



STATUTORY INSTRUMENTS.

**S.I. No. 487 of 2010**



CENTRAL BANK ACT 1942 (SECTIONS 33J AND 33K) REGULATIONS  
2010

**(Prn. A10/1479)**

CENTRAL BANK ACT 1942 (SECTIONS 33J AND 33K) REGULATIONS  
2010

I, MATTHEW ELDERFIELD, Chief Executive of the Irish Financial Services Regulatory Authority, in exercise of the powers conferred on me by Sections 33J and 33K of the Central Bank Act, 1942 (as inserted by the Central Bank and Financial Services Authority of Ireland Act, 2003), with the agreement of the members of the Irish Financial Services Regulatory Authority, and with the approval of the Minister for Finance, hereby make the following regulations:

*Citation*

1. These Regulations may be cited as the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2010.

*Interpretation*

2. In these Regulations:

“the Principal Regulations” means the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2004 (S.I. No. 447 of 2004).

*Substitution of Schedule to the Principal Regulations*

3. Part B of the Schedule to the Principal Regulations as inserted by the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2009 (S.I. No. 300 of 2009) is hereby amended by the substitution therefor of the Schedule to these Regulations.

*Application of Principal Regulations*

4. Regulation 5(c) of the Principal Regulations shall take effect and be applied for the levy period 1 January 2010 to 31 December 2010 as if the due date was the earlier of the date set out in a levy notice and 16 weeks from the making of these Regulations.

*Coming into Operation*

5. These Regulations come into operation on the date these Regulations are made.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 12th October, 2010.*

## SCHEDULE

### “PART B

**Levy Period:** 1 January 2010 to 31 December 2010

### CATEGORY A Credit Institutions

Type of regulated entity	Basis of calculation for required levy																		
<b>A1a</b> — Irish Authorised Credit Institutions covered by the Credit Institutions (Financial Support) Scheme 2008 and their subsidiaries that are credit institutions authorised under Irish legislation	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The required levy is split into three separate levies, a Prudential Levy, a Consumer Levy and a Supplementary Levy.</p> <p style="text-align: center;"><b>Prudential Levy</b></p> <p>All entities will be charged a minimum levy of €30,000. In addition to this levy, all entities (with the relevant level of Pillar I capital requirements) will be charged an additional levy based on the table below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Band</th> <th style="text-align: center;">Range €</th> <th style="text-align: center;">Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Min</td> <td style="text-align: center;">0 — 200,000,000</td> <td style="text-align: center;">30,000</td> </tr> <tr> <td style="text-align: center;">A</td> <td style="text-align: center;">200,000,001 — 600,000,000</td> <td style="text-align: center;">909.55</td> </tr> <tr> <td style="text-align: center;">B</td> <td style="text-align: center;">600,000,001 — 700,000,000</td> <td style="text-align: center;">4,255.10</td> </tr> <tr> <td style="text-align: center;">C</td> <td style="text-align: center;">700,000,001 — 2,000,000,000</td> <td style="text-align: center;">689.57</td> </tr> <tr> <td style="text-align: center;">D</td> <td style="text-align: center;">2,000,000,001 — 10,000,000,000</td> <td style="text-align: center;">229.60</td> </tr> </tbody> </table> <p>The range relates to the Pillar I capital requirements of the entity (net of any interim capital requirements imposed by the Financial Regulator but including Capital Requirements Directive capital floors) as at 31 December 2009. These data are contained in line item 2 (Total Capital Requirements) of Common Solvency Reporting, format CA, adjusted for an interim capital or Pillar II requirement.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 200,000,000	30,000	A	200,000,001 — 600,000,000	909.55	B	600,000,001 — 700,000,000	4,255.10	C	700,000,001 — 2,000,000,000	689.57	D	2,000,000,001 — 10,000,000,000	229.60
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### Consumer Levy

All entities that engage in retail lending or retail deposit taking will be charged a levy of €6,000 plus an additional levy based on the table below.

Band	Range €	Charge per €m or part thereof
Min	0 — 4,000,000,000	6,000
A	4,000,000,001 — 5,000,000,000	25.00
B	5,000,000,001 — 7,500,000,000	13.38
C	7,500,000,001 — 22,000,000,000	3.04
D	22,000,000,001 — 50,000,000,000	9.02

The range is based on the combined total of retail lending to Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EURLRS) and retail deposits taken from Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EURDRS) as reported to the CBFSAI as at 31 December 2009.

### Supplementary Levy

For the purposes of providing the Authority with sufficient funds to enable it to perform its functions and exercise its powers, the covered institutions shall each pay a supplementary levy to the Authority.

