



STATUTORY INSTRUMENTS.

S.I. No. 297 of 2008

CENTRAL BANK ACT 1942 (SECTIONS 33J and 33K) REGULATIONS
2008

(Prn. A8/1106)

CENTRAL BANK ACT 1942 (SECTIONS 33J and 33K) REGULATIONS
2008

I, PATRICK NEARY, 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 2008.

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).

Amendment of Principal Regulations

3. The Principal Regulations are amended:

(a) by the deletion in Regulation 2, of the definition “Financial Regulator”, and by the insertion, immediately prior to the definition of “Bank” of

“ “Authority” means the Irish Financial Services Regulatory Authority;”;

(b) by the deletion in Regulation 8 paragraph (a) of the words “who receives a levy notice under paragraph (a) of Regulation 6,” in the first line and by the substitution therefor of the words “or former regulated entity”; and

(c) by the deletion of Regulation 5 and by the substitution of the following therefor:

“5. (a) All persons who are, or have been, regulated entities shall pay annually to the Authority a contribution (“required levy contribution”) for each calendar year in which they are, or have been, subject to regulation by the Authority. Where a regulated entity has been subject to regulation by the Authority for part of a year only, then the required levy contribution shall be calculated by reference to the number of

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th July, 2008.*

days for which the entity was regulated. However, regulated entities who become subject to regulation by the Financial Regulator in the calendar year commencing 1st January 2008 shall not be required to pay a levy contribution for that calendar year.

- (b) The required levy contribution shall consist of
 - (i) the amount specified in, or calculated in accordance with, the second column of Part B of the Schedule applicable to the category or categories for that regulated entity; and
 - (ii) if two or more entities are assessed as a complex group pursuant to paragraph (b) of Regulation 6, the amount assessed for payment in accordance with that regulation.
- (c) The required levy contribution is payable in the calendar year as specified in Part B of the Schedule as amended from time to time, and shall be payable not later than the earlier of the date set out in a levy notice (not being less than 28 days from the date of the levy notice) and 16 weeks from the making of Regulations setting the levy for a particular calendar year (“due date”).
- (d) If a regulated entity ceases to be a regulated entity, it must pay to the Authority forthwith any required levy contribution then due but unpaid. If the Authority has not, at the time of revocation, set the levy for that particular calendar year, the regulated entity must pay to the Authority a levy contribution equal to the amount specified in, or calculated by reference to, the levy for the previous calendar year.
- (e) The Chief Executive shall determine the appropriate category in the Schedule that shall apply to a regulated entity.
- (f) Where in the reasonable opinion of the Chief Executive the obligation of a regulated entity to pay a required levy contribution would be likely to make that regulated entity insolvent, or, where the regulated entity is a sole trader, bankrupt, the Authority may waive the obligation of that regulated entity under these Regulations to pay a required levy contribution.”.

Substitution of Schedule to the Principal Regulations

4. Part B of the Schedule to the Principal Regulations as inserted by the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2007 (S.I. 294 of 2007) is hereby amended by the substitution therefor of the Schedule to these Regulations.

Application of Principal Regulations

5. Regulation 5(c) of the Principal Regulations, as amended by these Regulations, shall take effect and be applied for the levy period 1 January 2008 to 31 December 2008 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

