

Explanatory note on the EBA Credit Institution Register

Introduction and disclaimer

- ▶ Article 14 of [Directive 2006/48/EC](#) of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (CRD), as amended by Article 9 (3) of [Directive 2010/78/EU](#), requires that EBA publishes on its website and keeps updated a list of credit institutions to which authorisation has been granted.
- ▶ The publication of the list on the EBA website is intended to replace the publication by the European Commission in the Official Journal of the European Union. When designing the register, it was agreed to try to mirror the content of the earlier OJEU list as far as possible.
- ▶ The present Register has been set up by the European Banking Authority exclusively on the basis of information supplied by the Member States. Unlike the registers of credit institutions kept in some Member states, this Register has no legal significance and confers no rights in law. If an unauthorised institution is inadvertently included in the Register, its legal status is in no way altered; similarly, if an institution has inadvertently been omitted from the Register, the validity of its authorisation will not be affected. The European Banking Authority is responsible only for the accurate reproduction of information received on individual credit institutions, while responsibility for the different sections of the Register, and especially the spelling of the style and location of the institutions, their classification in a given group and the overall accuracy of the content, lies with the Member States concerned.

Types of credit institutions in the Register

- ▶ For this initial phase, the EBA Board of Supervisors adopted a Decision with some technical specifications that provided rules on how the different national supervisory authorities (NSAs) should submit information. All European Union Member States, plus the three non-EU countries from the European Economic Area (Norway, Liechtenstein and Iceland), were invited to join in. Of these three, Norway and Liechtenstein have submitted the information as specified. Details of Iceland's credit institutions and EEA branches can be accessed via the Financial Supervisory Authority website:
 - <http://en.fme.is/supervision/supervised-entities> (for Iceland)
- ▶ It was decided that the NSAs would provide information on two categories of credit institutions:

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- Credit institutions to which authorisation has been granted by European Economic Area (EEA) countries ('CRD credit institutions'): this refers exclusively to credit institutions as defined in Article 4 (1) CRD, i.e. 'an undertaking whose business is to receive deposits or other repayable funds from the public and to grant credits for its own account'.
 - European branches of EEA credit institutions ('EEA branches'). According to Article 27 CRD: 'Any number of places of business set up in the same Member State by a credit institution with headquarters in another Member State shall be regarded as a single branch'.

Other types of 'branches' or 'subsidiaries' (e.g. of parent credit institutions located outside the EEA) which need to obtain a separate EEA authorisation in order legitimately to provide the services of credit institutions within the EEA should not be listed as 'EEA branches'; instead they should be included under 'CRD credit institutions'.

There are some credit institutions excluded from the Register as follows:

- (a) Entities which are exempt from the application of CRD according to Articles 2 and 3 CRD. Article 2 refers to some entities that are permanently excluded from CRD (such as central banks, post office giro institutions, some specific institutions in several countries such as credit unions in the UK or in Ireland, etc.). Article 3 refers to some institutions that are partially excluded from certain provisions of the CRD, although the EBA intends to include these institutions in the Register in the next phase, as it remains unclear whether they should be excluded from the Register. The national supervisory authorities have been invited to submit them on an optional basis, so there may be included in case of some countries (e.g. Romania).
- (b) Entities that are in the process of liquidation.

Formats and dates

- ▶ After all the information submitted by the NSAs has been processed, the final version of the Register will appear on the EBA website in two formats: a PDF file and a Microsoft Excel spreadsheet (.xls file).
- ▶ Information on credit institutions will be updated every six months by the NSAs; the date of the first snapshot being 30 June 2012, the next being planned for 31 December 2012, and the current one being 30 June 2013. Any changes provided after each submission date that might affect the information about a credit institution (e.g. a credit institution that changed its name in July 2013) will not be displayed in the Register until the next update. The EBA also intends to modify the system for submitting information next time, with a view to making the information displayed in the Register more current.

Fields

- ▶ **Name:** as a general rule, the name of the institution should appear in the national language. In countries where there is more than one official national language, entities may actually

have more than one official name. In such cases, all official names may be entered in the data field 'Name', but they will appear separated by the character '/

Examples:

- Europäische Genossenschaftsbank S.A./Banque Coopérative Européenne S.A.
- bpost banque/bpost bank

A similar rule applies for countries whose national language is based on a non-Latin alphabet, such as Hellenic or Cyrillic script. Here, the credit institution's name will be the translation into the Latin alphabet or into another language based on the Latin alphabet followed by, if so desired, the character '/' and the Hellenic or Cyrillic name of the entity.

