



# MINIMUM BAIL-IN DATA TEMPLATE (MBDT)

Country annex: Germany



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Finanzdienstleistungsaufsicht

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## National-specific abbreviations

<b>BGB</b>	Bürgerliches Gesetzbuch (German Civil Code).
<b>CoRep reporting form</b>	Templates according to Annex 1 of the Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council.
<b>EinSiG</b>	Einlagensicherungsgesetz (German Deposit Guarantee Act).
<b>HGB</b>	Handelsgesetzbuch (German Commercial Code).
<b>InsO</b>	Insolvenzordnung (German Insolvency Code).
<b>KWG</b>	Gesetz über das Kreditwesen (German Banking Act).
<b>MelBbV</b>	Merkblatt der BaFin zur insolvenzrechtlichen Behandlung bestimmter Verbindlichkeiten von CRR-Instituten (BaFin Guidance Notice on the treatment of certain liabilities of CRR-institutions in insolvency).
<b>SAG</b>	Gesetz zur Sanierung und Abwicklung von Instituten und Finanzgruppen (German Act on the Recovery and Resolution of Institutions and Financial Groups).
<b>VermAnlG</b>	Vermögensanlagegesetz (German Capital Investment Act).
<b>WpHG</b>	Wertpapierhandelsgesetz (German Securities Trading Act).

## 1. Disclaimer

This publication is not intended to create any legally binding effect and does not in any way substitute the legal requirements laid down in the relevant applicable European Union and national laws. It may not be relied upon for any legal purposes, does not establish any binding interpretation of EU or national laws and does not serve as, or substitute for, legal advice. This document may be subject to further revisions, including due to changes in the applicable legislation. Bundesanstalt für Finanzdienstleistungsaufsicht reserves the right to amend this publication without notice whenever it deems appropriate, and it shall not be considered as predetermining the position that the Authorities part of the SRM may take in specific cases, where the circumstances of each case will also be considered.

This Country Annex complements the general guidance. Any question on a specific national data point included in this Annex shall be addressed to the relevant NRA.

## 2. Filling rules

### 2.1. General remarks regarding the types of national specificities

The **national specificities** that are presented in the following subsection are of four distinct types:

1. **Addition** of a national-specific data point.
2. **Non-applicability** of a common data point.
3. Addition of **national-specific** options to the **drop-down list** of a common data point.
4. National-specific **amendment of the description** of a common data point.

Each subsection on the following pages features the national specificities added to a particular tab of the MBDT.

### 2.2. Tab B02.00: Main liabilities

#### 2.2.1. c0080: Outstanding principal amount<sup>1</sup>

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the treatment of zero-coupon bonds has been added:

- For **zero-coupon bonds** issued at discount (i.e. c0240 = “ZCB issued at discount”) the outstanding principal is equal to the face value, adjusted by own holdings if applicable.
- For **zero-coupon bonds** not issued at discount (i.e. c0240 = “ZCB not issued at discount”), the outstanding principal is equal to the face value (final redemption amount), adjusted by own holdings if applicable.

#### 2.2.2. c0090: Portion of instrument or liability held by the reporting entity

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the systematic differences in the computation of own holdings for non-structured securities on the one hand and structured securities on the other hand has been added:

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<sup>1</sup> Regarding the filling of this data point (as well as other data points containing information on nominal values, accrued interest, and fees and charges - at the aggregate level and the per security level) for liabilities with **pool factor** please also take the guidance in Chapter 5 (Question 5) into account.

- For **non-structured liabilities**, the amount is defined as principal plus accrued interest and applicable fees and charges of the positions held by the reporting entity itself. An exception applies for **zero coupon bonds issued at discount** (i.e. c0240 = “ZCB issued at discount”), where the amount to be reported is the amortised face value (i.e. initially paid-up amount plus accrued component of the discount) including applicable fees and charges of the positions held by the reporting entity.
- For **structured liabilities**, the amount is defined as the fair value of the positions held by the reporting entity itself.

### 2.2.3. c0100: Accrued interest

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the treatment of zero-coupon bonds has been added:

- For **zero-coupon bonds** issued at discount (i.e. c0240 = “ZCB issued at discount”) this data point is not applicable.
- For **zero-coupon bonds** not issued at discount (i.e. c0240 = “ZCB not issued at discount”) accrued interest is equal to accrued interest from the issuance date to the reporting date.

### 2.2.4. c0130: Relevant amount for Bail-in/WDC

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the systematic differences in the computation of the relevant amount of non-structured liabilities on the one hand and structured liabilities on the other hand has been added:

- For **non-structured liabilities**, the relevant amount is equal to the outstanding amount (c0120) of the liability less existing components subject to statutory exemption pursuant to Article 27 (3) of the SRMR and/or Section 91 (2) of the SAG. An exception applies for **zero coupon bonds issued at discount** (i.e. c0240 = “ZCB issued at discount”) where the amount to be reported is the amortised face value (i.e. initially paid-up amount plus accrued component of the discount) including applicable fees and charges less existing components subject to statutory exemption pursuant to Article 27 (3) of the SRMR and/or Section 91 (2) of the SAG.
- For **structured liabilities**, the relevant amount is equal to the fair value (c0270) of the liability less existing components subject to statutory exemption pursuant to Article 27 (3) of the SRMR and/or Section 91 (2) of the SAG.

### 2.2.5. c0140: Nature of the liability

**Type of national specificity: Addition of national-specific options to the drop-down list of a common data point.**

There are two additional options in the drop-down list of this data point:



- DE\_Silent partnership contribution
- DE\_Profit participation right

#### 2.2.6. c0150: Structurally subordinated

**Type of national specificity: Non-applicability of a common data point.**

This data point is not applicable as it is not relevant for Germany.

#### 2.2.7. c0161: Contractual subordination

**Type of national specificity: Non-applicability of a common data point.**

This data point is not applicable as it is already embedded in data point c0162.

#### 2.2.8. c0162: Bail-in cascade

**Type of national specificity: National-specific amendment of the description of a common data point.**

The German bail-in cascade is described by the following set of (fixed) values<sup>2</sup>:

Value	Description
1	Instruments that are fully or partially recognised as CET1 instruments at the level of the relevant entity.
2	Instruments that are fully or partially recognised as AT1 instruments at the level of the relevant entity, unless included in rank 1.
3	Instruments which are fully or partially recognised as T2 instruments at the level of the relevant entity, unless included in rank 1 or 2.
4a to 4z	Instruments which are subordinated in accordance with Section 39 of the InsO, unless included in rank 1, 2 or 3, are assigned a combination of the number four and a letter indicating the relative insolvency ranking within this class with “4a” being the set of liabilities first affected by write-down and conversion.

<sup>2</sup> **Please note:** A liability secured by a pledge, lien or collateral shall be assigned the rank of the bail-in sequence that applies to the (potentially) unsecured portion of the liability. Liabilities for which there is no unsecured portion as of the reporting date based on the internal valuation of the collateral of the bank should still be assigned the rank that the unsecured part of the liability would have in case the value of the collateral dropped sufficiently for there to arise an unsecured part.

5	Debt instruments with an insolvency rank in accordance with Section 38 of the InsO in conjunction with Section 46f subsection 6 sentence 1 and subsection 9 of the KWG (“non-preferred senior debt”).
6	Claims in accordance with Section 38 of the InsO in conjunction with Section 46f subsection 5 of the KWG, including liabilities in accordance with Section 46f Subsection 6 sentence 3 and Section 46f subsection 7 of the KWG (“normal insolvency claims”)
7	Deposits in accordance with Section 46f subsection 4 No 2 of the KWG (“preferential but not covered deposits”).

