

EN - Annex II

Part 1													
Options and discretions set out in Directive 2013/36/EU, Regulation (EU) No 575/2013 and LCR Delegated Regulation (EU) 2015/61													
	Directive 2013/36/EU	Regulation (EU) No 575/2013	LCR delegated regulation (EU) 2015/61	Addressee	Scope	Denomination	Description of the option or discretion	Exercised (Y/N/NA) ⁽¹⁾	National text ⁽²⁾	Reference(s) ⁽³⁾	Available in EN (Y/N)	Details / Comments	
010				Date of the last update of information in this template					19.09.2023				
020	Article 9(2)			Member States	Credit Institutions	Exception to the prohibition against persons or undertakings other than credit institutions from taking deposits or other repayable funds from the public	The prohibition against persons or undertakings other than credit institutions from carrying out the business of taking deposits or other repayable funds from the public shall not apply to a Member State, a Member State's regional or local authorities, a public international bodies of which one or more Member States are members, or to cases expressly covered by national or union law, provided that those activities are subject to regulations and controls intended to protect depositors and investors.	N					
030	Article 12(3)			Member States	Credit Institutions	Initial capital	Member States may decide that credit institutions which do not fulfil the requirements to hold separate own funds and which were in existence on 15 December 1979 may continue to carry out their business.	N					
040	Article 12(3)			Member States	Credit Institutions	Initial capital	Credit Institutions for which Member States have decided that they can continue to carry out their business according to Article 12(3) of Directive 2013/36/EU may be exempted by MS from complying with the requirements contained in the first subparagraph of Article 13(1) of Directive 2013/36/EU.	N					
050	Article 12(4)			Member States	Credit Institutions	Initial capital	Member States may grant authorisation to particular categories of credit institutions the initial capital of which is less than EUR 5 million, provided that the initial capital is not less than EUR 1 million and the Member State concerned notifies the Commission and EBA of its reasons for exercising that option.	N					
060	Article 21(1)			Competent Authorities	Credit Institutions	Exemptions for credit institutions permanently affiliated to a central body	Competent authorities may exempt with regard to credit institutions permanently affiliated to a central body from the requirements set out in Articles 10, 12 and 13(1) of Directive 2013/36/EU.	Y	Article 30a(6) BWG: The provisions of Article 4(3)(3-4), Article 5(1)(5), Articles 10, 16, 22 to 23f, Article 39(2), Article 39a, Article 69(3) and Article 70(4a), 70b to 70d as well as Parts Two to Four and Parts Five to Eight of Regulation (EU) No 575/2013 shall not apply to the affiliated credit institutions. For purposes of Article 40(2) of Regulation (EU) No 575/2013, the central body shall be regarded as an EEA parent credit institution and the affiliated credit institutions as subordinate institutions. The affiliated credit institutions are exempt from those notification and reporting duties (Articles 73 to 75) that are intended exclusively for the monitoring of these provisions. In deviation from the other provisions of this paragraph, Article 69(3) and the necessary reporting provisions for the monitoring of this provision pursuant to Article 74 shall apply for affiliated credit institutions which are building societies pursuant to Article 1(1) of the Austrian Building Society Act (BSPG).	Article 30a(6) BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/	
070	Article 29(3)			Member States	Investment Firms	Initial capital of particular types of investment firms	Member States may reduce the minimum amount of initial capital from EUR 125 000 to EUR 50 000 where a firm is not authorised to hold client money or securities, to deal for its own account, or to underwrite issues on a firm commitment basis.	Y	Article 3(6) WAG 2018: The initial capital of an investment firm shall cover the components listed in Article 26(1) list. a to e of Regulation (EU) No 575/2013 and shall be at least: 1. EUR 50 000 if the purpose of the company comprises exclusively a) investment advice in relation to financial instruments, or b) the receiving and transmitting of orders in relation to one or more financial instruments, or c) portfolio management pursuant to paragraph 2 no. 2, or d) several types of business pursuant to list. a, b and c; 2. EUR 730 000, where the business purpose consists of operating an MTF or OTF. By way of derogation from no. 1 a professional indemnity insurance covering the whole territory of the European Union or a comparable guarantee against liability arising from professional negligence, which has coverage for liability of EUR 1 000 000 for every individual claim event and a total coverage of at least EUR 1.5 million for all claims within a calendar year of a combination of the initial capital and professional indemnity insurance that enable a level of coverage, that is comparable to the initial capital or professional indemnity insurance taken in isolation. If an investment firm is at the same authorised in accordance with the provisions set out in Articles 137 to 138 GewO, to perform the activity of insurance brokerage, then by way of derogation from no. 1 an initial capital of EUR 25 000 shall be made available for covering damages arising from the provision of investment services, or a professional indemnity insurance valid for the whole territory of the European Union or a comparable guarantee for claims arising from professional negligence in providing investment services, which has coverage for liability of at least EUR 500 000 for every individual damage claim and total coverage of at least EUR 750 000 for all damage claims in a calendar year or a combination of the stated initial capital and the stated professional indemnity insurance, that permits a level of coverage level that is comparable to the initial capital or professional indemnity insurance taken in isolation.	Article 3(6) WAG 2018	Y	English version of the WAG 2018: https://www.fma.gv.at/en/national/supervisory-laws/	