The covered institutions listed below shall be charged specific costs as follows (these specific costs shall be paid by each of the named covered institutions for and on behalf of each of its subsidiaries who are covered institutions):

Covered Institution	€
Anglo Irish Bank Corporation plc	(197,343.21)
Allied Irish Banks plc	181,678.96
The Governor and Company of the Bank of Ireland	181,678.96
Irish Nationwide Building Society	737,731.46
Irish Life and Permanent plc	5,541.87
EBS Building Society	715,225.47
Postbank Ireland Ltd	(35,714.00)

Type of regulated entity	Basis of calculation for required levy																																				
<b>A1b</b> — Irish Authorised Credit Institutions not covered by the Credit Institutions (Financial Support) Scheme 2008	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The required levy is split into two separate levies, a Prudential Levy and a Consumer Levy.</p> <p style="text-align: center;"><b>Prudential Levy</b></p> <p>All entities will be charged a minimum levy of €30,000. In addition to this levy all entities (with the relevant level of Pillar I capital requirements) will be charged an additional levy based on the table below.</p> <table border="1" data-bbox="467 533 1230 793"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 25,000,000</td> <td>30,000</td> </tr> <tr> <td>A</td> <td>25,000,001 — 120,000,000</td> <td>129.67</td> </tr> <tr> <td>B</td> <td>120,000,001 — 160,000,000</td> <td>940.00</td> </tr> <tr> <td>C</td> <td>160,000,001 — 500,000,000</td> <td>200.00</td> </tr> <tr> <td>D</td> <td>500,000,001 — 10,000,000,000</td> <td>105.29</td> </tr> </tbody> </table> <p>The range relates to the Pillar I capital requirements of the entity (net of any interim capital requirements imposed by the Financial Regulator but including Capital Requirements Directive capital floors) as at 31 December 2009. These data are contained in line item 2 (Total Capital Requirements) of Common Solvency Reporting, format CA, adjusted for any interim capital or Pillar II requirement.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>All entities that engage in retail lending or retail deposit taking will be charged a levy of €5,000 plus an additional levy based on the table below.</p> <table border="1" data-bbox="467 1142 1230 1402"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 1,000,000</td> <td>5,000</td> </tr> <tr> <td>A</td> <td>1,000,001 — 5,000,000</td> <td>3,831.65</td> </tr> <tr> <td>B</td> <td>5,000,001 — 75,000,000</td> <td>321.43</td> </tr> <tr> <td>C</td> <td>75,000,001 — 2,000,000,000</td> <td>17.70</td> </tr> <tr> <td>D</td> <td>2,000,000,001 — 25,000,000,000</td> <td>9.75</td> </tr> </tbody> </table> <p>The range is based on the combined total of retail lending to Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EURLRS) and retail deposits taken from Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EURDRS) as reported to the CBFSAI as at 31 December 2009.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 25,000,000	30,000	A	25,000,001 — 120,000,000	129.67	B	120,000,001 — 160,000,000	940.00	C	160,000,001 — 500,000,000	200.00	D	500,000,001 — 10,000,000,000	105.29	Band	Range €	Charge per €m or part thereof	Min	0 — 1,000,000	5,000	A	1,000,001 — 5,000,000	3,831.65	B	5,000,001 — 75,000,000	321.43	C	75,000,001 — 2,000,000,000	17.70	D	2,000,000,001 — 25,000,000,000	9.75
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Type of regulated entity	Basis of calculation for required levy																		
<b>A2</b> — Credit Institutions authorised in another EEA state operating in Ireland on a branch basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Branches are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>Branches will be required to pay a consumer levy if they are engaged in lending to or taking deposits from Irish resident individuals or households.</p> <p>All entities that engage in retail lending or retail deposit taking will be charged a levy of €5,000 plus an additional levy based on the table below.</p> <table border="1" data-bbox="659 537 1422 806"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 1,000,000</td> <td>5,000</td> </tr> <tr> <td>A</td> <td>1,000,001 — 5,000,000</td> <td>3,831.65</td> </tr> <tr> <td>B</td> <td>5,000,001 — 75,000,000</td> <td>321.43</td> </tr> <tr> <td>C</td> <td>75,000,001 — 2,000,000,000</td> <td>17.70</td> </tr> <tr> <td>D</td> <td>2,000,000,001 — 25,000,000,000</td> <td>9.75</td> </tr> </tbody> </table> <p>The range is based on the combined total of retail lending to Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EUURLRS) and retail deposits taken from Irish resident individuals and households (extracted from Sectoral Return, LRS format, row code OPERSN, column code EURDRS) as reported to the CBFSAI as at 31 December 2009.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 1,000,000	5,000	A	1,000,001 — 5,000,000	3,831.65	B	5,000,001 — 75,000,000	321.43	C	75,000,001 — 2,000,000,000	17.70	D	2,000,000,001 — 25,000,000,000	9.75
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Type of regulated entity	Basis of calculation for required levy																		
<b>A3</b> — Credit Institutions authorised in another EEA state operating in Ireland on a cross border basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Entities undertaking business on a cross border basis are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>Entities carrying out business in Ireland are required to pay a consumer levy if they are engaged in lending to or taking deposits from Irish resident individuals or households (as defined for the purposes of the sectoral return). The table below details the levy payable by such entities.</p> <table border="1" data-bbox="659 1339 1422 1608"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 1,000,000</td> <td>5,000</td> </tr> <tr> <td>A</td> <td>1,000,001 — 5,000,000</td> <td>3,831.65</td> </tr> <tr> <td>B</td> <td>5,000,001 — 75,000,000</td> <td>321.43</td> </tr> <tr> <td>C</td> <td>75,000,001 — 2,000,000,000</td> <td>17.70</td> </tr> <tr> <td>D</td> <td>2,000,000,001 — 25,000,000,000</td> <td>9.75</td> </tr> </tbody> </table> <p>The range is based on the combined total of retail lending and retail deposits to individuals and households in Ireland as at 31 December 2009. Entities operating in Ireland on a cross border basis are obliged to determine the levy that they are due to pay by reference to this table and remit the appropriate levy to the Authority.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 1,000,000	5,000	A	1,000,001 — 5,000,000	3,831.65	B	5,000,001 — 75,000,000	321.43	C	75,000,001 — 2,000,000,000	17.70	D	2,000,000,001 — 25,000,000,000	9.75
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## CATEGORY B

