

## 2023 Contributions to the administrative expenditures of the SRB Frequently asked questions (FAQs)

### Introduction

The determination and raising of Administrative Contributions is based on the Commission Delegated Regulation (EU) 2017/2361 of 14 September 2017 on the final system of contributions to the administrative expenditures of the Single Resolution Board, which came into force on 8 January 2018 and was amended by Commission Delegated Regulation (EU) 2021/517 of 11 February 2021 (“DR”).

### Key deadlines

#### **Advance instalments (only for institutions under the SRB direct remit)**

Information letters	8 December 2022
Consultation phase	9 January to 20 January 2023
Issuance of Contribution Notices	February/March 2023
Payment deadline	March/April 2023

#### **Individual annual contributions**

Information letters	May 2023
Consultation phase	10 days in June 2023
Issuance of Contribution Notices	July 2023
Payment deadline	August/September 2023

### Scope and process

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

All credit institutions established in the Banking Union must 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”).

Note that while all institutions mentioned in the previous paragraph need to contribute to the individual annual administrative contributions (Q3), only the institutions that fall under the direct responsibility of the Board are requested to pay the advance instalments on the annual individual contributions (Q1).

Please be aware that although the scope of the SRB’s administrative contributions overlaps with that of the ECBs supervisory fees, there are differences between the two. The main difference is that branches established in a participating country by a parent bank based in a non-participating country are not in scope of the SRB’s 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. Do we need to review/confirm our contact details?**

Yes. Institutions are kindly requested to login to the ADMC Portal, view their contact details and **click on the confirm button**. Should any of the information needs to be amended, institutions have the possibility to edit the information and save their changes directly in the Portal. Note that the contact details as provided in the Portal will be used in all documentation related to the administrative contributions.

**7. What is the ADMC Portal and how can I access it?**

The ADMC Portal is the portal that has been set up to further improve the communication with institutions on administrative contributions. Since the 2022 cycle, institutions are requested to use the ADMC Portal to: (i) verify/update their contact details, (ii) provide comments during the consultation phase and (iii) retrieve all documents (i.e. the Contribution Notice and the debit note). No documents will be shared via email anymore.

All users that have been registered for your institution during the previous cycle can logon to the ADMC Portal via the following link: <https://admc-portal.srb.europa.eu/login>. Resets of password or new users to the ADMC Portal can be done via: <https://iam.srb.europa.eu>.

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

Annually. The SRB will raise individual annual administrative contributions once a year in Q3. In order to pre-finance its expenditures for the part of the financial year preceding the point at which the annual individual contributions are raised, the Board will raise advance instalments on the individual annual contributions in Q1. The advance instalments will only be raised from the institutions under the SRB direct remit and will be deducted from those institutions' individual annual contributions in Q3.

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

Yes. In order to avoid duplication of the reporting burden for the institutions and entities concerned, the SRB relies, when calculating its administrative contributions, on data collected and shared by the ECB for the calculation of its own supervisory fees<sup>1</sup>. Regulation (EU) No 1163/2014 of the ECB on supervisory fees was amended in 2020. Commission Delegated Regulation 2017/2361 was amended by Commission Delegated Regulation (EU) 2021/517 of 11 February 2021 to allow for the retention of synergies between both contributions' systems.

The main impact of the changes on the contributions cycle after the amendment were:

- The postponement of individual annual contributions from Q1 to Q3;
- The introduction of the advance instalments on the individual annual contributions in Q1 for the institutions under the SRB direct remit, which will be deducted from those institutions' individual annual contributions determined in Q3;
- The recalculation of the 2021 contributions during the 2022 contribution cycle for all institutions using more recent data together with the 2022 individual annual contributions in Q3.

Note that no additional changes will impact the 2023 cycle. Advance instalments will be raised in Q1 from the institutions under the SRB direct remit. Individual annual administrative contributions will be raised in Q3 from all credit institutions established in the Banking Union as well as 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

<sup>1</sup> See Recital 4 of Commission Delegated Regulation 2017/2361.

Central Bank (“ECB”). However, the special recalculation of the 2021 cycle in 2022 was a one-off exercise. In the 2023 cycle, the Board will recalculate previously determined contributions in accordance with Article 7 of the Delegated Regulation, in line with what was done in the past.

**11. Can institutions provide comments before the SRB Decisions on administrative contributions are taken?**

Yes. A structured consultation with the institutions takes place before the adoption of both the decision on the advance instalments (Q1) and the decision on the individual annual contributions (Q3).

The **consultation on the 2023 advance instalments** will take place between **Monday 9 January 2023 and Friday 20 January 2023**. The preliminary Contribution Notice will be made available **on the ADMC Portal** including a predefined questionnaire that will allow institutions to make their views known. Note that the amount of the advance instalments shall not be paid at this stage as the amounts determined are preliminary. After the consultation phase, taking into account the comments received, the Board will adopt the final decision and institutions will receive, via the ADMC Portal, the final Contribution Notice together with the Debit Note.

