

Notification template for Article 131 of the Capital Requirements Directive (CRD) – Other Systemically Important Institutions (O-SIIs)

Template for notifying the European Central Bank (ECB) and the European Systemic Risk Board (ESRB) of the setting or resetting of an O-SII buffer under Article 131(7) CRD and of the identity of O-SIIs under Article 131(12) CRD

Please send/upload this template to:

- macropru.notifications@ecb.europa.eu when notifying the ECB (under Article 5 of the Single Supervisory Mechanism (SSM) Regulation¹);
- [DARWIN/ASTRA](#) when notifying the ESRB.

The ESRB will forward this notification to the European Commission, to the European Banking Authority (EBA) and to the competent and designated authorities of the Member States concerned without delay and will publicly disclose the names of the O-SIIs on its website. This notification will be made public by the ESRB once the relevant authorities have adopted and published the notified macroprudential measure².

E-mailing/uploading this template to the above addresses constitutes official notification; no further official letter is required. To facilitate the work of the notified authorities, please send the notification template in a format that allows the information to be read electronically.

1. Notifying national authority																				
1.1 Name of the notifying authority	Komisja Nadzoru Finansowego (KNF)																			
1.2 Country of the notifying authority	Poland																			
2. Description of the measure																				
2.1a Institution or group of institutions concerned	<p>Based on data available as of 31 December 2020, 10 Polish legal entities were identified as O-SIIs. The names and LEI code of them are as following. The O-SII buffer is applicable at the highest level of consolidation.</p> <table border="1"> <thead> <tr> <th>Name of institution</th> <th>LEI</th> <th>Consolidation level</th> </tr> </thead> <tbody> <tr> <td>Powszechna Kasa Oszczędności Bank Polski SA</td> <td>P4GTT6GF1W40CVIMFR43</td> <td>consolidated and individual level</td> </tr> <tr> <td>mBank SA</td> <td>259400DZXF7UJJK2AY35</td> <td>consolidated and individual level</td> </tr> <tr> <td>Santander Bank Polska SA</td> <td>259400LGXW3K0GDAG361</td> <td>consolidated and individual level</td> </tr> <tr> <td>ING Bank Śląski SA</td> <td>259400YLRTOBISHBVX41</td> <td>consolidated and individual level</td> </tr> <tr> <td>Bank Handlowy w Warszawie SA</td> <td>XLEZHWWOI4HFQDGL4793</td> <td>consolidated and individual level</td> </tr> </tbody> </table>		Name of institution	LEI	Consolidation level	Powszechna Kasa Oszczędności Bank Polski SA	P4GTT6GF1W40CVIMFR43	consolidated and individual level	mBank SA	259400DZXF7UJJK2AY35	consolidated and individual level	Santander Bank Polska SA	259400LGXW3K0GDAG361	consolidated and individual level	ING Bank Śląski SA	259400YLRTOBISHBVX41	consolidated and individual level	Bank Handlowy w Warszawie SA	XLEZHWWOI4HFQDGL4793	consolidated and individual level
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¹ Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287, 29.10.2013, p. 63).

² On request by the notifying authority, it may be agreed with the Head of the ESRB Secretariat that this notification, or a part thereof, should not be published for reasons of confidentiality or financial stability.