#### 2.2.9. c0180: Date of the next interest payment

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the treatment of zero-coupon bonds has been added:

- For **zero-coupon bonds** issued at discount (i.e. c0240 = “ZCB issued at discount”), this data point is not applicable.
- For **zero-coupon bonds** not issued at discount (i.e. c0240 = “ZCB not issued at discount”) the date of the next interest payment is equal to the maturity date.

#### 2.2.10. c0259: Structured product (if other non-standard terms)

**Type of national specificity: Addition of a national-specific data point.**

Free text. If “Other non-standard terms” is selected in c0250, please include a short description of the non-standard terms.

#### 2.2.11. c0299: Deposit excluded from protection

**Type of national specificity: Addition of a national-specific data point.**

Indicate whether the liability is a deposit that is excluded from protection in accordance with Section 6 of the EinSiG. The value to be reported is a TRUE/FALSE Boolean. This data point is only applicable for deposits.

#### 2.2.12. c0300: Covered portion of eligible deposits

**Type of national specificity: National-specific amendment of the description of a common data point.**

Additional clarification regarding the filling of this data point for counterparties that are partnerships/joint account holders has been added:

Please note that in case a deposit is a joint account or a deposit held by a partnership (“Personengesellschaft”), it is important to be aware that the amount to be provided in c0300 could be made up of the sum of the covered shares allocated to the members, i.e. a single entry might refer to the covered shares of multiple depositors.

### 2.2.13. c0370: Denomination/Nominal value per security in EUR

**Type of national specificity: National-specific amendment of the description of a common data point.**

The corresponding data point codes of the financial market database by **WM Datenservice** have been added:

- For **securities issued in EUR**: The value of this data point corresponds to GD455A for securities with trading method “Nominal” (c0360) and GD460A for unit-quoted securities.
- For **securities issued in foreign currency**: The value corresponds to the value provided in c0380, converted into EUR.

### 2.2.14. c0380: Denomination/Nominal value per security in original currency

**Type of national specificity: National-specific amendment of the description of a common data point.**

The corresponding data point codes of the financial market database by **WM Datenservice** have been added:

The value of this data point corresponds to GD455A for securities with trading method “Nominal” (c0360) and GD460A for unit-quoted securities

### 2.2.15. c0427: Multiplier of a structured security

**Type of national specificity: Addition of a national-specific data point.**

The multiplier (Bezugsverhältnis) expresses the number of units of the underlying that the **structured security** references (Example: For a reverse convertible bond, an exchange ratio of 10 would imply that the holder of the security would receive 10 shares under certain circumstances). This data point is only applicable for structured securities that can be transferred in denominations/units. The corresponding data point in the financial market database by **WM Datenservice** is UD011D.

### 2.2.16. c0428: Unique ID of the underlying of a structured security (ISIN)

**Type of national specificity: Addition of a national-specific data point.**

Indicate the ISIN of the underlying (e.g. share, currency, or commodity) of a **structured security** which is the basis for the computation of the payoff at maturity and/or the coupon payment(s). This data point is only applicable for structured securities that can be transferred in denominations/units. The corresponding data point in the financial market database by **WM Datenservice** is UD021PI.

### 2.2.17. c0429: Collateral value per security

**Type of national specificity: Addition of a national-specific data point.**

Total EUR amount (market value) of the pledge, lien or collateral per security, based on the current internal valuation. This data point is only applicable for structured securities that can be transferred in denominations/units.

#### 2.2.18. c0430: Principal amount of the global note in EUR

**Type of national specificity: National specific-amendment of the description of a common data point.**

The corresponding data point codes of the financial market database by **WM Datenservice** have been added:

- For **securities issued in EUR** and with trading method “Nominal” (c0360), the value of this data point corresponds to GD650A.
- For **securities issued in foreign currency** and with trading method “Nominal” (c0360), the value of this data point corresponds to GD650A (i. e. the value provided in c0431) converted into EUR.

#### 2.2.19. c0431: Principal amount of the global note in original currency

**Type of national specificity: National-specific amendment of the description of a common data point.**

The corresponding data point code of the financial market database by **WM Datenservice** has been added:

For securities with trading method “Nominal” (c0360), the value of this data point corresponds to GD650A.

#### 2.2.20. c0449: Instrument with pool factor

**Type of national specificity: Addition of a national-specific data point.**

Indicate whether the instrument/liability is subject to a pool factor reduction. The value to be reported is a TRUE/FALSE Boolean. This data point is only relevant for securities that can be transferred in denominations/units.

#### 2.2.21. c0450: Current pool factor

**Type of national specificity: National-specific amendment of the description of a common data point.**

The corresponding data point code of the financial market database by **WM Datenservice** has been added:

The value corresponds to GD177A.

#### 2.2.22. c0460: Central securities depository

**Type of national specificity: National specific-amendment of the description of a common data point.**

Please choose the following entry for securities that can be transferred in denominations/units but are not deposited by a central securities depository:

DE\_Not deposited by a CSD

#### 2.2.23. c0569: Liability with security interest provided by a third party

**Type of national specificity: Addition of a national-specific data point.**

Indicate whether a security interest is provided by a third party. The value to be reported is a TRUE/FALSE Boolean.

#### **2.2.24. c0599: Type of security interest provided by a third party (if other)**

**Type of national specificity: Addition of a national-specific data point.**

Free text. If “Other” is selected in c0590, include a short description of the type of security interest provided.

#### **2.2.25. c0640: Balance sheet item according to national GAAP**

**Type of national specificity: National-specific amendment of the description of a common data point.**

One of the following balance sheet categories according to HGB shall be chosen:

- Liabilities to credit institutions
- Liabilities to customers
- Securitised liabilities
- Trading liabilities
- Other liabilities
- Subordinated liabilities
- Profit participation capital
- Equity
- Other

## 2.3. Tab B03.00: Derivatives

### 2.3.1. c0068: Type of master agreement

**Type of national specificity: Addition of a national-specific data point.**

The type of the master agreement shall be specified. Value to be chosen from the following drop-down list:

- DRV 1993/2001
- DRV 2018
- ISDA 2002 MA
- ISDA 1992 MA
- ISDA 1987 MA
- ISDA 1986 MA
- ISDA 1985 MA
- Individual contract
- Other

### 2.3.2. c0069: Type of master agreement (if other)

**Type of national specificity: Addition of a national-specific data point.**

Free text. If “Other” is selected in c0068, include a short description of the type of master agreement.

### 2.3.3. c0079: Number of transactions covered within the netting set

**Type of national specificity: Addition of a national-specific data point.**

The number of transactions that are part of a netting set.

## 2.4. Tab B04.00: Securities Financing Transactions

### 2.4.1. c0047: Type of master agreement

**Type of national specificity: Addition of a national-specific data point.**

The type of the master agreement shall be specified. Value to be chosen from the following drop-down list:

- MRAA = Master Repurchase Agreement
- GMRA = Global Master Repurchase Agreement
- MSLA = Master Securities Loan Agreement
- GMSL = Global Master Securities Loan Agreement
- ISDA = ISDA
- DERP = Deutscher Rahmenvertrag für Wertpapierpensionsgeschäfte
- CNBR = China Bond Repurchase Master Agreement,
- KRRRA = Korea Financial Investment Association (KOFIA) Standard Repurchase Agreement
- CARA = Investment Industry Regulatory Organization of Canada (IIROC) Repurchase/Reverse repurchase Transaction Agreement
- FRFB = Convention-Cadre Relative aux Operations de Pensions Livrées
- CHRA = Swiss Master Repurchase Agreement
- DEMA = German Master Agreement
- JPBR = Japanese Master Agreement on the Transaction with Repurchase Agreement of the Bonds
- ESRA = Contrato Marco de compraventa y Reporto de valores
- OSLA = Overseas Securities Lending Agreement (OSLA)
- MEFI = Master Equity and Fixed Interest Stock Lending Agreement
- GESL = Gilt Edged Stock Lending Agreement (GESLA)
- KRSL = Korean Securities Lending Agreement (KOSLA)
- DERD = Deutscher Rahmenvertrag für Wertpapierdarlehen
- AUSL = Australian Masters Securities Lending Agreement
- JPBL = Japanese Master Agreement on Lending Transaction of Bonds
- JPSSL = Japanese Master Agreement on the Borrowing and Lending Transactions of Share Certificates

- BIAG = bilateral agreement
- CSDA = CSD bilateral agreement
- OTHR = if the master agreement type is not included in the above list

#### 2.4.2. c0048: Type of master agreement (if other)

**Type of national specificity: Addition of a national-specific data point.**

Free text. If “OTHR” is selected in c0047, include a short description of the type of master agreement.