080	Article 32(1)			Member States	Investment Firms	Investment firms' initial capital grandfathering clause	Member States may continue authorising investment firm and firms covered by Article 30 of Directive 2013/36/EU which were in existence on or before 31 December 1995, the own funds of which are less than the initial capital levels specified for them in Article 28(2), Article 29(1) or (3) or Article 30 of that Directive.	N					
090	Article 40			Competent Authorities	Credit Institutions	Reporting requirements to host competent authorities	The competent authorities of host Member States may, for information, statistical or supervisory purposes, require that all credit institutions having branches within their territories shall report to them periodically on their activities in those host Member States, in particular to assess whether a branch is significant in accordance with Article 51(1) of Directive 2013/36/EU.	Y	Article 9(7a) BWG: The FMA may request that every credit institution pursuant to paragraph 1 with a branch pursuant to point 17 of Article 4(1) of Regulation (EU) No 575/2013 in Austria provides regular reports on its activities in Austria. These reports may only be requested for statistical purposes or for information or supervision purposes. The FMA may in particular request credit institutions to provide the type of information that allows it to assess whether the branch is a significant branch pursuant to Article 18.	Article 9(7a) BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/	
100	Article 129(2)			Member States	Investment Firms	Exemption from the requirement to maintain a capital conservation buffer for small and medium-sized investment firms	By way of derogation from paragraph 1 of Article 129, a Member State may exempt small and medium-sized investment firms from the requirements set out in that paragraph if such an exemption does not threaten the stability of the financial system of that Member State.	N					
110	Article 130(2)			Member States	Investment Firms	Exemption from the requirement to maintain a countercyclical capital buffer for small and medium-sized investment firms	By way of derogation from paragraph 1 of Article 130, a Member State may exempt small and medium-sized investment firms from the requirements set out in that paragraph if such an exemption does not threaten the stability of the financial system of that Member State.	N					
120	Article 133(18)			Member States	Credit Institutions and Investment firms	Requirement to maintain a systemic risk buffer	Member States may apply a systemic risk buffer to all exposures.	N					
130	Article 134(1)			Member States	Credit Institutions and Investment firms	Recognition of a systemic risk buffer rate	Other Member States may recognise the systemic risk buffer rate set according to Article 133 and may apply that buffer rate to domestically authorised institutions for the exposures located in the Member State setting that buffer rate.	N					
140	Article 152 first paragraph			Member States	Credit Institutions	Reporting requirements to host competent authorities	The competent authorities of host Member States may, for statistical purposes, require that all credit institutions having branches within their territories shall report to them periodically on their activities in those host Member States.	Y	Article 9(7a) BWG: The FMA may request that every credit institution pursuant to paragraph 1 with a branch pursuant to point 17 of Article 4(1) of Regulation (EU) No 575/2013 in Austria provides regular reports on its activities in Austria. These reports may only be requested for statistical purposes or for information or supervision purposes. The FMA may in particular request credit institutions to provide the type of information that allows it to assess whether the branch is a significant branch pursuant to Article 18.	Article 9(7a) BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/	
150	Article 152 second paragraph			Member States	Credit Institutions	Reporting requirements to host competent authorities	Host Member States may require that branches of credit institutions from other Member States provide the same information as they require from national credit institutions for that purpose.	Y	Article 9(7a) BWG: The FMA may request that every credit institution pursuant to paragraph 1 with a branch pursuant to point 17 of Article 4(1) of Regulation (EU) No 575/2013 in Austria provides regular reports on its activities in Austria. These reports may only be requested for statistical purposes or for information or supervision purposes. The FMA may in particular request credit institutions to provide the type of information that allows it to assess whether the branch is a significant branch pursuant to Article 18.	Article 9(7a) BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/	