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

SCHEDULE

“PART B

Levy Period: 1 JANUARY 2008 to 31 DECEMBER 2008

CATEGORY A
Credit Institutions

Type of provider	Basis of calculation for required levy																		
A1 — Credit Institutions authorised under Irish legislation	<p data-bbox="808 543 954 571" style="text-align: center;">Periodic Levy</p> <p data-bbox="508 590 1258 642">The required levy is split into two separate levies, the Prudential Levy and the Consumer Levy.</p> <p data-bbox="808 661 971 688" style="text-align: center;">Prudential Levy</p> <p data-bbox="508 730 1258 810">All entities will be charged a minimum levy of €5,000. In addition to this levy all entities (with the relevant level of minimum regulatory capital) will be charged an additional levy based on the table below.</p> <table border="1" data-bbox="548 848 1214 1136"> <thead> <tr> <th data-bbox="557 856 654 932">Band</th> <th data-bbox="662 856 1019 932">Range €</th> <th data-bbox="1027 856 1206 905">Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td data-bbox="557 940 654 968">Min</td> <td data-bbox="662 940 1019 968">0 — 150,000,000</td> <td data-bbox="1027 940 1206 968">5,000</td> </tr> <tr> <td data-bbox="557 976 654 1003">A</td> <td data-bbox="662 976 1019 1003">150,000,001 — 395,000,000</td> <td data-bbox="1027 976 1206 1003">227.15</td> </tr> <tr> <td data-bbox="557 1012 654 1039">B</td> <td data-bbox="662 1012 1019 1039">395,000,001 — 1,000,000,000</td> <td data-bbox="1027 1012 1206 1039">91.97</td> </tr> <tr> <td data-bbox="557 1047 654 1075">C</td> <td data-bbox="662 1047 1019 1075">1,000,000,001 — 8,500,000,000</td> <td data-bbox="1027 1047 1206 1075">41.75</td> </tr> <tr> <td data-bbox="557 1083 654 1110">D</td> <td data-bbox="662 1083 1019 1110">8,500,000,001 — 11,500,000,000</td> <td data-bbox="1027 1083 1206 1110">4.24</td> </tr> </tbody> </table> <p data-bbox="508 1184 1258 1283">The range relates to the minimum regulatory capital of the entity as at 31 December 2007. This data is contained in the monthly Prudential Return submitted to the CBFSAI, format RSI (Capital Adequacy Summary), row code TOFREQ, column code CRTOTI.</p> <p data-bbox="508 1329 1258 1451">Certain groups are designated as complex groups and are required to pay an additional levy based on the minimum group regulatory capital as at 31 December 2007. This data is contained in the quarterly group Prudential Return submitted to the CBFSAI, format RSI (Capital Adequacy Summary), row code TOFREQ, column code CRTOTI.</p> <p data-bbox="508 1497 1258 1614">The complex group charge will be calculated using the table above. This charge will be reduced by the levy which has been calculated using the minimum regulatory capital of the entity. Entities designated as complex groups will be informed in writing by the Authority of this status.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 150,000,000	5,000	A	150,000,001 — 395,000,000	227.15	B	395,000,001 — 1,000,000,000	91.97	C	1,000,000,001 — 8,500,000,000	41.75	D	8,500,000,001 — 11,500,000,000	4.24
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Consumer Levy		
All entities that engage in retail lending or retail deposit taking will be charged a levy of €2,500 plus an additional levy based on the table below.		
Band	Range €	Charge per €m or part thereof
Min	0 — 20,000,000	2,500
A	20,000,001 — 600,000,000	72.81
B	600,000,001 — 15,000,000,000	23.51
C	15,000,000,001 — 32,000,000,000	13.53
D	32,000,000,001 — 50,000,000,000	7.62
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 2007.		

A2 — Credit Institutions authorised in another EEA state operating in Ireland on a branch basis	Periodic Levy	
	Branches are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.	
Consumer Levy		
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.		
All entities that engage in retail lending or retail deposit taking will be charged a levy of €2,500 plus an additional levy based on the table below.		
Band	Range €	Charge per €m or part thereof
Min	0 — 20,000,000	2,500
A	20,000,001 — 600,000,000	72.81
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A3 — Credit Institutions authorised in another EEA state operating in Ireland on a cross border basis	<p style="text-align: center;">Periodic Levy</p> <p>Entities undertaking business on a cross border basis are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.</p>																	
	<p style="text-align: center;">Consumer Levy</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="548 478 1214 739"> <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 — 20,000,000</td> <td>2,500</td> </tr> <tr> <td>A</td> <td>20,000,001 — 600,000,000</td> <td>72.81</td> </tr> <tr> <td>B</td> <td>600,000,001 — 15,000,000,000</td> <td>23.51</td> </tr> <tr> <td>C</td> <td>15,000,000,001 — 32,000,000,000</td> <td>13.53</td> </tr> <tr> <td>D</td> <td>32,000,000,001 — 50,000,000,000</td> <td>7.62</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 2007. 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 — 20,000,000	2,500	A	20,000,001 — 600,000,000	72.81	B	600,000,001 — 15,000,000,000	23.51	C	15,000,000,001 — 32,000,000,000	13.53	D	32,000,000,001 — 50,000,000,000
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CATEGORY B
Insurance Undertakings

