

Luxembourg, le 7 avril 2015

Aux établissements de crédit et aux succursales luxembourgeoises d'établissements de crédit ayant leur siège social dans un pays tiers

CIRCULAIRE CSSF 15/610

Concerne: Recensement *ad hoc* dans le contexte de la directive 2014/59/UE¹ (« Banking Recovery and Resolution Directive », en abrégé « BRRD »)

Mesdames, Messieurs,

1. La présente circulaire a pour objet de solliciter des informations des établissements de crédit, ainsi que des succursales luxembourgeoises d'établissements de crédit ayant leur siège social dans un pays tiers, en vue de préparer les travaux de la CSSF en tant que future autorité de résolution dans le cadre de la BRRD, aux fins :
 - de l'établissement des plans de résolution selon les articles 10 et 12 de la BRRD;
 - du calcul de l'exigence minimale de fonds propres et d'engagements éligibles (« MREL ») selon l'article 45 de la BRRD.

Il importe de signaler que des demandes de fourniture d'informations seront faits de manière régulière à l'avenir, alors que les plans de résolution devront faire l'objet de mises à jour régulières.

2. Concrètement, la circulaire porte sur les deux points suivants, qui seront expliqués dans la suite :
 - a) Informations à fournir aux fins de l'établissement des plans de résolution ;
 - b) Informations relatives aux engagements éligibles pour le calcul de l'exigence minimale de fonds propres et d'engagements éligibles (« MREL »).

¹ Directive 2014/59/UE du Parlement européen et du Conseil du 15 mai 2014 établissant un cadre pour le redressement et la résolution des établissements de crédit et des entreprises d'investissement et modifiant la directive 82/891/CEE du Conseil ainsi que les directives du Parlement européen et du Conseil 2001/24/CE, 2002/47/CE, 2004/25/CE, 2005/56/CE, 2007/36/CE, 2011/35/UE, 2012/30/UE et 2013/36/UE et les règlements du Parlement européen et du Conseil (UE) n° 1093/2010 et (UE) n° 648/2012 («BRRD») (<http://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32014L0059&from=EN>)

3. Les précisions qui suivent sont à lire ensemble avec les dispositions de la BRRD. Les instructions reprises sont sans préjudice de la transposition en droit luxembourgeois de la BRRD, ainsi que de la législation secondaire ou des orientations de l’Autorité bancaire européenne (« EBA ») y relatives.
4. Les articles 10 et 12 de la BRRD exigent que les autorités de résolution établissent des plans de résolution, respectivement des plans de résolution de groupe, définissant les mesures de résolution potentielles. Les plans de résolution sont à établir sur la base des informations à fournir en vertu de l’article 11 de la BRRD. Ledit article 11 prévoit l’élaboration par EBA d’un projet de normes techniques d’exécution spécifiant des formulaires et modèles normalisés. Ce projet fait actuellement l’objet d’une consultation publique jusqu’au 14 avril 2015.² La CSSF a décidé de procéder d’ores et déjà à un recensement sur base de ce projet, alors qu’elle ne s’attend pas à des changements majeurs après la consultation. A cette fin, les établissements de crédit, ainsi que les succursales d’établissements de crédit ayant leur siège social dans un pays tiers, sont priés de remplir les tableaux suivants repris aux annexes I à XII, sur base de la situation et des chiffres disponibles au 31 décembre 2014 :
 - I) Organisational structure ;
 - II) Governance and management ;
 - III) Critical functions and core business lines ;
 - IV) Critical counterparties ;
 - V) Liabilities structure ;
 - VI) Funding sources ;
 - VII) Off-balance sheet ;
 - VIII) Payment systems ;
 - IX) Information systems ;
 - X) Interconnectedness ;
 - XI) Authorities ;
 - XII) Legal impacts of resolution.

Les définitions et explications nécessaires pour remplir correctement les tableaux sont fournies à l’annexe XIII dans le document intitulé « Instructions to fill in Annexes I to XII ».

