

5. Auditor's report

Report on the financial statements

Audit opinion

We have audited the financial statements of the

Financial Market Authority (FMA), Vienna,

consisting of the balance sheet as at 31 December 2020, the income statement for the financial year then ended, as well as the notes. The statement of costs pursuant to Article 19 FMABG was also part of our audit.

In our opinion, the attached financial statements comply with the legal provisions and present a picture of the Financial Market Authority that is as true and fair as possible with respect to net assets and the financial position as at 31 December 2020 as well as the results of operations for the financial year then ended, in accordance with Austrian company law. The statement of costs pursuant to Article 19 FMABG complies with the statutory provisions.

Basis for audit opinion

We conducted our audit in accordance with the Austrian standards of proper auditing. These standards require us to apply the International Standards on Auditing (ISA). Our responsibilities under those provisions and standards are further described in the section "Auditor's responsibilities for the audit of the financial statements" of our auditor's report. We are independent from the FMA, as required in accordance with Austrian company law and professional regulations, and we have fulfilled our other professional obligations in accordance with these requirements. We believe that the audit evidence we have obtained by 7 April 2021 is sufficient and appropriate to provide a basis for our audit opinion up to that date.

Legal representatives' and supervisory board's responsibilities for the financial statements

The legal representatives of the Financial Market Authority (FMA) are responsible for the preparation of the financial statements and for ensuring that they present a picture that is as true and fair as possible with respect to net assets, financial position and the results of operations of the FMA in accordance with Austrian company law. The legal representatives are also responsible for any internal control procedures that they deem necessary to enable preparation of financial statements that are free from intentional or unintentional material misstatement, whether caused by fraud or other irregularity or error.

In preparing the financial statements, the legal representatives are responsible for assessing the FMA's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the legal representatives either intend to liquidate the arrangement or to cease operations, or have no realistic alternative but to do so.

The Supervisory Board is responsible for overseeing the FMA's financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements are free from intentional or unintentional material misstatement whether caused by fraud or other irregularity or error, and to issue an auditor's report including our audit opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in



accordance with the Austrian standards of proper auditing, which require us to apply the ISA, will always detect a material misstatement when it exists. These can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Austrian standards of proper auditing, which require us to apply the ISA, we exercise professional judgment and maintain professional scepticism throughout the entire audit.

Additionally:

- We identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our audit opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the overriding of internal controls.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the FMA's internal control procedures.
- We evaluate the appropriateness of accounting policies used by the legal representatives and the reasonableness of accounting estimates and related disclosures made by the legal representatives.
- We conclude on the appropriateness of legal representatives' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the FMA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the FMA to cease operating as a going concern.
- We evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- We communicate with the Supervisory Board of the FMA regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Report on management report

Austrian company law requires us to perform audit procedures to determine whether the management report is consistent with the financial statements and whether it has been prepared in accordance with the applicable statutory requirements.

As regards the non-financial statement included in the management report, our responsibility is to verify that it has been prepared, to read it, and to consider whether this additional information is materially inconsistent with the financial statements or our findings obtained during the audit, or otherwise appears to be materially misstated.

The legal representatives are responsible for the preparation of the management report in accordance with Austrian company law.

We conducted our audit in accordance with the standards of actuarial practice applicable to the audit of the management report.



Opinion

In our opinion, the management report has been prepared in accordance with the applicable statutory requirements and is consistent with the financial statements.

Declaration

Considering the findings obtained during our audit of the financial statements and the appreciation we gained of the FMA and its environment, we did not identify any material deficiencies in the management report.

Vienna, 7 April 2021

BBW Wirtschaftsprüfungsund Steuerberatungsgesellschaft mbH

Bernhard Winter, auditor

Publication or dissemination of the financial statements with our auditor's report is only permitted in the version we have audited. This auditor's report refers exclusively to the complete German version of the financial statements including the management report. With regard to other versions, the provisions contained in Article 281 para. 2 UGB are to be observed.

- II. Results of cost allocation (Rounding differences are ignored)
- 1. Ratios of the FMA for 2019 and 2020 pursuant to Article 19 FMABG

	Rat	ios
Accounting group	2020	2019
Banking Supervision	53.98%	53.82%
Insurance Supervision	16.14%	16.13%
Securities Supervision	28.08%	28.41%
Pension Supervision	1.80%	1.65%
Total	100.00%	100.00%

2. Share of FMA entities liable to pay costs for 2019 and 2020 pursuant to Article 19 FMABG (in per cent)

	Share of entitie	es liable to pay costs
Accounting group	2020	2019
Banking Supervision	57.69%	57,40%
Insurance Supervision	17.61%	17.59%
Securities Supervision	22.74%	23.21%
Pension Supervision	1.96%	1.79%
Total	100.00%	100.00%

3. Overview of FMA advance payments and costs of accounting groups for 2020 pursuant to Article 19 FMABG

Accounting group	Costs 2020	Advance payments/ Lump sum	Balance 2020
Banking Supervision	€ 36,211,627.01	€ 35,233,640.00	€ 977,987.01
Insurance Supervision	€ 11,055,053.05	€ 11,007,342.00	€ 47,711.05
Securities Supervision	€ 14,275,276.34	€ 15,091,156.00	-€ 815,879.66
Pension Supervision	€ 1,230,994.65	€ 1,275,895.00	- € 44,900.35
Total	€ 62,772,951.04	€ 62,608,033.00	€ 164,918.04