Type of regulated entity	Basis of calculation for required levy																																				
B1 — Life Companies with Irish Head Office and Life Insurance Undertakings authorised in another non-EEA state operating in Ireland	<p style="text-align: center;">Periodic Levy</p> <p>The required levy is split into two separate levies, the Prudential Levy and the Consumer Levy.</p> <p style="text-align: center;">Prudential Levy</p> <p>All entities will be charged a minimum levy of €4,500. In addition to this levy all entities (with the relevant level of global gross premium income) will be charged an additional levy based on the table below.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <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 — 155,000,000</td> <td>4,500</td> </tr> <tr> <td>A</td> <td>155,000,001 — 225,500,000</td> <td>99.77</td> </tr> <tr> <td>B</td> <td>225,500,001 — 925,000,000</td> <td>36.85</td> </tr> <tr> <td>C</td> <td>925,000,001 — 3,500,000,000</td> <td>24.44</td> </tr> <tr> <td>D</td> <td>3,500,000,001 — 5,000,000,000</td> <td>5.21</td> </tr> </tbody> </table> <p>The range relates to 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 2006.</p> <p style="text-align: center;">Consumer Levy</p> <p>All entities that engage in the writing of Irish risk business will be charged a minimum levy of €2,000. In addition to this levy all entities (with the relevant level of gross premium income written on Irish risk business) will be charged an additional levy based on the table below.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <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 — 10,000,000</td> <td>2,000</td> </tr> <tr> <td>A</td> <td>10,000,001 — 60,000,000</td> <td>370.05</td> </tr> <tr> <td>B</td> <td>60,000,001 — 750,000,000</td> <td>104.50</td> </tr> <tr> <td>C</td> <td>750,000,001 — 3,600,000,000</td> <td>65.80</td> </tr> <tr> <td>D</td> <td>3,600,000,001 — 5,000,000,000</td> <td>7.51</td> </tr> </tbody> </table> <p>The range relates to 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 2006.</p>	Band	Range €	Charge per €m or part thereof	Min	0 — 155,000,000	4,500	A	155,000,001 — 225,500,000	99.77	B	225,500,001 — 925,000,000	36.85	C	925,000,001 — 3,500,000,000	24.44	D	3,500,000,001 — 5,000,000,000	5.21	Band	Range €	Charge per €m or part thereof	Min	0 — 10,000,000	2,000	A	10,000,001 — 60,000,000	370.05	B	60,000,001 — 750,000,000	104.50	C	750,000,001 — 3,600,000,000	65.80	D	3,600,000,001 — 5,000,000,000	7.51
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B2 — Life Insurance Undertakings authorised in another EEA state operating in Ireland on a branch basis	Prudential Levy																			
	Branches are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.																			
	Consumer Levy																			
	Branches will be required to pay a consumer levy based on their gross premium income written on Irish risk business as reported in their annual return for 2006.																			
	All entities that engage in the writing of Irish risk business will be charged a minimum levy of €2,000. In addition to this levy all entities (with the relevant level of gross premium income written on Irish risk business) will be charged an additional levy based on the table below.																			
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B3 — Life Insurance Undertakings authorised in another EEA state operating in Ireland on a cross border basis	Prudential Levy																			
	Entities undertaking cross border business are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.																			
	Consumer Levy																			
	Entities carrying out business in Ireland on a cross border basis are required to pay a consumer levy based on gross premium income written on Irish risk business for their financial year-end 2006. The table below details the levy payable by such entities.																			
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	The range is based on the total of gross premium income written on Irish risk business. Entities operating in Ireland on a cross border basis are obliged to determine the levy they are due to pay by reference to this table and remit the appropriate levy to the Authority.																			

**B4 — Non-Life
Companies with Irish
Head Office**

Periodic Levy

The required levy is split into two separate levies, the Prudential Levy and the Consumer Levy.