5. L’article 45 (1) de la BRRD prévoit que les établissements de crédit doivent respecter en permanence une exigence minimale de fonds propres et d’engagements éligibles (« Minimum requirement for own funds and eligible liabilities, MREL »). Le MREL est calculé comme étant le montant de fonds propres et d’engagements éligibles (« eligible liabilities ») exprimé en pourcentage du total des passifs et des fonds propres de l’établissement. Selon l’article 2(1)(71) de la BRRD, les engagements éligibles sont les engagements ou éléments de passif et les instruments de capital qui ne sont pas des instruments de fonds propres de base de catégorie 1, des instruments de fonds propres additionnels de catégorie 1 ou de catégorie 2 d’un établissement ou

² <http://www.eba.europa.eu/regulation-and-policy/recovery-and-resolution/implementing-technical-standards-on-procedures-forms-and-templates-for-resolution-planning>

d'une entité visé à l'article 1^{er}, paragraphe 1, point b), c) ou d), qui ne sont pas exclus du champ d'application de l'instrument de renflouement interne (« bail-in tool ») en vertu de l'article 44(2) de la BRRD.

6. L'article 44(2) énumère toutes les exclusions. Elles concernent, entre autres, les dépôts couverts par le mécanisme de garantie des dépôts, les engagements garantis (y compris les « covered bonds »), les engagements envers des établissements (hors intra-groupe) à échéance initiale inférieure à 7 jours, les créances des administrations fiscales et de sécurité sociale, ou encore certains engagements résultant de la détention d'actifs ou de liquidités de clients³. Le tableau V « Liabilities structure » en annexe (à remplir selon le point 4 ci-dessus) est censé reprendre, pour chaque catégorie de contrepartie, les engagements éligibles.
7. Aux fins du calcul du MREL, les engagements éligibles ne pourront cependant pas tous être pris en compte. En effet, l'article 45 (4) de la BRRD précise que les engagements éligibles sont inclus dans le montant de fonds propres et d'engagements éligibles (= numérateur du ratio) uniquement s'ils remplissent les conditions suivantes :

³Sont exclus en vertu de l'article 44 (2):

- a) les dépôts couverts;
- b) les engagements garantis y compris les obligations garanties et les engagements sous forme d'instruments financiers utilisés à des fins de couverture, qui font partie intégrante du panier de couverture et qui, conformément au droit national, offre une garantie similaire à celle des obligations garanties;
- c) tout engagement qui résulte de la détention d'actifs ou de liquidités de clients, y compris les actifs ou les liquidités de clients déposés par un OPCVM au sens de l'article 1^{er}, paragraphe 2, de la directive 2009/65/CE ou un FIA au sens de l'article 4, paragraphe 1, point a), de la directive 2011/61/UE du Parlement européen et du Conseil (1), à condition que ledit client soit protégé par le droit applicable en matière d'insolvabilité;
- d) tout engagement qui résulte d'une relation de fiducie entre l'établissement (en tant que fiduciaire) et une autre personne (en tant que bénéficiaire), à condition que ledit client ou bénéficiaire soit protégé en vertu du droit applicable en matière d'insolvabilité ou en matière civile;
- e) les engagements envers des établissements, à l'exclusion des entités faisant partie du même groupe, qui ont une échéance initiale de moins de sept jours;
- f) les engagements qui ont une échéance résiduelle de moins de sept jours, envers les systèmes ou les exploitants de systèmes désignés conformément à la directive 98/26/CE ou leurs participants et résultant de la participation dans un tel système;
- g) tout engagement envers l'une des personnes suivantes: un salarié en relation avec des salaires, allocations de retraite ou toute autre rémunération fixe échus, à l'exception de la composante variable de la rémunération qui n'est pas réglementée par une convention collective (ce point ne s'appliquant pas à la composante variable de la rémunération des preneurs de risques significatifs tels que définis à l'article 92, paragraphe 2, de la directive 2013/36/UE.); un créancier commercial, en relation avec la fourniture de biens ou de services qui sont indispensables pour les activités quotidiennes de l'établissement (comme des services informatiques, des services d'utilité publique ainsi que la location, l'entretien et la maintenance de locaux); des autorités fiscales et de sécurité sociale, à condition que ces engagements soient considérés comme des créances privilégiées par le droit applicable; les systèmes nationaux de garantie des dépôts résultant des contributions dues conformément à la directive 2014/49/UE.

- a) l'instrument est émis et entièrement libéré ;
- b) il ne s'agit pas d'un engagement envers l'établissement lui-même ou garanti par celui-ci;
- c) l'achat de l'instrument n'est financé ni directement ni indirectement par l'établissement;
- d) l'engagement a une échéance résiduelle d'au moins un an;
- e) l'engagement ne résulte pas d'un produit dérivé;
- f) l'engagement ne résulte pas d'un dépôt bénéficiant d'une préférence dans la hiérarchie nationale en matière d'insolvabilité conformément à l'article 108 de la BRRD.

