



STATUTORY INSTRUMENTS.

S.I. No. 133 of 2025

FINANCIAL SERVICES AND PENSIONS OMBUDSMAN ACT 2017
[FINANCIAL SERVICES AND PENSIONS OMBUDSMAN COUNCIL]
FINANCIAL SERVICES INDUSTRY LEVY REGULATIONS 2025

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The Financial Services and Pensions Ombudsman Council, in exercise of the powers conferred on the Council by section 43(4) of the Financial Services and Pensions Ombudsman Act 2017 and with the consent of the Minister for Finance, hereby makes the following Regulations:-

Citation

1. These Regulations may be cited as the Financial Services and Pensions Ombudsman Act 2017 [Financial Services and Pensions Ombudsman Council] Financial Services Industry Levy Regulations 2025.

Commencement

2. These Regulations come into operation on 24 April 2025.

Definitions

3. In these Regulations—

“Act” means the Financial Services and Pensions Ombudsman Act 2017;

“Bank” means the Central Bank of Ireland;

“Council” means the Financial Services and Pensions Ombudsman Council;

“Chairperson” means the Chairperson for the time being of the Council;

“Credit institutions register” means the Credit Institutions Register as published from time to time by the Central Bank of Ireland;

“Declaration” means self-declaration form sent by the Office in accordance with Regulation 5(b);

“Default penalty” means the amount prescribed by the Office to be paid by a financial service provider in accordance with Regulation 9(d);

“Due date” means the date specified as the due date in the levy notice;

“Financial service provider” means a financial service provider as defined in section 2 of the Act;

“Levy” means the financial services industry levy;

“Levy notice” means notice sent by the Office in accordance with Regulation 5;

“Levy period” means the period prescribed in Regulation 4(b) and in the Schedule in respect of which financial service providers are obliged to pay the required levy contributions;

“Office” means the Office of the Financial Services and Pensions Ombudsman;

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 18th April, 2025.*

“Ombudsman” means the Financial Services and Pensions Ombudsman for the time being;

"Penalty notice" means the notice sent by the Office in accordance with Regulation 9(d);

“Required levy contribution” means the levy contribution in Regulation 4;

“Schedule” means the Schedule to these Regulations.

Annual Charge

4. (a) Each financial service provider shall pay to the Office an annual charge, being the required levy contribution, in respect of the services provided by the Ombudsman to the financial services industry, the amount of which is specified in, or calculated in accordance with, that Part of the Schedule that relates to the applicable category or categories for that financial service provider.
- (b) Each financial service provider shall pay the required levy contribution to the Office in respect of the levy period as specified in the Schedule whether or not a levy notice has been sent.
- (c) The Office may send to a financial service provider a levy notice specifying the required levy contribution to be paid to the Office in respect of the levy period as specified in the Schedule and it shall be payable not later than the date set out in the levy notice.
- (d) If no levy notice is received by a financial service provider for the levy period by 30 September 2025, then 31 December 2025 shall be the due date for the payment of the required levy contribution by such financial service provider. No default penalty as prescribed under Regulation 9(d) shall apply to a financial service provider who has not received a levy notice specifying the due date for payment of the required levy contribution.
- (e) For financial service providers whose activities require authorisation by the Central Bank of Ireland or the Competition and Consumer Protection Commission, an annual charge is deemed to be payable when a financial service provider holds such authorisation as at 1 January 2025.

Levy Notice

5. (a) The Office may transmit, or may arrange the transmission of, a levy notice in writing to a financial service provider indicating the required levy contribution assessed by the Office to be payable by that financial service provider for the levy period.
- (b) The Office may require a financial service provider to complete and submit to the Office a Declaration in writing containing such information as may be required by the Office to enable it to make an assessment, on the basis of the information in the possession

of the financial service provider, of the amount of the required levy contribution to be paid by that financial service provider for the levy period. The Office may indicate in the Declaration sent to the financial service provider what information in respect of what periods any assessment made by the Office may be based upon. Where a financial service provider is required to complete and submit a Declaration under this paragraph, the Declaration must be completed and submitted to the Office within such period, not less than 14 working days, as the Office may require.

