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**Rules and guidance**

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ANNEX I**

**Part 1  
Transposition of Directive 2013/36/EU**

<b>Transposition of provisions of Directive 2013/36/EU</b>	<b>Provisions of Directive 2013/36/EU</b>	<b>National text</b>	<b>References</b>	<b>Available in EN (Y/N)</b>
Date of the last update of information in this template			30/06/2018	
I. Subject matter, scope and definitions	Articles 1 to 3	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 19, 53, 53-bis, 53-ter, 55, 59, 60, 61, 63, 65, 67, 67-bis, 67-ter.  C285: Introductory provisions	N
II. Competent authorities	Articles 4 to 7	Consolidated Law on Banking	Art. 4-7	N
III. Requirements for access to the activity of credit institutions	Articles 8 to 27			
1. General requirements for access to the activity of credit institutions	Articles 8 to 21	Consolidated Law on Banking	Art. 13, 14, 159	N
2. Qualifying holding in a credit institution	Articles 22 to 27	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 19-26.  C285: Part One, Title I, Chapter 1	N
IV. Initial capital of investment firms	Articles 28 to 32	Regulation of 29 October 2007		N

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<b>Transposition of provisions of Directive 2013/36/EU</b>	<b>Provisions of Directive 2013/36/EU</b>	<b>National text</b>	<b>References</b>	<b>Available in EN (Y/N)</b>
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V. Provisions concerning the freedom of establishment and the freedom to provide services	Articles 33 to 46			
1. General principles	Articles 33 to 34	Consolidated Law on Banking	Art. 15-16	N
2. The right of establishment of credit institutions	Articles 35 to 38	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 15. C285: Part One, Title I, Chapter 3	N
3. Exercise of the freedom to provide services	Article 39	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 16. C285: Part One, Title I, Chapter 3	N
4. Powers of the competent authorities of the host Member State	Articles 40 to 46	Bank of Italy's Circular 285	Part One, Title I, Chapter 3	N
VI. Relations with third countries	Articles 47 to 48	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 14-15, 53 CLB. C285: Part One, Title I, Chapter 7	N

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Date of the last update of information in this template			30/06/2018	
VII. Prudential supervision	Articles 49 to 142			
1. Principles of prudential supervision	Articles 49 to 72			
1.1 Competence and duties of home and host Member States	Articles 49 to 52	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 7, 51-55, 65-69. C285: Part One, Title III, Chapter 1	N
1.2 Exchange of information and professional secrecy	Articles 53 to 62	Consolidated Law on Banking	Art. 7, 66	N
1.3 Duty of persons responsible for the legal control of annual and consolidated accounts	Article 63	Consolidated Law on Banking	Art. 52	N
1.4 Supervisory powers, powers to impose penalties and right of appeal	Articles 64 to 72	Consolidated Law on Banking; Regulation concerning administrative sanctions and sanction procedure	CLB: Art. 8, 53, 53-bis, 67-67-ter, 144-145-quater	N

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Date of the last update of information in this template			30/06/2018	
2. Review processes	Articles 73 to 110			
2.1 Internal capital adequacy assessment process	Article 73	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 53, 65, 67, 69.  C285: Part One, Title III, Chapter 1	N
2.2 Arrangements, processes and mechanisms of institutions	Articles 74 to 96	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 51, 53, 56, 67.  C285: Part One, Title III, Chapter 2; Part One, Title IV, Chapters 1 and 3	N
2.3 Supervisory review and evaluation process	Articles 97 to 101	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285); Bank of Italy's Circular 269	CLB: Art. 53-53-ter, 65, 67-67-ter, 69.  C285: Part One, Title III, Chapter 1	N
2.4 Supervisory measures and powers	Articles 102 to 107	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285); Bank of Italy's Circular 269	CLB: Art. 53-bis, 67-ter.  C285: Part One, Title III, Chapter 1	N

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<b>Transposition of provisions of Directive 2013/36/EU</b>	<b>Provisions of Directive 2013/36/EU</b>	<b>National text</b>	<b>References</b>	<b>Available in EN (Y/N)</b>
Date of the last update of information in this template			30/06/2018	
2.5 Level of application	Articles 108 to 110	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 53, 67.  C285: Introductory provisions and Part One, Title III, Chapter 1	N
3. Supervision on a consolidated basis	Articles 111 to 127			
3.1 Principles for conducting supervision on a consolidated basis	Articles 111 to 118	Consolidated Law on Banking	Art. 59-69	N
3.2 Financial holding companies, mixed financial holding companies and mixed-activity holding companies	Articles 119 to 127	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 59-62, 64, 67-67-ter.  C285: Part One, Title I, Chapter 2	N