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160	Article 160(6)			Member States	Credit Institutions and Investment firms	Transitional provisions for capital buffers	Member States may impose a shorter transitional period for capital buffers than that specified in paragraphs 1 to 4 of Article 160. Such a shorter transitional period may be recognised by other Member States.	N					
170		Article 4(2)		Member States or Competent Authorities	Credit Institutions and Investment firms	Treatment of indirect holdings in real estate	Member States or their competent authorities may allow shares constituting an equivalent indirect holding of immovable property to be treated as a direct holding of immovable property provided that such indirect holding is specifically regulated in the national law of the Member State and, when pledged as collateral, provides equivalent protection to creditors.	N					
180		Article 6(4)		Competent Authorities	Investment Firms	Application of requirements on an individual basis	Pending the report from the Commission in accordance with Article 508(3), competent authorities may exempt investment firms from compliance with the obligations laid down in Part Six (liquidity) taking into account the nature, scale and complexity of the investment firms' activities.	N					
190		Article 24(2)				Reporting and the compulsory use of IFRS	Competent authorities may require that institutions effect the valuation of assets and off-balance sheet items and the determination of own funds in accordance with International Accounting Standards as applicable under Regulation (EC) No 1606/2002.	Y	Article 74b BWG: (1) Credit institutions and groups of credit institutions shall value assets and off-balance sheet items for reporting purposes as well as for calculating the total risk exposure amount (Article 92(3) of Regulation (EU) No 575/2013) in accordance with Articles 55 to 58 and Articles 201 to 211 UGB, unless paragraph 2 applies. (2) The FMA may, pursuant to Article 24(2) in conjunction with Article 466 of Regulation (EU) No 575/2013, stipulate by administrative decision that credit institutions and groups of credit institutions that effect the valuation of assets and off-balance sheet items also in accordance with International Accounting Standards as applicable under Regulation (EC) No 1606/2002 or that are included in a consolidation in accordance with International Accounting Standards as applicable under Regulation (EC) No 1606/2002 apply International Accounting Standards as defined in Regulation (EC) No 1606/2002 for reporting purposes as well as for calculating the total risk exposure amount (Article 92(3) of Regulation (EU) No 575/2013) and for determining own funds, provided that this ensures an appropriate quality of data. (3) Credit institutions and groups of credit institutions that effect the valuation of assets and off-balance sheet items in accordance with International Accounting Standards as applicable under Regulation (EC) No 1606/2002 shall be required to apply Article 64(1)(16&17).	Article 74b BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/	
200		Article 89(3)		Competent Authorities	Credit Institutions and Investment firms	Risk weighting and prohibition of qualifying holdings outside the financial sector	Competent authorities apply the following requirements to qualifying holdings of institutions referred to in paragraphs 1 and 2: for the purpose of calculating the capital requirement in accordance with Part Three of this Regulation, institutions shall apply a risk weight of 1250% to the greater of the following: (i) the amount of qualifying holdings referred to in paragraph 1 in excess of 15% of eligible capital; (ii) the total amount of qualifying holdings referred to in paragraph 2 that exceed 60% of the eligible capital of the institution;	Y	Article 3 CRR-BV 2021: If the thresholds determined in Article 89(1) or (2) of Regulation (EU) No 575/2013 are exceeded, then institutions are required to hold eligible capital pursuant to Article 4 (1)(71) of Regulation (EU) No 575/2013 for the amount by which the qualifying holdings exceed these thresholds. In the event that both the thresholds mentioned in Article 89(1) and (2) of Regulation (EU) No 575/2013 are exceeded, then only the higher of the two exceeded amounts shall apply.	Article 3 CRR-BV 2021	Y	English version of the CRR-BV 2021: https://www.fma.gv.at/en/national/fma-regulations/	
201		Article 89(3)		Competent Authorities	Credit Institutions and Investment firms	Risk weighting and prohibition of qualifying holdings outside the financial sector	Competent authorities apply the following requirements to qualifying holdings of institutions referred to in paragraphs 1 and 2: the competent authorities shall prohibit institutions from having qualifying holdings referred to in paragraphs 1 and 2 the amount of which exceeds the percentages of eligible capital laid down in those paragraphs.	Y	Article 3 CRR-BV 2021: If the thresholds determined in Article 89(1) or (2) of Regulation (EU) No 575/2013 are exceeded, then institutions are required to hold eligible capital pursuant to Article 4 (1)(71) of Regulation (EU) No 575/2013 for the amount by which the qualifying holdings exceed these thresholds. In the event that both the thresholds mentioned in Article 89(1) and (2) of Regulation (EU) No 575/2013 are exceeded, then only the higher of the two exceeded amounts shall apply.	Article 3 CRR-BV 2021	Y	English version of the CRR-BV 2021: https://www.fma.gv.at/en/national/fma-regulations/	