### Insurance Undertakings

Type of regulated entity	Basis of calculation for required levy
<b>B1</b> — Life Companies with Irish Head Office and Life Insurance Undertakings authorised in another non-EEA state operating in Ireland	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The required levy is split into two separate levies, the Prudential Levy and the Consumer Levy.</p> <p style="text-align: center;"><b>Prudential Levy</b></p> <p>All entities will be charged a minimum levy of €6,000. In addition to this amount, all entities will be charged a variable levy based on a percentage of their gross global premium income reported in the “Global Business” Form 2, Line 9, Column 1 of the statutory annual return received from life insurance companies for 2008.</p> <p>Minimum levy: €6,000 Variable levy: 0.003895% of gross global premium income</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>All entities that engage in the writing of Irish risk business will be charged a minimum levy of €1,000. In addition to this amount all entities will be charged a variable levy based on gross global premium income written on Irish risk business reported in the “Irish Risk Business” Form 2, Line 9, Column 1 of the statutory annual return received from life insurance companies for 2008.</p> <p>Minimum levy: €1,000 Variable levy: 0.004185% of gross global premium income written on Irish risk business.</p>

Type of regulated entity	Basis of calculation for required levy
<b>B2</b> — Life Insurance Undertakings authorised in another EEA state operating in Ireland on a branch basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Branches are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>All entities that engage in the writing of Irish risk business will be charged a minimum levy of €1,000. In addition to this levy all entities will be charged a variable levy based on gross premium income written on Irish risk business.</p> <p>Minimum levy: €1,000 Variable levy: 0.004185% of gross premium income written on Irish risk business.</p>

Type of regulated entity	Basis of calculation for required levy
<b>B3 — Life Insurance Undertakings</b> authorised in another EEA state operating in Ireland on a cross border basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Entities undertaking cross border business are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>Entities carrying out business in Ireland on a cross border basis are required to pay a minimum levy of €1,000. In addition to this amount all entities are required to pay a variable levy based on gross premium income written on Irish risk business.</p> <p>Minimum levy: €1,000 Variable levy: 0.004185% of gross premium income written on Irish risk business</p> <p>Entities operating in Ireland on a cross border basis are obliged to determine the levy they are due to pay by reference to the details above and remit the appropriate levy to the Authority.</p>

Type of regulated entity	Basis of calculation for required levy
<b>B4 — Non-Life Companies with Irish Head Office</b>	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The required levy is split into two separate levies, a Prudential Levy and a Consumer Levy.</p> <p style="text-align: center;"><b>Prudential Levy</b></p> <p>All entities will be charged a minimum levy of €6,000. In addition to this amount, all entities will be charged a variable levy based on a percentage of their gross global premium income reported in the 'Total Business' Form 1, Line 2, Column 1 of the statutory annual return received from non-life insurance companies for 2008.</p> <p>Minimum levy: €6,000 Variable levy: 0.030586% of gross global premium income</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>All entities that engage in the writing of Irish risk business will be charged a minimum levy of €1,250. In addition to this amount all entities will be charged a variable levy based on gross premium income written on Irish risk business reported in the 'Irish Risk Business' Form 1, Line 2, Column 1 of the statutory annual return received from non-life insurance companies for 2008.</p> <p>Minimum levy: €1,250 Variable levy: 0.009630% of gross premium income written on Irish risk business.</p>