Aux fins du point d), lorsqu'un engagement donne à son détenteur le droit à un remboursement anticipé, l'échéance de cet engagement est la première date à laquelle naît ce droit.

En outre, selon l'article 45 (5) de la BRRD, lorsqu'un engagement est régi par la législation d'un pays tiers, les autorités de résolution peuvent exiger que l'établissement démontre que toute décision de dépréciation ou de conversion de cet engagement prise par une autorité de résolution serait effective en vertu du droit de ce pays tiers, compte tenu des termes du contrat régissant l'engagement, des accords internationaux en matière de reconnaissance des procédures de résolution et d'autres questions pertinentes. Si l'autorité de résolution ne conclut pas qu'une quelconque décision serait effective en vertu du droit de ce pays tiers, l'engagement n'est pas comptabilisé dans l'exigence minimale de fonds propres et d'engagements éligibles.

Nous vous prions par conséquent de nous fournir un recensement de tous vos engagements éligibles qui remplissent les conditions reprises aux points a) à f) ci-dessus, en différenciant selon leur échéance résiduelle et en indiquant s'ils sont régis par la législation d'un pays tiers, et le cas échéant, de quel pays il s'agit, en remplissant le tableau repris à l'annexe XIV, sur base de la situation et des chiffres disponibles au 31 décembre 2014. Nous vous prions de remplir un tableau pour les engagements régis par la législation de pays membres de l'Union européenne, et un tableau par pays tiers pour les engagements régis par la législation d'un pays tiers.

9. Les tableaux à fournir aux fins de la collecte d'informations pour l'établissement des plans de résolution et pour le calcul du MREL, ainsi que les instructions relatives au premier ensemble de tableaux sont repris en annexe. Les tableaux sont disponibles sous format électronique sur notre site Internet à l'adresse <http://www.cssf.lu/fileadmin/files/ESPREP-Xxxxx-yyyy-mm-BRR.xls>. Le nom du fichier devra respecter la *file naming* convention pour les enquêtes spécifiques, telle que définie dans la circulaire CSSF 08/344, donnant la dénomination suivante pour le recensement sous rubrique: ESPREP-Xxxxx-2014-12-BRR.xls

- « yyyy-mm » correspond à la période à laquelle les données se rapportent,
- la lettre « X » est à remplacer par un « B », et

- « xxxx » correspond au numéro signalétique de votre établissement auprès de la CSSF.

Exemple : ESPREP-B0999-2014-12-BRR.xls

Une fois rempli, le fichier est à envoyer par l'un des canaux sécurisés E-File ou SOFiE.

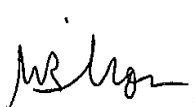
Le fichier en question devra obligatoirement revêtir un format « .xls » ou « .xlsx ». Aucun autre format (p.ex. « .doc », « .pdf »,...) ne sera pris en considération. Les informations requises sont à transmettre à la CSSF pour le **30 mai 2015** au plus tard.

Vu l'importance de ce recensement pour les travaux de la CSSF en matière de résolution, il est primordial qu'un membre de la direction de l'établissement avalise les fichiers avant envoi.

Pour toute question relative à la présente circulaire, veuillez vous adresser à Mme Joëlle Martiny (e-mail : joelle.martiny@cssf.lu).

Veuillez recevoir, Mesdames, Messieurs, l'assurance de nos sentiments distingués.

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER



Andrée BILLON
Directeur



Simone DELCOURT
Directeur



Jean GUILL
Directeur général

Annexes.

Annex I - Organisational structure

Legal Entity		Direct Holder		Capital	Voting rights	Consolidating entity	
Entity name	Legal identifier	Entity name	Legal identifier			Entity name	Legal identifier
010	020	030	040	050	060	070	080
<i>Holding company X</i>	<i>110</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>
<i>Bank A (Parent)</i>	<i>111</i>	<i>Holding company X</i>	<i>110</i>	<i>100%</i>	<i>100%</i>	<i>Bank A</i>	<i>111</i>
<i>Bank B (Subsidiary)</i>	<i>112</i>	<i>Bank A</i>	<i>111</i>	<i>80%</i>	<i>60%</i>	<i>Bank A</i>	<i>111</i>
<i>Bank U</i>	<i>156</i>	<i>Bank B</i>	<i>112</i>	<i>100%</i>	<i>100%</i>	<i>Bank A</i>	<i>111</i>