210		Article 95(2)		Competent Authorities	Investment Firms	Requirements for investment firms with limited authorisation to provide investment services	Competent authorities may set the own fund requirements for investment firms with limited authorisation to provide investment services as the own fund requirements that would be binding on those firms according to the national transposition measures in force on 31 December 2013 for Directive 2006/49/EC and Directive 2006/48/EC.	N					
220		Article 99(3)		Competent Authorities	Credit Institutions	Reporting on own funds requirements and financial information	Competent authorities may require those credit institutions applying international accounting standards as applicable under Regulation (EC) No 1606/2002 for the reporting of own funds on a consolidated basis pursuant to Article 24(2) of this Regulation to also report financial information as laid down in paragraph 2 of this Article.	N					
230		Article 124(2)		Competent Authorities	Credit Institutions and Investment firms	Risk weights and criteria applied to exposures secured by mortgages on immovable property	Competent authorities may set a higher risk weight or stricter criteria than those set out in Article 125(2) and Article 126(2), where appropriate, on the basis of financial stability considerations.	N					
240		Article 129(1)				Exposures in the form of covered bonds	The competent authorities may, after consulting EBA, partly waive the application of point (c) of the first subparagraph and allow credit quality step 2 for up to 10 % of the total exposure of the nominal amount of outstanding covered bonds of the issuing institution, provided that significant potential concentration problems in the Member States concerned can be documented due to the application of the credit quality step 1 requirement referred to in that point.	N					
250		Article 164(5)		Competent Authorities	Credit Institutions and Investment firms	Minimum values of exposure weighted average Loss Given Default (LGD) for exposures secured by property	Based on the data collected under Article 101 and taking into account forward-looking immovable property market developments and any other relevant indicators, the competent authorities shall periodically, and at least annually, assess whether the minimum LGD values in paragraph 4 of this Article are appropriate for exposures secured by residential property or commercial immovable property located in their territory. Competent authorities may, where appropriate on the basis of financial stability considerations, set higher minimum values of exposure weighted average LGD for exposures secured by immovable property in their territory.	N					
260		Article 178(1)(b)		Competent Authorities	Credit Institutions and Investment firms	Default of an obligor	Competent authorities may replace the 90 days with 180 days for exposures secured by residential property or SME commercial immovable property in the retail exposure class, as well as exposures to public sector entities.	N					
270		Article 284(4)		Competent Authorities	Credit Institutions and Investment firms	Exposure value	Competent authorities may require an alpha higher than 1.4 or permit institutions to use their own estimates in accordance with Article 284 (9)	N					
280		Article 284(9)		Competent Authorities	Credit Institutions and Investment firms	Exposure value	Competent authorities may permit institutions to use their own estimates of alpha	N					
290		Article 327(2)		Competent Authorities	Credit Institutions and Investment firms	Netting between a convertible and an offsetting position in the underlying instrument	Competent authorities may adopt an approach under which the likelihood of a particular convertible's being converted is taken into account or require an own funds requirement to cover any loss which conversion might entail.	Y	Article 5 CRR-BV 2021: Convertible bonds according to Art. 174 para. 1 of the Stock Corporation Act (AktG; Aktiengesetz), shall be treated as equity instrument positions and may be netted against equities in which a conversion right exists, if 1. the time frame until the first day of the conversion period is less than three months, or, in the event that there has been a previous conversion period, the time frame until the next possible conversion period is less than one year, and 2. the convertible bond is to be traded at a premium of less than 10%; the premium shall be calculated as the market price of the convertible bond less the market price of the equity, into which conversion is possible, expressed as a percentage of the market price of the equity.	Article 5 CRR-BV 2021	Y	English version of the CRR-BV 2021: https://www.fma.gv.at/en/national/fma-regulations/	
300		Article 395(1)		Competent Authorities	Competent Authorities	Large exposure limits for exposures to institutions	Competent authorities may set a lower large exposure limit than EUR 150 000 000 for exposures to institutions.	N					
310		Article 400(2)(a) 493(3)(a)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt covered bonds falling within the terms of Article 129(1), (3) and (6).	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.				