Type of regulated entity	Basis of calculation for required levy
<b>B5 — Non-Life Insurance</b> Undertakings authorised in another EEA state operating in Ireland on a branch basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Branches are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>All entities that engage in the writing of Irish risk business will be charged a minimum levy of €1,250. In addition to this amount all entities will be charged a variable levy based on gross premium income written on Irish risk business.</p> <p>Minimum levy: €1,250            Variable levy: 0.009630% of gross premium income written on Irish risk business.</p>

Type of regulated entity	Basis of calculation for required levy
<b>B6 — Non-Life Insurance</b> Undertakings authorised in another EEA state operating in Ireland on a cross border basis	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Entities undertaking cross border business are not subject to a prudential charge as prudential supervision is the responsibility of the home member state regulator.</p> <p style="text-align: center;"><b>Consumer Levy</b></p> <p>Entities carrying out business in Ireland on a cross border basis are required to pay a minimum levy of €1,250. In addition to this amount, all entities are required to pay a variable levy based on gross premium income written on Irish risk business.</p> <p>Minimum levy: €1,250            Variable levy: 0.009630% of gross premium income written on Irish risk business.</p> <p>Entities operating in Ireland on a cross border basis are obliged to determine the levy they are due to pay by reference to the details above and remit the appropriate levy to the Authority.</p>

Type of regulated entity	Basis of calculation for required levy
<b>B7 — Reinsurance</b> Undertakings with Irish Head Office	<p style="text-align: center;"><b>Prudential Levy</b></p> <p>Reinsurance undertakings carrying out business in Ireland are required to pay a prudential levy.</p> <p>All entities will be charged a minimum levy of €7,500. In addition to this levy they will be charged a variable levy based on a percentage of the combined total of gross premium written (Profit and Loss Technical Accounts, Line 1 and 2) and gross technical reserves (taken from Balance Sheet, Technical Provision — Sum of Unearned Premiums plus Claims Outstanding plus Long Term Provisions plus Other Technical Provisions) reported in audited accounts for the financial year ended 2008.</p> <p>Minimum levy: €7,500            Variable levy: 0.000983% of the combined total of gross premium written and gross technical reserves.</p>

**CATEGORY C****Intermediaries**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>																																	
<p><b>C —</b> Intermediaries (including Investment Product Intermediaries and Mortgage Intermediaries who hold authorisations under the Consumer Credit Act 1995). Insurance/ Reinsurance Intermediaries registered under the EC (Insurance Mediation) Regulations 2005</p>	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>All intermediaries who held an authorisation as at 31 December 2009 will be charged a levy on the same basis as shown in the table below.</p> <table border="1" data-bbox="656 464 1422 921"> <thead> <tr> <th data-bbox="656 464 760 527"><b>Band</b></th> <th data-bbox="760 464 1195 527"><b>Income Range €</b></th> <th data-bbox="1195 464 1422 527"><b>Levy €</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="656 527 760 562">1</td> <td data-bbox="760 527 1195 562">0 — 60,000</td> <td data-bbox="1195 527 1422 562">140</td> </tr> <tr> <td data-bbox="656 562 760 598">2</td> <td data-bbox="760 562 1195 598">60,000.01 — 250,000</td> <td data-bbox="1195 562 1422 598">280</td> </tr> <tr> <td data-bbox="656 598 760 634">3</td> <td data-bbox="760 598 1195 634">250,000.01 — 600,000</td> <td data-bbox="1195 598 1422 634">900</td> </tr> <tr> <td data-bbox="656 634 760 669">4</td> <td data-bbox="760 634 1195 669">600,000.01 — 1,000,000</td> <td data-bbox="1195 634 1422 669">1,650</td> </tr> <tr> <td data-bbox="656 669 760 705">5</td> <td data-bbox="760 669 1195 705">1,000,000.01 — 1,250,000</td> <td data-bbox="1195 669 1422 705">2,550</td> </tr> <tr> <td data-bbox="656 705 760 741">6</td> <td data-bbox="760 705 1195 741">1,250,000.01 — 1,500,000</td> <td data-bbox="1195 705 1422 741">3,850</td> </tr> <tr> <td data-bbox="656 741 760 777">7</td> <td data-bbox="760 741 1195 777">1,500,000.01 — 4,000,000</td> <td data-bbox="1195 741 1422 777">7,650</td> </tr> <tr> <td data-bbox="656 777 760 812">8</td> <td data-bbox="760 777 1195 812">4,000,000.01 — 6,000,000</td> <td data-bbox="1195 777 1422 812">15,000</td> </tr> <tr> <td data-bbox="656 812 760 848">9</td> <td data-bbox="760 812 1195 848">6,000,000.01 — 7,500,000</td> <td data-bbox="1195 812 1422 848">20,750</td> </tr> <tr> <td data-bbox="656 848 760 921">10</td> <td data-bbox="760 848 1195 921">Over 7,500,000</td> <td data-bbox="1195 848 1422 921">23,400</td> </tr> </tbody> </table> <p>The levy will be calculated based on the latest income declared to the Authority.</p> <p>An intermediary who was authorised for the first time in 2009 must supply a completed Self Declaration of Income form to the Authority. This declaration should cover the period from the date of their authorisation to 31 December 2009.</p> <p>An intermediary can only submit an amended Self Declaration of Income during the funding year for which they wish the updated declaration to apply.</p> <p>For the purposes of this part of the Schedule (Category C only) income is defined as:</p> <p>The total income generated by each authorised intermediary from regulated activity undertaken. This includes:</p> <ul style="list-style-type: none"> <li>• all commissions and any other income derived from product producers</li> <li>• all payments and amounts received from individuals or companies in relation to services or advice provided in relation to regulated financial services</li> <li>• any other income derived from regulated activities (but not including interest earned by an entity on credit bank balances held in their own name).</li> </ul> <p>On receipt of the levy notice for 2010 an intermediary should determine whether or not they should update the self declaration that they submitted to the Authority for the calculation of the 2010 levy. If the income figure for a more recent financial year is available, a new declaration should be made if this income figure would result in the intermediary moving to a different income range in relation to the 2010 levy and therefore paying a different levy.</p>	<b>Band</b>	<b>Income Range €</b>	<b>Levy €</b>	1	0 — 60,000	140	2	60,000.01 — 250,000	280	3	250,000.01 — 600,000	900	4	600,000.01 — 1,000,000	1,650	5	1,000,000.01 — 1,250,000	2,550	6	1,250,000.01 — 1,500,000	3,850	7	1,500,000.01 — 4,000,000	7,650	8	4,000,000.01 — 6,000,000	15,000	9	6,000,000.01 — 7,500,000	20,750	10	Over 7,500,000	23,400
<b>Band</b>	<b>Income Range €</b>	<b>Levy €</b>																																
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9	6,000,000.01 — 7,500,000	20,750																																
10	Over 7,500,000	23,400																																