Annex II - Governance and management

Legal Entity		Location	Jurisdiction of incorporation	Licensing Authority	Type of Licence	Member of the management body responsible for providing the information for the resolution plan			Key manager			
Entity name	Legal identifier					Name	Phone number	e-mail address	Name	Function	Phone number	e-mail address
010	020	030	040	050	060	070	080	090	100	110	120	130
Bank A	111	London	GB	BoE	Deposit taking	David Jones	4444444	djones@banka.com				
Bank B	112	Paris	FR	ACP	Deposit taking, asset management	Paul Durand	33333333	pdurand@bankb.com				

Annex III - Critical functions and core business lines

Critical functions 010	Core business line 020	Legal entity		Location 050	Material assets 060	Material liabilities 070	Senior management official responsible for providing information		
		Entity name 030	Legal identifier 040				Name 080	Telephone number 090	e-mail address 100
Deposit taking Asset management		Bank A Bank B	111 112	London Paris	1 billion assets under management	5 billion deposits			

Annex IV, Section 1 - Critical Counterparties (Assets)

Legal Entity		Counterparty		Gross Exposure	Guarantees	Impairment & provisions	Net Exposure	Impact on CET1	Comments
Entity name	Legal Identifier	Entity name	Legal Identifier						
010	020	030	040	050	060	070	080	090	100
Bank A		111 UK government	789	200,000	0	0	200,000	200 bp	
Bank B		112 Bank W	444	1,000,000	500,000	200,000	300,000	300 bp	
Bank A		111 Corporate U	650	500,000	0	400,000	100,000	100 bp	

Annex IV, Section 2 - Critical Counterparties (Liabilities)

Legal Entity		Counterparty		Funding		Comments
Entity name	Legal Identifier	Entity name	Legal Identifier	Type	Amount	
010	020	030	040	050	060	

Annex VI - Funding sources

Legal Entity		Issuer of collateral		Type of collateral	Identification number	Holder of collateral		Amount	Currency	Jurisdiction
Name	LEI	Name	LEI			Name	LEI			
010	020	030	040	050	060	070	080	090	100	110
<i>Bank A</i>		<i>111 US government</i>		<i>278 US gov bonds</i>		<i>Bank L</i>	<i>487</i>	<i>1000</i>	<i>USD</i>	<i>US</i>
<i>Bank A</i>		<i>111 Bank A</i>		<i>997 Mortgages</i>		<i>BoE</i>	<i>997</i>	<i>1000</i>	<i>GBP</i>	<i>GB</i>

Annex VII - Off-balance sheet

Legal Entity		Off balance sheet item	Counterparty		Amount	Currency	Critical operations	Core business lines	Comments
Entity name	Legal Identifier		Entity name	Legal identifier					
010	020	030	040	050	060	070	080	090	100
Bank A		111 credit line	Bank C	113	10 000 000	GBP			agreement expiring end 2015
Bank A		111 credit line	Bank D	114	-5,000,000	EUR			agreement expiring end 2015

Annex VIII , Section 1- Payment system (Membership)

Legal entity		System				Representative Institution		Mapping to Critical function	Mapping to Core Business line	Membership requirements	Impact of resolution proceedings on membership	Substitutability	Additional information
Entity name 010	Legal identifier 020	System type 030	Designation 040	Participation mode 050	Identification code 060	Entity name 070	Identification code 080	090	100	110	120	130	140
<i>Bank A</i>	<i>111</i>	<i>Central securities depository</i>	<i>Clearstream</i>	<i>indirect</i>		<i>Bank W</i>			<i>Securities trading</i>		<i>Membership cancelled</i>	<i>Euroclear</i>	
<i>Bank B</i>	<i>112</i>	<i>Payment system</i>	<i>TARGET</i>	<i>direct</i>				<i>Payment</i>					

Annex VIII, Section 2 - Payment systems (Correspondent banking)

Legal entity		Correspondent identification		Account access	Payment system	Currency	Users with authorization to operate the account	Outcome of the contract in case of resolution	Comments
Entity name	Legal identifier	Entity name	Legal identifier						
010	020	030	040	050	060	070	080	090	100
<i>Bank B</i>	<i>112</i>	<i>Bank X</i>	<i>849</i>	<i>SWIFT</i>	<i>Fedwire</i>	<i>USD</i>	<i>John Smith</i>	<i>maintained</i>	<i>Operations above xxx€ must be authorized by another user.</i>

Annex IX, Section 1 - Information systems (General information)

System		Owner		Business Responsible			Operational Responsible		
Identification	Type	Entity name	Legal identifier	Name	Email	Telephone	Name	Email	Telephone
010	020	030	040	050	060	070	080	090	100
System A	other	Bank A	111						
System B	risk management	Bank A	111						
System C	accounting	Bank A	111						