Prudential Levy

All entities will be charged a minimum levy of €4,500. In addition to this levy all entities (with the relevant level of gross global premium income) will be charged an additional levy based on the table below.

Band	Range €	Charge per €m or part thereof
Min	0 —3,500,000	4,500
A	3,500,001 —9,000,000	419.75
B	9,000,001 —57,500,000	137.65
C	57,500,001 —650,000,000	54.80
D	650,000,001 —5,000,000,000	21.80

The range relates to global gross 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 2006.

Consumer Levy

All entities that engage in the writing of Irish risk business will be charged a minimum levy of €1,750. In addition to this levy all entities (with the relevant level of gross premium income written on Irish risk business) will be charged an additional levy based on the table below.

Band	Range €	Charge per €m or part thereof
Min	0 —700,000	1,750
A	700,001 —2,400,000	1,237.49
B	2,400,001 —30,000,000	387.45
C	30,000,001 —450,000,000	236.00
D	450,000,001 —1,000,000,000	20.17

The range is based on the 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 2006.

B5 — Non-Life Insurance Undertakings authorised in another EEA state operating in Ireland on a branch basis	Prudential Levy																			
	Branches are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.																			
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B6 — Non-Life Insurance Undertakings authorised in another EEA state operating in Ireland on a cross border basis	Prudential Levy																			
	Entities undertaking cross border business are not subject to the prudential charge as prudential supervision is the responsibility of the home member state regulator.																			
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	Entities carrying out business in Ireland on a cross border basis are required to pay a consumer levy based on gross premium income written on Irish risk business for their financial year ended 2006. The table below details the levy payable by such entities.																			
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**B7 — Reinsurance
Undertakings with
Irish Head Office**

Prudential Levy

Reinsurance undertakings carrying out business in Ireland are required to pay a prudential levy.

All entities will be charged a minimum levy of €2,500. In addition to this levy all entities with the relevant combined level of Gross Premium Written and Gross Technical Reserves will be charged an additional levy based on the table below.

Band	Range €	Charge per €m or part thereof
Min	0 —6,000,000	2,500
A	6,000,001 —15,750,000	63.87
B	15,750,001 —320,000,000	13.76
C	320,000,001 —2,850,000,000	6.94
D	2,850,000,001 —11,000,000,000	1.92

The range is based on 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 2006.

CATEGORY C
Intermediaries

Type of regulated entity	Basis of calculation for required levy																																	
<p>C — 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;">Periodic Levy</p> <p>All intermediaries who held an authorisation as at 31 December 2007 will be charged a levy on the same basis as shown in the table below.</p> <table border="1" data-bbox="586 380 1214 806"> <thead> <tr> <th>Band</th> <th>Income Range €</th> <th>Levy €</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0 —50,000</td> <td>135</td> </tr> <tr> <td>2</td> <td>50,001 —250,000</td> <td>270</td> </tr> <tr> <td>3</td> <td>250,001 —600,000</td> <td>810</td> </tr> <tr> <td>4</td> <td>600,001 —1,000,000</td> <td>1,400</td> </tr> <tr> <td>5</td> <td>1,000,001 —1,250,000</td> <td>2,150</td> </tr> <tr> <td>6</td> <td>1,250,001 —1,500,000</td> <td>3,225</td> </tr> <tr> <td>7</td> <td>1,500,001 —4,000,000</td> <td>6,450</td> </tr> <tr> <td>8</td> <td>4,000,001 —6,000,000</td> <td>12,400</td> </tr> <tr> <td>9</td> <td>6,000,001 —7,500,000</td> <td>17,200</td> </tr> <tr> <td>10</td> <td>Over 7,500,000</td> <td>19,400</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 2007 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 2007.</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"> • All commissions and any other income derived from product producers • All payments and amounts received from individuals or companies in relation to services or advice provided in relation to regulated financial services • Any other income derived from regulated activities (but not including interest earned by an entity on credit bank balances held in their own name). <p>On receipt of the levy notice for 2008 an intermediary should determine whether or not they should update the self-declaration that they submitted to the Authority for the calculation of the 2008 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 2008 levy and therefore paying a different levy.</p>	Band	Income Range €	Levy €	1	0 —50,000	135	2	50,001 —250,000	270	3	250,001 —600,000	810	4	600,001 —1,000,000	1,400	5	1,000,001 —1,250,000	2,150	6	1,250,001 —1,500,000	3,225	7	1,500,001 —4,000,000	6,450	8	4,000,001 —6,000,000	12,400	9	6,000,001 —7,500,000	17,200	10	Over 7,500,000	19,400
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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
D1 — Designated Fund Managers	Periodic Levy A flat rate levy of €1,200 is payable by designated fund managers.