4. Overview of advance payments and costs of sub accounting groups of FMA Banking Supervision for 2020

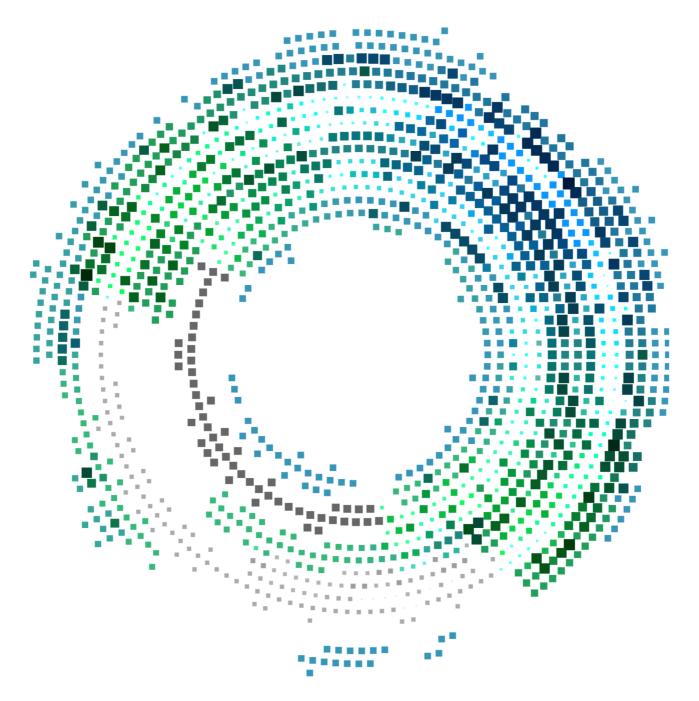
Sub-accounting group Banking Supervision	Costs 2020	Advance payments/ Lump sum	Balance 2020
Pursuant to Article 69a BWG	€ 29,105,810.56	€ 28,621,337.00	€ 484,473.56
Pursuant to Article 160 BaSAG	€ 6,406,828.93	€ 6,472,711.00	<i>-</i> € 65,882.07
Pursuant to Article 56 ESAEG	€ 698,987.52	€ 139,592.00	€ 559,395.52
Banking Supervision	€ 36,211,627.01	€ 35,233,640.00	€ 977,987.01

5. Overview of advance payments and costs of sub accounting groups of FMA Securities Supervision for 2020

Sub-accounting group Securities Supervision	Costs 2020	Advance payments/ Lump sum	Balance 2020
Institutions subject to reporting obligations	€ 5,033,562.10	€ 4,772,436.00	€ 261,126.10
Issuers	€ 3,862,087.00	€ 4,079,807.00	- € 217,720.00
Investment service providers/investment firms	€ 3,567,486.26	€ 3,828,600.00	-€ 261,113.74
Market infrastructure *)	€ 500,000.00	€ 500,000.00	€ 0.00
Clearing members	€ 100,002.59	€ 101,844.00	- € 1,841.41
Managers of collective portfolios	€ 1,185,164.45	€ 1,807,969.00	- € 622,804.55
Administrators	€ 26,973.93	€ 500,00	€ 26,473.93
Securities Supervision	€ 14,275,276.34	€ 15,091,156.00	-€ 815,879.66

*) No pre-payment pursuant to Article 19 para. 5 FMABG has been prescribed. The parties liable to pay costs paid a lump sum amount in 2020

Deloitte.



Financial Market Authority

Otto-Wagner-Platz 5 1090 Vienna

Annual Financial Statements as of 31.12.2020

Deloitte Tax Wirtschaftsprüfungs GmbH

			(amounts i	31 December 2020 n EUR) revious year disregarded)			
Assets							Liabilities
			Previous year EUR thousands				Previous year EUR thousands
A. <u>FIXED ASSETS</u>				A. RESERVES PURSUANT TO FMABG			
 Intangible assets industrial property rights and similar rights and licences in 				1. Reserve pursuant to Article 20 FMABG	3,633,006.00		3,467
such rights		410,260.84	429	2. Reserve pursuant to Article 20 FMABG	156,993.71	3,789,999.71	<u> </u>
II. Tangible assets 1. Buildings on third-party land	1,000,840.42		870	B. <u>PROVISIONS</u> 1. Provisions for severance pay	2,550,968.95		2.420
2. Other equipment, operating and office equipment	986,251.87	<u>1,987,092.29</u> 2,397,353.13	964 1,835 2,264	2. Other provisions	9,427,313.15	11,978,282.10	<u>8,884</u> 11,304
B. CURRENT ASSETS		_,,	_,	C. <u>LIABILITIES</u>			,
I. Services not yet invoiced to entities liable to pay costs		62,272,951.04	61,895	 Advance payments received pursuant to Article 19 FMABG Amount becoming due and payable within one year Amount becoming due and payable after more than one year 		62,698,343.50 62,698,343.50 <i>0.00</i>	59,830 59,830 0
 II. Receivables and other assets 1. Trade receivables Amounts becoming due and payable after more than one year 2. Other receivables and assets Amounts becoming due and payable after more than one year 	743,094.30 0.00 713,906.27 0.00		775 0 527 0	 Trade payables Amount becoming due and payable within one year Amount becoming due and payable after more than one year 		22,727,726.29 12,061,726.29 10,666,000.00	22,649 11,968 10,681
Amounts becoming due and payable after more than one year _	0.00	1,457,000.57	1,302	3. Other liabilities <i>Tax</i> es	713,378.29	5,232,097.75	3,383 698
III. Securities and shares1. Austrian government securities		12,000,000.00	26,000	Social security and similar obligations Actual cost accounting for previous yeats Other	812,554.87 531,444.00 3,174,720.59		793 1,054 837
IV. Cash at bank and in hand		26,917,071.64	7,429	Amount becoming due and payable within one year Amount becoming due and payable after more than one year	5,232,097.75 0.00		3,383 0
		102,647,023.25	96,627	Amount becoming due and payable within one year Amount becoming due and payable after more than one year		90,658,167.54 79,992,167.54 10,666,000.00	85,862 75,181 10,681
C. <u>PREPAID EXPENSES</u>		1,403,887.97	1,790			,,	-,
		106,448,264.35	100,681	D. DEFERRED INCOME		21,815.00	48
						106,448,264.35	100,681

Vienna, 7 April 2021

signed by hand by Mag. Helmut Ettl

signed by hand by Dipl.-Kfm. Eduard Müller, MBA

Income Statement for the Financial Year from 01.01.2020 to 31.12.2020 (Amounts in EUR)

(Rounding differences from previous year disregarded)

