

# 2020 Contributions to the administrative expenditures of the SRB

## Frequently asked questions (FAQs)

### Introduction

On 8 January 2018, Commission Delegated Regulation (EU) No 2017/2361 of 14 September 2017 on the final system of contributions to the administrative expenditures of the Single Resolution Board (“DR”) came into force. The final system replaces the transitional system that had been in place since the Board started its operations in November 2014.

### Key deadlines

<b>SRB has sent information letter to all entities</b>	20 January 2020
<b>Deadline for entities to confirm contact details and invoicing preferences</b>	31 January 2020
<b>Issuance of Contribution Notices</b>	20 February 2020
<b>Payment deadline</b>	35 days after issuance of the Contribution Notice

### Questions related to:

#### A. Scope and process

##### ***1. Who has to contribute?***

All credit institutions established in the Banking Union need to contribute to the administrative expenditures of the Single Resolution Board (“SRB”). The same holds true for all parent undertakings (incl. financial holding and mixed financial holding companies), investment firms and financial institutions that are covered by the consolidated supervision of the European Central Bank (“ECB”).

Please be aware that although the scope of the SRBs administrative contributions overlaps with that of the ECBs supervisory fees, there are differences between the two. The main difference being that branches established in a participating country by a parent bank based in a non-participating country are not in scope of the SRBs administrative contributions.

##### ***2. Do entities contribute at solo or group level?***

The annual contributions due by entities that are members of the same banking group are calculated and collected at the group level (as a single contribution).

### ***3. What is a contribution debtor?***

The 'contribution debtor' in the context of the SRB's administrative contributions is the entity that is identified as 'fee debtor' for the purpose of the ECB's supervisory fees. In case of a banking group, it is the member of the group that is nominated by the group to act on its behalf as the 'fee debtor'.

### ***4. What is expected of the contribution debtor?***

The contribution debtor is the contact point towards the SRB for all communication related to annual administrative contributions. It is also legally responsible for the payment of the contribution amount.

### ***5. Can we change our contribution debtor?***

Yes, but only by nominating another fee debtor for the purpose of the ECB's supervisory fees (<https://www.bankingsupervision.europa.eu/organisation/fees/html/index.en.html>). The legislation dictates that the contribution debtor has to be the same entity as the fee debtor.

### ***6. Why did we need to review/confirm our contact details (SRB letter sent in January)?***

To ensure that Contribution Notices and related communications are properly addressed, the SRB request all entities to confirm their contact details and invoicing preferences from the previous contributions cycle (or that it received from the ECB in case institutions are new in scope).

### ***7. Can we change our contact details and invoicing preferences after confirming them?***

Yes. You can do so by sending an email to [SRB-ADMIN-CONTRIBUTIONS@srb.europa.eu](mailto:SRB-ADMIN-CONTRIBUTIONS@srb.europa.eu). For operational reasons, however, with respect to the 2020 contribution cycle the SRB cannot take into account changes in the invoicing preferences of entities after the deadline end of January. Those will then be taken into account for 2021 onwards.

### ***8. How often do we need to pay administrative contributions?***

Annually. The SRB will raise administrative contributions once a year. In exceptional circumstances when the administrative budget of the SRB is amended, the increased amount may be raised additionally during the same year.

### ***9. Are administrative contributions the same as ex-ante contributions?***

No. The two contributions serve different purposes. Administrative contributions are raised to finance the administrative expenditures of the SRB, similar to the supervisory fees that the ECB levies to cover the expenditures incurred in relation to its supervisory tasks. Ex-ante contributions are raised for the Single Resolution Fund, which, where necessary, may be used to ensure the efficient application of resolution tools and the exercise of the resolution powers conferred to the SRB by the SRM Regulation.

### ***10. Will the amendments of the ECB Regulation on supervisory fees have an impact on the administrative contributions process of the SRB?***

Yes. The calculation of administrative contribution is based on the methodology and the data used for the calculation of the supervisory fees. It is therefore possible that amendments to the ECB Regulation will have effects on the administrative contributions process. In particular, different articles of the DR, such as Article 5 on the calculation methodology (please refer to questions #15 and #16), make direct

reference to the ECB Regulation. The entry into force of any changes to these articles will thus affect the administrative contributions process.