Annex IX, Section 2 - Information systems (Contractual information)

System	Type of contract	Counterparty		Description	Outcome of the contract in case of resolution
		Entity name	Legal identifier		
010	020	030	040	050	060
System A	License	Entity A		License of database software	License revoked
System A	License	Entity B		Maintenance of back-end	None
System B	SLA	Entity C		SLA for having 99% availability	None

Annex IX, Section 3 - Information systems (Mapping)

System	User			
	Entity name	Legal identifier	Critical Function	Core Business Line
010	020	030	040	050
<i>System A</i>	<i>Bank A</i>	<i>111</i>	<i>Deposit taking</i>	<i>Deposit taking</i>
<i>System A</i>	<i>Bank B</i>	<i>112</i>	<i>Deposit taking</i>	<i>Deposit taking</i>
<i>System B</i>	<i>Bank A</i>	<i>111</i>	<i>Credit</i>	<i>Retail</i>
<i>System B</i>	<i>Bank C</i>	<i>113</i>	<i>Credit</i>	<i>Corporate banking</i>
<i>System C</i>	<i>Bank A</i>	<i>111</i>	<i>All</i>	<i>All</i>

Annex X -Interconnectedness

Legal entity A		Legal Entity B		Type of interconnectedness	Description
Entity name	Legal identifier	Entity name2	Legal identifier2		
010	020	030	040	050	060
Bank A	101	Bank B	102	Personnel	Legal staff (40 elements)
Bank A	101	Bank C	103	Personnel	Legal staff (40 elements)
Bank B	102	Bank C	103	Systems	All systems and IT infrastructures used by Bank C are also used by Bank B
Bank A	101	Bank C	103	Funding arrangements	The funding of Bank C is done through Bank A
Bank A	101	Entity D	104	Personnel	Legal staff (40 elements)
Bank A	101	Bank B	102	Funding arrangements	The funding of Bank B is done through Bank A
Bank C	103	Entity D	104	Facilities	The headquarters of Bank C and Entity D are on the same building
Bank A	101	Bank B	102	Liquidity arrangements	Bank A agrees to provide liquidity to Bank B when necessary
Entity D	104	Bank A	101	Personnel	All IT personnel of Bank A is from Entity D

Annex XI - Authorities

Legal Entity		Supervisory Authority/ies		Resolution Authority		Deposit Guarantee Authority	
Entity Name	Legal identifier	Name	Contact details	Name	Contact details	Name	Contact details
010	020	030	040	050	060	070	080
<i>Bank A</i>		<i>111 Prudential Regulation Authority</i>		<i>Bank of England</i>		<i>Financial Services Compensation Scheme</i>	

Annex XII - Legal impacts of resolution

Legal entity		Third party		Type of contract	Termination affecting resolution tool	Comments
Name	Legal identifier	Name	Legal identifier			
010	020	030	040	050	060	070
<i>Bank B</i>	<i>112</i>	<i>Euronext NV</i>		<i>Membership</i>	<i>Y</i>	<i>Sale of asset management activity possibly difficult in case of resolution</i>

Instructions to fill-in Annexes I to XII

General instructions

1. Structure and convention

1.1 Structure

The framework consists of twelve sets of templates which comprise a total of XX templates according to the following scheme:

1. Organisational structure
2. Governance and management
3. Critical functions and core business lines
4. Critical counterparties (2 templates)
5. Liabilities structure
6. Funding sources
7. Off-balance sheet
8. Payment systems (2 templates)
9. Information systems (3 templates)
10. Interconnectedness
11. Authorities
12. Legal impacts of resolution

1.2 Accounting standard

Institutions shall report carrying amounts under the accounting framework they use for the reporting of financial information. Institutions that are not required to report financial information shall use their respective accounting framework

For the purpose of this Annex, “IAS” and “IFRS” refer to the international accounting standards as defined in Article 2 of Regulation (EC) N) 1606/2002.

1.3 Numbering convention

The following general notation is used in these instructions to refer to the columns, rows and cells of a template: {Template; Row; Column}.

1.4 Level of application

The level of application is determined by resolution authorities when formulating their request, either directly or indirectly, to institutions.