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Date of the last update of information in this template			30/06/2018	
4. Capital buffers	Articles 128 to 142			
4.1 Buffers	Articles 128 to 134	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 53, 67. C285: Part One, Title II, Chapter 1	N
4.2 Setting and calculating countercyclical capital buffers	Articles 135 to 140	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 53, 67. C285: Part One, Title II, Chapter 1	N
4.3 Capital conservation measures	Articles 141 to 142	Consolidated Law on Banking (CLB); Bank of Italy's Circular 285 (C285)	CLB: Art. 53, 67. C285: Part One, Title II, Chapter 1	N
VIII. Disclosure by competent authorities	Articles 143 to 144	Consolidated Law on Banking	Art. 6	N
X. Amendments of Directive 2002/87/EC	Article 150		N.A.	
XI. Transitional and final provisions	Articles 151 to 165			
1. Transitional provisions on the supervision of institutions exercising the freedom of establishment and the freedom to provide services	Articles 151 to 159		No longer applicable	
2. Transitional provisions for capital buffers	Article 160	Measure of enactment of Bank of Italy's Circular 285		N
3. Final provisions	Articles 161 to 165		N.A.	

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**Part 2**  
**Model approval**

Date of the last update of information in this template	30/06/2018
<b>Supervisory approach for the approval of the use of Internal Ratings Based (IRB) Approach to calculate minimum capital</b>	
Minimum documentation to be provided by the institutions applying for the use of IRB approach	<i>Bank of Italy's Circular 285: Introductory provisions; Part Two, Chapter 4</i>
Description of the assessment process conducted by the competent authority (use of self assessment, reliance on external auditors and on-site-inspections) and main criteria of the assessment	<i>Bank of Italy's Circular 285: Introductory provisions; Part Two, Chapter 4</i>
Form of the decisions taken by the competent authority and communication of the decisions to applicants	<i>Bank of Italy's Circular 285: Introductory provisions; Part Two, Chapter 4</i>
<b>Supervisory approach for the approval of the use of Advanced Measurement Approach (AMA) to calculate minimum capital</b>	
Minimum documentation to be provided by the institutions applying for the use of AMA approach	<i>Bank of Italy's Circular 285: Introductory provisions</i>
Description of the assessment process conducted by the competent authority (use of self assessment, reliance on external auditors and on-site-inspections) and main criteria of the assessment	<i>Bank of Italy's Circular 285: Introductory provisions</i>
Form of the decisions taken by the competent authority and communication of the decisions to applicants	<i>Bank of Italy's Circular 285: Introductory provisions</i>

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**Part 3**

**Specialised lending exposures**

Regulation (EU) N° 575/2013	Provisions	Information to be provided by the competent authority
Date of the last update of the information in this template		30/06/2018
Article 153(5)	Has the competent authority published guidance to specify how institutions should take into account the factors referred to in paragraph 5 of Article 153 when assigning risk weights to specialised lending exposures?	Yes
	If so, please provide the reference to the national guidance	<i>Bank of Italy's Circular 285: Part Two, Chapter 4, Annex B</i>
	Is the national guidance available in English?	N

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**Part 4  
Credit risk mitigation**

Regulation (EU) N° 575/2013	Provisions	Description	Information to be provided by the competent authority	
Date of the last update of the information in this template				30/06/2018
Article 201(2)	Publication of the list of financial institutions that are eligible providers of unfunded credit protection or guiding criteria for identifying these financial institutions	Competent authorities shall publish and maintain the list of financial institutions that are eligible providers of unfunded credit protection under point (f) of Article 201(1) of Regulation (EU) N° 575/2013 or the guiding criteria for identifying such eligible providers	List of the financial institutions or guiding criteria for their identification	Financial intermediaries entered in the Single Register; electronic money institutions and payment institutions enrolled in the registers referred to in art. 114-quater and 114-septies CLB
	Description of the applicable prudential requirements	Competent authorities shall publish a description of the applicable prudential requirements together with the list of the eligible financial institutions or the guiding criteria for identifying these financial institutions	Description of the prudential requirements applied by the competent authority	Bank equivalent prudential requirements apply to the financial intermediaries mentioned above
Article 227(2)(e)	Condition for applying a 0% volatility adjustment	Under the Financial collateral Comprehensive Method institutions may apply a 0% volatility adjustment provided that the transaction is settled in a settlement system proven for that type of transaction	Detailed description on how the competent authority considers the settlement system as a proven system	No specific criteria provided
Article 227(2)(f)	Condition for applying a 0% volatility adjustment	Under the Financial collateral Comprehensive Method institutions may apply a 0% volatility adjustment provided that the documentation covering the agreement or transaction is standard market documentation for repurchase transactions or securities lending or borrowing transactions in the securities concerned	Specification of the documentation to be considered as standard market documentation	No specific criteria provided
Article 229(1)	Valuation principles for immovable property collateral under the IRB approach	The immovable property may be valued by an independent valuer at or at less than the mortgage lending value in the Member States that have laid down rigorous criteria for the assessment of this mortgage lending value in statutory or regulatory provisions	Criteria set out in the national legislation for the assessment of the mortgage lending value	N.A.