## **B. Calculation and data submission**

### ***11. Which contributions are calculated in 2020?***

In 2020, the SRB calculates the contribution amounts for the current financial year. Additionally, it (re)calculates the previously invoiced contributions of institutions that changed scope, status or other data in the past year(s) and for which those changes were reported by the ECB in the current contribution cycle. Lastly, the SRB determines the part of outstanding settlements of the individual administrative contributions due under the provisional period and postponed in the previous cycle.

### ***12. Did we need to submit financial data to the SRB for the calculations performed in 2020?***

No. The SRB does not collect data directly from entities. It uses information provided by entities to the ECB for the purpose of the calculation of ECB's supervisory fees.

### ***13. What are the reference dates of the fee factors used in the SRB's calculations?***

The DR establishes the following reference dates for the (re)calculations performed in 2020:

<b>Financial year</b>	<b>Reference date*</b>
<b>2018</b>	31 December 2016
<b>2019</b>	31 December 2017
<b>2020</b>	31 December 2018

\* From 2018 onwards, the SRB calculates on the basis of data collected by the ECB during the previous financial year (t-2) (Ref. Art. 6(1) DR).

### ***14. What is the total annual amount to be raised?***

In order to establish the total amount to be raised in 2020, the SRB will take into consideration:

- The budget adopted by the Board for that financial year;
- Any subsequent amendments thereof;
- The result of the budget of the latest financial year for which the final accounts have been published;
- The aggregate result of the adjustments made to the contributions of institutions that changed scope, status or other data in the past year(s) and for which those changes were reported by the ECB in the current contribution cycle.

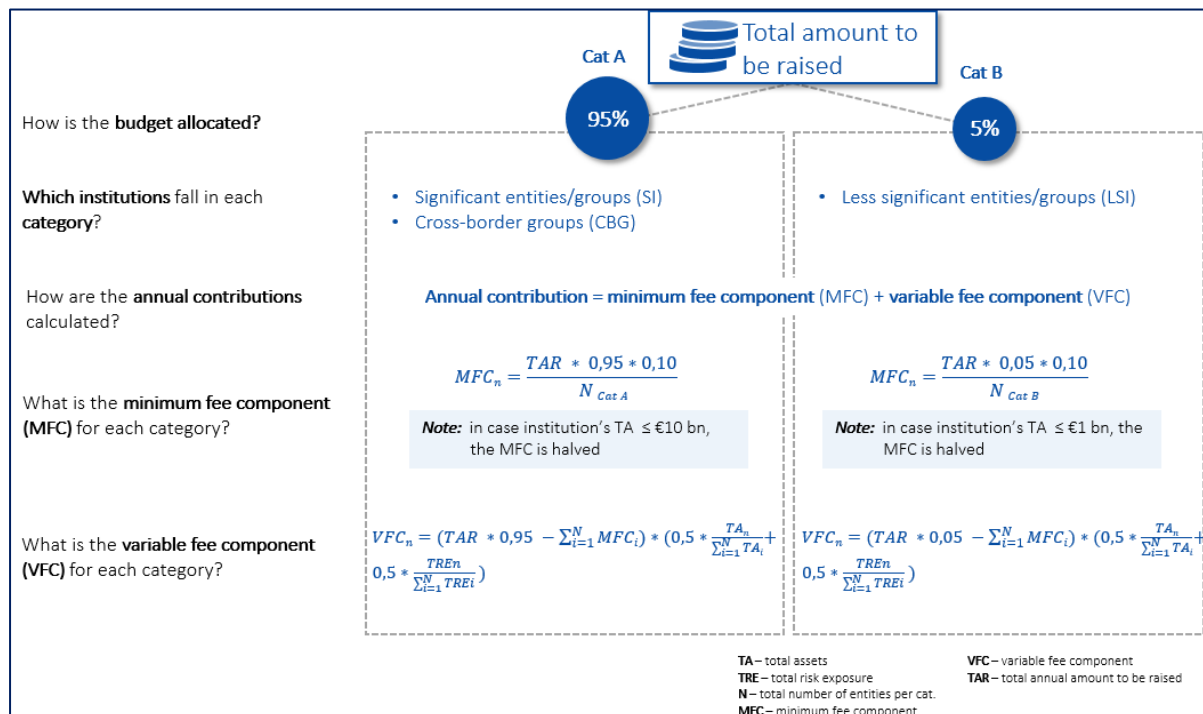
These considerations have led to the following amount to be raised for the financial year 2020: **EUR 69,095,307.30**. *The decision on the 2020 SRB budget as well as the financial results of the 2018 accounts can be found on the SRB website.*