Template related instructions

2. Annex I - Organisational structure

The following items of Section B of BRRD Annex are covered by this template:

(1) Detailed description of the institution's organisational structure including a list of all legal entities

(2) *Identification of the direct holder and the percentage of voting and non-voting right of each legal entity*

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Direct holder
030	Name Name of the Entity holding a direct participation and controlling the legal entity identified in column 010
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 030. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Capital (%) Percentage of capital held by the legal entity listed in column 030 in the legal entity listed in column 010
060	Voting rights (%) Percentage of voting rights held by the legal entity listed in column 030 in the legal entity listed in column 010
070-080	Consolidating entity
070	Entity name Name of the entity consolidating the entity listed in column 010 at the highest level according to Regulation (EU) n° 575/2013
080	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 070. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.

3. Annex II - Governance and management

The following items of Section B of BRRD Annex are covered by this template:

(3) *The Location, jurisdiction of incorporation, licensing and key management associated with each legal entity*

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030	Location

	City where the entity listed in Column 10 is legally registered.
040	Jurisdiction of incorporation Jurisdiction where the entity listed in Column 010 is incorporated, identified according to ISO 3166
050	Licensing Authority Name of the authority providing banking or investment firm license to the institution listed in Column 10
060	Type of license
070-090	Member of the management body responsible for providing the information on the resolution plan
070	Name First Name, Last name
080	Phone number
090	e-mail address
100-130	Key manager
100	Name First name, Last name
110	Function
120	Phone number
130	e-mail address

4. Annex III - Critical functions and core business lines

The following items of Section B of BRRD Annex are covered by this template:
(4) a mapping of the institution's critical operations and core business lines including material asset holdings and liabilities related to such operations and business lines, by reference to legal entities
(17) The senior management official responsible for the resolution plan of the institution as well as those responsible, if different, for the different legal entities, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010	Critical functions Means “critical functions” pursuant to Articles 2(1)(35) and 2(2) of Directive 2014/59/EU.
020	Core business lines Means “core business lines” pursuant to Articles 2(1)(36) and 2(2) of Directive 2014/59/EU.
030-040	Legal entity
030	Entity name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Location Geographies (City) in which the business lines operates
060-070	Material assets
060	Type
070	Amount In Million
080-090	Material liabilities

080	Type
090	Amount In Million
100-130	Senior management official responsible for providing information
100	Name First name, Last name
110	Function
120	Telephone number
130	E-mail address

5. Annex IV, Section 1 - Critical counterparties (Assets)

The following items of section B of BRRD Annex are covered by this template:
(10) Identification of the major or most critical counterparties of the institution as well as an analysis of the impact of the failure of major counterparties in the institution's financial situation

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Counterparty
030	Name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Gross Exposure
060	Guarantees
070	Impairments / Provisions
080	Net Exposure 080 = 050 – 060 - 070
090	Impact on CET1 ratio Impact of a default of the counterparty listed in column 030 on the Core Equity Tier 1 ratio of the legal entity listed in column 010
100	Comments

6. Annex IV, Section 2 - Critical counterparties (Liabilities)

The following items of section B of BRRD Annex are covered by this template:
(10) Identification of the major or most critical counterparties of the institution as well as an analysis of the impact of the failure of major counterparties in the institution's financial situation

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name

020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Counterparty
030	Entity name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050-060	Funding
050	Type
060	Amount
070	Comments

7. Annex V - Liabilities structure

The following items of Section B of BRRD Annex are covered by this template:

(5) *a detailed description of the components of the institution's and all its legal entities' liabilities, separating, at a minimum by types and amounts of short term and long-term debt, secured, unsecured and subordinated liabilities*

(6) *detail of those liabilities of the institution that are eligible liabilities*

Instructions concerning specific rows

Rows	Legal reference and instructions
010	Legal entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030	Governing law of the liabilities EU or Third Country
040	Date
050	Natural persons
055	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
060	Micro, small and medium-sized enterprises
065	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
070	Large non-financial enterprises
075	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
080	Banks
085	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
090	Insurance undertakings, reinsurance undertakings firms and pension and retirement funds
095	<i>Of which eligible liabilities</i>

	Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
100	Other financials undertakings
105	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
110	Intragroup Exposures towards entities within the same group. Such exposures shall be listed in that row only to avoid double counting (e.g. exposures towards a bank belonging to the same group should be identified in row 110 and not in row 080 on ‘banks’)
115	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
120	Others
125	<i>Of which eligible liabilities</i> Amount of liabilities that are “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.
130	Total
140	Total eligible liabilities Total of “eligible liabilities” pursuant to Article 2(71) of Directive 2014/59/EU.

