authorities. Is there any exemption for the reporting of certain categories of Large Exposures in your jurisdiction? | CRR Art. 394 | |
| 14) | How are exposures arising from mortgage lending treated under the large exposure regime? Is there a difference in this respect between residential and commercial mortgages? | CRR Art. 402 | |
| 15) | Which is the treatment of large exposures in case they are guaranteed by a third party / secured by collateral guaranteed by a third party? (substitution approach) | CRR Art. 403 | LEX 30.14 and 30.28 |
| | Article 394 of the CRR sets out detailed reporting requirements of large exposures, in particular: | | |
| 16) | a)the identification of the client or the group of connected clients to which an institution has a large exposure;
b)the exposure value before taking into account the effect of the credit risk mitigation, when applicable; c)where used, the type of funded or unfunded credit protection;
d)the exposure value after considering the effect of the credit risk mitigation
Is there a similar reporting framework in your jurisdiction on large exposures? What type of information is included in that reporting framework? | CRR Art. 394 | LEX- 20.4 |
| 17) | Art. 394 CRR states that any institution shall report detailed information, in relation to its 10 largest exposures on a consolidated basis to institutions as well as its 10 largest exposures on a consolidated basis to unregulated financial entities.
Is there a reporting obligation with respect to the most significant exposures? | CRR Art. 394 | LEX- 20.4 |

15. Leverage ratio

CRR/CRD

BASEL REF

Risk-based own funds requirements are essential to ensure sufficient own funds to cover unexpected losses. However, the crisis has shown that those requirements alone are not enough to prevent institutions from becoming excessively leveraged.

Explanation

To foster an adequate capitalization and monitoring of risk of excessive leverage under the ICAAP/SREP process, the CRR introduced the reporting and disclosure requirements on the leverage ratio. By way of CRR2, the EU has implemented a minimum binding leverage ratio requirement since June 2021 and adjust the calculation of the leverage ratio.

Leverage Ratio Requirement

- | | | | |
|--|---|---|------------------------------------|
| 1) | Have the 3% minimum leverage ratio requirement, as well as the G-SII leverage ratio buffer requirement been implemented? | CRR Art. 92(d) and 92(1a) | LEV20, LEV40 |
| 2) | What is the scope of application (type of institution, size,...) and level of application (solo level and/or consolidated level) of the leverage ratio and, if applicable, the G-SII leverage ratio buffer? | CRR Art. 6, 11 | |
| 3) | Is this requirement applicable also to branches in your jurisdiction from third countries' institutions? If so, is it applicable in a stricter/less strict/similar manner to the rest of institutions in the scope of application? Please elaborate. | CRD Art. 47 | |
| 4) | Is there any exemption of exposures at a central bank? If so, could you explain the adjustment of the leverage ratio requirement that applies (is the requirement adjusted in proportion to the use of the exemption at the start of the exceptional period)? | CRR Art. 429a(1)(n) and (7) | LEV30.7 |
| 5) | How does your jurisdiction address institution specific risks under Pillar 2 to tackle the risk of excessive leverage and how do any capital requirements resulting from this process relate to other capital requirements? Is it a parallel requirement to the requirements in the risk based own funds requirements? | CRD5
Recital 15, Art. 104(1)(a) and 141b and c | |
| 6) | Is there any other requirement that could be considered to address risk of excessive leverage? | | |
| Calculation of the leverage ratio | | | |
| 7) | Do you have a specific methodology in place that prescribes how institutions must calculate their leverage ratio? Are the leverage ratio minimum requirements calculated on a point in time ("at all times") basis? | CRR Art. 429 | LEV20 |
| 8) | What is the formula by which the actual ratio is calculated? For example, do you require institutions to calculate their leverage ratio by dividing their own funds by its total exposure? | CRR Art. 429(2) | LEV20 |
| 9) | Are each of the following included in the total exposure measure:
-assets unless they are deducted when determining the capital measure;
-derivatives;
-add-ons for counterparty credit risk;
- off balance sheet items? | CRR Art. 429(4) | LEV30 |
| 10) | When calculating the exposure value of assets:
-what is the basis for determining the assets value;
-do you permit any collateral, guarantees or purchased credit risk mitigation to reduce the exposure value;
-do you permit netting; if so, please explain when it is permitted. | CRR Art. 429(7) | LEV30.1 to LEV30.4 |
| 11) | When calculating the exposure value of assets, which exemptions/reductions are allowed? For example, regarding pre-financing loans or intermediate loans, public development credit institutions, promotional loans, export credits, significant risk transfer, exposures to central banks, CSD activities. Please explain the calculation. | CRR Art. 429(8),429a | LEV30 |
| 12) | When calculating the exposure value of assets, how are the exposure values for cash pooling arrangements and SFTs calculated, and specifically the conditions for their netting? | CRR Art. 429b | LEV 30.12
LEV30.36 to LEV 30.44 |
| 13) | How is the exposure value of derivative contracts determined, specifically the methods allowed and the conditions for any margin to be taken into account? If SA- CCR is used, how does it differ from SA-CCR for risk-based purposes? Is Simplified SA-CCR and /or OEM allowed? What are the conditions for netting/novation to be considered? | CRR Art. 429c | LEV30.13 to LEV30.29 |
| 14) | How is the exposure value of written credit derivatives determined, specifically the conditions for offset? | CRR Art. 429d | LEV30.30 to LEV30.35 |