#### 2.4.3. c0049: Version of the master agreement

**Type of national specificity: Addition of a national-specific data point.**

Indicate the year according to ISO 8601 (YYYY) that describes the version of the master agreement.

#### 2.4.4. c0057: ISDA Protocol Resolution Stay of the reporting entity

**Type of national specificity: Addition of a national-specific data point.**

Indicate whether the entity itself has signed the ISDA Universal Stay Protocol, either:

- Yes - ISDA Universal Protocol
- Yes - ISDA JMP Module
- Yes - Other
- Not applicable
- No resolution stay recognition

#### 2.4.5. c0058: Recognition Resolution Stay of the counterparty

**Type of national specificity: Addition of a national-specific data point.**

Indicate whether the counterparty has adhered to, either:

- Yes - ISDA Universal Protocol
- Yes - ISDA JMP Module
- Yes - Other Agreement for resolution stay recognition
- Not applicable
- No resolution stay recognition



#### **2.4.6. c0059: Number of transactions covered within the netting set**

**Type of national specificity: Addition of a national-specific data point.**

The number of transactions that are part of a netting set.

## 2.5. Tab B90.00: Counterparties

### 2.5.1. c0089: Sector or industry classification of the counterparty

**Type of national specificity: Addition of a national-specific data point.**

Free text. The sector classification shall be made in accordance with the sectoral breakdown of the European System of Accounts by stating the customer classification key from the latest version of the Deutsche Bundesbank's "Special Statistical Publication 2, Banking statistics, Customer classification". An example of a valid entry would be "64B".

## 3. Comparison MBDT and DE-IRT Guidance

### 3.1. Purpose and design of the mapping

The instructions in this section allow for the mapping of the information requested by the MBDT (including national specifics defined in this Annex) with the bail-in data points of the DE-IRT Bail-in Guidance (Version 3), with a view to reduce the burden and facilitate reporting institutions on identifying the relevant data points in their respective information systems. Whenever a material discrepancy is identified, an alert is provided in the column “Explanatory comment (differences in case of no exact match)” that aims at explaining the differences between the definitions in the corresponding guidance. To further ease the filling of the respective data points, an additional column has been added to some of the following tables in order to specify for which kinds of liabilities certain data points are relevant.

### 3.2. General differences between MBDT and DE-IRT Guidance

#### 3.2.1. Introduction

There are a few significant differences in the collection of bail-in data between the DE-IRT Guidance (Version 3) and the MBDT. In the following, a selection of the most significant deviations is presented:

#### 3.2.2. Reporting format

Whereas the DE-IRT Guidance made use of an Excel template, MBDT data is submitted in the .csv format.

#### 3.2.3. Tabs

The MBDT features a larger number of tabs. The below table lists the tabs that are featured in the MBDT as well as the tabs of the DE-IRT Guidance where comparable information used to be reported.

Tab in the MBDT	Corresponding tab in the DE-IRT Guidance
B99.00	0.00
B01.00	No corresponding tab.

B02.00 <sup>3</sup>	1.00
B03.00	2.00
B04.00	3.00
05.00	4.00
06.00	No corresponding tab.
90.00	Information on counterparties/guarantors was reported directly in tabs 1.00, 2.00, 3.00, and 4.00, respectively.

#### 3.2.4. Granularity of the reported data

Liabilities falling under the definition of tab B02.00 in the MBDT used to be reported on a granular basis in one tab in the DE-IRT Guidance (tab 1.00), whereas these liabilities are reported in two files in the MBDT (Submission A and Submission B). Aggregation of deposits was not allowed in the DE-IRT guidance, whereas this is foreseen for deposits ranking senior to the non-preferred senior class in Submission A. As a result of this two-tiered structure in the MBDT, some data points (e.g. the unique ID to the counterparty) are not applicable/filled with a special coding in Submission A.

#### 3.2.5. Reporting of counterparty information

Information on counterparties was reported directly in the tab where the relevant liability was reported in the DE-IRT guidance. In the MBDT, information on counterparties/guarantors is reported in a separate tab (B90.00).

<sup>3</sup> Note that in practice Tab B02.00 is reported twice by the bank: Submission A and Submission B.

### **3.2.6. Reporting of counterparty information for securities**

The DE-IRT guidance required the reporting of counterparty information only for liabilities that are not securities that can be transferred in denominations/units. In fact, the points with data on counterparties were “not applicable” for securities. In the MBDT, information on counterparties can now be reported also for securities in a dedicated tab (B90.00) in case such information is known by the reporting entity. While there is still only one entry in the sheet where the main information pertaining to the security is reported (B02.00), multiple counterparties can be reported in the dedicated counterparty sheet. In case of multiple counterparties, the relevant amount also has to be split by counterparties in tab B90.00.

### **3.2.7. Reporting of multiple guarantors**

In case of a guarantee being provided by multiple guarantors, the guarantors have to be provided on separate lines in the dedicated counterparty information sheet B90.00 in the MBDT whereas such a split was not foreseen in the DE-IRT Guidance. In case of multiple guarantors, the “maximum amount” provided jointly by the guarantors needs to be split in the MBDT by guarantors in tab B90.00.

### **3.2.8. Reporting of excluded intragroup liabilities**

In the DE-IRT guidance, intragroup liabilities excluded under 27(3)(h) SRMR in general fell under the reporting scope, whereas in the MBDT liabilities that are in their entirety excluded according to 27(3)(h) SRMR are out of scope.

### **3.2.9. Precision of numeric values reported**

Regarding the submission of numeric values, the MBDT specifies the amount of decimals that should be reported for each data point whereas the DE-IRT guidance did not.

### **3.2.10. Coding of “not applicable”**

The coding for “not applicable” is systematically different in the MBDT compared to the DE-IRT Guidance. Whereas the coding for “not applicable” was “n.a.” for all types of data points in the DE-IRT guidance, the values for “not applicable” depend on the data type in the MBDT.






### **3.2.11. Reporting of multiple string values in one data point**

Some data points allow multiple entries, e.g. multiple CSDs or trading venues for certain securities. In the DE-IRT Guidance two entries were separated by a semicolon, whereas they are separated by a vertical bar in the MBDT.

### 3.3. Mapping of the MBDT to the DE-IRT Bail-in Guidance

#### 3.3.1. Introduction

The following sections present mappings of data points of the MBDT tabs B99.00, B02.00, B04.00, B90.00 with the corresponding data points of the DE-IRT Guidance. In addition, the colour legend shows the deviations of the country specific annex from the core MBDT package.

<b>Colour legend</b>	
	Blue indicates data points defined in the general MBDT Guidance.
	Green indicates national-specific data points that have been added to the MBDT country annex for Germany.
	Yellow indicates a national-specific amendment of the description or the addition of national-specific drop-down options of a common data point.
	Red indicates common data points that have been marked as not applicable in the MBDT country annex for Germany.
	Grey indicates data points for which an equivalent data point does not exist in the DE-IRT Guidance.