Please be aware that the listing in the pdf/xls files may not be displayed in alphabetical order, as the Scandinavian letters Æ, Ø, Å, Ä and Ö may not appear in the last positions under each relevant letter.

Translations of the last paragraph:

Finnish Huomaa, että skandinaaviset kirjaimet eivät välttämättä aakkostu oikein ja kirjaimet Å, Ä ja Ö eivät ehkä näy aakkosten lopussa.

Danish Vær opmærksom på, at listen i såvel pdf som excel filen ikke nødvendigvis vises i alfabetisk rækkefølge, da bogstaverne Æ, Ø og Å ikke altid vises sidst.

Swedish Observera att PDF/XLS-filen inte alltid visas i korrekt alfabetisk ordning i synnerhet med hänsyn till de skandinaviska bokstäverna Æ får Ø, Å, Ä och Ö.

Norwegian Vær oppmerksom på at PDF/XLS-fil ikke vises alltid i riktig alfabetisk rekkefølge, særlig med hensyn til de skandinaviske bokstaver Æ Ø Get, Å, Ä og Ö

- ▶ **Legal form:** as there is a risk of confusion with translations, the legal form should appear in the national language, with the exception of countries whose language is not based on the Latin alphabet, where translation is mandatory.

As EEA branches are not independent legal entities, the data field 'legal form' should remain empty. For non-EEA branches (which are included under the type 'CRD credit institution'), the field may remain empty, but the NSAs may choose to provide the legal form of the branch's 'parent' credit institution.

- ▶ **Town of the firm:** this should appear in the national language, with the exception of the towns in countries whose language is not based on the Latin alphabet, where translation is mandatory.
- ▶ **Country of the firm** (this information only appears in the xls version of the output file): ISO-3166-1 alpha-2 codes are used for the different EEA countries as follows:
 - AT for Austria
 - BE for Belgium
 - BG for Bulgaria
 - CY for Cyprus

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- CZ for Czech Republic
 - DK for Denmark
 - EE for Estonia
 - FI for Finland
 - FR for France
 - DE for Germany
 - GR for Greece
 - HU for Hungary
 - IS for Iceland
 - IE for Ireland
 - IT for Italy
 - LI for Liechtenstein
 - LV for Latvia
 - LT for Lithuania
 - LU for Luxembourg
 - MT for Malta
 - NL for Netherlands
 - NO for Norway
 - PL for Poland
 - PT for Portugal
 - RO for Romania
 - SK for Slovakia
 - SI for Slovenia
 - ES for Spain
 - SE for Sweden
 - GB for United Kingdom

- ▶ **Country of the firm's head office:** this field is mandatory for EEA branches, and irrelevant for CRD credit institutions (including non-EEA branches). The same rules apply as those for 'Country of the firm'
- ▶ **Town of the firm's head office:** this field is mandatory for EEA branches, and irrelevant for CRD credit institutions (including Non-EEA-branches). Same rules apply as those for 'Town of the firm'.
- ▶ **Minimum capital requirement:** the information provided in this column refers to the initial capital requirements according to Article 9 of Directive 2006/48/EC and should not be confused with the minimum level of own funds requirements in excess of this minimum level under Article 136 (2) of Directive 2006/48/EC. The data entries in this column may have one of three values as follows:
 - Y: initial capital equal to or higher than EUR 5 million, cf. Article 9(1) CRD;
 - N: initial capital between EUR 1 million and EUR 5 million, cf. Article 9(2) CRD;
 - 0: no initial capital, where applicable (e.g. EEA branches).
- ▶ **Deposit guarantee status:** the information provided in this column refers to the type of deposit guarantee scheme to which the entity belongs pursuant to Article 3 of Directive 94/19/CE. The data entries in this column may have one of three values as follows:

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- Y: normal deposit guarantee scheme, as defined in Article 3(1)(1) of Directive 94/19/CE;
 - N: equivalent deposit guarantee scheme, as defined in Article 3(1)(2) of Directive 94/19/CE;
 - 0: No deposit guarantee.

For EEA branches, the usual value should be '0', and it simply means that they do not belong to the deposit guarantee scheme of the host country. According to the Directive, deposit guarantee schemes in the home country shall cover the depositors at branches set up by credit institutions in other Member States. However, under some circumstances (described in Article 4 (2) of Directive 94/19/EC), EEA branches may voluntarily join a deposit guarantee scheme of their host state, in which case the information displayed in the Register will be 'Y' (if it is a normal deposit guarantee scheme, as defined in Article 3 (1)(1) of Directive 94/19/CE) or 'N' (if it is an equivalent deposit guarantee scheme, as defined in Article 3(1)(2) of Directive 94/19/CE).