	(Rounding differences from previous	year disregarded)		Previous year EUR thousands
1.	Federal Government contribution pursuant to FMABG		4,166,666.67	4,000
2.	Share of entities liable to pay costsa) Share of entities liable to pay costs (not yet chargeable)b) Share of entities liable to pay costs (charged)	62,272,951.04 500,000.00	62,772,951.04	61,895 500 62,395
3.	Income from fees and allocation of costs		4,845,857.97	5,016
4.	Other operating income a) Income from the reversal of provisions b) Other	640,448.78 255,555.62	896,004.40	609 289 899
5.	 Personnel expenses a) Salaries b) Social security costs Expenses for old-age provision aa) Expenses for severance pay and contributions to corporate staff provision funds bb) Cost of statutory social security, payroll-related taxes and mandatory contributions cc) Other social security costs 	-37,438,546.71 -9,788,137.80 -1,609,760.15 -681,045.28 -7,322,453.64 -174,878.73	-47,226,684.51	-35,907 -9,668 -1,519 -641 -7,124 <u>-384</u> -45,575
6.	Amortisation and write-downs of intangible assets, depreciation and write- downs of tangible assets		-1,198,866.73	-1,410
7.	other operating expenses a) Costs pursuant to Article 79 para. 4b BWG - Banking Supervision b) Costs pursuant to Article 182 para. 7 VAG - Insurance Supervision c) Costs pursuant to Article 3 para. 5 BaSAG - Bank Recovery/Resolution d) Costs pursuant to Article 6 para. 6 ESAEG - Deposit Guarantees e) Other	-8,000,000.00 -170,000.00 -2,000,000.00 -496,000.00 -13,210,439.95	-23,876,439.95	-8,000 -211 -2,000 -470 -14,488 -25,169
8.	Subtotal of items 1 to 7		379,488.89	156
9.	Other interest income		1,100.19	8
10.	Interest expenses		-57,331.17	-34
11.	Subtotal of items 9 to 10		-56,230.98	-25
12.	Release of reserves pursuant to FMABG		0.00	342
13.	Appropriation to reserves pursuant to FMABG		-323,257.91	-472
14.	PROFIT OR LOSS FOR THE YEAR		0.00	0

Vienna, 7 April 2021

signed by hand by Helmut Ettl

signed by hand by Eduard Müller

<u>NOTES</u> pursuant to Article 236 UGB

(amounts in €)

A. GENERAL INFORMATION

 The FINANCIAL MARKET AUTHORITY (FMA) is an <u>institution under public law</u> and was established by the <u>Financial Market Authority Act</u> (FMABG; *Finanzmarktaufsichtsbehördengesetz*) (Federal Law Gazette I No. 97/2001) on 22 October 2001. The official competence of the FMA commenced on 1 April 2002. The FMA is in charge of banking supervision, insurance supervision, securities supervision and pension supervision.

As at 31 March 2002, the Austrian Securities Authority was incorporated into the FMA by way of universal legal succession pursuant to Article 1 of the Securities Supervision Act (WAG; *Wertpapieraufsichtsgesetz*).

- 2. The financial statements have been prepared in conformity with the generally accepted accounting principles and the <u>general principle</u> of presenting a picture that is as true and fair as possible with respect to net assets, financial position and the results of operations. In accordance with Article 18 FMABG, the provisions of the Corporate Code (UGB; *Unternehmensgesetzbuch*) were applied accordingly to the present financial statements.
- 3. The <u>accounting policies</u> applied to the individual items of the financial statements were based on the general provisions of Articles 193 to 211 UGB, taking the special provisions for large corporations into account.
- 4. The financial statements were prepared in accordance with the going concern principle.
- 5. Where a value was determined on the basis of an estimate, those estimates were based on prudent assessment. Where empirical values were available, the assessment was based on those values.

B. INFORMATION ON THE BALANCE SHEET INCLUDING THE DESCRIPTION OF THE ACCOUNTING POLICIES

1. Fixed assets

The <u>changes in fixed assets</u> and the breakdown of the annual depreciation according to individual items can be seen in the Annex to the Notes (Changes in fixed assets).

1.1. Tangible assets

<u>Depreciation</u> is calculated on a <u>straight-line basis</u>.

The <u>useful life</u> of the individual asset groups is as follows:

1.	Industrial property and similar rights	
	and licences in such rights:	3 years
2.	Buildings on third-party land:	8 to 16 years
3.	Other equipment, operating and office equipment:	3 to 10 years

There was no need for depreciation pursuant to Article 204 para. 2 UGB as there was no impairment loss.

The <u>low-value assets</u> pursuant to Article 13 of the Income Tax Law (EStG; *Einkommensteuergesetz*) with individual acquisition values of less than \in 800.00 (previous year: \in 400.00) each were reported as disposals in their year of acquisition.

Additions to the assets were valued at cost; disposals of assets were recognised at carrying amounts.

Development of carrying amounts:

	Carrying amount as at 1 Jan. 2020	Additions	Carrying amount of asset disposals	Depreciation	Carrying amount as at 31 Dec. 2020
Intangible assets					
Industrial property and similar rights and licences in such rights	429 241.48	311 463.52	0.00	330 444.16	410 260.84
Other IT software	415 387.94	311 463.52	0.00	319 861.02	406 990.44
Electronic filing system	7 910.40	0.00	0.00	5 273.60	2 636.80
Website	5 943.14	0.00	0.00	5 309.54	633.60
Tangible assets					
Buildings on third-party land	870 350.18	256 887.98	0.00	126 397.74	1 000 840.42
Improvements to leased buildings (Otto-Wagner-Platz)	828 783.21	256 887.98	0.00	116 978.49	968 692.70
Dedicated lines	41 566.97	0.00	0.00	9 419.25	32 147.72
Other equipment, operating and office equipment	964 230.78	688 205.64	511.44	665 673.11	986 251.87
IT equipment (hardware)	712 422.97	641 143.84	0.00	577 512.21	776 054.60
Office furniture	133 691.09	16 989.59	511.44	37 440.74	112 728.50
Other office equipment	84 216.57	25 462.19	0.00	38 574.47	71 104.29
Office machines, devices and systems	33 900.15	4 610.02	0.00	12 145.69	26 364.48
Low-value assets	0.00	76 351.72	0.00	76 351.72	0.00
Total	2 263 822.44	1 332 908.86	511.44	1 198 866.73	2 397 353.13

2. Intangible assets

		31 Dec. 2020	31 Dec. 2019
I.	Services not yet involced to entities liable to pay costs	62 272 951.04	61 895 186.63
П.	Receivables and other assets	1 457 000.57	1 302 209.51
III.	Securities and shares	12 000 000.00	26 000 000.00
IV.	Cash at bank and In hand	26 917 071.64	7 429 171.25
Tota	ıl	102 647 023.25	96 626 567.39

I. Services not yet invoiced to entities liable to pay costs

This item comprises the expenses still to be borne by the entities liable to pay costs pursuant to Article 19 FMABG in the amount of € 62 272 951.04 (previous year: € 61 895 thousand); specifically overall costs minus the federal grant pursuant to Article 19 para. 4 FMABG, authorisation fees pursuant to Article 19 para. 10 FMABG, as well as other income. The statement of costs is prepared according to the procedures stipulated under Article 19 FMABG.