#### 3.3.2. Mapping for Tab B99.00: Identification of the report

<b>Minimum Bail in Data Template (MBDT) incl. DE Annex</b>		<b>DE-IRT Guidance v3</b>	<b>Explanatory comment (differences in case of no exact match)</b>
<b>Data point label</b>	<b>Data point code</b>	<b>Data point ID</b>	
Name of Legal Entity	c0010	Excel Cell C3	
LEI of Legal Entity	c0020	Excel Cell C4	
Country of incorporation	c0030	Excel Cell C5	
Name of the ultimate parent entity	c0040		This data point did not exist in the DE-IRT Guidance.
LEI of the ultimate parent entity	c0041		This data point did not exist in the DE-IRT Guidance.
Name of the Resolution Entity	c0050		This data point did not exist in the DE-IRT Guidance.
LEI of the Resolution Entity	c0051		This data point did not exist in the DE-IRT Guidance.
Reporting entity type	c0060		This data point did not exist in the DE-IRT Guidance.
Reference date	c0070	Excel Cell C6	Please note that the reference date now includes the time of day (hh:mm:ss).
Reported currency	c0080		This data point did not exist in the DE-IRT Guidance.
EUR exchange rate	c0090		This data point did not exist in the DE-IRT Guidance.

### 3.3.3. Mapping for Tab B02.00: Main liabilities

The mapping below assumes that granular information on liabilities is reported, i.e. the entry of aggregated information on deposits in Submission A of the MBDT is not covered here as there was no equivalent in the DE-IRT guidance. Regarding the filling of certain data points for aggregated deposits in Submission A, the MBDT guidance should be consulted.

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
Row number	c0010	No		All liabilities
Unique internal identification number	c0020	1.2		All liabilities
Unique identification number (known to the counterparty)	c0030	1.4	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the treatment of certain liabilities issued in tranches.	All liabilities
Type of the unique identifier (known to the counterparty)	c0040	1.5		All liabilities
Original amount issued in EUR	c0050	1.6	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the relevance of this data point for certain types of liability.	Liabilities that are not of the type "Cash account/saving account"
Original amount issued in foreign currency	c0060	1.7	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the relevance of this data point for certain types of liability.	Liabilities that (i) have been issued in foreign currency or currencies preceding the Euro and (ii) are not of the type "Cash account/saving account"
Contract Currency	c0070	1.8		All liabilities
Outstanding principal amount	c0080	1.9	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the treatment of zero-coupon bonds.  Please also note that the corresponding data point in the DE-IRT Guidance used to be not applicable for structured	Non-structured liabilities and structured liabilities for which the outstanding principal can be computed

<sup>4</sup> This column gives an indication of whether a data point is only applicable for **certain types** of liabilities. Please note that the applicability of a data point can also depend on individual characteristics of the given liability within a certain class of liabilities.

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
			liabilities whereas this restriction is not made in the MBDT.	
Portion of instrument or liability held by the reporting entity	c0090	1.10	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the treatment of zero-coupon bonds and structured liabilities.	Securities
Accrued interest	c0100	1.11	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the treatment of zero-coupon bonds.  Please also note that the corresponding data point in the DE-IRT Guidance used to be not applicable for structured liabilities whereas this restriction is not made in the MBDT.	Non-structured liabilities (except zero coupon bonds issued at discount) and structured liabilities for which accrued interest can be computed
Applicable fees and charges	c0110	1.12	Please note that the corresponding data point in the DE-IRT Guidance used to be not applicable for structured liabilities whereas this restriction is not made in the MBDT.	All liabilities
Outstanding amount	c0120	1.13	Please note that the corresponding data point in the DE-IRT Guidance used to be not applicable for structured liabilities whereas this restriction is not made in the MBDT.	Non-structured liabilities and structured liabilities for which the outstanding amount can be computed
Relevant amount for Bail-in/WDC	c0130	1.15	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the computation of the relevant amount for zero coupon bonds.	All liabilities
Nature of the liability	c0140	1.25	The drop-down list in the MBDT differs from that of the DE-IRT Guidance.	All liabilities
Nature of the liability (if other)	c0141	1.25a		'Other' selected in data point c0140
Structurally subordinated	c0150			
Insolvency ranking	c0160	1.17		All liabilities
Contractual subordination	c0161			
Bail-in cascade	c0162	1.16		All liabilities



Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
Date of issuance	c0170	1.18	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the relevance for certain types of liability and the treatment of tap issues.	Liabilities that are not of the type "Cash account/saving account"
Date of the next interest payment	c0180	1.27	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the treatment of zero-coupon bonds.	Liabilities that are not (i) of the type "Cash account/saving account" or (ii) zero coupon bonds issued at discount.
Date of the next (partial) redemption payment	c0190	1.28	Please take the more detailed definition of this data points in the MBDT guidance into account, in particular with regard to the relevance for certain types of liability.	Liabilities that are not of the type "Cash account/saving account"
Earliest redemption date	c0200	1.19	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the relevance for certain types of liability.	Liabilities that are not of the type "Cash account/saving account"
Legal maturity	c0210	1.20	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the relevance for certain types of liability.	Liabilities that are not of the type "Cash account/saving account"
Governing law	c0220	1.26		All liabilities
Bail-in recognition clause	c0230	2.37	For this data point the DE-IRT Guidance provides the options "Yes", "No", and "n.a.", whereas the MBDT provides a drop-down list with four values.	Liabilities that are governed by the law of a third country
Zero-Coupon	c0240		This data point did not exist in the DE-IRT Guidance.	All liabilities
Structured product	c0250	2.50	For this data point, the MBDT provides for 4 drop-down list options, whereas the DE-IRT Guidance only had three options.	All liabilities
Structured product (if other non-standard terms)	c0259	2.50a		'Other' selected in data point c0250
Guaranteed minimum repayment amount of the structured product	c0260	2.52	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the role of own holdings.	Structured liabilities
Fair value of the structured product	c0270	2.51	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular with regard to the role of own holdings and the consideration of fees and charges.	Structured liabilities
Not covered and not preferential deposit	c0280	2.41	Valid entries in the DE-IRT Guidance were "Yes", "No", and "n.a.", whereas the MBDT requires either "TRUE", "FALSE" or "Not applicable".	Deposits

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
			Please also note that the data point in the MBDT has a different meaning than the corresponding data point in the DE-IRT Guidance. Whereas "Yes" was only selected for <b>eligible</b> non-preferred deposits in the DE-IRT Guidance, "TRUE" has to be selected for non-preferred deposits in the MBDT guidance. The latter therefore includes deposits that are not covered by DGS protection, whereas the former did not.	
Not covered but preferential deposit	c0290	2.40	Valid entries in the DE-IRT Guidance were "Yes", "No", and "n.a.", whereas the MBDT requires either "TRUE", "FALSE" or "Not applicable".	Deposits
Deposit excluded from protection	c0299	2.39	Valid entries in the DE-IRT Guidance were "Yes", "No", and "n.a.", whereas the MBDT requires either "TRUE", "FALSE" or "Not applicable".	Deposits
Covered portion of eligible deposits	c0300	2.42	Please note that this data point was not applicable for deposits excluded from protection in the DE-IRT guidance, whereas a value of zero has to be entered in the MBDT for deposits excluded from protection.	Deposits
Secured/Unsecured	c0310	2.43	Whereas the drop-down options in the DE-IRT Guidance were "Yes" and "No", the options are "Secured" and "Unsecured" in the MBDT.	All liabilities
Amount of pledge, lien or collateral	c0320	2.44		Secured liabilities
Amount of the uncollateralized part	c0330		This data point did not exist in the DE-IRT Guidance.	Secured liabilities
Internal identification number of the pledge, lien or collateral/collateral pool	c0340	2.45		Secured liabilities
Type of the collateral	c0350	2.47	Please note that the drop-down lists differ.	Secured liabilities
Type of the collateral (if other)	c0351	2.47a		'Other' selected in data point c0350
Trading method	c0360		This data point did not exist in the DE-IRT Guidance.	Securities
Denomination/Nominal value per security in EUR	c0370	2.2	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular on the filling of this data point for unit-quoted and percentage-quoted securities.	Percentage-quoted securities and unit-quoted securities with a nominal
Denomination/Nominal value per security in original currency	c0380	2.3	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular on the filling of this data point for unit-quoted and percentage-quoted securities.	Percentage-quoted securities and unit-quoted securities with a nominal
Number of securities outstanding not held by the reporting entity	c0390	2.4		Securities