Note: In determining which of the following 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 2006. If the reporting period for an entity’s audited accounts year-end 2006 is greater or less than 12 months, their accounting period and turnover will be pro-rated to a twelve-month period.

If a firm is newly authorised in 2007, (i.e. the relevant year for the tariff data for the 2008 levy period) the turnover figure will be extracted from the audited accounts for 2006, if available. If audited accounts for the financial period-end 2006 were not prepared, the turnover figure from the first set of audited accounts produced, pro-rated for the period of operation in 2006, will be used.

If a firm is newly authorised in 2007, the turnover that will be used to calculate the levy is the turnover figure for the period from authorisation to 31 December 2007 as reported by the firm as part of the Capital Adequacy Return.

D2 — Receipt and Transmission of Orders and/or Provision of Investment Advice; No Client Asset Requirements Imposed	Periodic Levy																		
	All entities will be charged a minimum levy of €2,500. In addition all entities (with the relevant level of turnover) 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 €000 or part thereof</th> </tr> </thead> <tbody> <tr> <td>Min</td> <td>0 —1,000,000</td> <td>2,500</td> </tr> <tr> <td>A</td> <td>1,000,001 —4,000,000</td> <td>3.80</td> </tr> <tr> <td>B</td> <td>4,000,001 —20,000,000</td> <td>0.54</td> </tr> <tr> <td>C</td> <td>20,000,001 —80,000,000</td> <td>0.22</td> </tr> <tr> <td>D</td> <td>80,000,001 —400,000,000</td> <td>0.14</td> </tr> </tbody> </table>	Band	Range €	Charge per €000 or part thereof	Min	0 —1,000,000	2,500	A	1,000,001 —4,000,000	3.80	B	4,000,001 —20,000,000	0.54	C	20,000,001 —80,000,000	0.22	D	80,000,001 —400,000,000	0.14
Band	Range €	Charge per €000 or part thereof																	
Min	0 —1,000,000	2,500																	
A	1,000,001 —4,000,000	3.80																	
B	4,000,001 —20,000,000	0.54																	
C	20,000,001 —80,000,000	0.22																	
D	80,000,001 —400,000,000	0.14																	
	The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2007 that have been received by the Authority.																		

D3 — Portfolio Management; Execution of Orders; Client Asset Requirements Imposed	Periodic Levy	
	All entities will be charged a minimum levy of €2,200. In addition all entities (with the relevant level of turnover) will be charged an additional levy based on the table below.	
	Band	Range €
	Min	0 —2,200,000
	A	2,200,001 —3,250,000
	B	3,250,001 —12,000,000
	C	12,000,001 —105,000,000
	D	105,000,001 —300,000,000
	Charge per €m or part thereof	
		2,200
		4,464.17
		901.77
		341.76
		30.23
	The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2006 received by the Authority.	

D4 — Own Account Trading; Underwriting on a Firm Commitment Basis; Client Asset Requirements Imposed; Operation of Multi —Lateral Trading Facilities	Periodic Levy	
	All entities will be charged a minimum levy of €2,750. In addition all entities (with the relevant level of regulatory capital) will be charged an additional levy based on the table below.	
	Band	Range €
	Min	0 —1,000,000
	A	1,000,001 —2,500,000
	B	2,500,001 —30,000,000
	C	30,000,001 —100,000,000
	D	100,000,001 —300,000,000
	Charge per €m or part thereof	
		2,750
		3,987.04
		621.20
		358.12
		34.21
	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 2007 extracted from the capital adequacy return received by the Authority.	