## Calculation and data submission

### Advance instalments (Q1)

**12. Which contributions are calculated in Q1 2023?**

In Q1 2023, the SRB calculates the advance instalments on the 2023 individual annual contributions for the institutions under the SRB’s direct remit. The advance instalments are raised in Q1 in order to pre-finance the Board’s expenditures for the part of the financial year preceding the point at which the 2023 annual individual contributions are raised in Q3.

**13. Do we need to submit financial data to the SRB for the calculations performed in Q1 2023?**

No. The advance instalments are calculated based on the individual annual contributions determined in the previous financial year.

**14. What is the total annual amount of advance instalments that will be raised?**

Each year, the Board may raise advance instalments for an amount up to 75 % of total amount of annual contributions to be raised in that financial year (excluding the adjustments that may derive from recalculations).

In order to determine the amount necessary to cover its expenditures until the 2023 individual annual contributions are raised, the Board takes into account: (i) the Budget decided for the year 2023, (ii) the result of the budget of 2021<sup>2</sup>, (iii) the projected cash flows for the first 8 months of 2023 and (iv) the estimated cash balance at the end of 2022.

This amount will be published after the calculation of the advance instalments has been performed. The decision on the 2023 SRB budget as well as the financial results of the 2021 accounts can be found on the SRB website.

**15. How are the advance instalments calculated?**

The advance instalment of each entity or group is calculated in proportion to the individual annual contribution calculated for such entity or group in the immediately preceding financial year.

### Individual annual contributions (Q3)

**16. Which contributions are calculated in Q3 2023?**

In Q3 2023, the SRB calculates:

- The 2023 individual annual contributions for all institutions;
- (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 2023.

**17. Do we need to submit financial data to the SRB for the calculations performed in Q3 2023?**

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

**18. What are the reference dates of the fee factors used in the SRB’s calculations?**

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<sup>2</sup> Financial year 2021 is the latest financial year for which the final accounts have been published in accordance with Article 63(7) of Regulation (EU) No 806/2014.

The DR establishes the following reference dates for the calculations (and recalculations, when appropriate) performed in 2022:

Financial year for which contributions are due	Reference date
<b>2023</b>	
○ All institutions (and groups), except the newly authorised in Q1/Q2/Q3/Q4 2022;	31 December 2021
○ Newly authorised institutions (and groups) in Q1/Q2/Q3 2022.	Q1, Q2 or Q3 2022*
○ <b>Newly authorised institutions (and groups) in Q4 2022.</b>	0**
<b>2022</b>	
○ All institutions (and groups), except the newly authorised in Q1/Q2/Q3/Q4 2021/2022;	31 December 2020
○ Newly authorised institutions (and groups) in Q1/Q2/Q3 2022.	Q1, Q2 or Q3 2022*
○ Newly authorised institutions (and groups) in Q4 2022.	0**
○ Newly authorised institutions (and groups) in Q1/Q2/Q3 2021.	Q1, Q2 or Q3 2021*
○ Newly authorised institutions (and groups) in Q4 2021.	31 December 2021
<b>2021</b>	
○ All institutions (and groups), except the newly authorised in Q1/Q2/Q3/Q4 2021;	31 December 2019
○ Newly authorised institutions (and groups) in Q1/Q2/Q3 2021.	Q1, Q2 or Q3 2021*
○ Newly authorised institutions (and groups) in Q4 2021.	31 December 2021**

\* Following the amendment to the ECB Regulation on supervisory fees (Regulation (EU) No 2019/2155 of the ECB), the reference date of the fee factors of newly authorised institutions or groups changed. Starting from 1 January 2020, the reference date for the fee factors of newly authorised institutions or groups established before 1 October (before Q4) will be the end of the quarter closest to the reference date used for the other entities.

\*\* In accordance with Article 2a DR, for newly supervised institutions entering in Q4 of year Y, the individual annual contributions due for year Y and Y+1 shall be calculated by setting the fee factors to zero. In year Y+2, the administrative individual annual contribution due for the two preceding financial years (Y and Y+1) shall be recalculated based on the fee factors used for that financial year.