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
Number of securities outstanding held by the reporting entity	c0391	2.5		Securities
Accrued interest per security	c0400	2.6	Please note that the corresponding data point in the DE-IRT Guidance used to be not applicable for structured liabilities whereas this restriction is not made in the MBDT.	Non-structured securities and structured securities for which accrued interest can be computed
Fees and charges per security	c0410	2.7		Securities
Fair value per security	c0420		This data point did not exist in the DE-IRT Guidance.	Structured securities
Multiplier of a structured security	c0427		This data point did not exist in the DE-IRT Guidance.	Structured securities
Unique ID of the underlying of a structured security (ISIN)	c0428		This data point did not exist in the DE-IRT Guidance.	Structured securities
Collateral value per security	c0429		This data point did not exist in the DE-IRT Guidance.	Structured securities
Principal amount of the global note in EUR	c0430	2.8	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular on the filling of this data point for unit-quoted and percentage-quoted securities.	Percentage-quoted securities
Principal amount of the global note in original currency	c0431	2.9	Please take the more detailed definition of this data point in the MBDT guidance into account, in particular on the filling of this data point for unit-quoted and percentage-quoted securities.	Percentage-quoted securities
Nature of the global note	c0440	2.29		Securities deposited by an ICSD
Instrument with pool factor	c0449	2.10	Whereas the drop-down options in the DE-IRT Guidance were "Yes", "No", and "n.a.", the options are "TRUE", "FALSE", and "Not applicable" in the MBDT.	Securities
Current pool factor	c0450	2.11		Securities with pool factor
Central securities depository	c0460	2.21a	Please note that in the MBDT it is mandatory to fill in the name(s) of the CSD(s), whereas it was only required in the DE-IRT Guidance if no LEI code was available. When choosing the names in the MBDT, an option/options from the list given in the MBDT guidance has to be selected.  Please also note that for securities that can be transferred in denominations/units but are not centrally deposited, a dedicated option is available and needs to be chosen in the MBDT.	Securities
Central securities depository (LEI)	c0461	2.21	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Securities
Central securities depository name (if other)	c0462		This data point did not exist in the DE-IRT Guidance.	'Other' selected in data point c0461

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
(Mandated) paying agent	c0470	2.22a	Please note that in the MBDT it is mandatory to fill in the name of the (mandated) paying agent, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	All liabilities
(Mandated) paying agent (LEI)	c0471	2.22	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	All liabilities
Trading venue	c0480	2.23a	Please note that in the MBDT it is mandatory to fill in the name of the trading venue(s), whereas it was only required in the DE-IRT Guidance if no LEI code was available.  In case a liability is admitted to multiple trading venues, the MBDT requires in c0480 all trading venue names separated by vertical bars, whereas the DE-IRT Guidance required the filling of a separate sheet.  If a security is not listed, "Not listed" needs to be entered in data point c0480 of the MBDT, whereas this was entered in 2.23 of the DE-IRT Guidance.	Securities
Trading venue (LEI)	c0481	2.23	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Securities
Registrar for information about creditors/holders	c0490	2.25a	Please note that in the MBDT it is mandatory to fill in the name of the registrar, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	All liabilities
Registrar for information about creditors/holders (LEI)	c0491	2.25	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	All liabilities
National Numbering Agency	c0500	2.26a	Please note that in the MBDT it is mandatory to fill in the name of the national numbering agency, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	Securities
National Numbering Agency (LEI)	c0501	2.26	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Securities
Common Depository	c0510	2.27a	Please note that in the MBDT it is mandatory to fill in the name of the common depository, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	Nature of global note (c0440) is CGN
Common Depository (LEI)	c0511	2.27	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Nature of global note (c0440) is CGN
Common Service Provider	c0520	2.28a	Please note that in the MBDT it is mandatory to fill in the name of the common service provider, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	Nature of global note (c0440) is NGN
Common Service Provider (LEI)	c0521	2.28	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Nature of global note (c0440) is NGN

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
Data point label	Data point code	Data point ID		
Type of own funds at individual level	c0530	2.12	Please take into account that the drop-down lists differ. Also consider the different treatment of instruments that are partially (A)T1 and T2. Whereas two data points had to be filled out in the DE-IRT guidance for these types of own funds, there is only one data point in the MBDT.	Own fund instruments
Eligible amount for own funds at individual level	c0540	2.13	Please consider the different treatment of instruments that are partially (A)T1 and T2. Whereas two data points had to be filled out in the DE-IRT guidance for these types of own funds, there is only one data point in the MBDT.	Own fund instruments
Type of own funds at consolidated level	c0550	2.16	Please note that the drop-down lists differ. Also consider the different treatment of instruments that are partially (A)T1 and T2. Whereas two data points had to be filled out in the DE-IRT guidance for these types of own funds, there is only one data point in the MBDT. Please observe the MBDT guidance when reporting this data point for non-resolution entities as the instructions differ between the MBDT and the DE-IRT Guidance.	Own fund instruments
Eligible amount for own funds at consolidated level	c0560	2.17	Please consider the different treatment of instruments that are partially (A)T1 and T2. Whereas two data points had to be filled out in the DE-IRT guidance for these types of own funds, there is only one data point in the MBDT. Please observe the MBDT guidance when reporting this data point for non-resolution entities as the instructions differ between the MBDT and the DE-IRT Guidance.	Bail-in Ranking 1-3 (if applicable)
Liability with security interest provided by a third party	c0569		This data point did not exist in the DE-IRT Guidance.	All liabilities
Amount of the security interest provided	c0570	2.35		Liabilities with security interest provided by a third party
Security interest provider (Name)	c0580	2.34a	Please note that in the MBDT it is mandatory to fill in the name of the common service provider, whereas it was only required in the DE-IRT Guidance if no LEI code was available.	Liabilities with security interest provided by a third party
Security interest provider (LEI)	c0581	2.34	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance whereas other codes are possible in the MBDT.	Liabilities with security interest provided by a third party
Type of security interest provided by a third party	c0590	2.36	Please note that the drop-down lists differ.	Liabilities with security interest provided by a third party
Type of security interest provided by a third party (if other)	c0599	2.36a		'Other' selected in data point c0590
Collateral for an asset position	c0600		This data point did not exist in the DE-IRT Guidance.	All liabilities
Carrying amount IFRS	c0610	1.22		All liabilities
Balance sheet item according to IFRS	c0620	1.24		All liabilities

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)	Applicable for <sup>4</sup>
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>		
Carrying amount national GAAP	c0630	1.21		All liabilities
Balance sheet item according to national GAAP	c0640	1.23		All liabilities
Instrument/liability is issued to or bought by an existing shareholder that is not part of the same resolution group	c5000	6.1	Whereas the drop-down options in the DE-IRT Guidance were "Yes", "No", and "n.a.", the options are "TRUE", "FALSE", and "Not applicable" in the MBDT.	Liabilities of non-resolution entities
Instrument/liability meets the requirements of Art. 21(7a) SRMR	c5010	6.2	Whereas the drop-down options in the DE-IRT Guidance were "Yes", "No", and "n.a.", the options are "TRUE", "FALSE", and "Not applicable" in the MBDT. Please also take into account the refined definition in the MBDT.	Liabilities of non-resolution entities

### 3.3.4. Mapping for Tab B03.00: Derivatives

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Row number	c0010	No	
Unique identification number of the netting set known to the counterparty	c0020	3.3	
Insolvency ranking	c0030	3.5	
Bail-in cascade	c0031	3.4	
ISDA Protocol Resolution Stay of the Resolution Entity	c0040	3.8	Please note that the drop-down lists differ.
Recognition Resolution Stay of the counterparty	c0050	3.9	Please note that the drop-down lists differ.
Master Agreement ID	c0060	3.6	

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Type of master agreement	c0068	3.7	
Type of master agreement (if other)	c0069	3.7a	
Governing law of the Master Agreement	c0070	3.13	
Number of transactions covered within the netting set	c0079	3.14	
Net mark-to-market value	c0080	3.15	
Net value of collateral posted	c0090	3.16	
Estimated close-out amount	c0100	3.17	
Estimated early termination amount	c0110	3.18	Please take into account the updated definition in the MBDT guidance, in particular with regard to the reporting of the estimated early termination amount for fully collateralised derivatives.
CCP cleared	c0140		This data point did not exist in the DE-IRT Guidance.