Instructions concerning specific columns

Columns	Legal reference and instructions
010-030	Debt with a legal subordination qualifying as additional tier 1
010	Remaining maturity of less than a month
020	Remaining maturity of less than a year
030	Remaining maturity of more than a year
040-060	Debt with a legal subordination qualifying as tier 2
040	Remaining maturity of less than a month
050	Remaining maturity of less than a year
060	Remaining maturity of more than a year
070-090	Debt with a legal subordination
070	Remaining maturity of less than a month Subordinated debt which does not qualify as tier 1 or tier 2
080	Remaining maturity of less than a year Subordinated debt which does not qualify as tier 1 or tier 2
090	Remaining maturity of more than a year Subordinated debt which does not qualify as tier 1 or tier 2
100-120	Senior unsecured debt
100	Remaining maturity of less than a month
110	Remaining maturity of less than a year
120	Remaining maturity of more than a year
130-150	Deposits
130	Total
140	<i>Of which Eligible deposits</i>
150	<i>Of which Covered deposits</i> Excluded from the scope of bail-in by article 44(2)(a)
160	Secured debt Excluded from the scope of bail-in by article 44(2)(b)
170	Other liabilities excluded by article 44(2) of BRRD Excluded from the scope of bail-in by articles 44(2)(c) to 44(2)(g)

8. Annex VI - Funding sources

The following items of Section B of BRRD Annex are covered by this template:
(7) an identification of the processes needed to determine to whom the institution has pledged collateral, the person that holds the collateral and the jurisdiction in which the collateral is located

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Issuer of collateral
030	Name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Type of collateral
060	Identification number ISIN code
070-080	Holder of collateral
070	Name
080	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
090	Amount
100	Currency Identification according to ISO 4217
110	Jurisdiction Law of the jurisdiction governing the operation, identified according to ISO 3166

9. Annex VII - Off-balance sheet

The following items of Section B of BRRD Annex are covered by this template:
(8) A description of the off balance sheet exposures of the institution and its legal entities, including a mapping to its critical operations and core business lines
(9) the material hedges of an institution including a mapping to legal persons
(21) information on off-balance sheet activities, hedging strategies

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Name
020	Legal Identifier

	20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030	Off-balance sheet item To be identified under the three following categories : guarantees, credit lines, others
040-050	Counterparty
040	Entity name
050	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
060	Amount
070	Currency Identification according to ISO 4217
080	Critical operations
090	Core business lines
100	Comments

10. Annex VIII, Section 1 - Payment systems (Membership)

The following items of Section B of BRRD Annex are covered by this template:

(11) each system on which the institution conducts a material number or value amount of trades, including a mapping to the institution's legal persons, critical operations and core business lines

(12) Each payment, clearing or settlement system of which the institution is directly or indirectly a member, including a mapping to the institution's legal persons, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-060	System
030	System type
040	Designation
050	Participation mode Direct or indirect
060	Identification code e.g. BIC, institution code, account number
070-080	Representative institution
070	Entity name
080	Identification code
090	Mapping to critical functions
100	Mapping to core business lines
110	Membership requirements
120	Impact of resolution proceedings on membership
130	Substitutability Name of potential other payment system provider that could substitute the payment

	system provider listed in column 010
140	Additional information

11. Annex VIII, Section 2 - Payment systems (Correspondent banking)

The following items of Section B of BRRD Annex are covered by this template:

(11) each system on which the institution conducts a material number or value amount of trades, including a mapping to the institution's legal persons, critical operations and core business lines

(12) Each payment, clearing or settlement system of which the institution is directly or indirectly a member, including a mapping to the institution's legal persons, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Entity name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Correspondent identification
030	Entity name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Account access E.g. : home banking, Swift
060	Payment system
070	Currency
080	Users with the authorisation to operate the account
090	Outcome of the contract in case of resolution
100	Comments

12. Annex IX, Template 1 - Information systems (General information)

The following items of Section B of BRRD Annex are covered by this template:

(13) a detailed inventory and description of the key management information systems, including those for risk management, accounting and financial reporting used by the institution including a mapping to the institution's legal persons, critical operations and core business lines

(14) an identification of the owners of the systems identified in point 13, SLA related thereto, and any software and systems or licenses, including a mapping to their legal entities, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	System
010	Identification
020	Type To be chosen between "risk management", "accounting", "financial reporting",

	"regulatory reporting" and "other"
030-040	Owner
030	Entity name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050-070	Business responsible
050	Name
060	E-mail
070	Telephone
080-100	Operational responsible
080	Name
090	E-mail
100	Telephone