320		Article 400(2)(b) 493(3)(b)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt asset items constituting claims on regional governments or local authorities of Member States.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.				

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330		Article 400(2)(c) 493(3)(c)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures incurred by an institution to its parent undertaking or subsidiaries.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
340		Article 400(2)(d) 493(3)(d)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures to regional or central credit institutions with which the credit institution is associated in a network and which are responsible for cash-clearing operations within the network.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
350		Article 400(2)(e) 493(3)(e)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures to credit institutions incurred by credit institutions, one of which operates on a non-competitive basis and provides or guarantees loans under legislative programmes or its statutes, to promote specified sectors of the economy under some form of government oversight and restrictions on the use of the loans, provided that the respective exposures arise from such loans that are passed on to the beneficiaries via credit institutions or from the guarantees of these loans.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
360		Article 400(2)(f) 493(3)(f)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures to institutions, provided that those exposures do not constitute such institutions' own funds, do not last longer than the following business day and are not denominated in a major trading currency.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
370		Article 400(2)(g) 493(3)(g)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures to central banks in the form of required minimum reserves held at those central banks which are denominated in their national currencies.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
380		Article 400(2)(h) 493(3)(h)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt exposures to central governments in the form of statutory liquidity requirements held in government securities which are denominated and funded in their national currencies provided that, at the discretion of the competent authority, the credit assessment of those central governments assigned by a nominated External Credit Assessment Institution is investment grade.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
390		Article 400(2)(i) 493(3)(i)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt 50% of medium/low risk off-balance sheet documentary credits and of medium/low risk off-balance sheet undrawn credit facilities referred to in Annex I and subject to the competent authorities' agreement, 80% of guarantees other than loan guarantees which have a legal or regulatory basis and are given for their members by mutual guarantee schemes possessing the status of credit institutions.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
400		Article 400(2)(j) 493(3)(j)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt legally required guarantees used when a mortgage loan financed by issuing mortgage bonds is paid to the mortgage borrower before the final registration of the mortgage in the land register, provided that the guarantee is not used as reducing the risk in calculating the risk-weighted exposure amounts.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
410		Article 400(2)(k) 493(3)(k)		Competent Authorities	Competent Authorities	Exemptions or partial exemptions to large exposures limits	Competent authorities may fully or partially exempt assets items constituting claims on and other exposures to recognised exchanges.	N	Due to the fact that a rule based on Article 493 of Regulation (EU) No 575/2013 was issued by the Member State, the competent authority could not issue a regulation based on Article 400. For Article 493 please see Part 2.			