### ***15. How are the SRB's administrative contributions calculated?***

Entities are required to contribute to the SRB's administrative expenditures in proportion to the resource requirements that they place on the Board, as approximated by observable data (on the size and risk of their activities). Before contributions are individually allocated to entities, they are split between entities under direct responsibility of the Board (Category A) and entities under the

responsibility of national resolution authorities (Category B), with fixed shares of 95% and 5%, respectively.

As illustrated below, the final contribution of each entity consists of a **Minimum Fee Component (MFC)** and a **Variable Fee Component (VFC)**.



Source: SRB.

The contributions are calculated on a **monthly** basis and generally collected at the beginning of each year. Following the changes to the ECB Regulatory Framework<sup>1</sup>, please note that from the 2020 contributions cycle onwards, for entities and groups in Category B with total assets of EUR 1 billion or less, the minimum fee component is halved.

### 16. Can we estimate the amount that is invoiced in 2020?

Yes. In line with the ECB and the approach followed by the SRB in the previous cycle, the SRB publishes yearly averages of the aggregated amounts. With this information, entities can fully determine the calculated contributions for the financial years 2018, 2019 and 2020.

In order to estimate the contribution invoiced in 2020, your entity shall perform the following steps:

#### Step 1: Determine the contribution calculated for 2020

A) In order to recalculate the Minimum Fee Component (MFC), you need the following:

- The total amount of annual contributions to be raised (TAR, see Annex A “Calculation details” to the Contribution Notice);

<sup>1</sup> Regulation (EU) No 1163/2014 of the European Central Bank of 22 October 2014 on supervisory fees (ECB/2014/41), OJ L 311, 31.10.2014, p. 23, as amended by Regulation (EU) No 2019/2155 of the European Central Bank of 5 December 2019 amending Regulation (EU) No 1163/2014 on supervisory fees (ECB/2019/37), OJ L 327, 17.12.2019, p. 70–74.

- The category to which your entity belongs (see Annex A “Calculation details” to the Contribution Notice);
- The average number of contribution debtors in the category your entity belongs to ( $N_{\text{Cat A}}/ N_{\text{Cat B}}$ , see “2020 Statistical information for estimation of contributions” on the [SRB website](#));
- The total assets (TA) of your entity: if you are part of Category A and your TA are smaller or equal to € 10bn, the MFC is halved. If you are part of Category B and your TA are smaller or equal to € 1bn, the MFC is halved<sup>2</sup> (see Annex A “Calculation details” to the Contribution Notice).

B) In order to estimate the Variable Fee Component (VFC), you need the following:

- The total amount of annual contributions to be raised (TAR, see Annex A “Calculation details” to the Contribution Notice);
- The category to which your entity belongs (see Annex A “Calculation details” to the Contribution Notice);
- The sum of MFCs of all entities in the category your entity belongs to;
- Your entity’s TA and total risk exposure (TRE) (see Annex A “Calculation details” to the Contribution Notice);
- The aggregate average TA and TRE of the entities in the category your entity belongs to (see “2020 Statistical information for estimation of contributions” on [SRB website](#)).