In accordance with Article 19 FMABG, the FMA apportions cost shares as directly as possible to the accounting groups of banking supervision, insurance supervision, securities supervision and pension supervision. Costs that cannot be directly allocated are apportioned to the accounting groups based on the ratio of directly allocable costs (Article 19 para. 2 FMABG).

The 2020 cost shares for the four accounting groups are as follows:

		2020 In €	2019 In € thousands
1.	Banking Supervision costs	36 211 627.01	35 816
2.	Insurance Supervision costs	11 055 053.05	10 978
3.	Securities Supervision costs	14 275 276.34	14 481
4.	Pension Supervision costs	1 230 994.65	1 119
Tot	tal	62 772 951.04	62 395
		(Rounding di	fferences are ignored.)

ling differences are ignored.)

After deduction of the costs of € 500 000.00 (previous year: €500 thousand), for the sub-accounting group Market Infrastructure in the Securities Supervision accounting group that were already charged in 2020, an amount of € 62 272 951.04 (previous year: € 61 895 thousand) remains to be charged.

The allocation of costs to the individual entities liable to pay costs, and the offsetting against the advance payments made by the entities liable to pay costs in the 2020 financial year, are based on the reference data as listed in the relevant supervisory laws and reported to the FMA; this data is only available after the financial statements have been prepared.

II. <u>Receivables and other assets</u>

This item comprises the following sub-items:

	31 Dec. 2020	31 Dec. 2019
1. Trade receivables	743 094.30	774 921.37
2. Other receivables and assets	713 906.27	527 288.14
Total	1 457 000.57	1 302 209.51

1. Trade receivables

The receivables amounting to \notin 743 094.30 (previous year: \notin 775 thousand) are carried at nominal values and show a residual maturity of less than a year. Individual valuation allowances were recognised for identifiable risks in the measurement of receivables.

Trade receivables in the amount of \in 12 779.30 (previous year: \in 250 thousand) constitute receivables pursuant to Article 74 para. 5 no. 2 of the Bank Recovery and Resolution Act (BaSAG; *Bankensanierungs- und Abwicklungsgesetz*).

Receivables of \in 734 854.00 (previous year: \in 529 thousand) are still being carried from the actual cost accounting of previous years. Itemised valuation allowances of \in 4 539.00 (previous year: \in 4 thousand) were recognised for receivables from actual cost accounting.

Itemised valuation allowances developed as follows:

lles.	-	202.00
Use Release	€	0.00

2. Other receivables and assets

Other receivables totalling \in 713 906.27 (previous year: \in 527 thousand) include mostly receivables from orders imposing fees, administrative penalties, penalty interest, trustee fees, as well as transitory items concerning the ELAK electronic filing system.

The itemised valuation allowance for Other receivables, administrative penalties and coercive penalties amounts to \notin 7 168.17 (previous year: \notin 7 thousand).

III. Securities and shares

Securities and shares show investments in Austrian government securities in the amount of \notin 12 000 000.00 (previous year: \notin 26 000 thousand).

IV. Cash at bank and in hand

As at 31 December 2020 the Financial Market Authority held liquid assets in the amount of \notin 26 917 071.64 (previous year: \notin 7 429 thousand). The year-on-year increase is primarily attributable to less investment in Austrian government securities (see Point B.III.).

3. Prepaid expenses

The item Prepaid expenses amounting to \in 1 403 887.97 (previous year: \in 1 790 thousand) comprises in particular prepaid expenses for rent, insurance expenses, royalties and maintenance fees, membership fees, as well as subscriptions.

4. <u>Reserve pursuant to FMABG</u>

1. Reserve pursuant to Article 20 FMABG

Article 20 FMABG specifies the option of establishing a reserve in the amount of 1% of the FMA's total costs based on the latest adopted financial statements as at 31 December 2019 (1% of the FMA's total costs in 2019 in the amount of \in 72 660 119.97 is \in 726 601.20). The maximum amount of the reserve may not, however, exceed 5% of the FMA's total costs based on the latest adopted financial statements as at 31 December 2019 (5% of the FMA's total costs in 2019 in the amount of \in 72 660 119.97 is \in 3 633 006.00). As at 31 December 2019 the reserve totalled \in 3 466 741.80. Following the allocation of \in 166 264.20, the total reserve pursuant to Article 20 FMABG therefore amounts to \in 3 633 006.00 as at 31 December 2020.

2. <u>Reserve pursuant to Article 23a para. 8 FMABG (Regulatory Sandbox)</u>

In accordance with Article 23a para. 8 FMABG, the Government makes a ring-fenced contribution of \in 500 000.00 (for 2020 on a pro rata basis), which is to be used by the FMA to cover the costs of the regulatory sandbox. Any surplus will have to be allocated to a provision. This provision amounted to \in 156 993.71 (previous year: 0 thousand) as at 31 December 2020. Please refer to Point 1. Federal Government contribution pursuant to FMABG/Information on the income statement for more information on the Federal Government's contribution of \notin 166 666.67 (previous year: 0 thousand).

5. <u>Provisions</u>

Provisions are established taking the prudent person principle pursuant to Article 211 para. 1 UGB into account.