**CATEGORY D**  
**Investment Firms**  
**(other than Investment Product Intermediaries)**

(Firms regulated under the provisions of either the Investment Intermediaries Act, 1995 or the European Communities (Markets in Financial Instruments) Regulations 2007)

Type of regulated entity	Basis of calculation for required levy
<b>D1</b> — Designated Fund Managers	<b>Periodic Levy</b>  A flat rate levy of €1,300 is payable by designated fund managers.

**Note:** In determining which of the categories D2–D6 an entity is categorised into, consideration is given to the most senior element of their authorisation. Therefore if the authorisation of an entity allows it to be categorised as D2 or D3, it would be categorised as D3 because “Portfolio Management” is viewed as a more senior type of authorisation than “Receipt and Transmission of Orders”.

The figure used as the tariff base in Categories D2, D3 and D5 is the turnover figure from the audited accounts for the financial year-end 2008. If the reporting period for an entity’s audited accounts year-end 2008 is greater or less than twelve months, their accounting period and turnover will be pro-rated to a twelve-month period.

If a firm was newly authorised in 2008, (i.e. the relevant year for the tariff data for the 2010 levy period) the turnover figure will be extracted from the audited accounts for 2008, if available. If audited accounts for the financial period-end 2008 were not prepared, the turnover figure from the first set of audited accounts produced, pro-rated for the period of operation in 2008, will be used.

If a firm was newly authorised in 2009, the turnover that will be used to calculate the levy is the turnover figure for the period from authorisation to 31 December 2009 as reported by the firm as part of the Capital Adequacy Return.

Type of regulated entity	Basis of calculation for required levy																		
<b>D2</b> — Receipt and Transmission of Orders and/or Provision of Investment Advice; No Client Asset Requirements Imposed	<b>Periodic Levy</b>  All entities will be charged a minimum levy of €6,000. In addition all entities (with the relevant level of turnover) will be charged an additional levy based on the table below.																		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Band</th> <th style="text-align: center;">Range €</th> <th style="text-align: center;">Charge per €000 or part thereof</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Min</td> <td style="text-align: center;">0 — 400,000</td> <td style="text-align: center;">6,000</td> </tr> <tr> <td style="text-align: center;">A</td> <td style="text-align: center;">400,001 — 2,000,000</td> <td style="text-align: center;">3.02</td> </tr> <tr> <td style="text-align: center;">B</td> <td style="text-align: center;">2,000,001 — 5,500,000</td> <td style="text-align: center;">1.87</td> </tr> <tr> <td style="text-align: center;">C</td> <td style="text-align: center;">5,500,001 — 22,000,000</td> <td style="text-align: center;">0.69</td> </tr> <tr> <td style="text-align: center;">D</td> <td style="text-align: center;">22,000,001 — 400,000,000</td> <td style="text-align: center;">0.28</td> </tr> </tbody> </table>	Band	Range €	Charge per €000 or part thereof	Min	0 — 400,000	6,000	A	400,001 — 2,000,000	3.02	B	2,000,001 — 5,500,000	1.87	C	5,500,001 — 22,000,000	0.69	D	22,000,001 — 400,000,000	0.28
Band	Range €	Charge per €000 or part thereof																	
Min	0 — 400,000	6,000																	
A	400,001 — 2,000,000	3.02																	
B	2,000,001 — 5,500,000	1.87																	
C	5,500,001 — 22,000,000	0.69																	
D	22,000,001 — 400,000,000	0.28																	
	The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2008 that have been received by the Authority.																		