## **Step 2: Estimate the recalculated contribution(s) for 2018/2019**<sup>3</sup>

- A) If your entity went out of the scope during the year 2018 or 2019: The entity (or its legal successor in scope) will be refunded with a part of the contributions paid for those respective years, proportionally to the number of months it was out of scope in those years (i.e.: if your entity lost its licence on 15 November 2019 and in 2019 it was initially requested to pay a full year of contributions (EUR 120 (EUR 10/months for 12 months)) it, or its legal successor in scope, will be refunded for two months (EUR 20) in 2020).
- B) If your entity changed status during the year 2018 or 2019: The contributions will be recalculated based on the statistical information of those respective years (as published on the [SRB website](#)) and the methodology outlined above.<sup>4</sup> The difference between the recalculated contribution and the contribution initially invoiced will be refunded/requested to the entity.

<sup>2</sup> Following the changes to the ECB Regulatory Framework: Regulation (EU) No 1163/2014 of the European Central Bank of 22 October 2014 on supervisory fees (ECB/2014/41), OJ L 311, 31.10.2014, p. 23, as amended by Regulation (EU) No 2019/2155 of the European Central Bank of 5 December 2019 amending Regulation (EU) No 1163/2014 on supervisory fees (ECB/2019/37), OJ L 327, 17.12.2019, p. 70–74.

<sup>3</sup> Please note that the minimum fee component for entities and groups in Category B with total assets of EUR 1 billion or less is not halved for the recalculations of the contributions for the years before 2020.

<sup>4</sup> In accordance with Article 7(4) of the DR, when recalculating the contribution of an individual entity or group, only the changes concerning that individual entity or group are considered.

Supposing, your entity was requested to pay in the previous contributions cycle as part of Category A for 12 months. Based on the updated ECB data, it appears that your entity's status changed from Category A to Category B on 15 November 2019. The contribution will be recalculated as follows:

- The contribution of the 10 first months of 2019 will not change (entity remains Category A);
  - The contribution of the 2 last months of 2019 will be recalculated considering your entity as part of Category B and updating the following parameters: (i)  $N_{\text{Cat B}} = N_{\text{Cat B}} + 1$ ; (ii)  $TA_{\text{Cat B}} = TA_{\text{Cat B - used in 2019}} + TA_{\text{your entity}}$ ; (iii)  $TRE_{\text{Cat B}} = TRE_{\text{Cat B - used in 2019}} + TRE_{\text{your entity}}$ .
  - The difference between the initially invoiced contribution (12 months as Category A) and the recalculated contribution (10 months as Category A and 2 months as Category B) will be refunded to the entity.
- C) If your entity entered the scope during the year 2018 or 2019: The contributions will be calculated based on the statistical information of those respective years (as published on the [SRB website](#)) and the methodology outlined above for the number of full months after which your entity entered the scope.<sup>5</sup> The entity will be requested to pay for those months retrospectively.

Supposing, your entity entered the scope on 15 June 2019 as Category B. The contribution will be calculated as follows:

- A contribution for the last 6 months of 2019 will be calculated considering your entity as part of Category B and updating the following parameters: (i)  $N_{\text{Cat B}} = N_{\text{Cat B}} + 1$ ; (ii)  $TA_{\text{Cat B}} = TA_{\text{Cat B - used in 2019}} + TA_{\text{your entity}}$ ; (iii)  $TRE_{\text{Cat B}} = TRE_{\text{Cat B - used in 2019}} + TRE_{\text{your entity}}$ .

**Step 3:** Determine the amount of settlements from the Provisional Period postponed in 2019 and settled in 2020, you need the following:

- A) The amount of outstanding settlements postponed in 2019 to the following financial year(s) from your entity and all the entities you merged with or acquired (see Annex A "Overview of calculation results" to the Contribution Notice).
- B) Take into consideration the 'cap' foreseen in Article 10(7) of DR on the settlements of the amounts overpaid/underpaid during the provisional period:
  - If your entity still owes an amount from the Provisional Period: The payment requested in 2020 is capped to twice the value of the 2020 calculated contributions, so that it is equal to the minimum between: (i) two times the contribution calculated for the year 2020 and (ii) the sum of the contribution calculated for the year 2020 and the total amount of outstanding settlements postponed in 2019.
  - If an amount from the Provisional Period is still owned to your entity: a discount is applied to the 2020 contribution, so that the payment requested in 2020 is equal to the maximum between 0 and the difference between the contribution calculated for the year 2020 and

