

EN
ANNEX I



Banc Ceannais na hÉireann
Central Bank of Ireland
Eurosystem

Part 1
Transposition of Directive 2013/36/EU

	Transposition of provisions of Directive 2013/36/EU	Provisions of Directive 2013/36/EU	Links to national text⁽¹⁾ European Union (Capital Requirements) Regulations 2014 (S.I. 158 of 2014), as amended,* except where other legislation is indicated. Where no link is provided, the official consolidated Act is unavailable	Reference(s) to national provisions⁽²⁾	Available in EN (Y/N)
010	Date of the last update of information in this template			(25/06/2019)	
020	I. Subject matter, scope and definitions	Articles 1 to 3	S.I. No.158 of 2014	Regulations 2-3	Y
030	II. Competent authorities	Articles 4 to 7	S.I. No.158 of 2014	Regulations 4-6	Y
040	III. Requirements for access to the activity of credit institutions	Articles 8 to 27			
050	1. General requirements for access to the activity of credit institutions	Articles 8 to 21	Central Bank Act 1971 Building Societies Act 1989 S.I. No.158 of 2014	Sections 7, 9, 9D-9J and 11(1)(b) of Central Bank Act Sections 17, 17A-17F and 40(2) Building Societies Act Regulations 7-9 of S.I.	Y
060	2. Qualifying holding in a credit institution	Articles 22 to 27	S.I. No.158 of 2014	Regulations 10, 12-17, 18, 19, 21(2), 23-25, 147, 150	Y
070	IV. Initial capital of investment firms	Articles 28 to 32	S.I. No.158 of 2014	Regulations 26-31	Y
080	V. Provisions concerning the freedom of establishment and the freedom to provide services	Articles 33 to 46			
090	1. General principles	Articles 33 to 34	S.I. No.158 of 2014	Regulation 32(1)-(6), (8)	Y
100	2. The right of establishment of credit institutions	Articles 35 to 38	S.I. No.158 of 2014	Regulations 33(1)-(3), (5)-(7), 34-35, 37	Y
110	3. Exercise of the freedom to provide services	Article 39	S.I. No.158 of 2014	Regulation 38	Y
120	4. Powers of the competent authorities of the host Member State	Articles 40 to 46	S.I. No.158 of 2014	Regulation 39, 40(1)-(5), 41, 42(1)-(2), (4)-(7), 43, 44	Y
130	VI. Relations with third countries	Articles 47 to 48	Central Bank Act 1971	Section 9A	Y
140	VII. Prudential supervision	Articles 49 to 142			
150	1. Principles of prudential supervision	Articles 49 to 72			
160	1.1 Competence and duties of home and host Member States	Articles 49 to 52	S.I. No.158 of 2014	Regulations 45, 46, 47(1)-(5), (9), 48(1)-(3), (5)-(9), 49, 50	Y
170	1.2 Exchange of information and professional secrecy	Articles 53 to 62	Central Bank Act 1942 S.I. 158 of 2014 Central Bank Reform Act 2010	Section 33AK of Central Bank Act Regulation 51 of S.I. Section 54 of Central Bank Reform Act 2010	Y
180	1.3 Duty of persons responsible for the legal control of annual and consolidated accounts	Article 63	S.I. No.158 of 2014	Regulation 52	Y
190	1.4 Supervisory powers, powers to impose penalties and right of appeal	Articles 64 to 72	Central Bank Act 1942 Central Bank Act 1971 S.I. 158 of 2014 Central Bank (Supervision and Enforcement) Act 2013	Section 33AQ of Central Bank Act 1942 Parts II and V of Central Bank Act 1971 Regulations 53, 54(1)-(3), 55, 56(1)-(5), 57-59 & 150 of S.I. Part III of Supervision and Enforcement Act	Y
200	2. Review processes	Articles 73 to 110			
210	2.1 Internal capital adequacy assessment process	Article 73	S.I. No.158 of 2014	Regulation 60	Y

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220	2.2 Arrangements, processes and mechanisms of institutions	Articles 74 to 96	S.I. No.158 of 2014	Regulations 61(1)-(5), (7-9), (13-16), 62, 63-65, 66(1)-(10), 67-70, 71(1)-(2), (4)-(7), 72-78, 79(1)-(16), 80(1)-(4), 81-84	Y
230	2.3 Supervisory review and evaluation process	Articles 97 to 101	S.I. No.158 of 2014	Regulations 85-87, 88(1), 89	Y
240	2.4 Supervisory measures and powers	Articles 102 to 107	S.I. No.158 of 2014	Regulations 90, 91, 92(1)-(4), 93-95	Y
250	2.5 Level of application	Articles 108 to 110	S.I. No.158 of 2014	Regulations 96-98	Y
260	3. Supervision on a consolidated basis	Articles 111 to 127			
270	3.1 Principles for conducting supervision on a consolidated basis	Articles 111 to 118	S.I. No.158 of 2014	Regulations 99-106	Y
280	3.2 Financial holding companies, mixed financial holding companies and mixed-activity holding companies	Articles 119 to 127	S.I. No.158 of 2014 Central Bank Act 1942	Regulations 107-114 of S.I. Section 33ANC of Central Bank Act	Y
290	4. Capital buffers	Articles 128 to 142			
300	4.1 Buffers	Articles 128 to 134	S.I. No.158 of 2014	Regulations 115-118, 120-122, 123(1)-(14), 124	Y
310	4.2 Setting and calculating countercyclical capital buffers	Articles 135 to 140	S.I. No.158 of 2014	Regulations 125-128	Y
320	4.3 Capital conservation measures	Articles 141 to 142	S.I. No.158 of 2014	Regulations 129-130	Y
330	VIII. Disclosure by competent authorities	Articles 143 to 144	S.I. No.158 of 2014	Regulations 131-132	Y
340	IX. Amendments of Directive 2002/87/EC	Article 150	na (not applicable)	na	na
350	X. Transitional and final provisions	Articles 151 to 165			
360	1. Transitional provisions on the supervision of institutions exercising the freedom of establishment and the freedom to provide services	Articles 151 to 159	S.I. No.158 of 2014	Regulations 1(2), 133, 134(1)-(4), (6), 135-142	Y
370	2. Transitional provisions for capital buffers	Article 160	S.I. No.158 of 2014	Regulation 119	Y
380	3. Final provisions	Articles 161 to 165	S.I. No.158 of 2014	Regulations 1(3), 82(9), 123(15), 160-161, Preamble to Regulation	Y

(1) Hyperlink(s) to the website containing the national text transposing the Union provision in question.

(2) Detailed references to the national provisions, such as relevant Title, Chapter, paragraph etc.

***S.I. 158 of 2014 amended by:** European Union (Single Supervisory Mechanism) Regulations (S.I. 495 of 2014); European Union (Insurance and Reinsurance Groups and Financial Conglomerates) (Amendment) Regulations 2014 (S.I. 416 of 2014); European Union (Bank Recovery and Resolution) Regulations 2015 (S.I. 289 of 2015); European Union (Payment Services) Regulations 2018 (S.I. No.6 of 2018); and European Union (Capital Requirements)(Amendment) Regulations 2018 (S.I. No.150 of 2018).