

Recent key developments in the area of Spanish financial regulation

Prepared by the Regulation and Research Department of the Spanish Confederation of Savings Banks (CECA)

Draft Bank of Spain Circular amending Circular 8/2015, addressed to institutions and branches participating in the Deposit Guarantee Scheme for Credit Institutions, on information for determining the basis for calculating their contributions (published on the Bank of Spain's website on October 3rd, 2019)

The aim of the draft circular is to clarify how the new information required under changes made by Royal Decree 1464/2018 to Royal Decree 217/2008 should be incorporated into the “Information for determining the basis for calculating contributions to the Deposit Guarantee Scheme” and “Itemised registry of deposits received” statements. The changes introduced by the above Royal Decree stipulate coverage by the Deposit Guarantee Scheme, in the event of a credit institution’s resolution, of the balances held by investment service providers in special-purpose and temporary cash accounts opened in the name of the investment service provider on behalf of its customers at an entity declared bankrupt. It also states that when investment service providers deposit customers’ cash at a credit institution, they must itemise the balances corresponding to each customer individually and provide information periodically to the credit institution in question.

The draft Circular also introduces additional information requirements for institutions and branches participating in the Deposit Guarantee Scheme to ensure compliance with the Scheme’s obligation to cooperate at the European level. Specifically, the obligations under Royal Decree 2606/1996, as modified in Royal Decree 1012/2015, require that the Spanish Scheme must provide information periodically to the deposit guarantee scheme

of the host member state in which the institutions participating in the Spanish Scheme have established branches. This includes information about each deposit holders’ aggregate balance of eligible and secured deposits.

The consultation ended on October 23rd. The new Circular is slated to take effect on June 30th, 2020.