

Guidelines compliance table

EBA/GL/2015/10 Appendix 1

22 September 2015 / Updated 20
February 2019

Guidelines on methods for calculating contributions to deposit guarantee schemes (DGSs)

The following competent authorities* comply or intend to comply with EBA's Guidelines on methods for calculating contributions to deposit guarantee schemes:

		Competent authority	Complies or intends to comply	Comments
Member State				
BE	Belgium	National Bank of Belgium	Yes	<p>As at 05.02.2019, notification date. The National Bank of Belgium is not competent in the field of deposit guarantee schemes. The answer below is on behalf of the Guarantee Fund for Financial Services, whom we have contacted for this notification. The risk based DGS contributions regime - introduced by law since 2012 - has been fine-tuned in light of the EBA Guidelines by means of article 76 of the law of 26th March 2018 on the strengthening of economic growth and social cohesion.</p> <p>By such time as the necessary legislative and regulatory proceedings have been completed. The Belgian competent authority and designated authorities are already largely compliant since</p>

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				2012, when a risk based DGS contributions regime was introduced by law. The Belgian legal framework is scheduled to be fine-tuned in light of the DGS Directive and the EBA Guidelines on methods for calculating contributions to deposit guarantee schemes by means of the draft law transposing the DGS Directive and an implementing royal decree.
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	Yes	As at 20.09.2019, notification date. Ordinance No 30 of the BNB of 21 January 2016 on Calculation of the Amount and Collection of Premium Contributions Due by Banks under the Law on Bank Deposit Guarantee (required under Article 14, para 4 of the Law on Bank Deposit Guarantee) was adopted by the Governing Council of the Bulgarian National Bank on 21 January 2016 and was published in Darjaven Vestnik (State Gazette), issue 10 on 5 February 2016. The Ordinance became effective as of 5 February 2016. Ordinance No 30 is available on the BNB website: http://bnb.bg/bnbweb/groups/public/documents/bnb_law/regulations_30_en.pdf
		Bulgarian Deposit Insurance Fund	Yes	Updated: 9 February 2016: As at 9 th February 2016 (Notification date). Ordinance No. 30 on Calculation of the Premium Contributions Due by Banks under the Law on Bank Deposit Guarantee' (required under Article 14, para 4 of the Law on Bank Deposit Guarantee) was adopted by the Governing Council of the Bulgarian National Bank on 21 January 2016 and published in Darjaven Vestnik (State Gazette), issue 10 on 5 February 2016. The Ordinance became effective as of the date of publication in Darjaven Vestnik.

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				Ordinance 30 has been posted on the BDIF website (http://dif.bg/about-us/legal-framework) and is available in Bulgarian only for the time being.
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	Yes	As at 05.02.2019, notification date.
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed and at the latest 31st May. The law implementing risk based contributions enters into force on 1st January 2016. An order implementing the Guidelines will be issued at some point between 1st January and 31st May 2016.
		Financial Stability Company (Danish NRA)	Yes	As at 04.02.2019, notification date.
DE	Germany	Bundesanstalt für Finanzdienstleistungsufsicht (Federal Financial Supervisory Authority)	Yes	As at 01.01.2019, notification date.
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	Yes	As at 18.11.2016, notification date.
IE	Ireland	Central Bank of Ireland	Intends to comply**	By 30.06.2016. Please note the Central Bank of Ireland intends to comply with the Guidelines on methods for calculating contributions to deposit guarantee schemes, following completion of its own internal approval process of the proposed methodology in June 2016.
EL	Greece	Ministry of Finance	Yes	As at 29.03.2019, notification date. Article 27 par. 4 of Law 4370/2016 (incorporating Directive 2014/49/EU) provides that: The key factors to be considered in the in the calculation of the annual regular contributions shall be the amount of covered deposits and the degree of risk assumed by each credit intuitions. The current stage of the economic cycle and the