#### **19. What is the total annual amount of annual contributions to be raised?**

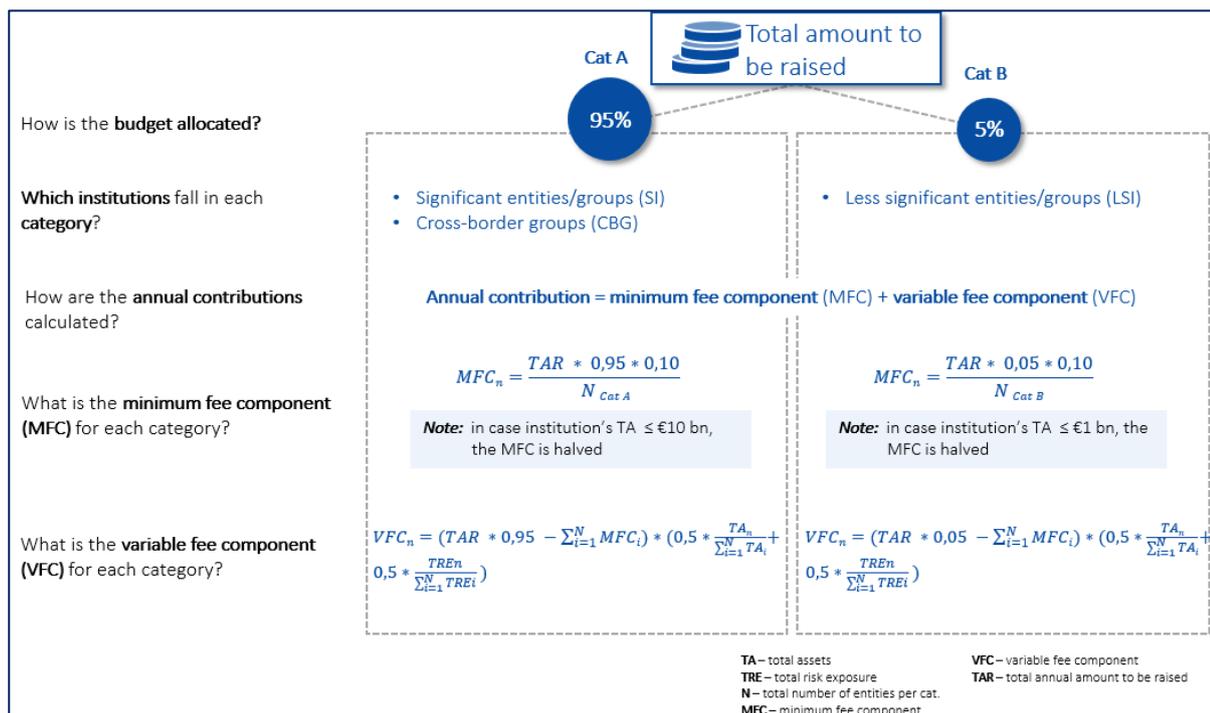
In order to establish the total amount to be raised in 2023, the SRB will take into consideration:

- 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.

#### **20. How are the SRB's individual annual 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. Following the changes to the ECB Regulatory Framework, 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.

## 21. Can we calculate the amount that is invoiced in 2023?

Yes. Using the aggregated numbers (fee factors and numbers of institutions) provided by the SRB and their individual data points, entities can fully determine the calculated contributions for the financial years 2021, 2022 and 2023. Note that in the past those amounts were provided on the SRB website. However, as of the 2022 cycle, in order to make it easier for institutions, those numbers have been provided to each institution in the Annex to the Contribution Notice

In order to calculate the contribution invoiced in 2023, your entity shall perform the following steps:

### Step 1: Determine the contribution calculated for 2023

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);
- The category to which your entity belongs (see Annex A “Calculation details” to the Contribution Notice);
- The number of contribution debtors in the category your entity belongs to ( $N_{Cat A}$  /  $N_{Cat B}$ , see Annex A “aggregated statistics” to the Contribution Notice);
- 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>3</sup> (see Annex A “Calculation details” to the Contribution Notice).

<sup>3</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.

- The formulas to calculate the MFC are given in the FAQ number 20 and depend on the category of the respective entity.

B) In order to calculate 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

$$\sum_{i=1}^{N_{Cat A}} MFC_i = (N_{Cat A} - N_{Cat A \text{ below}}) \frac{TAR \times 0.95 \times 0.1}{N_{Cat A}} + N_{Cat A \text{ below}} \times 0.5 \times \frac{TAR \times 0.95 \times 0.1}{N_{Cat A}}$$

$$\text{where } N_{Cat A \text{ below}} = \sum_{i=1}^N 1_{Cat A, TA_i < 10bn \text{ EUR}}$$

$$\sum_{i=1}^{N_{Cat B}} MFC_i = (N_{Cat B} - N_{Cat B \text{ below}}) \frac{TAR \times 0.05 \times 0.1}{N_{Cat B}} + N_{Cat B \text{ below}} \times 0.5 \times \frac{TAR \times 0.05 \times 0.1}{N_{Cat B}}$$

$$\text{where } N_{Cat B \text{ below}} = \sum_{i=1}^N 1_{Cat B, TA_i < 1bn \text{ EUR}};$$

- Your entity’s TA and total risk exposure (TRE) (see Annex A “Calculation details” to the Contribution Notice);
- The aggregate TA and TRE of the entities in the category your entity belongs to (see Annex A “aggregated statistics” to the Contribution Notice).
- The formulas to calculate the VFC are given in the FAQ number 20 and depend on the category of the respective entity.