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2.1b Changes to the list of institutions concerned	Compared to the results of the previous evaluation carried out in 2020 on the basis of data for the financial year ended 31 December 2019, there are no changes in the above presented list.																																	
2.2 Level of the buffer applied	<p>At what level is the fully phased-in buffer (in %) applied to the institution(s)?</p> <table border="1"> <thead> <tr> <th>Name of institution</th> <th>New O-SII buffer</th> <th>Previous O-SII buffer</th> </tr> </thead> <tbody> <tr> <td>Powszechna Kasa Oszczędności Bank Polski SA</td> <td>1.00%</td> <td>1.00%</td> </tr> <tr> <td>Santander Bank Polska SA</td> <td>0.75%</td> <td>0.75%</td> </tr> <tr> <td>Bank Polska Kasa Opieki SA</td> <td>0.75%</td> <td>0.75%</td> </tr> <tr> <td>ING Bank Śląski SA</td> <td>0.75%</td> <td>0.50%</td> </tr> <tr> <td>mBank SA</td> <td>0.50%</td> <td>0.50%</td> </tr> <tr> <td>Bank Handlowy w Warszawie SA</td> <td>0.25%</td> <td>0.25%</td> </tr> <tr> <td>BNP Paribas Bank Polska SA</td> <td>0.25%</td> <td>0.25%</td> </tr> <tr> <td>Bank Millennium SA</td> <td>0.25%</td> <td>0.25%</td> </tr> <tr> <td>Bank Polskiej Spółdzielczości SA</td> <td>0.10%</td> <td>0.10%</td> </tr> <tr> <td>SGB-Bank SA</td> <td>0.10%</td> <td>0.10%</td> </tr> </tbody> </table>	Name of institution	New O-SII buffer	Previous O-SII buffer	Powszechna Kasa Oszczędności Bank Polski SA	1.00%	1.00%	Santander Bank Polska SA	0.75%	0.75%	Bank Polska Kasa Opieki SA	0.75%	0.75%	ING Bank Śląski SA	0.75%	0.50%	mBank SA	0.50%	0.50%	Bank Handlowy w Warszawie SA	0.25%	0.25%	BNP Paribas Bank Polska SA	0.25%	0.25%	Bank Millennium SA	0.25%	0.25%	Bank Polskiej Spółdzielczości SA	0.10%	0.10%	SGB-Bank SA	0.10%	0.10%
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3.2 Timing for publication	<p>What is the date of publication of the notified measure?</p> <p>08/11/2021</p>																														
3.3 Disclosure	<p>The information has been disclosed on the KNF website as a briefing note.</p> <p>Link: https://www.knf.gov.pl/komunikacja/komunikaty?articleId=75727&p_id=18.</p>																														
3.4 Timing for application	<p>What is the intended date of application of the measure?</p> <p>Immediate.</p> <p>The KNF identified O-SIIs and set the O-SII buffer for these institutions in October 2016, with the activation of the measures from 31 December 2016. In the subsequent years some new institutions were identified as O-SII and applied O-SII buffers, with immediate application of the measure. The measure has now been reviewed and will continue to apply until next years' annual review.</p> <p>29/10/2021</p>																														
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3.6 Review of the measure	<p>On an annual basis.</p>																														
4. Reason for O-SII identification and activation of the O-SII buffer																															
4.1 Scores of institutions or group of institutions concerned, as per EBA guidelines on the assessment of O-SIIs (Article 131.3 CRD)	<p>Please list here the names, overall scores and category scores of the O-SIIs identified based on</p> <ol style="list-style-type: none"> size; importance for the economy of the relevant Member State or the Union, capturing substitutability/financial institution infrastructure; complexity, including the additional complexities from cross-border activity; interconnectedness of the institution or (sub-)group with the financial system. <table border="1"> <thead> <tr> <th>Name of institution</th> <th>Size</th> <th>Substitutability</th> <th>Complexity</th> <th>Interconnectedness</th> <th>Overall Score</th> </tr> </thead> <tbody> <tr> <td>Powszechna Kasa Oszczędności Bank Polski SA</td> <td>1865</td> <td>1606</td> <td>1260</td> <td>2250</td> <td>1745</td> </tr> <tr> <td>Bank Polska Kasa Opieki SA</td> <td>1161</td> <td>1244</td> <td>1235</td> <td>1225</td> <td>1216</td> </tr> <tr> <td>Santander Bank Polska SA</td> <td>1142</td> <td>1037</td> <td>1174</td> <td>1363</td> <td>1179</td> </tr> <tr> <td>ING Bank Śląski SA</td> <td>970</td> <td>939</td> <td>1694</td> <td>655</td> <td>1064</td> </tr> </tbody> </table>	Name of institution	Size	Substitutability	Complexity	Interconnectedness	Overall Score	Powszechna Kasa Oszczędności Bank Polski SA	1865	1606	1260	2250	1745	Bank Polska Kasa Opieki SA	1161	1244	1235	1225	1216	Santander Bank Polska SA	1142	1037	1174	1363	1179	ING Bank Śląski SA	970	939	1694	655	1064
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mBank SA	902	1048	781	1000	933
Bank Handlowy w Warszawie SA	313	562	955	626	614
BNP Paribas Bank Polska SA	595	533	635	513	569
Bank Millennium SA	487	539	208	172	352
Bank Polskiej Spółdzielczości SA	500	387	33	210	282
SGB-Bank SA	324	243	18	122	177

4.2 Methodology and indicators used for designation of the O-SII (Article 131.3)

The KNF followed the EBA guidelines. All the obligatory criteria, indicators and weights have been applied. Where the data were not available at the highest consolidated level under the KNF jurisdiction, relevant proxies have been used. The threshold has been set at 350. All banks that are institutions under art. 4 (3) of the CRR have been included in the calculations and investment firms have been excluded.