### 3.3.5. Mapping for Tab B04.00: SFTs

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Row number	c0010	No	
Unique identification number of the netting set known to the counterparty	c0020	4.3	
Insolvency ranking	c0030	4.5	
Bail-in cascade	c0031	4.4	
Master agreement ID	c0040	4.6	
Type of master agreement	c0047	4.7	
Type of master agreement (if other)	c0048	4.7a	
Version of the master agreement	c0049	4.8	
Governing law of the Master Agreement	c0050	4.14	
ISDA Protocol Resolution Stay of the reporting entity	c0057	4.9	Please note that the drop-down lists differ.
Recognition Resolution Stay of the counterparty	c0058	4.10	Please note that the drop-down lists differ.



Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Number of transactions covered within the netting set	c0059	4.15	
Net mark-to-market value	c0060	4.16	
Estimated close-out amount	c0070	4.17	
Estimated early termination amount	c0080	4.18	

### 3.3.6. Mapping for Tab B05.00: Guarantees provided to the Non-Resolution Entity

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Row number	c0010	No	
Unique (internal) identifier of the guarantee provided to the Non-Resolution Entity	c0020	5.1	
Governing law	c0030	5.4	
Guarantee fulfils the requirements pursuant to art. 12g(3) SRMR	c0040	5.5	The DE-IRT Guidance allows "Yes" and "No" as possible entries, whereas the MBDT requires an input of "TRUE" or "FALSE".
Type of guarantee	c0050	5.6	The DE-IRT Guidance allowed the entry of free text, whereas in the MBDT an option from the drop-down list must be chosen.
Maximum amount of the guarantee	c0060	5.7	
Guarantee is secured	c0070	5.8	The DE-IRT Guidance allows "Yes" and "No" as possible entries, whereas the MBDT requires an input of "Secured" or "Unsecured".
Current value of the collateral	c0080	5.9	
Guarantee trigger	c0090		This data point did not exist in the DE-IRT Guidance.
Legal maturity date of the collateral	c0100		This data point did not exist in the DE-IRT Guidance.
Identifier of the securities used as a collateral for the guarantee	c0110		This data point did not exist in the DE-IRT Guidance.
Type of collateralization	c0120		This data point did not exist in the DE-IRT Guidance.

Minimum Bail in Data Template (MBDT) incl. DE Annex		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
<i>Data point label</i>	<i>Data point code</i>	<i>Data point ID</i>	
Value of collateral	c0130		This data point did not exist in the DE-IRT Guidance.
Type of protection value	c0140		This data point did not exist in the DE-IRT Guidance.
Date of the valuation of the security	c0150		This data point did not exist in the DE-IRT Guidance.
Protection valuation approach	c0160		This data point did not exist in the DE-IRT Guidance.

### 3.3.7. Mapping for Tab B90.00: Counterparties

The following mapping has been created exemplarily for the case of liabilities found in tab B02.00 of the MBDT/tab 1.00 of the DE-IRT Guidance. Equivalent mappings apply to the liabilities of other tabs.

Minimum Bail in Data Template (MBDT) incl. national specific filling rules		DE-IRT Guidance v3	Explanatory comment (differences in case of no exact match)
Data point label	Data point code	Data point ID	
Row number	c0010		This data point did not exist in the DE-IRT Guidance.
Tab of origin	c0011		This data point did not exist in the DE-IRT Guidance.
Unique identification number (known to the counterparty)	c0020	1.4	
Counterparty within the resolution group	c0030	1.3	Please note that the drop-down lists differ. Whereas the DE-IRT Guidance had two options, "Yes" and "No", there are three options in the MBMT.
Counterparty name	c0040	2.30a	Please note that in the MBMT it is mandatory to fill in the name of the counterparty, whereas it was only required in the DE-IRT Guidance if no LEI code was available.
Counterparty identifier (preferably LEI)	c0050	2.30	Please note that only LEI codes were accepted as inputs in the DE-IRT Guidance, whereas other codes are possible in the MBMT.
Type of counterparty identifier	c0060		This data point did not exist in the DE-IRT Guidance.
Internal counterparty identifier	c0070	2.31	
Counterparty type	c0080		This data point did not exist in the DE-IRT Guidance.
Sector or industry classification of the counterparty	c0089	2.32	
Country of the counterparty	c0090	2.33	Please take the more detailed definition of this data point in the MBMT guidance into account, in particular on the filling of this data point for counterparties that are international/supranational organisations.
Relevant amount for Bail-in/WDC	c0100		This data point did not exist in the DE-IRT Guidance.

## 4. Additional requirements<sup>5</sup>

### 4.1. Introduction

Besides the provision of data points described in the *MBDT Guidance*, the reporting entity has to provide additional data and information to (i) the resolution authority and/or (ii) financial market infrastructures:

- (1) The reporting entity has to provide **additional implementation-relevant data** jointly with the data collected via the MBDT.
- (2) The reporting entity has to **update the additional implementation-relevant data** within 12 hours and provide the information to the resolution authority after receiving interim results (interim write-down percentages, conversion percentages, and conversion rates).
- (3) The reporting entity has to provide the **relevant data for the internal and external bail-in implementation** based on the requirements of the national and international CSDs, exchanges and national numbering agencies.<sup>6</sup>

### 4.2. Additional implementation-relevant data

The relevant entity has to deliver additional implementation-relevant data. This shall include as of the request date in particular:

- material **balance sheet** and **profit and loss statement/statement of comprehensive income** items in accordance with the applicable accounting rules, taking into account the relevant input from the resolution authority to calibrate accounting, tax, and regulatory adjustments for the purposes of resolution (as of the request date),
- **own funds** in accordance with Part 2 of the CRR, the **total risk exposure amount** pursuant to Article 92 (3) of the CRR, and the **total exposure measure** pursuant to Article 429 (4) of the CRR taking into account the relevant input from the resolution authority to calibrate accounting, tax, and regulatory adjustments for the purposes of resolution (as of the request date), and

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<sup>5</sup> The requirements outlined in this section are specific to Germany and linked to the related national bail-in mechanics. They expand upon the general requirements for data provision in the MBDT and in some cases relate to information exchange for the internal and external execution phases.

<sup>6</sup> For securities issued in Germany please refer to BaFin's Guidance Notice on external bail-in execution. For securities issued in other countries please refer to the relevant country's guidance on external bail-in execution.

- **tax calculation** (including tax loss, loss carry forward, differences between commercial and tax balances), taking into account the relevant input from the resolution authority to calibrate accounting, tax, and regulatory adjustments for the purposes of resolution (as of the request date).