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<sup>5</sup> In accordance with Article 7(4) of the DR, when calculating the contribution of a new entity or group, only the impact of that individual entity or group is considered.

ca. 73,41% of the outstanding settlement postponed in 2019. This limitation on the Provisional Period settlement follows from the application of Article 10(7) of the DR and the obligation of the SRB to balance the budget and to follow the general principles of sound financial management.

Any amount that could not be settled in 2020 will be settled in the subsequent financial year(s). The outstanding settlements postponed to the next financial year(s) are shown in Annex A "Overview of calculation results" of the Contribution Notice.

⇒ The final amount of **contribution invoiced in 2020** can be estimated by adding the amounts calculated in step 1, step 2 and step 3.

### **17. Will a change in my entity's situation affect my annual contribution?**

Yes. Depending on the type of change reported by the institution to the ECB, the annual contribution to the SRB's administrative expenditures can be affected:

- A **newly authorised** institution, established in the Banking Union and not forming part of an existing supervised group, must pay the annual administrative contribution.

The amount is calculated on the basis of the number of full months for which the entity has been supervised in the contribution period. This means that a newly authorised entity must pay the contribution covering the period from the first full month following the date of its authorisation. Where applicable, the payment of such amount will be requested in the following round of collection of contributions, together with the contributions pertaining to the following financial year.

- An institution whose **authorisation is withdrawn** or a supervised group that is supervised for only part of the contribution period must pay administrative contributions covering the number of full months for the period to the date on which its authorisation ceases. If it has already paid the contribution for the relevant contribution period, the SRB will make a refund in the following contribution period when updated data is provided to the SRB by the ECB.
- A **change in status between significant (category A) and less significant (category B)**, including due to a merger or acquisition, will mean a change in the amount of the annual administrative contribution. Entities will be classified in the respective categories on the basis of the number of months for which the entity falls under the respective category at the last day of the month.

Any event leading to a change from supervised group to standalone entity, or vice versa, may have further consequences to the determination of the annual contribution.

Independently of the change, it is important to note that any **change occurring after the date on which the data was transmitted by the ECB to the SRB**, will be taken into account and settled in the subsequent administrative contribution collection cycles in accordance with the DR.

## **C. Payment of administrative contributions**

### ***18. How can administrative contributions be paid?***

The SRB can only accept payments done via SEPA credit transfer to the SRB's bank account in accordance with the terms specified in the Contribution Notice. SEPA Direct debit and TARGET 2 payment options are not possible.

### ***19. How much time do we have to make the payment after we received the Contribution Notice?***

Entities are required to pay the contribution amount within 35 days after the Contribution Notice has been issued by the SRB. The contribution will be considered paid once the full amount has been credited to the SRB's bank account (day of payment).

### ***20. What happens if we do not pay on time?***

If the SRB's account is not credited by the full payment of the contribution by the deadline, the SRB is entitled to accrue interest on a daily basis on the unpaid amount of the administrative contributions. Interest is accrued at the rate applied by the ECB to its main refinancing operations that is in force on the first calendar day of the month in which the payment deadline falls, plus 8 percentage points per annum. Interest will be calculated from the first day after the date on which the payment was due. Payments of the annual contributions due and any interest for late payment are enforceable by the SRB in all Member States participating in the Banking Union.

### ***21. Does the SRB have a VAT number?***

No. The SRB, as an EU agency, is not a taxable person under Article 9 of Directive 2006/112/EC. Consequently, it does not have a VAT number and the administrative contributions are exempted of any tax.

### ***22. What if I cannot find an answer to my question here?***

Please send your question to [SRB-Admin-Contributions@srb.europa.eu](mailto:SRB-Admin-Contributions@srb.europa.eu) or contact our helpdesk: +32 2 490 3444.