13. Annex IX, Template 2 - Information systems (Contractual information)

The following items of Section B of BRRD Annex are covered by this template:

(13) a detailed inventory and description of the key management information systems, including those for risk management, accounting and financial reporting used by the institution including a mapping to the institution's legal persons, critical operations and core business lines

(14) an identification of the owners of the systems identified in point 13, SLA related thereto, and any software and systems or licenses, including a mapping to their legal entities, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010	System
020	Type of contract License, Service Level Agreement (SLA), other
030-040	Counterparty
030	Entity name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Description
060	Outcome of the contract in case of resolution

14. Annex IX, Template 3 - Information systems (Mapping)

The following items of Section B of BRRD Annex are covered by this template:

(13) a detailed inventory and description of the key management information systems, including those for risk management, accounting and financial reporting used by the institution including a mapping to the institution's legal persons, critical operations and core business lines

(14) an identification of the owners of the systems identified in point 13, SLA related thereto, and any software and systems or licenses, including a mapping to their legal entities, critical operations and core business lines

Instructions concerning specific columns

Columns	Legal reference and instructions
010	System
020-050	User
020	Entity name
030	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
040	Critical functions Means “critical functions” pursuant to Articles 2(1)(35) and 2(2) of Directive 2014/59/EU.
050	Core business lines Means “core business lines” pursuant to Articles 2(1)(36) and 2(2) of Directive 2014/59/EU.

15. Annex X - Interconnectedness

The following items of Section B of BRRD Annex are covered by this template:
(15) an identification and mapping of the legal persons and the interconnections and interdependencies among different legal persons such as:

- *common or shared personnel, facilities and systems*
- *capital, funding or liquidity arrangements*
- *existing or contingent credit exposure*
- *cross guarantee agreements, cross-collateral arrangements, cross-default provisions and cross-affiliate netting arrangements*
- *risk transfers and back-to-back trading arrangements, service level agreements*

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity A
010	Entity name Must be different from the name listed in column 030
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction. Must be different from the identifier listed in column 040
030-040	Legal entity B
030	Entity name Must be different from the name listed in column 010
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction. Must be different from the identifier listed in column 020
050	Type of interconnectedness To be chosen between the following categories: <ul style="list-style-type: none"> - Personnel - Facilities

	<ul style="list-style-type: none"> - System - Capital arrangements - Funding arrangements - Liquidity arrangements - Credit exposure - Cross-guarantee agreement - Cross-collateral arrangement - Cross-default provision - Cross-affiliate netting arrangements - Risk transfers - Back-to-back trading arrangements - Service level agreement - Other
060	Description To be mandatory filled when columns 010 to 050 are filled

16. Annex XI - Authorities

The following items of Section B of BRRD Annex are covered by this template:

(16) Supervisory and resolution authority for each legal entity

(18) Description of the arrangements that the institution has in place to ensure that, in the event of resolution, the resolution authority will have the necessary information, as determined by the resolution authority, for applying the resolution tools and powers

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Supervisory authority
030	Name
040	Contact details
050-060	Resolution authority
050	Name
060	Contact details
070-080	Deposit Guarantee Authority
070	Name
080	Contact details

17. Annex XII – Legal impact of resolution

The following items of Section B of BRRD Annex are covered by this template:

(19) All the agreements entered to by the institutions and their legal entities with third parties the termination of which may be triggered by a decision of the authorities to apply a resolution tool and whether the consequences of termination may affect the resolution tool

Instructions concerning specific columns

Columns	Legal reference and instructions
010-020	Legal entity
010	Name
020	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
030-040	Third party
030	Name
040	Legal Identifier 20-digit, alpha-numeric code of the legal entity identified in Column 010. The Legal identifier uniquely identifies every legal entity or structure that is party to a financial transaction, in any jurisdiction.
050	Type of contract
060	Termination affecting resolution tool Y ('yes') or N ('no')
070	Comments

Annex XIV - Eligible liabilities for MREL

010	Legal entity name	<i>Bank A</i>
020	Legal identifier	<i>111</i>
030	Governing law	<i>EU</i>
040	Date	<i>31/12/2014</i>

	Counterparties	MREL eligible liabilities		
		[1 year ; 3 years[[3 years ; 5 years]	> 5 years
		010	020	030
050	Natural persons			
060	Micro, small and medium-sized enterprises			
070	Large non-financial enterprises			
080	Banks			
090	Insurance undertakings, reinsurance undertakings, pension and retirement funds			
100	Other financial undertakings			
110	Intragroup			
120	Others			
130	TOTAL			