## Step 2: Calculate the recalculated contribution(s) for previous years<sup>4</sup>

### **Financial year 2022 (and any previous year)**

- A) If your entity went out of the scope during the year 2022 but this information was only notified to the SRB in the 2023 cycle: 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 2022 and in 2022 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 2023).
- B) If your entity changed status during the year 2022 but this information was only notified to the SRB in the 2023 cycle: The contributions will be recalculated based on the statistical information of that year (as published on the [SRB website](#) and in Annex A “aggregated statistics” to the Contribution Notice) and the methodology outlined above.<sup>5</sup> The difference between the recalculated contribution and the contribution initially invoiced will be refunded/requested to the entity.

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 2022. The contribution will be recalculated as follows:

- The contribution of the 10 first months of 2022 will not change (entity remains Category A);

<sup>4</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>5</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.

- The contribution of the 2 last months of 2022 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)  $TA_{\text{Cat B}} = TA_{\text{Cat B - used in 2022}} + TA_{\text{your entity}}$ ; (iii)  $TRE_{\text{Cat B}} = TRE_{\text{Cat B - used in 2022}} + TRE_{\text{your entity}}$ .
  - 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 2022 but this information was only notified to the SRB in the 2023 cycle: The contributions will be calculated based on the statistical information of that year (as published on the [SRB website](#) and in Annex A “aggregated statistics” to the Contribution Notice) and the methodology outlined above for the number of full months after which your entity entered the scope.<sup>6</sup> The entity will be requested to pay for those months retrospectively.

Supposing, your entity entered the scope on 15 June 2022 as Category B. The contribution will be calculated as follows:

- A contribution for the last 6 months of 2022 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)  $TA_{\text{Cat B}} = TA_{\text{Cat B - used in 2022}} + TA_{\text{your entity}}$ ; (iii)  $TRE_{\text{Cat B}} = TRE_{\text{Cat B - used in 2022}} + TRE_{\text{your entity}}$ .
- D) If your entity entered the scope during the year 2021 (Q4), this was already notified to the SRB but the Fee Factors were only provided now<sup>7</sup>: The contributions will be recalculated based on your updated Fee Factors, the statistical information of that year (as published on the [SRB website](#) and in Annex A “aggregated statistics” to the Contribution Notice) and the methodology outlined above for the number of full months after which your entity entered the scope.<sup>8</sup> Your entity will be requested to pay the difference between the recalculated contribution and the contribution initially determined for those months.

**Step 3: Deduct the amount of 2023 advance instalments, if any:** Institutions that fall under the direct responsibility of the Board that have been requested to pay advance instalments on the 2023 annual individual contributions in Q1. For those institutions or their legal successor, this amount will be deducted from their individual annual contributions determined for the 2023 financial year.

## 22. 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<sup>9</sup>:

- 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.

<sup>6</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.

<sup>7</sup> In accordance with Article 6(2a) of the DR, where a contribution debtor was established in Quarter (“Q”) 4 of a given financial year (e.g. 2020), the individual annual contributions due by that contribution debtor for that financial year and the following financial year (e.g. 2020 and 2021) shall be calculated by setting the fee factors to zero. In the third financial year (e.g. 2023), the administrative individual annual contribution due for the two preceding financial years shall be recalculated based on the fee factors used to determine the contributions for that financial year (e.g. 2022).

<sup>8</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.

<sup>9</sup> In accordance with Article 7(4a), for the purposes of calculating individual annual contributions due for a given financial year, the Board shall take into account any changes that occur as of 1 January of that year, in the next financial year.

- 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 that was not included in the data 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.

**23. Is there a specific recalculation foreseen for the 2021 administrative contributions cycle which was a transitional year?**

Yes. In line with Article 14a of the DR, in 2022 the Board recalculated the individual annual contributions due for the financial year 2021 of all institutions on the basis of the data provided by the ECB to the Board in 2021 in accordance with Article 6. See FAQ number 21 for more details on how this calculation was performed. This exercise was a one-off exercise. In the 2023 cycle, this special exercise will not be performed anymore for the 2021 cycle (or any other cycle).

#### Payment of administrative contributions

**24. 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.

**25. 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).

**26. 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.

**27. 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.

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

Please send your question via email to [SRB-Admin-Contributions@srb.europa.eu](mailto:SRB-Admin-Contributions@srb.europa.eu) or via phone [+32 2 490 34 44](tel:+3224903444).