Payment of Required Levy Contribution

6. The required levy contribution shall be paid by direct bank transfer or equivalent instantaneous transfer of funds to the bank account specified by the Office, or in such other manner as the Office may direct. From 24 April 2025, the required levy contribution may be paid by way of a cash payment lodged to such bank account as may be specified by the Office from time to time.

Appeal of Levy Notice

7. (a) A financial service provider who receives a levy notice under Regulation 5, may appeal to the Ombudsman, no later than 90 calendar days following the date of issue of a levy notice by the Office, to change the amount of the levy assessed for that financial service provider where it considers that the amount assessed is incorrect. Any such appeals must be in writing to the Ombudsman, setting out the grounds of the appeal in detail and must be accompanied by the amount of the required levy contribution that is not in dispute. Where relevant, the appeal should include any supporting documentation or representations. Such a written appeal must be addressed to the Ombudsman.
- (b) The Ombudsman, after considering any such appeal, shall advise the appellant and the Office in writing of his decision and the reason therefor and, where appropriate, any amount of required levy contribution not already paid shall be payable by the financial service provider to the Office within 21 working days after the date of issue of the notification of the decision of the Ombudsman to the appellant.

Interest

8. Where an amount of required levy contribution as specified in a levy notice that has been sent to a financial service provider under these Regulations becomes payable and is not paid by the due date specified in the levy notice, the financial service provider shall become liable to a penalty of interest on the amount of the required levy contribution outstanding, to be calculated on a simple interest basis. Such interest shall be calculated from the date on which the outstanding amount became payable in accordance with the Prompt Payment of Accounts Act 1997 as amended by the European Communities (Late Payment

in Commercial Transactions) Regulations 2012 - S.I. 580 of 2012, for each day or part of a day during which the outstanding amount remains unpaid.

Records

9. (a) Each financial service provider shall, and shall in accordance with a direction (if any) as may be given by the Office, keep full and true records of all transactions which affect their liability under these Regulations and any related returns made.
- (b) A record kept by a person pursuant to paragraph (a) of this Regulation and, in the case of any such record that has been given by the person to another person, any copy thereof that is in the power or control of the first-mentioned person, shall be retained by that person for a period of 6 years from the date of the last transaction to which the record relates.

This Regulation shall not apply to records of a company that have been disposed of in accordance with section 707(1) of the Companies Act 2014.

- (c) No person shall, in purported compliance with a provision of these Regulations, provide an answer or explanation, make a statement or produce or deliver any return, certificate, balance sheet or other document which is false in a material particular.
- (d) A financial service provider that —
 - (i) fails to comply with any requirement under paragraph 5(b) of this Regulation to complete and submit a Declaration;
 - (ii) fails to maintain records in accordance with these Regulations;
 - (iii) in breach of paragraph (c) of this Regulation provides any answer or explanation, or makes a statement or produces or delivers any return, certificate, balance sheet or other document that is false; or
 - (iv) otherwise fails to comply with a provision of these Regulations thereby failing to pay or preventing the collection of, any or all of the required levy contribution or thereby preventing a full and proper assessment of their liability under these Regulations,

shall be subject to a default penalty in the amount of €3,600 and the Office may send a penalty notice in writing to such a financial service provider requiring payment of the default penalty not later than the date specified in the penalty notice. Payment of a penalty in accordance with this regulation does not remove the obligation on a financial service provider to pay the required levy contribution.

Service

10. Any levy notice, Declaration, or appeal determination authorised by these Regulations —

- (a) shall be served on a financial service provider if the person is an individual —
- (i) by delivering it to that person, or
 - (ii) by sending it by ordinary pre-paid post addressed to that person at the person's usual or last known place of residence or business, or
 - (iii) by leaving it for that person at that place, or
 - (iv) by electronic means to that person's last known e-mail address, evidenced by a valid sent receipt; and
- (b) shall be served on a financial service provider if the person is a body corporate or an unincorporated body of persons —
- (i) by sending it to the body by post to, or addressing it to and leaving it at, in the case of a company, its registered office (within the meaning of the Companies Act 2014) and, in any other case, its principal place of business, or
 - (ii) by electronic means to the last known e-mail address provided, in the case of a company, evidenced by a valid sent receipt.
- (c) is deemed to have been received —
- (i) in the case of service by ordinary pre-paid post, on the third working day after the day on which it was sent, or
 - (ii) in the case of service by electronic means, when the sender's facility for the reception of electronic mail generates a message confirming the receipt of the electronic mail by electronic means to the last known e-mail address provided.