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**Part 5**

**Specific disclosure requirements applied to institutions**

Directive 2013/36/EU	Regulation (EU) N° 575/2013	Provision	Information to be provided by the competent authority	
Date of the last update of information in this template				30/06/2018
Article 106(1)(a)		Competent authorities may require institutions to publish information referred to in Part Eight of Regulation (EU) N° 575/2013 more than once per year, and to set deadlines for publication	Frequency and deadlines for publication applicable to institutions	<i>No measure taken in this respect</i>
Article 106(1)(b)		Competent authorities may require institutions to use specific media and locations for publications other than the financial statements	Types of specific media to be used by institutions	<i>No measure taken in this respect</i>
	Article 13(1) and (2)	Significant subsidiaries and those which are of material significance for their local market shall disclose information specified in Part Eight of Regulation (EU) No 575/2013 on an individual or sub-consolidated basis.	Criteria applied by the competent authority to assess the significance of a subsidiary	<i>Bank of Italy's Circular 285: Part One, Title III, Chapter 1, Section III</i>

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**Part 6**

**Waivers for the application of prudential requirements**

<b>Regulation (EU) N° 575/2013</b>	<b>Provisions</b>	<b>Description</b>	<b>Information to be provided by the competent authority</b>	
Date of the last update of the information in this template				30/06/2018
Article 7(1) and (2) (Individual waivers for subsidiaries)	Exemption from the application on an individual basis of prudential requirements set out in Parts Two to Five and Eight of Regulation (EU) N° 575/2013	The waiver may be granted to any subsidiary provided that there is no current or foreseen material practical or legal impediment to the prompt transfer of own funds or repayment of liabilities by its parent undertaking pursuant to point (a) of Article 7(1).	Criteria applied by the competent authority to assess that there is no obstacle to the prompt transfer of own funds or repayment of liabilities	
Article 7(3) (Individual waivers for parent institutions)	Exemption from the application on an individual basis of prudential requirements set out in Parts Two to Five and Eight of Regulation (EU) N° 575/2013	The waiver may be granted to a parent institution provided that there is no current or foreseen material practical or legal impediment to the prompt transfer of own funds or repayment of liabilities to the parent institution pursuant to point (a) of Article 7(3).	Criteria applied by the competent authority to assess that there is no obstacle to the prompt transfer of own funds or repayment of liabilities	
Article 9(1) (Individual consolidation method)	Permission granted to parent institutions to incorporate subsidiaries in the calculation of their prudential requirements set out in Parts Two to Five and Eight of Regulation (EU) N° 575/2013	The permission is granted only where the parent institution demonstrates fully to the competent authorities that there is no current or foreseen material practical or legal impediment to the prompt transfer of own funds, or repayment of liabilities when due by the subsidiary incorporated in the calculation of requirements to its parent institution pursuant to Article 9(2).	Criteria applied by the competent authority to assess that there is no obstacle to the prompt transfer of own funds or repayment of liabilities	
Article 8 (Liquidity waivers for subsidiaries)	Exemption from the application on an individual basis of liquidity requirements set out in Part Six of Regulation (EU) N° 575/2013	The waiver may be granted to institutions within a sub-group provided that these institutions have entered into contracts that, to the satisfaction of the competent authorities, provide for the free movement of funds between them to enable them to meet their individual and joint obligations as they become due pursuant to point (c) of Article 8(1).	Criteria applied by the competent authority to assess whether the contracts provide for free movement of funds between the institutions in a liquidity sub-group	<i>Inclusion in an Italian banking group under Art. 60 CLB</i>
Article 10 (Credit institutions permanently affiliated to a central body)	Exemption from the application on an individual basis of prudential requirements set out in Parts Two to Eight of Regulation (EU) N° 575/2013	Member States may maintain and make use of existing national legislation regarding the application of the waiver as long as it does not conflict with the Regulation (EU) No 575/2013 or Directive 2013/36/EU	Applicable national law / regulation regarding the application of the waiver	

