

Brussels, 16 September 2021

Information on the 2022 ex-ante contribution calculation process and expected timeline

This letter is communicated through the national resolution authorities to all institutions in scope of the obligation to contribute in 2022 to the Single Resolution Fund. Its aim is to present upfront the milestones of the process and to better structure it.

Introduction

1. Pursuant to Article 70 of Regulation (EU) No 806/2014¹ ("SRMR"), and based on the methodology prescribed in the Commission Delegated Regulation (EU) 2015/63² ("CDR") and Council Implementing Regulation (EU) 2015/81³ ("CIR"), each year the Single Resolution Board ("SRB") calculates the ex-ante contributions to the Single Resolution Fund ("SRF").
2. In anticipation of the 2022 ex-ante contributions cycle, the SRB would like to provide you with some information on the timeline of the process for that cycle and the actions to be taken by your institution.

Data reporting

3. The 2022 ex-ante cycle will start with the collection of data from the institutions in scope of Article 2 SRMR. The list of institutions in scope is communicated to the SRB by the National Resolution Authorities ("NRAs") and further verified with the relevant National Competent Authorities ("NCAs") and the European Central Bank ("ECB").
4. The data, on the basis of which the SRB will calculate individual ex-ante contributions, is reported by the institutions. Institutions are required to provide the information necessary for the calculation by completing the Data Reporting Form ("DRF"), in compliance with the uniform data formats and representations as established by the SRB and included in the DRF. In addition, specific guidance concerning intragroup deductions, IPS⁴ deductions and the derivatives adjustment is provided.

¹ Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010; OJ L 225, 30.7.2014, p. 1.

² Commission Delegated Regulation (EU) 2015/63 of 21 October 2014 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to ex ante contributions to resolution financing arrangements, OJ L 11, 17.1.2015, p. 44.

³ Council Implementing Regulation (EU) 2015/81 of 19 December 2014 specifying uniform conditions of application of Regulation (EU) No 806/2014 of the European Parliament and of the Council with regard to ex ante contributions to the Single Resolution Fund; OJ L 15, 22.1.2015, p. 1.

⁴ Institutional Protection Scheme.

5. Since the SRB revises and updates the DRF each year, institutions are kindly reminded to make sure they complete and submit the DRF, in order to provide the required data for the 2022 ex-ante cycle. The DRF will be made available to you by your NRA.
6. On **3 November 2021**, the dedicated online platform for submitting the completed DRFs (**"eReg"**) will be opened. NRAs will be able as of that day to upload the DRF you provided to them. Please follow the instructions from your NRA as regards the features and timeline for providing the DRF to them.
7. Institutions that would like to have their data provisionally verified by the SRB (via its automated data checks⁵ mechanism) should timely submit their DRF to their NRA, in accordance with the instructions given by the respective NRA. Institutions may benefit from the SRB data checks to correct and/or complete data where necessary and to avoid that the SRB may be compelled to use estimated data (see paragraph 8).
8. In any event, institutions (via NRAs) must submit their DRF no later than **31 January 2022**. Pursuant to Article 17(1) and (2) of the CDR, where the relevant information is not provided by 31 January, the SRB shall use estimates or its own assumptions in order to calculate the annual contribution of the institution concerned or even has the power to assign to the institution concerned the highest risk adjusting multiplier.
9. If you have any questions regarding the DRF, please contact your **NRA**, which serves as a first contact point in case of any queries.

Restatements

10. Pursuant to Article 14(5) of the CDR, where the information or data previously submitted by an institution is subject to updates or corrections, such updates or corrections shall be submitted to the resolution authorities without undue delay. Where the information submitted by the institutions is subject to restatements or revisions, the resolution authority adjusts the annual contribution in accordance with the updated information.
11. If the data of your institution for any of the previous ex-ante contributions cycles (2015, 2016, 2017, 2018, 2019, 2020 and 2021) is subject to updates, corrections or revisions, your institution should amend the corresponding DRF(s) via the dedicated restatement process.
12. Please submit the amended DRF for a given cycle to your NRA. The NRA will transfer the amended DRF to the SRB. Pursuant to Article 17(3) of the CDR, the SRB will assess the restated data and, if appropriate, may come back to your institution for further clarifications. If the restatement request is accepted, any difference between the annual contribution calculated and paid on the basis of the information subject to restatement will be settled against the annual contribution due for the 2022 contribution period.
13. The amended DRF(s) with restated data can be submitted by institutions throughout the year to the NRAs. However, **only restated DRFs uploaded to eReg (by the NRAs) by 31 December 2021⁶ will be taken into account in the 2022 ex-ante cycle⁷.**
14. If you have any questions regarding restatements, please contact your **NRA** for further clarification.