Type of regulated entity	Basis of calculation for required levy																		
<b>D3</b> — Portfolio Management; Execution of Orders; Client Asset Requirements Imposed	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>All entities will be charged a minimum levy of €6,000. In addition all entities (with the relevant level of turnover) will be charged an additional levy based on the table below.</p> <table border="1" data-bbox="657 346 1421 609"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 422,500</td> <td>6,000</td> </tr> <tr> <td>A</td> <td>422,501 — 1,250,000</td> <td>3,057.21</td> </tr> <tr> <td>B</td> <td>1,250,001 — 3,200,000</td> <td>2,823.12</td> </tr> <tr> <td>C</td> <td>3,200,001 — 5,500,000</td> <td>3,891.78</td> </tr> <tr> <td>D</td> <td>5,500,001 — 150,000,000</td> <td>654.41</td> </tr> </tbody> </table> <p>The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2008 received by the Authority.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 422,500	6,000	A	422,501 — 1,250,000	3,057.21	B	1,250,001 — 3,200,000	2,823.12	C	3,200,001 — 5,500,000	3,891.78	D	5,500,001 — 150,000,000	654.41
Band	Range €	Charge per €m or part thereof																	
Min	0 — 422,500	6,000																	
A	422,501 — 1,250,000	3,057.21																	
B	1,250,001 — 3,200,000	2,823.12																	
C	3,200,001 — 5,500,000	3,891.78																	
D	5,500,001 — 150,000,000	654.41																	

Type of regulated entity	Basis of calculation for required levy																		
<b>D4</b> — Own Account Trading; Underwriting on a Firm Commitment Basis; Client Asset Requirements Imposed; Operation of Multi — Lateral Trading Facilities	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>All entities will be charged a minimum levy of €6,000. In addition all entities (with the relevant level of regulatory capital) will be charged an additional levy based on the table below.</p> <table border="1" data-bbox="690 987 1421 1249"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 750,000</td> <td>6,000</td> </tr> <tr> <td>A</td> <td>750,001 — 1,250,000</td> <td>10,967.98</td> </tr> <tr> <td>B</td> <td>1,250,001 — 3,000,000</td> <td>4,275.25</td> </tr> <tr> <td>C</td> <td>3,000,001 — 12,000,000</td> <td>1,246.50</td> </tr> <tr> <td>D</td> <td>12,000,001 — 200,000,000</td> <td>289.60</td> </tr> </tbody> </table> <p>The range used is based on the higher of initial required regulatory capital; total required regulatory capital; total expenditure based requirement as at 31 December 2009 extracted from the capital adequacy return received by the Authority.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 750,000	6,000	A	750,001 — 1,250,000	10,967.98	B	1,250,001 — 3,000,000	4,275.25	C	3,000,001 — 12,000,000	1,246.50	D	12,000,001 — 200,000,000	289.60
Band	Range €	Charge per €m or part thereof																	
Min	0 — 750,000	6,000																	
A	750,001 — 1,250,000	10,967.98																	
B	1,250,001 — 3,000,000	4,275.25																	
C	3,000,001 — 12,000,000	1,246.50																	
D	12,000,001 — 200,000,000	289.60																	

Type of regulated entity	Basis of calculation for required levy																		
<b>D5</b> — Member Firms of the Irish Stock Exchange	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>All entities will be charged a minimum levy of €12,000. In addition all entities (with the relevant level of turnover) will be charged an additional levy based on the table below.</p> <table border="1" data-bbox="500 390 1234 653"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 5,000,000</td> <td>12,000</td> </tr> <tr> <td>A</td> <td>5,000,001 — 15,000,000</td> <td>2,580.95</td> </tr> <tr> <td>B</td> <td>15,000,001 — 30,000,000</td> <td>1,991.29</td> </tr> <tr> <td>C</td> <td>30,000,001 — 55,000,000</td> <td>2,874.02</td> </tr> <tr> <td>D</td> <td>55,000,001 — 250,000,000</td> <td>1,651.81</td> </tr> </tbody> </table> <p>The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2008 received by the Authority.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 5,000,000	12,000	A	5,000,001 — 15,000,000	2,580.95	B	15,000,001 — 30,000,000	1,991.29	C	30,000,001 — 55,000,000	2,874.02	D	55,000,001 — 250,000,000	1,651.81
Band	Range €	Charge per €m or part thereof																	
Min	0 — 5,000,000	12,000																	
A	5,000,001 — 15,000,000	2,580.95																	
B	15,000,001 — 30,000,000	1,991.29																	
C	30,000,001 — 55,000,000	2,874.02																	
D	55,000,001 — 250,000,000	1,651.81																	