To the extent that it is not possible to comply with statutory or other regulatory requirements due to the period of time available when preparing the balance sheet, profit and loss statement/statement of comprehensive income, the total risk exposure amount pursuant to Article 92 (3) of the CRR, the total exposure measure pursuant to Article 429 (4) of the CRR, own funds calculation pursuant to Part 2 of the CRR and tax data, **estimates** may be used for the relevant line item provided that they are calculated in a comprehensible, appropriate and prudent manner taking into account the information available and the uncertainty. The relevant entity shall demonstrate any deviations in the description of the key policies, assumptions and estimates, coordinate them with the resolution authority and document them.

As part of the resolution planning, the question of whether and, if so, which additional calculations the relevant entity shall be capable of performing in the course of the bail-in implementation and how the results are to be provided by the relevant entity shall be agreed with the resolution authority.

### 4.3. Update the additional implementation-relevant data

The relevant entity must deliver an update of the additional implementation-relevant data as described in Section 4.2 **within 12 hours**, taking into account (i) the relevant input from the resolution authority to calibrate accounting, tax, and regulatory adjustments for the purposes of resolution and (ii) the intended write-down and/or conversion of liabilities provided by the resolution authority. These preliminary calculations should be provided to the Resolution Authority and shall be of enough quality to serve as a basis for the resolution decision process (resolution scheme, implementing act).

### 4.4. Internal and External Execution

The relevant entity must be capable to implement the write-down and/or the conversion of the liabilities concerned after issuing the resolution order pursuant to Section 137 of the SAG. This shall include in particular:

- supporting the **external implementation** by financial market infrastructures within **12 hours**, i.e. preparing the external execution of the write-down and/or conversion as well as the issue of new shares, and
- **final internal implementation**, i.e. the technical and accounting recording of the write-down and conversion based on a resolution order and incorporating the preliminary calculations (see Section 4.3) in the balance sheet and the profit and loss account **within 24 hours** after receipt of all relevant information. The internal implementation should include inter alia:

- the calculation of the **asset and liability items** in accordance with the applicable accounting rules and the adjustment of the balance sheet,
- the calculation of the **changes in balance sheet equity** in accordance with the applicable accounting regulations and the adjustment of the profit and loss account, and
- the determination of the impact on the elements of the **total risk exposure amount** in accordance with Article 92 (3), the **total exposure measure** pursuant to Article 429 (4) of the CRR, and **own funds** in accordance with Part 2 of the CRR.

As part of the resolution planning, the question of whether and, if so, which additional measures (e.g. implementation of change of legal form, re-hedging after bail-in) the relevant entity shall be capable of performing in order to implement the write-down and/or conversion shall be agreed with the resolution authority.

## 5. Frequently asked questions

### 1. How are zero-coupon bonds considered?

For zero-coupon bonds that are redeemed at maturity at face value (i.e. c0240 = “ZCB issued at discount”), the outstanding principal amount (data point c0080) is equal to the face value (adjusted for possible own holdings). Accrued interest (data point c0100) as well as the date of the next interest payment (data point c0180) are “not applicable” and the date of the next (partial) redemption payment (data point c0190) is equal to the maturity date. The relevant amount of this type of zero-coupon bond does not directly derive from the outstanding principal amount/outstanding amount and is instead defined as the amortised face value (i.e. initially paid-up amount plus accrued component of the discount) including applicable fees and charges less existing components subject to statutory exemption pursuant to Article 27 (3) SRMR and/or Section 91 (2) of the SAG.

For a second type of zero-coupon bonds that is issued at par and redeemed at par including accrued interest (since the date of issue) at the maturity date (i.e. c0240 = “ZCB not issued at discount”), the outstanding principal amount (data point c0080) is the face value (final redemption amount) adjusted for possible own holdings. The accrued interest (data point c0100) corresponds to the interest accrued since the bond was issued and the date of the next interest payment (data point c0180) as well as the date of the next (partial) redemption payment (data point c0190) corresponds to the maturity date. Regarding the computation of the relevant amount, the same computations that apply to ordinary bonds, apply here, i.e. the relevant amount is derived from the outstanding amount.

### 2. What rank of the bail-in cascade (data point c0162) are subordinated liabilities assigned if they are not recognised as own funds instruments?

Unless they are included in ranks 1, 2 or 3, i.e. they are recognised as own funds at the level of the reporting entity, the liabilities pursuant to Section 39 InsO must generally be assigned to liability rank 4. They are, moreover, to be placed in relation to each other using letters with liabilities within rank “4a” absorbing losses before liabilities in rank “4b”, for instance. In accordance with Section 39 (1) no. 5 InsO, this category also includes, for example, claims for the repayment of a shareholder loan or claims arising from legal acts that correspond economically to such a loan in accordance with Section 39 (4) and (5) InsO. Liabilities of the institution for which a contractual subordination has been agreed that equates them with own funds instruments but which are not own funds instruments are also part of rank 4.



### 3. How is information on deposits collected?<sup>7</sup>

The term "deposit" is defined in Section 2 (3) EinSiG. Deposits within the meaning of the EinSiG are balances (including fixed-term deposits and savings deposits) that result from amounts remaining in an account or from interim positions due to banking transactions and which are to be repaid by the CRR credit institution in accordance with the applicable statutory and contractual conditions. In principle, this may also include balances from promissory note loans, registered bonds and certain savings products in the form of a certificate of deposit in the name of a named person.

**Balances from promissory note loans (*Schuldscheindarlehen*)** constitute deposits if the promissory note loan is not structured as a money market instrument within the meaning of Section 2 (2) WpHG, i.e. it is not structured as a financial instrument and can only be evidenced by this, and the other requirements under the EinSiG (in particular Section 6 EinSiG) are met.

**Balances from registered bonds (*Namensschuldverschreibungen*)** are generally financial instruments within the meaning of Section 2 (4) WpHG and therefore not deposits. However, according to Section 2 (4) WpHG in conjunction with Section 1 (2) VermAnlG, registered bonds with an agreed fixed term and an unchangeably agreed fixed positive interest rate, where the invested capital is repaid in full at the time of maturity at the full nominal value without deduction of interest, and which are issued by a CRR credit institution within the meaning of Section 1 (3d) sentence 1 KWG that has been granted a license in accordance with Section 32 (1) KWG and the capital paid in is not repaid only after all non-subordinated creditors have been satisfied in the event of insolvency proceedings over the institution's assets or liquidation of the institution, are not financial instruments, i.e. deposits.

In addition, savings products in the form of a certificate of deposit in the name of a named person that already existed on July 2, 2014 are also deposits within the meaning of Section 2 (3) EinSiG even if they constitute a financial instrument (see Section 2 (3) sentence 2 no. 1 EinSiG).

Deposits can generally occur in all relevant ranks within the data collection. If the liability is not a deposit, the coding for "Not applicable" must always be entered in data points c0280 to c0300.

Pursuant to Section 2 (4) EinSiG, eligible deposits of a CRR credit institution are all deposits with the exception of **non-eligible deposits** pursuant to Section 6 EinSiG. Data point c0299 must therefore be filled with "TRUE" if a deposit is a non-eligible deposit. If the value of data point c0299 is "TRUE", the entry in data point c0280 must be "TRUE" and c0290 must take on the value "FALSE". This is the case as deposits excluded from protection are never preferred deposits. In addition, "0" would be inserted in data point c0300. Deposits that are not eligible in accordance with Section 6 EinSiG include, for example, deposits from investment firms, insurance companies, credit institutions, pension and annuity funds and government agencies, as well as own

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<sup>7</sup> Please also consult MelBbV for the treatment of the key concepts used in this subsection in German.

funds; this means that relevant capital instruments (tier 1 capital and tier 2 capital) can also be deposits but are not eligible in accordance with Section 6 no. 2 EinSiG. The following table shows the classification of non-eligible deposits:

c0280	c0290	c0299	c0300
Not covered and not preferential deposit	Not covered but preferential deposit	Deposit excluded from protection	Covered portion of eligible deposits
TRUE	FALSE	TRUE	0.00

If, on the other hand, a liability is an eligible deposit, data point c0299 is equal to "FALSE". For data points c0280 to c0290, it must therefore be evaluated whether it is either a preferred eligible deposit in accordance with Section 46f (4) no. 2 KWG in conjunction with Section 2 (4) and Section 6 EinSiG or a non-preferred eligible deposit. The following eligible deposits are preferred pursuant to Section 46f (4) no. 2 KWG:

- Deposits from natural persons, micro, small and medium-sized enterprises (see Article 2 (1) of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36)) or
- Deposits with institutions domiciled in the European Union that would be eligible deposits if they had not been accepted by their branches outside the European Union.