D5 — Member Firms of the Irish Stock Exchange	Periodic Levy	
	All entities will be charged a minimum levy of €5,000. In addition all entities (with the relevant level of turnover) will be charged an additional levy based on the table below.	
	Band	Range €
	Min	0 —1,500,000
	A	1,500,001 —13,000,000
	B	13,000,001 —42,500,000
	C	42,500,001 —95,000,000
	D	95,000,001 —175,000,000
	Charge per €m or part thereof	
		5,000
		2,901.53
		807.55
		170.00
		77.45
	The turnover range is based on the turnover figure from the annual audited accounts for the year-end 2006 received by the Authority	

D6 — Firms authorised under the Investment Intermediaries Act 1995 that are not captured in any other levy category for the purpose of these Regulations	Periodic Levy	
	A flat rate levy of €1,200 is payable.	

CATEGORY E
Collective Investment Schemes
and other Service Providers

Type of regulated entity	Basis of calculation for required levy																								
E1a — Collective Investment Schemes (CIS) Authorised Unit Trusts; Authorised Investment Companies; Authorised Investment Limited Partnerships; Non-Irish Authorised Schemes (except Self Managed Investment Companies)	<p style="text-align: center;">Periodic Levy</p> <table border="1" data-bbox="570 384 1216 527"> <thead> <tr> <th>Fund Type</th> <th>Levy per Fund</th> <th>Levy per Sub-Fund</th> </tr> </thead> <tbody> <tr> <td>Single</td> <td>€2,025</td> <td>€0.00</td> </tr> <tr> <td>Umbrella</td> <td>€2,025</td> <td>€475</td> </tr> </tbody> </table> <p>All funds will pay a minimum levy of €2,025. Umbrella style funds 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.</p> <table border="1" data-bbox="570 667 1216 890"> <thead> <tr> <th>No. of Sub Funds</th> <th>€ per Sub-Fund</th> <th>€</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>€475</td> <td>2,975</td> </tr> <tr> <td>3</td> <td>€475</td> <td>3,450</td> </tr> <tr> <td>4</td> <td>€475</td> <td>3,925</td> </tr> <tr> <td>5</td> <td>€475</td> <td>4,400</td> </tr> </tbody> </table>	Fund Type	Levy per Fund	Levy per Sub-Fund	Single	€2,025	€0.00	Umbrella	€2,025	€475	No. of Sub Funds	€ per Sub-Fund	€	2	€475	2,975	3	€475	3,450	4	€475	3,925	5	€475	4,400
Fund Type	Levy per Fund	Levy per Sub-Fund																							
Single	€2,025	€0.00																							
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E1b — UCITS Self Managed Investment Companies (SMICs)	<p style="text-align: center;">Periodic Levy</p> <table border="1" data-bbox="570 1016 1216 1159"> <thead> <tr> <th>Fund Type</th> <th>Levy per Fund</th> <th>Levy per Sub-Fund</th> </tr> </thead> <tbody> <tr> <td>Single</td> <td>€2,025</td> <td>€0.00</td> </tr> <tr> <td>Umbrella</td> <td>€2,025</td> <td>€475</td> </tr> </tbody> </table> <p>All SMICs will pay a minimum levy of €2,025. 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.</p> <table border="1" data-bbox="570 1278 1216 1501"> <thead> <tr> <th>No. of Sub Funds</th> <th>€ per Sub-Fund</th> <th>€</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>€475</td> <td>2,975</td> </tr> <tr> <td>3</td> <td>€475</td> <td>3,450</td> </tr> <tr> <td>4</td> <td>€475</td> <td>3,925</td> </tr> <tr> <td>5</td> <td>€475</td> <td>4,400</td> </tr> </tbody> </table>	Fund Type	Levy per Fund	Levy per Sub-Fund	Single	€2,025	€0.00	Umbrella	€2,025	€475	No. of Sub Funds	€ per Sub-Fund	€	2	€475	2,975	3	€475	3,450	4	€475	3,925	5	€475	4,400
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E2a — Agency Fund Managers	<p style="text-align: center;">Periodic Levy</p> <p>The levy for Agency Fund Managers is €1,850.</p>
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E2b — Manager/ Administrator; UCITS Manager; Trustee	Periodic Levy																			
	The levy for these entities is assessed on the basis set out below:																			
	<table border="1"> <thead> <tr> <th data-bbox="737 369 846 432">Band</th> <th data-bbox="846 369 1208 432">Range €</th> <th data-bbox="1208 369 1403 432">Charge per €m or part thereof</th> </tr> </thead> <tbody> <tr> <td data-bbox="737 432 846 474">Min</td> <td data-bbox="846 432 1208 474">0 —2.0 bn</td> <td data-bbox="1208 432 1403 474">4,900</td> </tr> <tr> <td data-bbox="737 474 846 516">A</td> <td data-bbox="846 474 1208 516">2.0 bn —7.5 bn</td> <td data-bbox="1208 474 1403 516">0.56</td> </tr> <tr> <td data-bbox="737 516 846 558">B</td> <td data-bbox="846 516 1208 558">7.5 bn —51.0 bn</td> <td data-bbox="1208 516 1403 558">0.21</td> </tr> <tr> <td data-bbox="737 558 846 600">C</td> <td data-bbox="846 558 1208 600">51.0 bn —160 bn</td> <td data-bbox="1208 558 1403 600">0.11</td> </tr> <tr> <td data-bbox="737 600 846 636">D</td> <td data-bbox="846 600 1208 636">160 bn —250 bn</td> <td data-bbox="1208 600 1403 636">0.05</td> </tr> </tbody> </table>	Band	Range €	Charge per €m or part thereof	Min	0 —2.0 bn	4,900	A	2.0 bn —7.5 bn	0.56	B	7.5 bn —51.0 bn	0.21	C	51.0 bn —160 bn	0.11	D	160 bn —250 bn	0.05	
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C	51.0 bn —160 bn	0.11																		
D	160 bn —250 bn	0.05																		
The range is based on the Net Asset Value administered as at 31 December 2007 as reported to the Authority.																				