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				<p>potential impact from the procyclicality of contributions shall also be considered in this respect. The TEKE Board shall recommend to the Ministry of Finance, and communicate to the Bank of Greece, the methodology for calculation the risk-adjusted annual regular contributions and the manner in which the economy's cyclical position and the procyclicality of contributions are to be factored in. The methodology shall be determined by decision of the Ministry of Finance, following the concurrent opinion of the Bank of Greece. Such methodology shall be consistent with the guidelines of the EBA, to which it shall be communicated by TEKE. The methodology for calculating the risk - adjusted annual regular contributions has been determined by means of ministerial decision no. Γ.Δ.Ο.Π 0000926 ΕΞ 2016/Χ.Π. 1302/22.06.2016 (Government Gazette Issue no. Β 2048/06.07.2016), Which has been further amended by means of ministerial decision no. Γ.Δ.Ο.Π. 0001491 ΕΞ2017/Χ.Π. 1687/06.10.2017 (Government Gazette Issue no. Β 3633/13.10.2017).</p>
		Τράπεζα της Ελλάδος (Bank of Greece)	Yes	As at 07.03.2019, notification date.
HR	Croatia	National Bank of Croatia	Yes	<p>As at 28.01.2019, notification date. Please be informed that national measures necessary for compliance with the Guidelines are:</p> <p>Decision on the approval procedure for the methodology for determining the aggregate risk weight for credit institutions in the calculation of contributions to the deposit guarantee scheme (OG 129/2015)</p> <p>Link: https://www.hnb.hr/documents/20182/678173/e-odluka-</p>

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				metodologija-stupanj-rizika-osiguranje-depozita.pdf/7d3eebe3-4026-4d8a-b2b0-390caa27b5cb
ES	Spain	Fondo de Garantía de Depósitos de Entidades de Crédito	Yes	As at 2nd December 2015. (Notification date).
		Banco de España (Bank of Spain)	Yes	As at 02 February 2019, notification date.
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	Yes	Updated: 08.12.2016 – As at 10.10.2016. On 10.10.2016, the ACPR adopted a new decision implementing the guidelines on methods for calculating contributions to deposit guarantee schemes (GL 2015/10). You will find here after the link to the Journal officiel de la République française (official French gazette) where it has been published : https://www.legifrance.gouv.fr/jo_pdf.do?id=JORFTEXT000033274489
IT	Italy	Banca d'Italia (Bank of Italy)	Yes	As at 09.05.2019, notification date. According to Article 96-ter of the Italian Banking Law, in the 2017 the Bank of Italy, as National Designated Authority, formally recommended DGSs to align with the EBA guidelines; the DGS' compliance with the EBA GLs has been assessed by the Bank of Italy under the authorization process on the Italian DGS' internal calculation methods.
CY	Cyprus	Deposit Protection and Resolution of Credit and Other Institutions Scheme (DP&RCOIS)	Yes	As at 19.04.2019, notification date.
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	No	Does not comply and does not intend to comply with parts of the Guidelines. In accordance with Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit guarantee schemes (Directive), Article 13: "2. DGSs may use their own risk-based methods for determining and

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				<p>calculating the risk-based contributions by their members. The calculation of contributions shall be proportional to the risk of members and shall take due account of the risk profiles of the various business models. Those methods may also take into account the asset side of the balance sheet and risk indicators, such as capital adequacy, asset quality and liquidity.</p> <p>Each method shall be approved by the competent authority in cooperation with designated authority. EBA shall be informed about the methods approved."</p> <p>Financial and Capital Market Commission (FCMC) in the role of DGS's manager has been using their own risk-based methods for determining and calculating the risk-based contributions by their members since 01.01.2010. These methods have been approved by the Board of the FCMC (in Latvia the FCMC shares competence of competent authority and designated authority). The last version of methods for calculating contributions to DGS is stipulated in the Regulations on covered deposits reporting and determination of adjustment coefficient (Regulations) adopted by the FCMC on 01.07.2015. According to Article 13(2) of Directive the notification has been sent to the EBA on 03.09.2015 (our ref.: 01.03.07.02/2765).</p> <p>Regulations state that the calculation of the aggregate risk weight for an individual member institution shall be based on a set of risk indicators from each of the following risk categories:</p> <ul style="list-style-type: none"> a. Capital - (weight 18%), b. Liquidity - (weight 18%), c. Asset quality - (weight 13%), d. Large risk exposure - (weight 13%),