Business Transfers

11. (a) In the case of a financial service provider that is or was liable to pay a levy under these Regulations, whose financial services business is transferred to another financial service provider, the transferee financial service provider shall be liable to pay that portion of the levy payable in respect of the transferor regulated entity, which has not been paid, and which is notified to the transferee financial service provider by way of a levy notice.
- (b) The transferee financial service provider shall be liable to pay that portion of the levy payable by the transferor regulated entity as specified in the levy notice in accordance with the relevant industry funding category as specified in the Schedule.
- (c) The levy notice shall specify the date by which the transferee financial service provider must pay that portion of the levy payable by the transferor regulated entity, which has not been paid.



GIVEN under the Official Seal of the Financial Services and
Pensions Ombudsman Council,
15 April, 2025.

ANN E. DUFFY,
Member of Council .

Schedule

Category A**Credit Institutions**

(i) Each credit institution as registered under section 1 of the Credit Institutions Register — Authorisations issued to Credit Institutions to carry on banking business in the State under Irish Legislation or section 2 (a) of the Credit Institutions Register European Credit Institutions authorised in another Member State of the European Economic Area (EEA) and operating in the State either on a branch or a cross-border basis, shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated at the rate of €0.834 per consumer, where the underlying contract between the Credit Institution and the consumer is based on Irish law, as at 31 December 2023.

(ii) Each credit institution as registered under section 2 (b) of the Credit Institutions Register — Credit Institutions from other Member States of the European Economic Area (EEA) which has notified the Bank of its intention to provide services in the State on a cross-border basis, in respect of its liability for the year ended 31 December 2025, shall pay a levy calculated at the rate of €0.834 per consumer, where the underlying contract between the Credit Institution and the consumer is based on Irish law, as at 31 December 2023.

Category B**Insurance Undertakings**

Life Insurance Undertakings Solvency II Undertakings authorised under the European Union (Insurance and Reinsurance) Regulations 2015 (S.I. No. 485 of 2015), to carry on Life Insurance business. Non-Solvency II Undertakings authorised under the European Communities (Life Assurance) Framework Regulations, 1994 (S.I. No. 360 of 1994), to carry on Life Insurance business.

(i) B1: Each life insurance undertaking shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum no greater than 0.0058% of its total gross premiums earned from Irish risk business, and where the underlying contract between the Life Insurance Undertaking and the consumer is based on Irish law, for the year ended 31 December 2023.

(ii) B4(a): Each non-life insurance undertaking with the exception of captive insurance undertakings shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum no greater than 0.0527% of its total gross premiums earned from Irish risk business other than private health insurance contracts where the underlying contract between the Non-Life Insurance Undertaking and the consumer is based on Irish law for the year ended 31 December 2023. Levy in respect of private health insurance shall be calculated in accordance with paragraph (iii) below.

(iii) B4(b): Each non-life insurance undertaking, shall pay, in respect of its liability for private health insurance for the year ended 31 December 2025, a levy calculated on the basis of a sum no greater than 0.0215% of its total gross premiums derived from Irish private health insurance business where the

underlying contract between the Non-Life Insurance Undertaking and the consumer is based on Irish law for the year ended 31 December 2023.

Category C

Intermediaries and Debt Management Firms

Intermediaries (including Investment Product Intermediaries and Mortgage Intermediaries who hold authorisations under the Consumer Credit Act 1995 and Mortgage Credit Intermediaries who hold authorisations under the European Union (Consumer Mortgage Credit Agreements) Regulations 2016); Insurance/Reinsurance Intermediaries registered under the European Communities (Insurance Mediation) Regulations 2005; Debt Management Firms authorised under the Central Bank Act, 1997.

Each intermediary and Debt Management Firm, shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum equal to 15% of the levy payable to the Bank for 2023. Intermediary and Debt Management Firms which were levied the minimum amount by the Bank for 2023 under S.I. No. 493/2024 - Central Bank Act 1942 (Section 32D) Regulations 2024, are exempt from the levy for the year ended 31 December 2025.

