

## ANNEX I

**Classification of off-balance sheet items**

1. Full risk:
  - (a) guarantees having the character of credit substitutes, (e.g. guarantees for the good payment of credit facilities);
  - (b) credit derivatives;
  - (c) acceptances;
  - (d) endorsements on bills not bearing the name of another institution;
  - (e) transactions with recourse (e.g. factoring, invoice discount facilities);
  - (f) irrevocable standby letters of credit having the character of credit substitutes;
  - (g) assets purchased under outright forward purchase agreements;
  - (h) forward deposits;
  - (i) the unpaid portion of partly-paid shares and securities;
  - (j) asset sale and repurchase agreements as referred to in Article 12(3) and (5) of Directive 86/635/EEC;
  - (k) other items also carrying full risk.
2. Medium risk:
  - (a) trade finance off-balance sheet items, namely documentary credits issued or confirmed (see also 'Medium/low risk');
  - (b) other off-balance sheet items:
    - (i) shipping guarantees, customs and tax bonds;
    - (ii) undrawn credit facilities (agreements to lend, purchase securities, provide guarantees or acceptance facilities) with an original maturity of more than one year;
    - (iii) note issuance facilities (NIFs) and revolving underwriting facilities (RUFs);
    - (iv) other items also carrying medium risk and as communicated to EBA.
3. Medium/low risk:
  - (a) trade finance off-balance sheet items:
    - (i) documentary credits in which underlying shipment acts as collateral and other self-liquidating transactions;
    - (ii) warranties (including tender and performance bonds and associated advance payment and retention guarantees) and guarantees not having the character of credit substitutes;
    - (iii) irrevocable standby letters of credit not having the character of credit substitutes;

- (b) other off-balance sheet items:
  - (i) undrawn credit facilities which comprise agreements to lend, purchase securities, provide guarantees or acceptance facilities with an original maturity of up to and including one year which may not be cancelled unconditionally at any time without notice or that do not effectively provide for automatic cancellation due to deterioration in a borrower's creditworthiness;
  - (ii) other items also carrying medium/low risk and as communicated to EBA.
- 4. Low risk:
  - (a) undrawn credit facilities comprising agreements to lend, purchase securities, provide guarantees or acceptance facilities which may be cancelled unconditionally at any time without notice, or that do effectively provide for automatic cancellation due to deterioration in a borrower's creditworthiness. Retail credit lines may be considered as unconditionally cancellable if the terms permit the institution to cancel them to the full extent allowable under consumer protection and related legislation;
  - (b) undrawn credit facilities for tender and performance guarantees which may be cancelled unconditionally at any time without notice, or that do effectively provide for automatic cancellation due to deterioration in a borrower's creditworthiness; and
  - (c) other items also carrying low risk and as communicated to EBA.

## ANNEX II

### Types of derivatives

- 1. Interest-rate contracts:
  - (a) single-currency interest rate swaps;
  - (b) basis-swaps;
  - (c) forward rate agreements;
  - (d) interest-rate futures;
  - (e) interest-rate options purchased;
  - (f) other contracts of similar nature.
- 2. Foreign-exchange contracts and contracts concerning gold:
  - (a) cross-currency interest-rate swaps;
  - (b) forward foreign-exchange contracts;
  - (c) currency futures;
  - (d) currency options purchased;
  - (e) other contracts of a similar nature;
  - (f) contracts of a nature similar to (a) to (e) concerning gold.

3. Contracts of a nature similar to those in points 1(a) to (e) and 2(a) to (d) of this Annex concerning other reference items or indices. This includes as a minimum all instruments specified in points 4 to 7, 9 and 10 of Section C of Annex I to Directive 2004/39/EC not otherwise included in point 1 or 2 of this Annex.

### ANNEX III

#### **Items subject to supplementary reporting of liquid assets**

1. Cash.
2. Central bank exposures, to the extent that these exposures can be drawn down in times of stress.
3. Transferable securities representing claims on or claims guaranteed by sovereigns, central banks, non-central government public sector entities, regions with fiscal autonomy to raise and collect taxes and local authorities, the Bank for International Settlements, the International Monetary Fund, the European Union, the European Financial Stability Facility, the European Stability Mechanism or multilateral development banks and satisfying all of the following conditions:
  - (a) they are assigned a 0 % risk-weight under Chapter 2, Title II of Part Three;
  - (b) they are not an obligation of an institution or any of its affiliated entities.
4. Transferable securities other than those referred to in point 3 representing claims on or claims guaranteed by sovereigns or central banks issued in domestic currencies by the sovereign or central bank in the currency and country in which the liquidity risk is being taken or issued in foreign currencies, to the extent that holding of such debt matches the liquidity needs of the bank's operations in that third country.
5. Transferable securities representing claims on or claims guaranteed by sovereigns, central banks, non-central government public sector entities, regions with fiscal autonomy to raise and collect taxes and local authorities, or multilateral development banks and satisfying all of the following conditions:
  - (a) they are assigned a 20 % risk-weight under Chapter 2, Title II of Part Three;
  - (b) they are not an obligation of an institution or any of its affiliated entities.
6. Transferable securities other than those referred to in points 3, 4 and 5 that qualify for a 20 % or better risk weight under Chapter 2, Title II of Part Three or are internally rated as having an equivalent credit quality, and fulfil any of the following conditions:
  - (a) they do not represent a claim on an SSPE, an institution or any of its affiliated entities;
  - (b) they are bonds eligible for the treatment set out in Article 129(4) or (5);
  - (c) they are bonds as referred to in Article 52(4) of Directive 2009/65/EC other than those referred to in point (b) of this point.
7. Transferable securities other than those referred to in points 3 to 6 that qualify for a 50 % or better risk weight under Chapter 2, Title II of Part Three or are internally rated as having an equivalent credit quality, and do not represent a claim on an SSPE, an institution or any of its affiliated entities.

8. Transferable securities other than those referred to in points 3 to 7 that are collateralised by assets that qualify for a 35 % or better risk weight under Chapter 2, Title II of Part Three or are internally rated as having an equivalent credit quality, and are fully and completely secured by mortgages on residential property in accordance with Article 125.
9. Standby credit facilities granted by central banks within the scope of monetary policy to the extent that these facilities are not collateralised by liquid assets and excluding emergency liquidity assistance.
10. Legal or statutory minimum deposits with the central credit institution and other statutory or contractually available liquid funding from the central credit institution or institutions that are members of the network referred to in Article 113(7), or eligible for the waiver provided in Article 10, to the extent that this funding is not collateralised by liquid assets, if the credit institution belongs to a network in accordance with legal or statutory provisions.
11. Exchange traded, centrally cleared common equity shares, that are a constituent of a major stock index, denominated in the domestic currency of the Member State and not issued by an institution or any of its affiliates.
12. Gold listed on a recognised exchange, held on an allocated basis.

All items with the exception of those referred to in points 1, 2 and 9 must satisfy all of the following conditions:

- (a) they are traded in simple repurchase agreements or cash markets characterised by a low level of concentration;
- (b) they have a proven record as a reliable source of liquidity by either repurchase agreement or sale even during stressed market conditions;
- (c) they are unencumbered.

#### ANNEX IV

##### CORRELATION TABLE

<b>This Regulation</b>	<b>Directive 2006/48/EC</b>	<b>Directive 2006/49/EC</b>
Article 1		
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