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				<p>e. Business model - (weight 38%). Risk categories a), b), c) and respective weights are the same like in the EBA guidelines on methods for calculating contributions to deposit guarantee schemes (Guidelines).</p> <p>We have been using risk category d) since 2010 and we don't see any reasons for changing it to Guidelines "Potential losses to DGS". Our opinion is that the bank's level of unencumbered assets/covered deposits does not reflect potential losses for DGS. One should take into account probability of pay-out, calculation of which is very problematic task.</p> <p>As regards risk category e) we have weighted it by 38% for the following reasons. We are taking into account the specific feature of the Latvian banking system - large exposure to non-residents (both sides of the balance sheet). For instance, approximately 50% of Latvian banks' total deposits are non-resident deposits and some banks have more than 90% non-resident deposits. Substantial part of assets of some banks has been invested in the CIS countries. We consider such "non-resident" business model as the main risk to the Latvian banking system.</p> <p>Notwithstanding that above mentioned risk is well managed, a possibility that a bank with "non-resident" business model will not be resolved, but liquidated is greater than for a bank with mainly resident-services business model, because "non-resident" business model banks have no or very limited important critical business functions. According to Article 18(1)(c), (5) of SRMR (Single Resolution Mechanism Regulation) and Article 14(2) of SRMR it will be difficult to justify any resolution action as treated in the public</p>

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				interest if there are no critical business functions. As a result, in our opinion the probability of pay-out from DGS could be also associated with specific business model of the Latvian banking system. This is why we distributed the remaining 25% of total weights to "business model" as a resulted indicator "business model" has a 38% weight.
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	Yes	As at 22.01.2019, notification date. Compliance with GL approved by 24 May 2018 Board of the Bank of Lithuania Resolution No 03-78.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	Does not comply/does not intend to comply	<p>The application of the calculation method for the determination of the total amount of annual contributions and its apportionment between member institutions, laid down in paragraphs 35, 37 and 39 of the Guidelines, could result in an inequitable treatment of member institutions. Over time, member institutions with constant or decreasing covered deposits could be asked to contribute substantially more than 0.8% of their own covered deposits while those with increasing deposits could contribute substantially less than 0.8% of their covered deposits. The Conseil de protection des déposants et des investisseurs ("CPDI"), in its capacity as designated authority, considers that such a disparity violates the principle of fair contributions enshrined in recital 36 of the Directive 2014/49/EU.</p> <p>Therefore, the Luxembourg DGS (Fonds de garantie des dépôts Luxembourg "FGDL") and the CPDI have adopted Circular CSSF-CPDI 20/21 that modifies the method for calculating risk adjusted contributions as from 2020, departing from paragraphs 35, 37 and 39 of the Guidelines. The modified method explicitly takes</p>

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				into account the annual variation of covered deposits at individual member institutions. The calculation of the risk adjustment factor (ARW) however continues to fully comply with the Guidelines. The FGD and the CPDI have adopted Circular CSSF- CPDI 20/21 of 28 May 2020 (https://www.cssf.lu/wp-content/uploads/CSSF_CPDI_2021.pdf)
HU	Hungary	Magyar Nemzeti Bank (Central Bank of Hungary)	Yes	As at 04.02.2019, notification date. Implementing document: MNB Decree No 19/2016. (19/2016 (V. 25.) MNB rendelet az OBA tagjai által fizetendő kockázatalapú változó díj megállapításának részletes szabályairól)
MT	Malta	Malta Financial Services Authority	Yes	As at 04.02.2019, notification date.
NL	Netherlands	De Nederlandsche Bank (National Bank of Netherlands)	Yes	As at 28 th December 2015. (Notification date).
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	Yes	As at 17.11.2015, notification date.
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	Yes	As at 15.02.2019, notification date.
		Bankowy Fundusz Gwarancyjny (Bank Guarantee Fund)	No	Does not comply and does not intend to comply. The Bank Guarantee Fund is designated authority as defined in Article 2(1) point 18 of the Directive 2014/49 (DGSD), and in this capacity is submitting this notification. It acts on the basis of the Act of 10 June 2016 on the Bank Guarantee Fund, Deposit Guarantee Scheme and Resolution (further: the Act on BFG). A non-official translation of the Act on BFG is available on the BFG's website:

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				<p>https://www.bfg.pl/wp-content/uploads/2016/11/Act-of-10-June-2016-on-the-Bank-Guarantee-Fund-Deposit-Guarantee-Scheme-and-Resolution.pdf</p> <p>The Guidelines on methods for calculating contributions to deposit guarantee schemes were implemented by regulations of the Minister of Development and Finance, issued on the basis of delegations set in Article 289(11) of the Act on BFG i.e.:</p> <ol style="list-style-type: none"> 1) Regulation of 27 December 2016 on the method of determination of a risk profile of banks and branches of foreign banks and on taking into account this profile during calculation of contributions for the guarantee fund of banks (Official Journal of Laws of 2017, item 40, http://dziennikustaw.gov.pl/DU/2017/40/1 2) Regulation of 27 December 2016 on the method of determination of a risk profile of credit unions and on taking into account this profile during calculation of contributions for the guarantee fund of credit unions (Official Journal of Laws of 2017, item 26. http://dziennikustaw.gov.pl/DU/2017/26/1). <p>On the basis of the Act of BFG (Article 289(3) and Article 290(3)) and the above mentioned regulations the BFG has developed the methodologies for calculating contributions for banks and credit unions which have been approved by KNF (Polish Financial Supervisory Authority) on 31 January 2017 (pursuant to Article</p>

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				<p>289(6) and Article 290(6) of the Act on BFG).</p> <p>The details information on the methods is available in Polish on the BFG's website:</p> <ul style="list-style-type: none"> - for banks: https://www.bfg.pl/skladki/skladki-na-fundusz-gwarancyjny-bankow - for credit unions: for banks: https://www.bfg.pl/skladki/skladki-na-fundusz-gwarancyjny-kas <p>The methodology applicable to banks is fully compliant with the Guidelines in terms of use of risk categories, core risk indicators, additional risk indicators and their weights. However, it also includes an additional element of the calculation formula, i.e. the reduction of contributions paid by IPS members, by using the opportunity offered by Article 13(1) of DGSD. In accordance with the above mentioned relevant regulation of the Minister of Development and Finance, the reduction of contributions is achieved by decreasing the ARW of each IPS member by 50%. The reduction of the DGS contributions for IPS participants was introduced to build up financial means of newly established IPSs – IPS members are obliged to contribute the amount resulting from the reduction to the relevant stability fund of an IPS. As a result, due to stronger IPSs and their role in failure prevention, there is a greater chance of avoiding DGS interventions (i.e. repayment of depositors) with regards to IPS members. The methodology applicable to credit unions is fully compliant with the Guidelines. Although the Polish credit unions are not subject to the CRD/CRR</p>

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				requirements according to the Article 2, p.5(18) of the Directive 2013/36/EU (CRD), they are covered by the deposit guarantee scheme and are obliged to contribute to a relevant guarantee fund. Thus, Poland makes use of the option offered by the Rationale (10) to the Directive 2014/49/EU (DGSD) and applies a risk-based method of contributions calculating, being similar to that applied to banks. Since credit unions are subject to different reporting obligations than banks, the use of the most appropriate proxies was required for all risk indicators (as allowed by Part III, points 49-50 of the Guidelines).
PT	Portugal	Banco de Portugal (Bank of Portugal)	Intends to comply**	<p>By such time as the legislative or regulatory proceedings have been completed.</p> <p>In order to comply with the Guidelines, Banco de Portugal will have to promote some regulatory proceedings to implement its risk-based method for determining and calculating the risk-based contributions for the Portuguese Deposit Guarantee Schemes (Fundo de Garantia de Depositos - FGD - and Fundo de Garantia do Credito Agrícola Mutuo - FGCAM). Taking into account that the target levels of FGD and FGCAM have both already been achieved, and even exceeded, the level of contributions to these funds has been set, since 2016, to an amount sufficient only to cover their functioning costs. However, it is acknowledged that, even if no contributions are envisaged, a revised method for determining and calculating risk-based contributions should be in place to be used in case it becomes necessary. Therefore, we envisage that Banco de Portugal will approve a revised riskbased</p>

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				method for determining and calculating the risk-based contributions and all the necessary regulatory proceedings by the end of 2020. By the date that will be calculated the next contributions to Portuguese deposit guarantee schemes.
RO	Romania	Banca Națională a României (National Bank of Romania)	Yes	As of 14.12.2015, the date of entering into force of the law transposing the principles of the above mentioned Guidelines (Law no.312/2015 on the recovery and resolution of credit institutions and investment firms, as well as on amending and supplementing some normative acts in the financial field).
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	Yes	Updated: 15.07.2016. As at 12.07.2016, notification date. The Bank of Slovenia makes decisions regarding the application of guidelines and recommendations issued by the European Banking Authority. Decisions regarding the application of such guidelines or recommendations are published in the Official Gazette of the Republic of Slovenia. Bank of Slovenia complies with the guidelines at hand and a corresponding reference was made in the Bank of Slovenia Regulation on the deposit guarantee scheme for this purpose.
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	Yes	As at 30 September 2015. (Notification date).
FI	Finland	Financial Stability Authority	No	The act on Finnish Financial Stability Authority was amended in early 2015 to incorporate rules on methods for calculating contributions to deposit guarantee schemes. The new rules are in line with the Guideline with one exception, namely to leave out indicator Return on Assets from the

