

## ANNEX I

Part 1					
Transposition of Directive 2013/36/EU					
	Transposition of provisions of Directive 2013/36/EU	Provisions of Directive 2013/36/EU	Links to national text <sup>(1)</sup>	Reference(s) to national provisions <sup>(2)</sup>	Available in EN (Y/N)
010	<b>Date of the last update of information in this template</b>			31.07.2020	
020	<b>I. Subject matter, scope and definitions</b>	Articles 1 to 3	<a href="#">Austrian Banking Act (BWG)</a>	Articles 1 to 3 BWG	Y
030	<b>II. Competent authorities</b>	Articles 4 to 7	<a href="#">BWG</a>	Articles 9 to 19, 30(8a) BWG	Y
040	<b>III. Requirements for access to the activity of credit institutions</b>	Articles 8 to 27	<a href="#">BWG</a>		
050	1. General requirements for access to the activity of credit institutions	Articles 8 to 21	<a href="#">BWG</a>	Articles 1, 4 to 9 BWG	Y
060	2. Qualifying holding in a credit institution	Articles 22 to 27	<a href="#">BWG</a>	Articles 20 to 21 BWG	Y
070	<b>IV. Initial capital of investment firms</b>	Articles 28 to 32	<a href="#">Securities Supervision Act 2018 (WAG)</a>	Articles 3 and 4 WAG	Y
080	<b>V. Provisions concerning the freedom of establishment and the freedom to provide services</b>	Articles 33 to 46			
090	1. General principles	Articles 33 to 34	<a href="#">BWG</a>	Articles 9 et seq BWG	Y
100	2. The right of establishment of credit institutions	Articles 35 to 38	<a href="#">BWG</a>	Articles 9 to 19 BWG	Y
110	3. Exercise of the freedom to provide services	Article 39	<a href="#">BWG</a>	Articles 9 and 10 BWG	Y
120	4. Powers of the competent authorities of the host Member State	Articles 40 to 46	<a href="#">BWG</a>	Articles 9, 11, 13, 15 BWG	Y
130	<b>VI. Relations with third countries</b>	Articles 47 to 48	<a href="#">BWG</a>	Articles 8, 77 et seq BWG	Y
140	<b>VII. Prudential supervision</b>	Articles 49 to 142			
150	1. Principles of prudential supervision	Articles 49 to 72			
160	1.1 Competence and duties of home and host Member States	Articles 49 to 52	<a href="#">BWG</a>	Articles 9 to 19 BWG	Y
170	1.2 Exchange of information and professional secrecy	Articles 53 to 62	<p>BWG:  <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10004827">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10004827</a></p> <p>B-VG (only in German):  <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10000138">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10000138</a></p>	Articles 38 et seq, 77 et seq BWG, Article 20 Federal Constitution Law (B-VG)	BWG: Y B-VG: N
180	1.3 Duty of persons responsible for the legal control of annual and consolidated accounts	Article 63	<a href="#">BWG</a>	Article 63 BWG	Y
190	1.4 Supervisory powers, powers to impose penalties and right of appeal	Articles 64 to 72	<a href="#">BWG</a>	Articles 5, 6, 20, 70, 96 et seq BWG	Y
200	2. Review processes	Articles 73 to 110	<a href="#">BWG</a>		
210	2.1 Internal capital adequacy assessment process	Article 73	<a href="#">BWG</a>	Article 39a BWG	Y
220	2.2 Arrangements, processes and mechanisms of institutions	Articles 74 to 96	<a href="#">BWG</a>	Articles 39(4), 39a BWG	Y
230	2.3 Supervisory review and evaluation process	Articles 97 to 101	<a href="#">BWG</a>	Articles 69, 70, 71 BWG	Y
240	2.4 Supervisory measures and powers	Articles 102 to 107	<a href="#">BWG</a>	Articles 69b, 70 BWG	Y
250	2.5 Level of application	Articles 108 to 110	<a href="#">BWG</a>	Article 39a BWG	Y
260	3. Supervision on a consolidated basis	Articles 111 to 127			
270	3.1 Principles for conducting supervision on a consolidated basis	Articles 111 to 118	<a href="#">BWG</a>	Articles 9 et seq BWG	Y
280	3.2 Financial holding companies, mixed financial holding companies and mixed-activity holding companies	Articles 119 to 127	<a href="#">BWG</a>	Articles 9 et seq BWG	Y
290	4. Capital buffers	Articles 128 to 142			
300	4.1 Buffers	Articles 128 to 134	<a href="#">BWG</a>	Articles 23 to 24a BWG	Y
310	4.2 Setting and calculating countercyclical capital buffers	Articles 135 to 140	<a href="#">BWG</a>	Article 23a BWG	Y
320	4.3 Capital conservation measures	Articles 141 to 142	<a href="#">BWG</a>	Article 24 BWG	Y
330	<b>VIII. Disclosure by competent authorities</b>	Articles 143 to 144	<a href="#">BWG</a>	Article 69b BWG	Y
340	<b>IX. Amendments of Directive 2002/87/EC</b>	Article 150	N/A	N/A	N/A
350	<b>X. Transitional and final provisions</b>	Articles 151 to 165			
360	1. Transitional provisions on the supervision of institutions exercising the freedom of establishment and the freedom to provide services	Articles 151 to 159	<a href="#">BWG</a>	Articles 9 et seq, 70, 77, 103q BWG	Y
370	2. Transitional provisions for capital buffers	Article 160	<a href="#">BWG</a>	Article 103q BWG	Y
380	3. Final provisions	Articles 161 to 165	<a href="#">BWG</a>	N/A	N/A

(1) Hyperlink(s) to the website containing the national text transposing the Union provision in question.

(2) Detailed references to the national provisions, such as relevant Title, Chapter, paragraph etc.