**Preferred eligible deposits** are always part of rank 7 (data point c0162) of the data collection. They may have a covered portion pursuant to Section 8 EinSiG, which must be entered in data point c0300. The following depicts the example of a preferred eligible deposit:

c0280	c0290	c0299	c0300
Not covered and not preferential deposit	Not covered but preferential deposit	Deposit excluded from protection	Covered portion of eligible deposits
FALSE	TRUE	FALSE	100,000.00

**Non-preferred eligible deposits** therefore form a residual amount. This means that they are not deposits that are not eligible for compensation in accordance with Section 6 EinSiG. They are also not preferred in accordance with Section 46f (4) no. 2 KWG. They can appear in ranks 4, 5 and 6 of the bail-in cascade in the data collection. Please refer to the MeIBbV for the further requirements that apply to liabilities in rank 5. Non-preferred eligible deposits may have a covered portion in accordance with Section 8 EinSiG, the amount of which must be entered in data point c0300.

The following table shows an example of non-preferred eligible deposits:

<b>c0280</b>	<b>c0290</b>	<b>c0299</b>	<b>c0300</b>
Not covered and not preferential deposit	Not covered but preferential deposit	Deposit excluded from protection	Covered portion of eligible deposits
TRUE	FALSE	FALSE	100,000.00

If a depositor has several eligible deposits with an institution which in total exceed the cover amount pursuant to Section 8 EinSiG, the question arises as to how the individual claims are taken into account when distributing the covered amount. In the absence of an explicit provision in Section 46f KWG or EinSiG, an analogous application of Section 366 (2) BGB can be considered for the distribution of the covered amount. This means that the covered amount pursuant to Section 8 EinSiG must first be allocated to those deposits that would have a lower insolvency ranking if they were not covered by Section 46f (4) KWG. A distribution of the covered amount to several eligible deposits within an insolvency ranking is carried out proportionally according to the outstanding amount.

#### 4. How are minority interests taken into account?

Minority interests in the reporting institution can play a special role in the case of a Bail-in. This is the case if the minority shareholders have a special preference compared to the majority shareholder (e.g. a compensation payment based on a profit and loss transfer agreement). These shares may then not be included in own funds as they do not meet the requirements of Article 28 CRR. When recording the relevant data, care must therefore be taken to ensure that in cases where minority interests are not eligible as Common Equity Tier 1 capital, two types of interests are reported separately, i.e. on two lines, so that they can be recorded in a targeted manner for the calculation. The separation must also be made if the two types of interests are part of the same instrument, e.g. if the ISIN/securities identification number are identical.

## 5. Which values are to be entered for bonds with a pool factor?

Great care needs to be taken when populating certain data points for bonds with a pool factor. Whether the pool factor is to be taken into account when filling the data points for such a liability is shown in the following table with an example, assuming a current pool factor of 0.5 and a coupon of 5% p.a. It is also assumed that the interest period is one year. The reporting date is midway through the interest period. Furthermore, the number of units is 1,000 and 20% of the issue is held by the reporting entity:

Data point ID	Data point description	Example	Computation	With/without pool factor
c0050	Original amount issued in EUR	2,000,000.00		without pool factor
c0060	Original amount issued in foreign currency	1,000,000.00		without pool factor
c0080	Outstanding principal amount	800,000.00	$800,000.00 \text{ EUR} = 800 \text{ securities} * 2,000.00 \text{ EUR} * 0.5$	with pool factor
c0090	Portion of instrument or liability held by the reporting entity	205,000.00	$205,000.00 \text{ EUR} = 200 \text{ securities} * 2,000.00 \text{ EUR} * 0.5 * (1 + 5\% * 0.5)$	with pool factor
c0100	Accrued interest	20,000.00	$20,000.00 \text{ EUR} = 800,000.00 \text{ EUR} * 5\% * 0.5$	with pool factor
c0110	Applicable fees and charges	0.00		with pool factor
c0120	Outstanding amount	820,000.00	$820,000.00 \text{ EUR} = 800,000.00 \text{ EUR} + 20,000.00 \text{ EUR}$	with pool factor
c0130	Outstanding amount	820,000.00	No statutory exclusions, therefore: outstanding amount is equal to relevant amount.	with pool factor
c0370	Denomination/Nominal value per security in EUR	2,000.00		without pool factor
c0380	Denomination/Nominal value per security in original currency	1,000.00		without pool factor
c0390	Number of securities outstanding not held by the reporting entity	800		n.a.
c0391	Number of securities outstanding held by the reporting entity	200		n.a.
c0400	Accrued interest per security	25.0000	$25.00 \text{ EUR} = 2,000.00 \text{ EUR} * 0.5 * 5\%$	without pool factor
c0401	Fees and charges per security	0.0000		without pool factor
c0430	Principal amount of the global note in EUR	2,000,000.00		without pool factor
c0431	Principal amount of the global note in original currency	1,000,000.00		without pool factor

Data point ID	Data point description	Example	Computation	With/without pool factor
c0449	Instrument with pool factor	TRUE		n.a.
c0450	Current pool factor	0.500000000		n.a.

## 6. Do all collateralised liabilities need to be reported?

In principle, all collateralised liabilities must be reported, even if the reported value of the collateral exceeds the outstanding amount (for non-structured liabilities) or the fair value (for structured liabilities). An exception to this are, for example, certain loans granted by development banks. Loans received from development banks for on-lending are only to be reported if the reporting institution could suffer a loss in the event of a default by the counterparty receiving the subsidised loan. If, on the other hand, the reporting institution does not bear any credit risk, these loans do not have to be reported.

## 7. How does the “additional implementation-relevant data” have be reported?

Information regarding items of the balance sheet, profit and loss statement/statement of comprehensive income as well as tax data always have to be provided at the level of the reporting entity. In case the reporting entity is subject to own funds requirements at the consolidated level, the information additionally needs to be provided at the consolidated level. Changes to the scope of consolidation, e.g. due to the application of resolution measures in the frame of a multiple-point-of-entry strategy, need to be taken into account. When reporting balance sheet items, it is important that all the relevant positions that make up the equity account (e.g. share capital, capital reserve, and retained earnings) are explicitly listed.

Information regarding the regulatory data (e.g. own funds positions, the total risk exposure amount, total exposure measure) need to be provided at all levels (individual/consolidated) at which the reporting entity is subject to own funds/leverage ratio requirements. Changes to the scope of consolidation, e.g. due to the application of resolution measures in the frame of a multiple-point-of-entry strategy, need to be taken into account.

The reporting entity must transfer the regulatory data (e.g. own funds positions, the total risk exposure amount, total exposure measure) to the relevant CoRep reporting forms C 01.00 to C 05.02 and C 47.00 by the request date and provide it to the resolution authority.

In case the reporting entity makes use of hedge accounting provisions, the reporting entity needs to consider the effect of a potential dissolution of hedging relationships as a result of the intended write-down and/or conversion and the internal loss transfer mechanism when updating the additional implementation-relevant data in accordance with section 4.3.