	31 Dec. 2020	31 Dec. 2019
I. Provisions for severance pay	2 550 968.95	2 420 094.95
II. Other provisions	9 427 313.15	8 884 244.51
Total	11 978 282.10	11 304 339.46

Provisions for severance pay

-						
	h		n			
-		a		Ľ	e	

2020 In €	2019 In € thousands
2 420 094.95	2 250
-48 267.52	0
179 141.52	171
2.550 968.95	2 420
	2 420 094.95 -48 267.52 179 141.52

(Rounding differences are ignored.)

The <u>provisions for severance pay</u> were calculated as in the previous year in accordance with actuarial principles using the entry age normal method and taking account of the current actuarial assumptions for pension insurance "AVOe 2018-P" (previous year: AVOe 2018-P). These assumptions are based on an interest rate of 1.60% (previous year: 1.97%) and a salary increase of 3.16% (previous year: 3.24%). The assumed interest rate corresponds to a 7-year average rate for a residual maturity of 15 years. The retirement age was assumed to be the pension age as set forth in the General Social Insurance Act (ASVG; *Allgemeines Sozialversicherungsgesetz*), also applying the transitional provisions of the Budget Accompanying Act 2003 (BBG 2003; *Budgetbegleitgesetz*). The raised retirement age for women as of 2024 was taken into account.

The provision for severance pay relates to employees and contractual employees of the FMA. Any allocations to or reversals of the provision are posted under Personnel expenses.

As at 31 December 2020, 50 (previous year: 52) employees were entitled to severance pay claims, with a provision having to be established for those claims. Of these employees, 18 have already transferred to the new severance pay scheme, which is unchanged on the previous year. Severance pay claims have been "frozen" for those employees as per the date of their transfer.

II. <u>Other provisions</u>

Other provisions were determined in accordance with the prudent person principle and include all risks recognisable as at the balance sheet date and all liabilities as yet uncertain in terms of their amount or reason, all contingent losses from pending business, as well as expenses that are essential in accordance with sound business judgement. These provisions were recognised with their respective settlement amounts.

	As at 1 Jan. 2020	Use	Reversal	Allocation	As at 31 Dec. 2020
Anniversary bonuses	255 168.00	84 035.00	6 163.00	17 387.00	182 357.00
Provision for annual bonuses	2 187 528.65	2 187 528.65	0.00	2 235 310.11	2 235 310.11
Unused holiday entitlement	4 680 549.30	0.00	0.00	442 818.93	5 123 368.23
Overtime to be paid	7 493.72	7 493.72	0.00	25 650.77	25 650.77
Additional hours	249 566.07	0.00	0.00	39 192.80	288 758.87
Remaining other provisions	1 056 994.21	472 869.96	174 772.74	782 531.29	1 191 882.80
Provision actual costs Banking Supervision 2018	446 944.56	0.00	446 944.56	0.00	0.00
Provision actual costs Banking Supervision 2019	0.00	0.00	0.00	379 985.37	379 985.37
Total	8 884 244.51	2 751 927.33	627 880.30	3 922 876.27	9 427 313.15

Provision for anniversary bonuses

The provision for anniversary bonuses was calculated as in the previous year in accordance with actuarial principles using the entry age normal method and taking account of the current actuarial assumptions for pension insurance "AVOe 2018-P" (previous year: AVOe 2018-P). These assumptions are based on an interest rate of 1.60% (previous year: 1.97%) and a salary increase of 3.16% (previous year: 3.24%). The assumed interest rate corresponds to a 7-year average rate for a residual maturity of 15 years. The retirement age was assumed to be the pension age as set forth in the ASVG, also applying the transitional provisions of the BBG 2003. The raised retirement age for women as of 2024 was taken into account. For contractual employees non-wage labour costs were recognised at a rate of 3.9% (previous year: 3.9%) and social security contributions on a pro rata basis.

Provision for annual bonuses

Provisions were made for annual bonuses, based on the percentage of employees' gross monthly salary to be paid if agreed targets are reached or exceeded.

Provision for unused holiday entitlement

This provision was set aside for obligations relating to holiday entitlement that had not been used up by the reporting date.

Provision for overtime to be paid

This provision covers overtime hours that have been worked but will only be paid in 2021.

Provision for additional hours

This item is for employees' additional working time that will not be paid but transferred to the following year, subject to a maximum limit of 16 hours.

The remaining other provisions comprise the following items:

Maintenance and other IT expenses	442 977.10
Personnel expenses	193 193.70
Consulting costs and external services	173 436.42
Operating expenses	91 886.99
CPD expenses	84 837.50
Exemption levy for non-employment of disabled persons	67 660.00
Expenses FMA Annual Report	53 900.00
Contested payment notices AG3/sub-AG3	34 619.00
Other expenses	25 442.89
IT costs	17 929.20
Other contested payment and fee notices	6 000.00
Total	1 191 882.80

Provision for actual costs of Banking Supervision in 2018:

The provision established pursuant to Article 69a of the Austrian Banking Act (BWG; *Bankwesengesetz*) in one financial year must be reversed in the following financial statements of the FMA, i.e. the provision established in the 2019 financial statements for the actual costs incurred in 2018 was reversed in the 2020 financial statements of the FMA; by way of derogation to Article 19 para. 4 FMABG, the resulting income is only to be deducted from the costs of accounting group 1.

Provision for actual costs of Banking Supervision in 2019:

Pursuant to Article 69a BWG the difference between the calculated cost shares and the minimum amounts to be paid by the credit institutions for 2019 is to be allocated to a provision in the 2020 financial statements.

6. Liabilities

The liabilities are computed with the settlement amount taking the prudent person principle into account. All liabilities, with the exception of some amounts to be repaid to the OeNB (see Point 6.II.), have a residual maturity of up to one year.

	31 Dec. 2020	31 Dec. 2019
I. Advance payments received (Article 19 FMABG)	62 698 343.50	59 830 364.00
II. Trade payables	22 727 726.29	22 648 723.55
III. Other liabilities	5 232 097.75	3 382 917.40
Total	90 658 167.54	85 862 004.95

I. Advance payments received pursuant to Article 19 FMABG

	31 Dec. 2020	31 Dec. 2019
Prepayments by entitles payment notices	62 108 033.00	58 517 251.00
Advance payments from entities following year	703 608.00	1 582 401.00
Itemised valuation allowances for receivables advance payments	12 514.75	500.00
Receivable/excess payments by entities advance payments	-125 812.25	-269 788.00
Total	62 698 343.50	59 830 364.00

Amounts becoming due and payable within one year: \in 62 698 343.50 (previous year: \in 59 830 thousand).