420		Article 412(5)		Member States	Credit Institutions	Liquidity coverage requirement	Member States may maintain or introduce national provisions in the area of liquidity requirements before binding minimum standards for liquidity coverage requirements are specified and fully introduced in the Union in accordance with Article 460.	N				
430		Article 412(5)		Member States or Competent Authorities	Credit Institutions	Liquidity coverage requirement	Member states or competent authorities may require domestically authorised institutions, or a subset of those institutions to maintain a higher liquidity coverage requirement up to 100% until the binding minimum standard is fully introduced at a rate of 100% in accordance with Article 460.	N				
440		Article 413(3)		Member States	Credit Institutions	Stable funding requirement	Member States may maintain or introduce national provisions in the area of stable funding requirements before binding minimum standards for net stable funding requirements are specified and introduced in the Union in accordance with Article 510.	N				
450		Article 415(3)		Competent Authorities	Credit Institutions	Liquidity reporting requirements	Competent authorities may continue to collect information through monitoring tools for the purpose of monitoring compliance with existing national liquidity standards, until the full introduction of binding liquidity requirements.	N				
460		Article 420(2)		Competent Authorities	Credit Institutions	Liquidity outflow rate	The competent authorities may apply an outflow rate up to 5% for trade finance off-balance sheet related products, as referred to in Article 429 and Annex 1.	N				
470		Article 467(2)		Competent Authorities	Credit Institutions and Investment firms	Transitional treatment of unrealised losses measured at fair value	By way of derogation from paragraph 1 of Article 467, the competent authorities may, in cases where such treatment was applied before 1 January 2014, allow institutions not to include in any element of own funds unrealised gains or losses on exposures to central governments classified in the "Available for Sale" category of EU-endorsed IAS 39.	N				
480		Article 467(3) second subparagraph		Competent Authorities	Credit Institutions and Investment firms	Transitional treatment of unrealised losses measured at fair value	Competent authorities shall determine and publish the applicable percentage in the ranges specified in points (a) to (d) of paragraph 2 of Article 467.	Y	Article 2(1) CRR-BV was in effect until 1 January 2018 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 2(1) CRR-BV stated: For the purposes of Article 467(1) of Regulation (EU) No 575/2013 the applicable percentage shall be 100% from 1 January 2014.	No longer in force. For a previous version of the CRR-BV see https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2018-01-01	N	The English version is not available online anymore.
490		Article 468(2)		Competent Authorities	Credit Institutions and Investment firms	Transitional treatment of unrealised gains measured at fair value	Competent authorities may permit institutions to include in the calculation of their Common Equity Tier 1 capital 100% of their unrealised gains at fair value where under Article 467 institutions are required to include their unrealised losses measured at fair value in the calculation of Common Equity Tier 1 capital.	N				
500		Article 468(3)		Competent Authorities	Credit Institutions and Investment firms	Transitional treatment of unrealised gains measured at fair value	Competent authorities shall determine and publish the applicable percentage of unrealised gains in the ranges specified in points (a) to (c) of paragraph 2 of Article 468 that is removed from Common Equity Tier 1 capital.	Y	Article 2(2) CRR-BV was in effect until 1 January 2018 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 2(2) CRR-BV stated: For the purposes of Article 468(1) of Regulation (EU) No 575/2013 the applicable percentage shall be 1. 60% for the 2015 calendar year; 2. 40% for the 2016 calendar year; 3. 20% for the 2017 calendar year.	No longer in force. For a previous version of the CRR-BV see https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2018-01-01	N	The English version is not available online anymore.
510		Article 471(1)		Competent Authorities	Credit Institutions and Investment firms	Exemption from deduction of equity holding in insurance companies from CET1 items	By way of derogation from Article 49(1), during the period from 1 January 2014 to 31 December 2022, competent authorities may permit institutions to not deduct equity holdings in insurance undertakings, reinsurance undertakings and insurance holding companies where the conditions set out in paragraph 1 of Article 471 are met.	N				
520		Article 473(1)		Competent Authorities	Credit Institutions and Investment firms	Introduction of amendments to IAS 19	By way of derogation from Article 481 during the period from 1 January 2014 until 31 December 2018, competent authorities may permit institutions that prepare their accounts in conformity with the international accounting standards adopted in accordance with the procedure laid down in Article 6(2) of Regulation (EC) No 1606/2002 to add to their Common Equity Tier 1 capital the applicable amount in accordance with paragraph 2 or 3 of Article 473, as applicable, multiplied by the factor applied in accordance with paragraph 4 of Article 473.	N				