⁵ Data checks highlight the discrepancies between a number of fields in the DRF and other data sources (e.g., supervisory reporting; the values reported in the previous cycle). Passing the data checks without inconsistencies being detected does not imply that the data is fully correct or validated.

⁶ To avoid any misunderstanding: restated DRFs uploaded on or after 1 January 2022 will not be taken into account in the 2022 ex-ante cycle.

⁷ All restated DRFs submitted after 31 December 2021 but before 31 December 2022 and submitted earlier to the NRAs but not reported to the SRB by the NRAs (e.g. pending initial verification with your institution by the NRA), will be considered and, if accepted, be taken into account in the 2023 ex-ante cycle.

Data verification

15. In **early February 2022**, the SRB will verify the data submitted from the institutions in their 2022 DRF. The verification process will be performed in collaboration with the relevant NRAs and NCAs where appropriate. In case any additional clarifications are needed, the SRB will liaise with the relevant NRAs. The institutions in question will be informed and given the opportunity to respond, via the relevant NRA, to any requests for clarification.

Additional Assurance Requirements

16. By **10 March 2022**, all the institutions that are part of a group referred to in Article 7(2)(a) of SRMR, with the exception of those institutions that are subject to Article 10 CDR treatment have to provide additional data assurance to the NRAs. For the 2022 period, the institutions have to provide the confirmation by an auditor on specific agreed-upon procedures (AUP)⁸. Please note that the SRB will no longer accept a management sign-off. The above requirement extends also to the restatements that are subject to additional assurance and that you have to submit to your NRA after notification of this letter to your institution. The additional assurance document will be made available by your NRA.

Industry dialogue

17. In **early March 2022**, the SRB will organise the annual meeting with the banking associations to update the industry regarding the 2022 ex-ante contribution cycle and, in particular, on the data collection process and the expected target level, based on the observed evolution of covered deposits in the Banking Union for 2021. The participants will be given the opportunity to raise questions and clarify concerns regarding the 2022 ex-ante contributions calculation process.

Consultation and hearing process

18. At the **end of February** or, at the latest, in **early March 2022**, the SRB will launch a consultation process in relation to the 2022 ex-ante contributions calculation cycle. In light of the outcome of the 2021 consultation, the SRB considers it as important to continue its structured dialogue with the institutions in scope and to hear them before the notification of the final decision by the NRAs.
19. As in the previous cycle, the institutions will be given the opportunity to provide comments on any aspects of the 2022 ex-ante calculation exercise that they consider pertinent as well as simulate their contribution for 2022. Any comments received by the SRB will be carefully considered for the purposes of completing the decision-making process.
20. In order to facilitate this process, and to ensure that institutions are able to participate in as easy manner as possible, the consultation process will once again be managed by means of a dedicated electronic platform accessible from the SRB website.
21. The SRB will provide via its website more information on the consultation process closer to the launch, so that institutions are made aware of it in advance and can participate fully in this process. However, please **note that no further individual communication to your institution is scheduled. Therefore please consult regularly the SRB website, especially in the period of February-April 2022.** The password to enter the dedicated platform is: [REDACTED]

⁸ The list of procedures has been defined by the SRB and provided to the NRAs. These procedures concern covered deposits, derivative adjustment and intragroup, IPS and promotional loans deductions, along with own funds (in the sole case of waiver).

Adoption of final decision & notification

22. In **April 2022**, the final decision on the calculation of the 2022 ex-ante contributions will be adopted by the SRB and communicated to the NRAs.
23. By **1 May 2022**, the institutions will be notified by their respective NRAs regarding the adoption of the final decision determining the 2022 ex-ante contributions and will be invited to pay their individual ex-ante contributions.

Administrative penalties & Additional Data Verification Exercise

24. The SRB kindly informs that it may impose administrative penalties and other administrative measures referred to in Article 110 of Directive 2014/59/EU⁹ to the persons or entities responsible for breaches.
25. After the decision is notified, in addition to the ex-ante data verification steps as mentioned above, the SRB will launch an ex-post verification exercise (so called “Additional Data Verification Exercise” or “ADVE”) on the data used for the calculations of the ex-ante contributions.
26. Sampled institutions will be notified by the SRB via letter in July 2022. The verification will take place in the second half of 2022 and will be based on a dedicated set of information institutions will submit to the SRB by the end of September 2022. The SRB will notify institutions of the final results of the ADVE in the first quarter of 2023.

We thank you for good cooperation in the above mentioned process. For more information as well as general information on the SRF and ex-ante contributions, you are kindly invited to consult the SRB's website (<http://srb.europa.eu/>).

Yours faithfully,

[ARES e-signed]

Jan Reinder de Carpentier
Vice-Chair

⁹ Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 1648/2012, of the European Parliament and of the Council Text with EEA relevance, OJ L 173, 12.6.2014, p. 190.