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				<p>calculation. This exception is due to the fact that all other indicators described in the EBA Guideline are linear, i.e. risks either increase or decrease in case of value of indicator changes.</p> <p>This would require a decision based on the empiric evidence to evaluate what level of profitability is appropriate but not reflect too high risk appetite. In Finland, this data would be very difficult to estimate as no such cases have been recently faced. The lack of data could lead to outcome where the most efficient banks could be treated as most risky cases despite no evidence of realization risk exist. The use of above described methods for calculating contributions is subject to decision of Finnish Financial Stability Authority.</p>
		Finanssivalvonta (Finnish Financial Supervisory Authority)		
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Intends to comply**	<p>By 01.01.2017. Sweden has not yet transposed the Directive 2014/49/EU on deposit guarantee schemes into domestic legislation. As soon as the relevant domestic legislation has been adopted we will inform the EBA and the SNDO "will comply" with the guidelines. (Note that the Swedish deposit guarantee fund currently holds assets of 2.3 percent covered deposits as of 30 June 2015, the target level of 0.8 percent stipulated in the Directive is therefore already fulfilled.)</p>
		Swedish National Debt Office	Yes	As at 05.02.2019, notification date.
UK	United Kingdom	Prudential Regulation Authority (PRA)	Yes	As at 05.02.2019, notification date.
		Financial Conduct Authority (FCA)		

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EU Institutions - Agencies				
EEA – EFTA State				
IS	Iceland	Fjármálaeftirlitið (Icelandic Financial Supervisory Authority - FME)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed. The Directive on Deposit Guarantee Schemes (DGS), 2014/49/EU, has not been incorporated into the EEA Agreement. Furthermore, the incorporation of Directive 2009/14/EC is still on-going. However, the implementation of said Directives is in progress. FSA, Iceland is involved in the work which is directed by the Ministry of Finance and Economic Affairs. Negotiations between EU and the EEA states regarding the participation of EEA states in the ESAs are on-going and are due to be concluded in early 2016. Following the incorporation of the DGS Directive and the subsequent legislation, the FSA, Iceland will comply with the guidelines on payment commitments.
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	Intends to comply**	By the date on which the DGS III is incorporated into the EEA Agreement. The Guidelines refer to Directive 2014/49/EU (DGS III). The national DGS III legislation will enter into force in 2019. As soon as DGS III is part of the EEA Agreement, the Financial Market Authority Liechtenstein will update its notifications regarding the DGS III Level III-acts. The Guidelines refer to Directive 2014/49/EU. The Principality of Liechtenstein intends to implement this Directive into national law by mid 2017.
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	Not applicable	The Guidelines do not apply in the jurisdiction of the CA. Awaiting a final agreement on the implementation of the ESAs'

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				regulations into the EEA agreement, the DGS-directive has not yet been incorporated into the EEA agreement. As soon as the DGS-directive is made part of the Norwegian legal order, we will return to you confirming how Norway complies with the Guideline.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Gibraltar Financial Services Commission	Yes	As at 12.01.2016, notification date.
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*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the EBA's Guidelines. This table is based on information provided from those EEA States on a voluntary basis.

** Please note that, in the interest of transparency, if a competent authority continues to intend to comply after the application date, it will be considered "non-compliant" unless (A) the Guidelines relate to a type of institution or instruments which do not currently exist in the jurisdiction concerned; or (B) legislative or regulatory proceedings have been initiated to bring any national measures necessary to comply with the Guidelines in force in the jurisdiction concerned.

Notes

Article 16(3) of the EBA's Regulations requires national competent authorities to inform us whether they comply or intend to comply with each Guideline or recommendation we issue. If a competent authority does not comply or does not intend to comply it must inform us of the reasons. We decide on a case by case basis whether to publish reasons.

The EBA endeavour to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the EBA cannot accept responsibility for its contents or any reliance placed on it.

For further information on the current position of any competent authority, please contact that competent authority. Contact details can be obtained from the EBA's website www.eba.europa.eu.