For the 2020 financial year, the entities liable to pay costs had to make advance payments in the amount of \in 62 108 033.00 (previous year: \in 58 517 thousand) as prescribed by administrative decision. Itemised valuation allowances of \in 12 514.75 (previous year: \in 1 thousand) were recognised for the amounts not yet paid.

The 2020 advance payments are compared with the cost share to be borne by the entities liable to pay costs within the scope of preparing the statement of costs. The resulting difference is either charged or repaid to the entities liable to pay costs.

As at 31 December 2020, \in 703 608.00 (previous year: \in 1 582 thousand) had already been paid in advance for the 2021 financial year.

II. <u>Trade payables</u>

Trade payables comprise the following items:

	31 Dec. 2020	31 Dec. 2019
Mandatory OeNB costs pursuant to Article 79 para. 4b BWG	16 000 000.00	16 000 000.00
Mandatory OeNB costs pursuant to Article 3 para. 5 BaSAG	4 000 000.00	4 000 000.00
Mandatory OeNB costs pursuant to Article 6 para. 6 ESAEG	964 917.37	970 000.00
Mandatory OeNB costs pursuant to Article 182 para. 7 VAG	380 813.48	550 293.39
Summary account trade payables	970 681.31	860 432.13
Incoming involces not yet received	411 314.13	267 998.03
Total	22 727 726.29	22 648 723.55

Amounts becoming due and payable within one year: \in 12 061 726.29 (previous year: \in 11 968 thousand).

Amounts becoming due and payable after more than one year: \in 10 666 000.00 (previous year: \in 10 681 thousand).

For 2019 (to be reimbursed by 31 March 2021 each)

Reimbursement amounts pursuant to Article 79 para. 4b BWG – \in 8 000 000.00 Reimbursement amounts pursuant to Article 182 para. 7 VAG – \in 210 813.48 Reimbursement amounts pursuant to Article 3 para. 5 BaSAG – \in 2 000 000.00 Reimbursement amounts pursuant to Article 6 para. 6 ESAEG – \in 468 917.37

For 2020 (to be reimbursed by 31 March 2022 each)

Reimbursement amounts pursuant to Article 79 para. 4b BWG – € 8 000 000.00 Reimbursement amounts pursuant to Article 182 para. 7 VAG – € 170 000.00 Reimbursement amounts pursuant to Article 3 para. 5 BaSAG – € 2 000 000.00 Reimbursement amounts pursuant to Article 6 para. 6 ESAEG – € 496 000.00

The Incoming invoices not yet received are for trade payables of 2020.

III. Other liabilities

	31 Dec. 2020	31 Dec. 2019
Taxes	713 378.29	698 271.76
Social security and similar obligations	812 554.87	792 788.04
Actual cost accounting for previous years	531 444.00	1 054 470.00
Other	3 174 720.59	837 387.60
Total	5 232 097.75	3 382 917.40

Composition of liabilities relating to taxes:

	31 Dec. 2020	31 Dec. 2019
Offset account tax office non-wage costs	691 567.66	683 032.57
Amount payable to tax office	18 444.63	11 035.19
Municipality of Vienna	3 366.00	4 204.00
Total	713 378.29	698 271.76

The liabilities relating to social security amount to \in 812 554.87 (previous year: \in 793 thousand) and are primarily comprised of contributions to the district health insurance funds.

Liabilities carried from the actual cost accounting of previous years and amounting to \in 531 444.00 (previous year: \in 1 054 thousand) essentially cover balances from the allocation of costs that are due to the entities liable to pay costs. The FMA repays such balances to the entities liable to pay costs upon being requested to do so by the entities.

The remaining Other liabilities totalling \in 3 174 720.59 (previous year: \in 837) are mainly composed of fees and self-balancing items that the FMA collects and then passes on to the competent authority.

Expenses in the amount of \in 549 702.75 (previous year: \in 542 thousand) that will only become due after the balance sheet date are also included here.

7. Deferred income

	31 Dec. 2020	31 Dec. 2019
Deferred Income	21 815.00	47 657.00
	21 815.00	47 657.00

The item of Deferred income shows the prepayments on authorisation fees for investment funds pursuant to the Investment Fund Act 2011 (InvFG 2011; *Investmentfondsgesetz*) and the Alternative Investment Fund Managers Act (AIFMG; *Alternatives Investmentfonds Manager-Gesetz*).

8. Contingent liabilities

As at 31 December 2020 there were no contingent liabilities or guarantees.

9. The <u>liabilities from the use of tangible assets not shown in the balance sheet</u> amount to approximately € 4 081 320.00 (previous year: € 3 952 thousand) for the following year and a total of approximately € 20 406 600,00 (previous year: € 19 760 thousand) for the following five years.

C. INFORMATION ON THE INCOME STATEMENT

1. Federal Government contribution pursuant to FMABG

The Federal Government contribution pursuant to FMABG for the 2020 financial year amounts to \notin 4 166 666.67 (previous year: \notin 4 000 thousand) and is composed of the Federal Government's contribution pursuant to Article 19 para. 4 FMABG of \notin 4 000 000.00 (previous year: \notin 4 000 thousand), which is used to cover part of the costs incurred during the 2020 financial year, and the pro rata Federal Government's contribution pursuant to Article 23a para. 8 FMABG of \notin 166 666.67 (previous year: \notin 0 thousand), which is used to cover the costs of the regulatory sandbox.

2. <u>Share of entities liable to pay costs</u>

The share of entities liable to pay costs for 2020 amounting to \in 62 772 951.04 (previous year: \in 62 395 thousand) is made up of the not yet chargeable share amounting to \in 62 272 951.04 (previous year: \in 61 895 thousand), which will be settled with them at the 2021 year-end, as well as the share already charged in 2020 for the sub-accounting group Market infrastructure for 2020 amounting to \in 500 000.00 (previous year: \in 500 thousand).

Please refer to Point B.2. I. Services not yet invoiced to entities liable to pay costs for further information.