Type of regulated entity	Basis of calculation for required levy
<b>D6</b> — Firms authorised under the Investment Intermediaries Act 1995 that are not captured in any other levy category for the purpose of these Regulations	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>A flat rate levy of €1,300 is payable.</p>

**CATEGORY E**  
**Collective Investment Schemes and other Service Providers**

Type of regulated entity	Basis of calculation for required levy		
<b>E1a</b> — Collective Investment Schemes (CIS) Authorised Unit Trusts; Authorised Investment Companies; Authorised Investment Limited Partnerships; Non-Irish Authorised Schemes (except Self Managed Investment Companies)	<b>Periodic Levy</b>		
	<b>Fund Type</b>	<b>Levy per Fund</b>	<b>Levy per Sub-Fund</b>
	Single	€2,000	€0
	Umbrella	€2,000	€450
	All funds will pay a minimum levy of €2,000. Umbrella funds will also pay a contribution per sub-fund of €450 on the first five sub-funds resulting in a maximum contribution for umbrella funds of €4,250.		
	<b>No. of Sub-Funds</b>	<b>€ per Sub-Fund</b>	<b>€</b>
2	450	2,900	
3	450	3,350	
4	450	3,800	
5+	450	4,250	

Type of regulated entity	Basis of calculation for required levy		
<b>E1b</b> — Self Managed Investment Companies (SMICs)	<b>Periodic Levy</b>		
	<b>Fund Type</b>	<b>Levy per Fund</b>	<b>Levy per Sub-Fund</b>
	Single	€2,025	€0
	Umbrella	€2,025	€475
	All SMICs will pay a minimum levy of €2,025. Umbrella SMICs will also pay a contribution per sub-fund of €475 on the first five sub-funds resulting in a maximum contribution for umbrella funds of €4,400.		
	<b>No. of Sub-Funds</b>	<b>€ per Sub-Fund</b>	<b>€</b>
2	475	2,975	
3	475	3,450	
4	475	3,925	
5+	475	4,400	

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>E2a — Non UCITS Managers (Delegating)</b>	<b>Periodic Levy</b> The levy for Non UCITS Managers (Delegating) is €2,000.

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>																		
<b>E2b — Administrators; UCITS and Non UCITS Managers; Trustees</b>	<b>Periodic Levy</b> All entities will be charged a minimum levy of €4,700. In addition all entities (with the relevant level of Net Asset Value) will be charged an additional levy based on the table below.																		
	<table border="1"> <thead> <tr> <th>Band</th> <th>Range €</th> <th>Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 — 0.005bn</td> <td>4,700</td> </tr> <tr> <td>A</td> <td>0.005bn — 1.6bn</td> <td>1.39</td> </tr> <tr> <td>B</td> <td>1.6bn — 7.5bn</td> <td>0.53</td> </tr> <tr> <td>C</td> <td>7.5bn — 34bn</td> <td>0.19</td> </tr> <tr> <td>D</td> <td>34bn — 300bn</td> <td>0.11</td> </tr> </tbody> </table> <p>The range is based on the Net Asset Value administered as at 31 December 2009 as reported to the Authority.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 0.005bn	4,700	A	0.005bn — 1.6bn	1.39	B	1.6bn — 7.5bn	0.53	C	7.5bn — 34bn	0.19	D	34bn — 300bn	0.11
Band	Range €	Charge per €m or part thereof																	
Min	0 — 0.005bn	4,700																	
A	0.005bn — 1.6bn	1.39																	
B	1.6bn — 7.5bn	0.53																	
C	7.5bn — 34bn	0.19																	
D	34bn — 300bn	0.11																	

**CATEGORY F**  
**Credit Unions**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>F</b> — Credit Unions	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The required levy from individual credit unions will be assessed as 0.01% of total assets reported in the annual returns setting out their balance sheet as at 30 September 2009, provided that the total levy collected or recovered from credit unions does not exceed the total costs incurred by the Authority in performing the functions and exercising the powers of the Authority under the Credit Union Act, 1997.</p>



**CATEGORY G**  
**Moneylenders**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>G</b> — Moneylenders	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>A minimum levy of €1,250 will be charged for each Moneylender. In addition a variable levy based on a percentage charge on the total value of loans outstanding per the application for authorisation submitted in 2009 will also be charged. The maximum levy payable by a Moneylender is €25,000. This levy will cover Moneylender's operation in all Court Districts.</p> <p>Minimum levy: €1,250 Variable levy: 0.2739% of total value of loans outstanding Maximum levy: €25,000</p>

**CATEGORY H**  
**Approved Professional Bodies**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>H</b> — Approved Professional Bodies	<b>Periodic Levy</b> Each Approved Professional Body will be charged €11,650.

