

## Section 17

### Financing of and target level for deposit guarantee schemes

(1) Deposit guarantee schemes shall have adequate financial means that are proportionate to their existing and potential liabilities (available financial means). They shall put in place adequate systems to determine their potential liabilities.

(2) The deposit guarantee schemes shall ensure that, by the end of 3 July 2024, their available financial means shall at least reach a target level of 0.8% of the amount of the covered deposits in accordance with section 8 (1) of their member CRR credit institutions. If a deposit guarantee scheme has used more than 0.8% of the amount of the covered deposits in accordance with section 8 (1) of their member CRR credit institutions for payouts by the end of 3 July 2024, the period during which the respective deposit guarantee scheme must reach the target level shall be prolonged until the end of 3 July 2028.

(3) If the available financial means fall short of the target level, the deposit guarantee schemes shall ensure that the collection of contributions shall resume until the target level is reached again. If, after the target level has been reached for the first time, the available financial means have been reduced to less than two-thirds of the target level, the contributions shall be set at a level allowing the target level to be reached again within six years.

(4) In order to determine the necessary target level in accordance with subsection (2) above, the CRR credit institutions shall, by 31 January each year, notify the deposit guarantee scheme of which they are a member of the amount of covered deposits in accordance with section 8 (1) they held as at 31 December of the preceding year. The deposit guarantee schemes shall forward the notifications by the CRR credit institutions to BaFin, the Deutsche Bundesbank and the resolution authority in aggregated form by 21 February each year.

(5) BaFin shall, by 31 March each year, inform the European Banking Authority of the amount of covered deposits in accordance with section 8 (1) in Germany, and of the amount of the available financial means of German deposit guarantee schemes, as at 31 December of the preceding year.

## Section 18

### Available financial means

(1) Available financial means within the meaning of this Act are defined as cash and deposits, as well as low-risk debt securities that can be liquidated within the period referred to in section 14 (3). Low-risk debt securities are items falling into the first or second category referred to in Table 1 of Article 336 of Regulation (EU) No 575/2013, as well as any assets that are considered by BaFin to be similarly safe and liquid on application by a deposit guarantee scheme.

(2) By way of derogation from subsection (1) above, available financial means may also be payment commitments of a CRR credit institution to a deposit guarantee scheme if

- 1 these payment commitments are fully collateralised and
- 2 the collateral for these payment commitments
  - (a) is at the disposal of the deposit guarantee scheme,
  - (b) consists of low-risk debt securities and (c) is unencumbered by any third-party rights.

(3) The total share of payment commitments under subsection (2) above in relation to the available financial means counting towards the target level shall not exceed 30% of the available financial means of the respective deposit guarantee scheme.

(4) The available financial means shall be invested in a low-risk and sufficiently diversified manner. They shall be invested in order to ensure the greatest possible safety and adequate liquidity of the investments, combined with a reasonable return. The income generated by investing the available financial means may be used to cover the administrative and other costs of the deposit guarantee schemes.

## Section 19

### Calculation of contributions; methods for calculating contributions