Category D

Investment Business Firms (other than Investment Product Intermediaries)

Firms regulated under the provisions of either the Investment Intermediaries Act 1995, that are not captured in any other category for the purposes of these Regulations, or European Union (Markets in Financial Instruments) Regulations 2017 [S.I. No. 375 of 2017] or any amending or replacing legislation including: designated fund managers; entities engaged in the receipt and transmission of orders and/or the provision of investment advice; entities engaged in portfolio management and the execution of orders; entities engaged in own account trading and underwriting. Stock Exchange Member Firms: Member Firms of the Irish Stock Exchange which have been authorised or deemed authorised as an Investment Firm under the European Union (Markets in Financial Instruments) Regulations 2017 or any amending or replacing legislation. Firms authorised under the Investment Intermediaries Act 1995 that are not captured in any other levy category for the purposes of these Regulations. High Volume Algorithmic Trading Firms.

Each of the financial service providers in Category D shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum equal to 4.3306% of the annual industry funding levy payable to the Bank by the financial service provider for 2023.

Category F

Credit Unions

Register of Credit Unions - Credit Union Act, 1997 (as amended). Registered by the Central Bank of Ireland as credit unions pursuant to the Credit Union Act, 1997 (as amended)

Each Credit Union shall pay, in respect of its liability for the year ended 31 December 2025, a levy of €1,905.

Category G

High Cost Credit Providers Approved by the Bank (“Approved High Cost Credit Providers”)

High Cost Credit Provider Register - High Cost Credit Providers were previously known as Moneylenders prior to the commencement of the Consumer Credit (Amendment) Act 2022. High Cost Credit Providers are licensed by the Central Bank of Ireland to engage in the business of High Cost Credit Provision under Part VIII of the Consumer Credit Act, 1995 (as amended).

Each Approved High Cost Credit Provider shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum equal to 48.63% of the annual industry funding levy payable to the Bank by the entity for 2023.

Category M

Retail Credit Firms, Home Reversion Firms and Credit Servicing Firms

Retail Credit Firms/Home Reversion Firms - Authorised under Part V of the Central Bank Act, 1997 as amended to carry out retail credit firm and/or home reversion firm business. Or Who have notified the Central Bank that they wish to avail of the transitional provisions provided for under Section 34EA of the Central Bank Act, 1997 as a retail credit firm as at 16 August 2022.

Credit Servicing Firms - Authorised under Part V of the Central Bank Act, 1997 (as amended) to provide credit servicing. Or Who have notified the Central Bank that they wish to avail of the transitional provisions provided for under Section 34FA or Section 34FB of the Central Bank Act, 1997 (as amended).

Each Retail Credit firm, Home Reversion firm and Credit Servicing firm shall pay, in respect of its liability for the year ended 31 December 2025, a levy calculated on the basis of a sum equal to 24.96% of the annual industry funding levy payable to the Bank by the entity for 2023.

Category N

Payment Institutions and E-Money Institutions

Register of Payment Institutions who have been authorised by the Central Bank of Ireland pursuant to Regulation 18 of the European Union (Payment Services) Regulations 2018.

Register of Electronic Money Institutions who have been authorised by the Central Bank of Ireland pursuant to Regulation 9 of the European Communities (Electronic Money) Regulations 2011 (as amended).

Each Payment and E-Money institution shall pay, in respect of its liability for the year ended 31 December 2025, a levy of €5,000.

EXPLANATORY NOTE

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

These Regulations made by the Financial Services and Pensions Ombudsman Council in accordance with section 43 of the Financial Services and Pensions Ombudsman Act 2017 provide for each financial service provider to be liable to pay an annual levy in respect of the services provided by the Ombudsman to the financial services industry. These Regulations provide for the collection and recovery of the levy and provide for certain obligations in respect of information to be provided to the Office to enable it to assess the levy to be paid by certain financial service providers and provide for certain record keeping by financial service providers. These Regulations also provide for the calculation of the required levy contribution payable by each category of financial service provider for the year ended 31 December 2025.

These Regulations may be cited as the Financial Services and Pensions Ombudsman Act 2017 [Financial Services and Pensions Ombudsman Council] Financial Services Industry Levy Regulations 2025.

These Regulations come into operation on 24 April 2025.

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