The full list of relevant authorities that have been included in the identification process:

Powszechna Kasa Oszczędności SA	1 745
Bank Handlowy w Warszawie SA	614
ING Bank Śląski SA	1 064
Bank Przemysłowo – Handlowy SA	143
Santander Bank Polska SA	1 179
mBank SA	933
Bank Millennium SA	352
Bank Polska Kasa Opieki SA	1 216
B. Pocztowy	26
Bank Ochrony Środowiska	75
SGB-Bank SA	177
Plus Bank SA	4
Nest Bank SA	20
Deutsche Bank SA	187
Bank Polskiej Spółdzielczości SA	282
Credit Agricole Bank Polska SA	121
Idea Bank SA	46
BNP Paribas Bank Polska SA	569
Toyota Bank Polska SA	10
DNB Bank Polska SA	52
Getin Noble Bank SA	180
Alior Bank SA	281
Bank Nowy BFG SA	4
Bank Spółdzielczy w Wisznicach	0
Bank Spółdzielczy w Bydgoszczy	2
Wschodni Bank Spółdzielczy w Chełmie	1
Polski Bank Spółdzielczy w Ciechanowie	2

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4.3 Supervisory judgement	<p>The following optional indicator was used to designate two institutions (Bank Polskiej Spółdzielczości SA and SGB-Bank SA):</p> <ul style="list-style-type: none"> Importance for an IPS of which the entity is a member. <p>Both abovementioned banks play a key role in two Institutional Protection Schemes operating in the Polish banking sector. Each bank has been obliged to:</p> <ul style="list-style-type: none"> run selected deposit accounts on behalf of the co-operative banks that are associated within given IPS, monitor certain categories of risk within given IPS, provide technical infrastructure for given IPS. 																
4.4 Calibrating the O-SII buffer	<p>The O-SII buffer was calibrated using a proportional method. For institutions scoring no less than 350 bps, the buffer rate was calibrated in the following stages:</p> <ul style="list-style-type: none"> rounding down the quotient of the score of the institution divided by 350 to the nearest integer, i.e. $x = \lfloor \text{score}/350 \rfloor$ assigning of the integer from the previous step to the buffer rate proportionally by multiplying it by 0.25%, i.e. $x*0.25\%$ if the value calculated in step 1 is equal or higher than 5, then the buffer rate is set at 2%. <p>It should be emphasized that the application of the last stage of the above procedure abolishes the rule of proportionality in setting the O-SII buffer rate. When the size of an institution exceeds a certain threshold, the risk that it generates to the financial sector and the real economy increases non-linearly. Such an institution should be subject to the maximum buffer, i.e. 2% of total risk exposure calculated in accordance with the CRR.</p> <p>O-SII buffer of credit institutions, which were identified as O-SII on the basis of optional indicator was additionally increased by up to 0,25pp. Therefore O-SII with scoring less than 350 may have O-SII buffer higher than 0%.</p>																
4.5 Effectiveness and proportionality of measure	<p>Setting the O-SII buffer will have positive impact on the resilience of the bank to external shocks, as well as the soundness of the overall banking sector and the real economy in Poland. The applied measure is proportional with respect to the overall score of the given institution and the level of concentration in the Polish banking sector.</p>																
5. Sufficiency, consistency and non-overlap of the policy response																	
5.1 Sufficiency of the policy response	<p>As the O-SII buffers provide an additional loss absorbing capacity, thus enhancing the resilience of the O-SIIs. Given the relevance of the ten O-SIIs to the domestic financial sector and their impact on systemic risk within the the financial system, the calibrated – according to the domestic methodology – O-SII buffer rates of the identified entities are sufficient.</p>																