3. Income from fees and the allocation of costs

Income from fees and the allocation of costs amounted to \in 4 845 857.97 (previous year: \in 5 016 thousand) and included the following income:

	31 Dec. 2020	31 Dec. 2019
Income from fees pursuant to InvFG 2011 and AIFMG	3 490 448.67	3 419 145.99
Income FMA from authorisation fees	713 870.00	582 180.00
Income FMA from prospectus audits	416 400.00	524 540.00
Other	217 639.30	490 451.75
Contribution by VASPs	7 500.00	0.00
Total	4 845 857.97	5 016 317.74

Other fees and allocations of costs essentially comprise income pursuant to Article 74 para. 5 no. 2 BaSAG, as well as contributions to criminal proceedings and from fee income.

4. Other operating income

Other operating income made up \in 896 004.40 (previous year: \in 899 thousand) and comprised the following income:

		31 Dec. 2020	31 Dec. 2019
a)	Income from the reversal of provisions	640 448.78	609 079.21
b)	Other Income	255 555.62	289 450.04
Tota	al	896 004.40	898 529.25

a) Income from the reversal of provisions

	31 Dec. 2020	31 Dec. 2019
Income from the reversal of provisions	640 448.78	609 079.21
	640 448.78	609 079.21

Income from the reversal of provisions concerns the provision for the actual costs of Banking Supervision in 2018, at \in 446 944.56 (previous year: \in 498 thousand), with the remaining amount essentially being due to reversals of provisions for personnel, insurance and IT expenses

b) Other income

Other income amounts to \notin 255 555.62 (previous year: \notin 289 thousand) and includes income from transitory items concerning the ELAK electronic filing system, training costs, allowances for semi-retired employees and rental income.

5. <u>Personnel expenses</u>

		31 Dec. 2020	31 Dec. 2019
a) Sala	arles	37 438 546.71	35 907 120.57
b) Soci	Ial security costs	9 788 137.80	9 668 092.70
Total		47 226 684.51	45 575 213.27

a) Salaries

The amount of \in 37 438 546.71 (previous year: \in 35 907 thousand) posted under a) in the income statement mainly covers salaries including special payments and civil servants' salaries.

Expenses for severance pay and pensions, the average number of employees and the remuneration for the Executive Directors are presented in detail under Point D/Other information.

b) Social security costs

Social security costs amount to \notin 9 788 137.80 (previous year: \notin 9 668 thousand) and essentially comprise social security contributions, employer's contribution, occupational retirement provision and contributions for staff provision.

Expenses for old-age provision amounting to \in 1 609 760.15 (previous year: \in 1 519 thousand) concern expenses for occupational retirement provision for FMA employees.

aa) Expenses for severance pay and contributions to corporate staff provision funds

	31 Dec. 2020	31 Dec. 2019
Contributions to staff provision funds	489 177.28	470 238.16
Allocation to provision for severance pay	191 710.00	170 509.00
Severance pay expenses	158.00	0.00
Total	681 045.28	640 747.16

bb) Cost of statutory social security, payroll-related taxes and mandatory contributions This item amounts to \notin 7 322 453.64 (previous year: \notin 7 124 thousand) and includes the following taxes and contributions:

	31 Dec. 2020	31 Dec. 2019
Social security contributions	5 795 302.26	5 645 939,54
Employer's contribution	1 325 905.44	1 269 839,15
Allocation/Use provision for non-wage labour costs	76 692.76	90 611,42
Exemption levy for non-employment of disabled persons	67 660.01	61 387,00
Underground tax	43 544.00	43 642,00
Contributions to civil servants' insurance institution	13 349.17	12 842,46
Total	7 322 453.64	7 124 261,57

cc) Other social security costs

Other social security costs amounting to \in 174 878.73 (previous year: \in 384 thousand) are mainly attributable to subsidised meals in the staff canteen.

6. Amortisation and write-downs of intangible assets, depreciation and write-downs of tangible assets The depreciation, amortisation and write-downs amount to € 1 198 866.73 (previous year: € 1 410 thousand) and cover the following items:

	31 Dec. 2020	31 Dec. 2019
Ordinary depreciation	1 122 515.01	1 361 146.76
Low-value assets	76 351.72	49 214.89
Total	1 198 866.73	1 410 361.65

These are presented in detail under Point B.1 Fixed assets/Information on the balance sheet.

7. Other operating expenses

	31 Dec. 2020	31 Dec. 2019
Costs pursuant to Article 79 para. 4b BWG – Banking Supervision	8 000 000.00	8 000 000.00
Costs pursuant to Article 182 para. 7 VAG – Insurance Supervision	170 000.00	211 000.00
Costs pursuant to Article 3 para. 5 BaSAG – Bank Recovery/Resolution	2 000 000.00	2 000 000.00
Costs pursuant to Article 6 para. 6 ESAEG – Deposit Guarantees	496 000.00	470.000.00
Other	13 210 439.95	14 487 883.01
Total	23 876 439.95	25 168 883.01

Other operating expenses include the following costs for services rendered by the OeNB in 2020 pursuant to:

- Article 79 para. 4b BWG € 8 000 000.00 for Banking Supervision (previous year: € 8 000 thousand)
- Article 182 para. 7 VAG € 170 000.00 for Insurance Supervision (previous year: € 211 thousand)
- Article 3 para. 5 BaSAG € 2 000 000.00 for Bank Recovery/Resolution (previous year:
 € 2 000 thousand)
- Article 6 para. 6 ESAEG € 496 000.00 for Deposit Guarantees (previous year: € 470 thousand).

The remaining Other operating expenses amount to \in 13 210 439.95 (previous year: \in 14.488 thousand) and essentially include facility and IT expenses, membership fees for international supervision organisations, travel expenses and expenses for continuing professional development.

Audit expenses

Other operating expenses include the following expenses related to the statutory audit carried out by the auditing firm BBW Wirtschaftsprüfungs- und Steuerberatungsgesellschaft mbH in accordance with Article 18 para. 2 FMABG:

	(
Audit of the financial statements of the Financial Market Authority	30 000.00
Audit of the resolution financing arrangement pursuant to Article 123d para. 2 BaSAG	3 000.00
Total	33 000.00

8. Other interest and similar income

Credit interest is shown with an amount of \in 1 100.19 (previous year: \in 8 thousand) and basically consists of interest from investments in Austrian government securities.