CATEGORY F
Credit Unions

Type of regulated entity	Basis of calculation for required levy
F — Credit Unions	<p style="text-align: center;">Periodic Levy</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 2007, 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

Type of regulated entity	Basis of calculation for required levy
G — Moneylenders	<p style="text-align: center;">Periodic Levy</p> <p>A minimum levy of €1,000 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 2007 will also be charged. The maximum levy payable by Moneylender is capped at €20,000. This levy will cover Moneylenders' operation in all Court Districts.</p> <p>Minimum levy — €1,000</p> <p>Variable levy — 0.18% of total value of loans outstanding</p> <p>Maximum levy — €20,000</p>

CATEGORY H
Approved Professional Bodies

Type of regulated entity	Basis of calculation for required levy
H — Approved Professional Bodies	<p style="text-align: center;">Periodic Levy</p> Each Approved Professional Body will be charged €3,620

CATEGORY I
Exchanges/Markets

Type of regulated entity	Basis of calculation for required levy
I — Exchanges/Markets	<p style="text-align: center;">Periodic Levy</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;">€148,200</p>

CATEGORY J
Bureau de Change/Money Transmitter

Type of regulated entity	Basis of calculation for required levy
J — Bureau de Change/ Money Transmitter	<p style="text-align: center;">Periodic Levy</p> <p>The minimum levy payable by a Bureau de Change/Money Transmitter is €1,250</p> <p>The levy is based on the number of places of business operated by each Bureau de Change/Money Transmitter. The levy per place of business is €1,250.</p> <p>Places of business shall include the place of business of any branch of the Bureau de Change/Money Transmitter where any of the business of the Bureau de Change/Money Transmitter is carried out.</p>

CATEGORY K
E-Money Providers

Type of regulated entity	Basis of calculation for required levy
K — E - Money Provider	Periodic Levy Each E - Money Provider will be required to pay a levy of €1,000.

CATEGORY L
Default Assessments

Type of regulated entity	Basis of calculation for required levy
Regulated entities falling within Regulation 11(d)	<p style="text-align: center;">Periodic Levy</p> Each regulated entity falling within Regulation 11(d) shall pay a flat rate levy of €3,600.

SIGNED on this the 22 July 2008

PATRICK NEARY
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 2008. 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
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
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