5.2 Consistency of application of the policy response	<p>The O-SII buffers contribute to fulfilling objective 2(e) of ESRB 2013/1 to “Strengthen the resilience of financial infrastructures”. The consistency of application of the policy response is realized by applying one methodology on all banks and by annual review. In line with the methodology, the buffer rates depend on the O-SII scores, which represent the relevance of the institutions and their impact on the financial sector.</p>																								
5.3 Non-overlap of the policy response	<p>- There are no other macroprudential policy instruments used to address the structural risk represented by the size of the systemic banks.</p>																								
6. Cross-border and cross-sector impact of the measure																									
6.1 Assessment of cross-border effects and the likely impact on the Internal Market (Recommendation ESRB/2015/2³)	<p>The effects are negligible due to insignificant scale of cross-border activities of domestic banks.</p>																								
6.2 Assessment of leakages and regulatory arbitrage within the notifying Member State	<p>The research carried out so far shows no signs of such effects.</p>																								
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7.2 Combinations with systemic risk buffers (SyRBs) (Article 131.15 CRD)	<p>Pursuant to the regulation of the Minister of Finance (Dz.U. [Journal of Laws] of 2020, item 473), the obligation to maintain the systemic risk buffer (SRB) was repealed as of 19 March 2020. The SRB at the rate of 3% – had been in force in Poland since 1 January 2018. The SRB applied for all domestically authorised credit institutions in Poland and covers all domestic exposures</p> <table border="1" data-bbox="571 1666 1422 1937"> <thead> <tr> <th data-bbox="571 1666 887 1704">Name of institution</th> <th data-bbox="890 1666 1098 1704">SyRB rate</th> <th data-bbox="1101 1666 1251 1749">SyRB application level</th> <th data-bbox="1254 1666 1422 1749">Sum of G-SII/O-SII and SyRB rates</th> </tr> </thead> <tbody> <tr> <td></td> <td data-bbox="890 1753 1098 1787" style="text-align: center;">%</td> <td data-bbox="1101 1753 1251 1787"></td> <td data-bbox="1254 1753 1422 1787" style="text-align: center;">%</td> </tr> <tr> <td></td> <td data-bbox="890 1792 1098 1825" style="text-align: center;">%</td> <td data-bbox="1101 1792 1251 1825"></td> <td data-bbox="1254 1792 1422 1825" style="text-align: center;">%</td> </tr> <tr> <td></td> <td data-bbox="890 1830 1098 1863" style="text-align: center;">%</td> <td data-bbox="1101 1830 1251 1863"></td> <td data-bbox="1254 1830 1422 1863" style="text-align: center;">%</td> </tr> <tr> <td></td> <td data-bbox="890 1868 1098 1901" style="text-align: center;">%</td> <td data-bbox="1101 1868 1251 1901"></td> <td data-bbox="1254 1868 1422 1901" style="text-align: center;">%</td> </tr> <tr> <td></td> <td data-bbox="890 1906 1098 1939" style="text-align: center;">%</td> <td data-bbox="1101 1906 1251 1939"></td> <td data-bbox="1254 1906 1422 1939" style="text-align: center;">%</td> </tr> </tbody> </table>	Name of institution	SyRB rate	SyRB application level	Sum of G-SII/O-SII and SyRB rates		%		%		%		%		%		%		%		%		%		%
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³ Recommendation of the European Systemic Risk Board of 15 December 2015 on the assessment of cross-border effects of and voluntary reciprocity for macroprudential policy measures (ESRB/2015/3) (OJ C 97, 12.3.2016, p. 9).

		%		%																		
		%		%																		
		%		%																		
7.3 O-SII requirement for a subsidiary (Article 131.8 CRD)	<p>Does the cap for the subsidiary prevent the implementation of a higher O-SII buffer based on the domestic buffer setting methodology?</p> <p><i>No.</i></p> <table border="1"> <thead> <tr> <th>Name of O-SII subsidiary</th> <th>Name of the EU parent of the O-SII subsidiary</th> <th>Buffer applicable to O-SII EU parent</th> </tr> </thead> <tbody> <tr> <td>mBank SA</td> <td>Commerzbank AG</td> <td>1.25%</td> </tr> <tr> <td>Santander Bank Polska SA</td> <td>Banco Santander S.A.</td> <td>1.00%</td> </tr> <tr> <td>ING Bank Śląski SA</td> <td>ING Bank N.V.</td> <td>1.00%</td> </tr> <tr> <td>BNP Paribas Bank Polska SA</td> <td>BNP Paribas</td> <td>1.00%</td> </tr> <tr> <td>Bank Millennium SA</td> <td>Banco Comercial Português, S.,A.</td> <td>0.75% (phasing in to 1%)</td> </tr> </tbody> </table>				Name of O-SII subsidiary	Name of the EU parent of the O-SII subsidiary	Buffer applicable to O-SII EU parent	mBank SA	Commerzbank AG	1.25%	Santander Bank Polska SA	Banco Santander S.A.	1.00%	ING Bank Śląski SA	ING Bank N.V.	1.00%	BNP Paribas Bank Polska SA	BNP Paribas	1.00%	Bank Millennium SA	Banco Comercial Português, S.,A.	0.75% (phasing in to 1%)
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8. Miscellaneous																						
8.1 Contact person(s)/mailbox at notifying authority	<p>Anna Wojczakowska: anna.wojczakowska@knf.gov.pl (+48) 22 262 47 92</p> <p>Paweł Cywiński, pawel.cywinski@knf.gov.pl, (+48) 22 262 48 73</p> <p>Patryk Toporowski: patryk.toporowski@knf.gov.pl (+48) 22 262 51 76</p> <p>Monika Głuszko: monika.gluszko@knf.gov.pl (+48) 22 262 48 16</p>																					
8.2 Any other relevant information																						
8.3 Date of the notification	<p>Please provide the date on which this notification was uploaded/sent.</p> <p>16/12/2021</p>																					