



HNB

**GUVERNER**

Pursuant to Article 26, paragraph (7) of the Act on the Resolution of Credit Institutions and Investment Firms (OG 146/2020) and Article 43, paragraph (2), item (10) of the Act on the Croatian National Bank (OG 75/2008, 54/2013 and 47/2020), the Governor of the Croatian National Bank hereby issues the

**Decision  
on the minimum requirement for own funds and eligible liabilities for credit institutions for which the  
resolution plan envisages normal insolvency proceedings**

**I GENERAL PROVISIONS**

**Subject matter  
Article 1**

This Decision specifies the manner of application of Article 26, paragraph (3) of the Act on the Resolution of Credit Institutions and Investment Firms (hereinafter: the Act) and Article 12.d, paragraph (2), second and third subparagraph of Regulation (EU) No 806/2014 to credit institutions referred to in Article 2 of this Decision.

**Scope of application  
Article 2**

This Decision shall apply to a credit institution having its head office in the Republic of Croatia for which the Croatian National Bank is directly responsible in accordance with Article 7, paragraph (3) of Regulation (EU) No 806/2014, to which the summary of the resolution plan has been delivered specifying that, provided the conditions referred to in Article 43, paragraph (1) of the Act are met, normal insolvency proceedings may be carried out against such credit institution.

**Definitions  
Article 3**

For the purposes of this Decision, the terms used in this Decision shall have the same meaning as they have in the Act.

**II MINIMUM REQUIREMENT FOR OWN FUNDS AND ELIGIBLE LIABILITIES**

**Amount of the minimum requirement  
Article 4**

(1) The amount of the minimum requirement for own funds and eligible liabilities (hereinafter: the minimum requirement) for a credit institution referred to in Article 2 of this Decision, when calculated in accordance with Article 12.a, paragraph (2), item (a) of Regulation (EU) No 806/2014, shall equal the sum total of the requirement that such credit institution is obligated to maintain in accordance with Article 92, paragraph (1), item (c) of Regulation (EU) No 575/2013 and the additional capital requirement that

it has to maintain in accordance with the decision of the Croatian National Bank as the competent supervisory authority, adopted in accordance with the regulation governing the operation of credit institutions, expressed as a percentage obtained after such sum total is divided by the total amount of risk exposure of such credit institution, calculated in accordance with Article 92, paragraph (3) of Regulation (EU) No 575/2013.

(2) The amount of the minimum requirement for the credit institution referred to in Article 2 of this Decision, when calculated in accordance with Article 12.a, paragraph (2), item (b) of Regulation (EU) No 806/2014, shall equal the sum total of the requirement that such credit institution is obligated to maintain in accordance with Article 92, paragraph (1), item (d) of Regulation (EU) No 575/2013, expressed as a percentage obtained after this requirement is divided by the measure of the total exposure of such credit institution, calculated in accordance with Articles 429 and 429.a of Regulation (EU) No 575/2013.

### **Meeting the minimum requirement**

#### **Article 5**

The credit institution referred to in Article 2 of this Decision shall meet at all times both requirements referred to in Article 4 of this Decision using exclusively own funds instruments and items in accordance with the regulation governing the operation of credit institutions.

### **III TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 6**

(1) In accordance with Article 5 of this Decision, the credit institution referred to in Article 2 of this Decision shall meet at all times both requirements referred to in Article 4 of this Decision starting from 1 January 2024.

(2) The transitional target level of the requirement referred to in Article 4 of this Decision for the credit institution referred to in Article 2 of this Decision that it is obligated to meet at all times starting from 1 January 2022 shall amount to 100% of its total minimum requirement.

(3) This Decision shall enter into force on the eighth day following its publication in the Official Gazette.

Dec. No.: 113-091/05-21/BV  
Zagreb, 5 May 2021

**Boris Vujčić**  
Governor