9. Interest and similar expenses

Debit interest is shown with an amount of \in 57 331.17 (previous year: \in 34 thousand).

10. Reserve pursuant to Article 20 FMABG

Please refer to Point B.4.1. Reserve pursuant to Article 20 FMABG/Information on the balance sheet for details about the allocation to the reserve in the amount of \in 166 264.20 (previous year: \in 472 thousand).

Apart from the above allocation, an amount of \in 341 694.03 of the reserve was used/released in the previous year.

11. Reserve pursuant to Article 23a para. 8 FMABG

Please refer to Point B.4 2. Reserve pursuant to Article 23a para. 8 FMABG/Information on the balance sheet for details about the allocation to the reserve in the amount of \in 156 993,71 (previous year: \in 0 thousand), which is composed of the Federal Government's contribution less the expenses incurred for running the regulatory sandbox in the financial year of 2020.

D. OTHER INFORMATION

1. Significant events after the balance sheet date

No significant events took place after the balance sheet date. Any necessary reporting (quarterly reports, annual report) was carried out in good time.

2. <u>Average number of staff pursuant to Article 239 UGB:</u>

	2020	2019
Civil servants	13	14
Employees (Incl. contractual employees)	450	446
Staff total	463	460

3. Management of the FMA pursuant to Article 6 FMABG

Klaus Kumpfmüller was reappointed by the Federal President on 14 February 2018 to serve as a member of the FMA's Executive Board from 14 February 2018 to 13 February 2023. Mr Kumpfmüller resigned from his position of Executive Director of the FMA effective from 31 January 2020.

Eduard Müller was appointed by the Federal Minister of Finance as interim member of the FMA's Executive Board with effect from 1 February 2020. The Federal President appointed Mr Müller on 6 July 2020 to serve as a member of the Executive Board from 6 July 2020 to 5 July 2025.

Helmut Ettl was reappointed by the Federal President on 14 February 2018 to serve as a member of the FMA's Executive Board from 14 February 2018 to 13 February 2023.

4. Expenses for severance pay and pensions

The expenses for severance pay and pensions, broken down by members of the Executive Board including executive employees and by other employees, are as follows for the respective financial years:

	2020 In €	2019 In € thousands
Executive Directors and executive employees	132 358.74	132
Other employees	2 158 446.69	2 027
Total	2 290 805.43	2 160

(Rounding differences are ignored.)

5. <u>Remuneration of the members of the Executive and Supervisory Boards</u>

The remuneration of the two Executive Directors of the FMA consists solely of fixed components (no variable components) and amounted to \notin 282 767.80 gross in 2020 per director and year.

The costs of any contractual old-age pension provision for the Executive Directors amounted to \notin 23 187.08 per individual in 2020.

The remuneration paid to the eight voting members of the Supervisory Board totals \in 19 700.00 per year. This amount can be broken down as follows:

Chairperson:	€ 3 600.00
Vice-Chairperson:	€ 2 900.00
Member:	€ 2 200.00

The remuneration of the members appointed by the Oesterreichische Nationalbank is not paid to the members themselves but to the OeNB, in accordance with the terms of their employment contracts. The members co-opted by the Austrian Federal Economic Chamber do not receive any remuneration.

The members of the Supervisory Board did not receive any advance payments or loans.

Members of the Supervisory Board appointed by the Federal Ministry of Finance:

Alfred LEJSEK (Chairperson) Federal Ministry of Finance

Robert HOLZMANN (Vice-Chairperson) Governor of the Oesterreichische Nationalbank

Gottfried HABER

Vice Governor of the Oesterreichische Nationalbank; Director of Financial Stability, Banking Supervision and Statistics at the OeNB

Gabriela De Raaij Head of the Off-Site Supervision Division – Significant Institutions at the OeNB

Dietmar Schuster Federal Ministry of Finance

Elisabeth GRUBER Federal Ministry of Finance Beate Schaffer Federal Ministry of Finance

Karin Turner-Hrdlicka Director of the Department for the Supervision of Significant Institutions at the OeNB

The <u>co-opted members</u> were nominated by the Austrian Federal Economic Chamber.

Walter KNIRSCH (co-opted member) Sworn auditor and tax consultant

Franz RUDOERFER (co-opted member) Managing Director of the Bank and Insurance Division, Federal Economic Chamber

Vienna, 7 April 2021

.....

Helmut Ettl, signed in person

Vienna, 7 April 2021

.....

Eduard Müller, signed in person

Statement of changes in fixed assets pursuant to Article 226 para. 1 UGB

	As at 01.01.2020 EUR	Acquisitior Additions EUR	n Costs Disposals EUR	As at 31.12.2020 EUR	As at 01.01.2020 EUR	Cumulated de Additions EUR	preciations Disposals EUR	As at 31.12.2020 EUR	Carrying a As at 01.01.2020 EUR	mounts As at 31.12.2020 EUR
Fixed assets										
 Intangible assets Industrial property and similar rights and benefits and licences in such rights 	4,458,461.49	311,463.52	0.00	4,769,925.01	4,029,220.01	330,444.16	0.00	4,359,664.17	429,241.48	410,260.84
II. <u>Tangible assets</u> 1. Buildings on third-party land	2,363,255.08	256,887.98	0.00	2,620,143.06	1,492,904.90	126,397.74	0.00	1,619,302.64	870,350.18	1,000,840.42
 Other equipment, operating and office equipment Low-value assets 	6,439,232.55 0.00	688,205.64 76,351.72	292,131.89 76,351.72	6,835,306.30 0.00	5,475,001.77 0.00	665,673.11 76,351.72	291,620.45 76,351.72	5,849,054.43 0.00	964,230.78 0.00	986,251.87 0.00
-	8,802,487.63	1,021,445.34	368,483.61	9,455,449.36	6,967,906.67	868,422.57	367,792.17	7,468,357.07	1,834,580.96	1,987,092.29
	13,260,949.12	1,332,908.86	368,483.61	14,225,374.37	10,997,126.68	1,198,866.73	367,792.17	11,828,021.24	2,263,822.44	2,397,353.13