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	Directive 2013/36/EU	Regulation (EU) No 575/2013	LCR delegated regulation (EU) 2015/61	Addressee	Scope	Denomination	Description of the option or discretion	Exercised (Y/N/NA) ⁽¹⁾	National text ⁽²⁾	Reference(s) ⁽³⁾	Available in EN (Y/N)	Details / Comments
010	Date of the last update of information in this template							19.09.2023				
530		Article 478(3)		Competent Authorities	Credit Institutions and Investment firms	Transitional deductions from Common Equity Tier 1, Additional Tier 1 and Tier 2 items	Competent authorities shall determine and publish an applicable percentage in the ranges specified in paragraphs 1 and 2 of Article 478 for each of the following deductions: (a) the individual deductions required pursuant to points (a) to (h) of Article 36(1), excluding deferred tax assets that rely on future profitability and arise from temporary differences; (b) the aggregate amount of deferred tax assets that rely on future profitability and arise from temporary differences and the items referred to in point (i) of Article 36(1) that is required to be deducted pursuant to Article 48; (c) each deduction required pursuant to points (b) to (d) of Article 56; (d) each deduction required pursuant to points (b) to (d) of Article 66.	N				
540		Article 479(4)		Competent Authorities	Credit Institutions and Investment firms	Transitional recognition in consolidated Common Equity Tier 1 capital of instruments and items that do not qualify as minority interests	Competent authorities shall determine and publish the applicable percentage in the ranges specified in paragraph 3 of Article 479.	Y	Article 17 CRR-BV was in effect until 1 January 2018 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 17 CRR-BV stated: For the purposes of Article 479(2) of Regulation (EU) No 575/2013 the applicable percentage shall be 1. 80% for the 2014 calendar year; 2. 60% for the 2015 calendar year; 3. 40% for the 2016 calendar year; 4. 20% for the 2017 calendar year.	No longer in force. For a previous version of the CRR-BV please see https://www.ris.bka.gv.at/GeleitendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2018-01-01	N	The English version is not available online anymore.
550		Article 480(3)		Competent Authorities	Credit Institutions and Investment firms	Transitional recognition of minority interests and qualifying Additional Tier 1 and Tier 2 capital	Competent authorities shall determine and publish the value of the applicable factor in the ranges specified in paragraph 2 of Article 480.	Y	Article 18 CRR-BV was in effect until 1 January 2018 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 18 CRR-BV stated: For the purposes of Article 480(1) of Regulation (EU) No 575/2013 the applicable factor shall be 1. 0.2 for the 2014 calendar year; 2. 0.4 for the 2015 calendar year; 3. 0.6 for the 2016 calendar year; 4. 0.8 for the 2017 calendar year.	No longer in force. For a previous version of the CRR-BV please see https://www.ris.bka.gv.at/GeleitendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2018-01-01	N	The English version is not available online anymore.
560		Article 481(5)		Competent Authorities	Credit Institutions and Investment firms	Additional transitional filters and deductions	For each filter or deduction referred to in paragraphs 1 and 2 of Article 481, competent authorities shall determine and publish the applicable percentages in the ranges specified in paragraphs 3 and 4 of that Article	Y	Article 19 CRR-BV was in effect until 1 January 2018 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 19 CRR-BV stated: For the purposes of Article 481(1) of Regulation (EU) No 575/2013 the applicable percentage shall be 1. 80% for the 2014 calendar year; 2. 60% for the 2015 calendar year; 3. 40% for the 2016 calendar year; 4. 20% for the 2017 calendar year.	No longer in force. For a previous version of the CRR-BV please see https://www.ris.bka.gv.at/GeleitendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2018-01-01	N	The English version is not available online anymore.
570		Article 486(6)		Competent Authorities	Credit Institutions and Investment firms	Limits for grandfathering of items within Common Equity Tier 1, Additional Tier 1 and Tier 2 items	Competent authorities shall determine and publish the applicable percentages in the ranges specified in paragraph 5 of Article 486.	Y	Article 20 CRR-BV was in effect until 31 December 2021 (on 31 December 2021 the CRR-BV generally expired, instead the CRR-BV 2021 came into force on 1 January 2022). Article 20 CRR-BV stated: For the purposes of Article 486 of Regulation (EU) No 575/2013 the applicable percentage shall be 1. 80% for the 2014 calendar year; 2. 70% for the 2015 calendar year; 3. 60% for the 2016 calendar year; 4. 50% for the 2017 calendar year; 5. 40% for the 2018 calendar year; 6. 30% for the 2019 calendar year; 7. 20% for the 2020 calendar year; 8. 10% for the 2021 calendar year.	No longer in force. For a previous version of the CRR-BV please see https://www.ris.bka.gv.at/GeleitendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008698&FassungVom=2021-12-31	N	The English version is not available online anymore.