For competent authorities granting no waiver or permission the cells shall be put in orange

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**Part 7**  
**Qualifying holdings in a credit institution**

Directive 2013/36/EU	Assessment criteria and information that is necessary for assessing the suitability of the proposed acquirer seeking to acquire a credit institution and the financial soundness of the proposed acquisition	Information to be provided by the competent authority	
Date of the last update of information in this template			30/06/2018
Article 23(1)(a)	Reputation of the proposed acquirer	Description on how the competent authority assesses the integrity of the proposed acquirer	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
		Description on how the competent authority assesses the professional competence of the proposed acquirer	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
		Practical details on the cooperation process between competent authorities pursuant to Article 24 of Directive 2013/36/EU	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
Article 23(1)(b)	Reputation, knowledge, skills and experience of any member of the management body or senior management who will direct the business of the credit institution	Description on how the competent authority assesses the reputation, knowledge, skills and experience of members of management body and senior managers	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
Article 23(1)(c)	Financial soundness of the proposed acquirer	Description on how the competent authority assesses the financial soundness of the proposed acquirer	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
		Practical details on the cooperation process between competent authorities pursuant to Article 24 of Directive 2013/36/EU	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
Article 23(1)(d)	Compliance of the credit institution with the prudential requirements	Description on how the competent authority assesses whether or not the credit institution will be able to comply with the prudential requirements	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
Article 23(1)(e)	Suspicion of money laundering or terrorist financing	Description on how the competent authority assesses whether or not there are reasonable grounds to suspect money laundering or terrorist financing	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
		Practical details on the cooperation process between competent authorities pursuant to Article 24 of Directive 2013/36/EU	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>
Article 23(4)	List specifying the information to be provided to the competent authorities at the time of notification	List of information that must be provided by the proposed acquirer at the time of notification in order for the competent authority to carry out the assessment of the proposed acquirer and the proposed acquisition	<i>Bank of Italy's Circular 285: Part One, Title I, Chapter 1</i>

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**Part 8**

**Regulatory and financial reporting**

Date of the last update of information in this template	30/06/2018
<b>Implementation of the reporting on financial information in accordance with the Commission Implementing Regulation 680/2014</b>	
Is the application of the requirement set out in Article 99(2) of Regulation (EU) No 575/2013 extended to institutions which do not apply international accounting standards as applicable under Regulation (EC) No 1606/2002?	No. <i>All Italian Finrep reporting entities are subject to IAS/IFRS</i>
<i>If so, what accounting framework<u>s</u> apply to these institutions?</i>	
<i>If so, which is the level of application of the reporting? (solo/consolidated/sub-consolidated basis)</i>	
Is the application of requirements set out in Article 99(2) of Regulation (EU) No 575/2013 extended to financial entities other than credit institutions or investment firms?	No. <i>FINREP applies to entities regulated by Directive 2013/36/EU</i>
<i>If so, what types of financial entities (e.g. financial firms) are subject to these reporting requirements?</i>	
<i>If so, what is the size of these financial entities in terms of total balance sheet (on a solo basis)?</i>	
Are XBRL standards used for submitting the reporting to the competent authority?	No (for the ongoing evolution cf. the <i>Communications of the Bank of Italy of 22 June 2016 and 18 October 2017</i> )
<b>Implementation of the reporting on own funds and own funds requirements in accordance with the Commission Implementing Regulation 680/2014</b>	
Is the application of requirements set out in Article 99(1) of Regulation (EU) No 575/2013 extended to financial entities other than credit institutions or investment firms?	Yes, in accordance with proportionality ( <i>Bank of Italy's Circular 286 Part II, Sections 5 and 6</i> )
<i>If so, what accounting frameworks apply to these financial entities?</i>	IAS/IFRS
<i>If so, what types of financial entities (e.g. financial firms) are subject to these reporting requirements?</i>	<i>Financial firms, payment institutions, electronic money institutions (Bank of Italy's Circular 286 Part II, Sections 5 and 6)</i>
<i>If so, what is the size of these financial entities in terms of total balance sheet (on a solo basis)?</i>	Any size

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Are XBRL standards used for submitting the reporting to the competent authority?	<i>No (for the ongoing evolution cf. the Communications of the Bank of Italy of 22 June 2016 and 18 October 2017)</i>
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