- 15) Is there a counterparty credit risk add-on for securities financing transactions and long settlement transactions, including off balance sheet transactions? If so, how is the counterparty credit risk add-on for SFTs (that are subject or not to master netting agreements) calculated? Is there a derogation based on the Financial Collateral Simple Method? CRR Art. 429e LEV30.36 to LEV 30.44
- 16) How is the exposure value of off-balance sheet items calculated? CRR Art. 429f LEV30.45 to LEV 30.56
- 17) How is the exposure value of regular-way purchases and sales awaiting settlement calculated? Please describe any reversal/gross-up of accounting values taking place and application of prudential conditions CRR Art. 429f CRR Art. 429f

Reporting Requirements

- 18) What are the reporting requirements for the leverage ratio? E.g., use of uniform reporting template? Frequency of reporting? Elements subject to monitoring of leverage ratio volatility? Dates of reporting? CRR Art. 430 CRR

Disclosure Requirements

- 19) What are the disclosure requirements for the leverage ratio? E.g., use of uniform reporting template? Frequency of disclosure? Elements subject to averaging? Dates of disclosure? CRR Art. 430 CRR

16. Market discipline and disclosure

CRR/CRD

BASEL REF

Among financial market participants, one of the most relevant sources of distress stems from information asymmetries arising from opaque disclosure. Market participants should have access to a symmetrical amount/quality of information when assessing the risk taking of a counterparty.

Explanation

Effective public disclosure enhances market discipline and allows market participants to assess a bank's capital adequacy and prudent liquidity management and can provide strong incentives to banks to conduct their business in a safe, sound and efficient manner. Transparency and disclosure rest at the foundation of the so called "Third Pillar" of prudential regulation. Market discipline can only have a positive effect on behaviours of market participants if sufficient and standardized (comparable) information is available. The European framework requires disclosure of comprehensive information, which should be sufficient to allow an evaluation of the funds, risk, and management without giving away professional secrets about strategy or information about counterparties.

1)	Which are the guiding principles for market disclosure? In particular, is the criterion of materiality taken into account when deciding which information should be disclosed by institutions?	CRR Art. 431-432	DIS10
2)	What are the criteria that would warrant the exclusion of some information from the range of disclosure on the basis of proprietary and confidentiality matters?	CRR Art. 432	DIS10
3)	What is the frequency of disclosure?	CRR Art. 433	DIS10
4)	What are the disclosure requirements for large institutions? What are the items that need to be disclosed with higher frequency by large institutions?	CRR Art. 433a	
5)	What are the disclosure requirements for small and non- complex institutions in terms of content and frequency?	CRR Art. 433b	
6)	Which are the formats required for disclosure?	CRR Art.434, 434a	
7)	What is the scope of application of the information to be disclosed?	CRR Art. 436	DIS10
8)	Which type of information shall institutions disclose on their risk management and policies?	CRR Art. 435	
9)	Which type of information shall institutions disclose with regard to their own funds?	CRR Art. 437	DIS20
10)	Which type of information shall institutions disclose with regard to their eligible liabilities?	CRR Art. 437a	
11)	Do institutions need to disclose additional own funds requirements in response to the supervisory review process (i.e. Pillar 2)?	CRR Art. 438(b)	
12)	Which type of information shall institutions disclose with regard to their capital adequacy/capital requirements?	CRR Art. 438	DIS20
13)	Which type of information shall institutions disclose with regard to countercyclical capital buffers?	CRR Art. 440	DIS75
14)	Which type of information shall institutions disclose on capital requirements for credit risk? Please give details on: •qualitative and quantitative elements of disclosure •all the credit risk adjustments	CRR Art 438, 442	DIS40
15)	Which type of information shall institutions disclose on encumbered and unencumbered assets?	CRR Art. 443	DIS31
16)	Which type of information shall institutions disclose on their counterparty credit risk? Please differentiate between qualitative and quantitative elements of disclosure	CRR Art. 439	DIS42
17)	What type of information do institutions need to disclose on ECAs when using the credit risk Standardised Approach?	CRR Art. 444	
18)	What information do institutions need to disclose on the use of the IRB credit risk approach?	CRR Art. 452	
19)	What information do institutions need to disclose on the use of credit risk mitigation techniques?	CRR Art. 453	
20)	Which type of information shall institutions disclose on securitisation positions? Please differentiate between qualitative and quantitative elements of disclosure	CRR Art 449	DIS43
21)	Which type of information shall institutions disclose on market risk? Please differentiate between disclosure for banks using the standardised approach and banks using the Advanced model approach (AMA)	CRR Art. 445 and 454	DIS50
22)	Which type of information shall institutions disclose on operational risk?	CRR Art. 446	DIS60
23)	Which type of information do institutions need to disclose in relation to: -liquidity coverage ratio -net stable funding ratio -own funds and eligible liabilities	CRR Art. 447 (f-h)	
24)	Which type of information shall institutions disclose on Interest Rate Risk in the Banking Book (IRRBB)?	CRR Art. 448	DIS70
25)	Which type of information shall institutions disclose on their remuneration policy?	CRR Art. 450	
26)	Which type of information shall institutions disclose on their Environmental, Social and Governance (ESG) risks?	CRR Art. 449a	
27)	Which type of information shall institutions disclose on their leverage ratio?	CRR Art. 451	

- 28) Which type of information shall institutions disclose on their liquidity requirements? CRR Art. 451a
- 29) Which type of information shall institutions disclose on the use of internal market risk models? CRR Art. 455
- 30) In order to enhance transparency and market efficiency, EU competent authorities are required to publish the text of laws, regulation and administrative rules to allow for a meaningful comparison of approaches adopted in the field of prudential regulation and supervision. Do your national competent authorities have to publish similar information? If so, which one? Please describe. CRD Art.143- 144



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