580		Article 495(1)		Competent Authorities	Credit Institutions and Investment firms	Transitional treatment of equity exposures under the IRB approach	By way of derogation from Chapter 3 of Part Three, until 31 December 2017, the competent authorities may exempt from the IRB treatment certain categories of equity exposures held by institutions and EU subsidiaries of institutions in that Member State as at 31 December 2007.	Y	Article 103e(11) BWG: Until 31 December 2017, credit institutions or groups of credit institutions which applied the Internal Ratings Based Approach pursuant to Article 22b may calculate the assessment base for credit risk using the Standardised Approach to Credit Risk pursuant to Article 22a for those participating interests which they held on 31 December 2007. The position is to be based on the number of shares held as of 31 December 2007 and any additional share arising directly as a result of owning those participations, as long as they do not increase the proportional share of ownership in a portfolio company. Participating interests are not included in cases where a) the share of ownership in a certain undertaking has increased through the purchase of shares, or b) the shares were held on 31 December 2007, but then sold and repurchased at a later point in time.	Article 103e(11) BWG	Y	English version of the BWG: https://www.fma.gv.at/en/national/supervisory-laws/
590		Article 496(1)		Competent Authorities	Credit Institutions and Investment firms	Transitional provision on the calculation of own fund requirements for exposures in the form of covered bonds	Until 31 December 2017, competent authorities may waive in full or in part the 10 % limit for senior units issued by French Fonds Communs de Créances or by securitisation entities which are equivalent to French Fonds Communs de Créances laid down in points (d) and (f) of Article 129(1), provided that conditions specified in points (a) and (b) of Article 496(1) are fulfilled.	N				
600		Article 10(1)(b)(iii)		Competent Authorities	Credit Institutions	LCR - Liquid assets	The liquidity reserve held by the credit institution in a central bank is recognisable as Level 1 asset provided that it can be withdrawn in times of stress. The purposes under which central bank reserves may be withdrawn for the purposes of this Article must be specified in an agreement between the CA and the ECB or the central bank.	N				
610		Article 10(2)		Competent Authorities	Credit Institutions	LCR - Liquid assets	The market value of extremely high quality covered bonds referred to in paragraph 1(f) shall be subject to a haircut of at least 7 %. Except as specified in relation to shares and units in CIUs in points (a) and (b) of Article 15(2), no haircut shall be required on the value of the remaining level 1 assets. Those cases where the higher haircuts were set to an entire asset class (all assets subject to a specific and differentiated haircut in the LCR Delegated Regulation) (e.g. to all level 1 covered bonds, etc.).	N/A				
620		Article 12(1)(c)(i)		Competent Authorities	Credit Institutions	LCR - Level 2B assets	Shares may constitute level 2B assets provided that they form part of a major stock index in a MS or in a third country, as identified as such by the CA of a MS or the relevant public authority in a third country.	N				
630		Article 12(3)		Competent Authorities	Credit Institutions	LCR - Level 2B assets	For credit institutions which in accordance with their statutes of incorporation are unable for reasons of religious observance to hold interest bearing assets, the competent authority may allow to derogate from points (ii) and (iii) of paragraph 1(b) of this Article, provided there is evidence of insufficient availability of non-interest bearing assets meeting these requirements and the non-interest bearing assets in question are adequately liquid in private markets.	N				
640		Article 24(6)		Competent Authorities	Credit Institutions	LCR - Outflows from stable deposits in a third country qualifying for the 3% rate	Credit institutions may be authorised by their competent authority to multiply by 3% the amount of the retail deposits covered by a deposit guarantee scheme in a third country equivalent to the scheme referred to in paragraph 1 if the third country allows this treatment.	N				

(1) 'Y' (Yes) indicates that the competent authority or Member State empowered to exercise the relevant option or discretion has exercised it.
'N' (No) indicates that the competent authority or Member State empowered to exercise the relevant option or discretion has not exercised it.
'NA' (Not applicable) indicates that the exercise of the option is not possible or the discretion does not exist.

(2) The text of the provision in the national legislation.

(3) Reference in the national legislation and hyperlink(s) to the website containing the national text transposing the Union provision in question.