**CATEGORY I**  
**Exchanges/Markets**

Type of regulated entity	Basis of calculation for required levy
I — Exchanges/Markets	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>Any Exchange/Market regulated by the Authority shall pay the following levy in accordance with their applicable authorised status:</p> <p>Regulated market authorised under the European Communities (Markets in Financial Instruments) Regulations 2007</p> <p style="text-align: center;">€150,000</p>

**CATEGORY J**  
**Bureaux de Change and Money Transmitters**

Type of regulated entity	Basis of calculation for required levy
<b>J1</b> — Bureaux de Change	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The minimum levy payable by a Bureau de Change is €1,600.</p> <p>In addition a variable levy based on a percentage charge on income, as at 31 December 2009, as declared to the Authority will also be charged.</p> <p>Minimum levy: €1,600            Variable levy: 0.2603% of declared income as at 31 December 2009.</p>

Type of regulated entity	Basis of calculation for required levy
<b>J2</b> — Money Transmitters	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The minimum levy payable by a Money Transmitter is €1,600.</p> <p>In addition a variable levy based on a percentage charge on income, as at 31 December 2009, as declared to the Authority will also be charged.</p> <p>Minimum levy: €1,600            Variable levy: 0.512% of declared income as at 31 December 2009.</p>

**CATEGORY K**  
**E-Money Providers**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>K</b> — E-Money Providers	<p style="text-align: center;"><b>Periodic Levy</b></p> Each E-Money Provider will be required to pay a levy of €1,000.

**CATEGORY L**  
**Default Assessments**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
<b>L</b> — Regulated entities falling within Regulation 11( <i>d</i> )	<b>Periodic Levy</b> Each regulated entity falling within Regulation 11( <i>d</i> ) shall pay a flat rate levy of €3,600.

**CATEGORY M**  
**Home Reversion Firms and Retail Credit Firms**

Type of regulated entity	Basis of calculation for required levy
M1 — Retail Credit Firms	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The minimum levy payable by a Retail Credit Firm is €1,400.</p> <p>In addition, a variable levy based on a percentage charge on the value of outstanding loans, as declared to the Authority for 31 December 2009, will also be charged.</p> <p>Minimum levy: €1,400            Variable levy: 0.007358% of value of outstanding loans as at 31 December 2009</p>

Type of regulated entity	Basis of calculation for required levy
M2 — Home Reversion Firms	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The minimum levy payable by a Home Reversion Firm is €1,400.</p> <p>In addition a variable levy based on a percentage charge on income, as at 31 December 2009, as declared to the Authority will also be charged.</p> <p>Minimum levy: €1,400            Variable levy: 0.4082% of income as at 31 December 2009</p>

**CATEGORY N**  
**Payment Institutions**

<b>Type of regulated entity</b>	<b>Basis of calculation for required levy</b>
N — Payment Institutions	<p style="text-align: center;"><b>Periodic Levy</b></p> <p>The minimum levy payable by a Payment Institution is €1,500.</p> <p>In addition, a variable levy based on a percentage charge on the projected Regulatory Capital Requirement for 2010, a variable levy based on a percentage charge on projected income for 2010 and a flat rate levy based on the number of agents will also be charged.</p> <p>Minimum levy: €1,500            Variable levy: 3.3% of projected Regulatory Capital Requirement for 2010            Variable levy: 0.018% of projected income for 2010            Flat Rate Levy: €100,000 for agent numbers in excess of 1,000.”</p>





SIGNED on this the,  
30 September 2010.

MATTHEW ELDERFIELD,  
CHIEF EXECUTIVE  
of the  
IRISH FINANCIAL SERVICES REGULATORY  
AUTHORITY.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations, made by the Chief Executive of the Irish Financial Services Regulatory Authority in accordance with Sections 33J and 33K of the Central Bank Act, 1942 (as amended) amend the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2004 (S.I. No. 447 of 2004) by identifying who must make a levy contribution; who can appeal a levy contribution; and by setting out the requirements of regulated entities to pay a levy contribution to the Authority in 2010. The 2004 Regulations also provide for the collection and recovery of the levies as well as providing for certain obligations as to self-assessment and record keeping by regulated entities. These Regulations will be published from time to time by the Authority on its website and in other ways that the Chief Executive thinks appropriate.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
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