

Chapter 7

Commission Implementing Regulation (EU) 2016/911

Article 2 Terms to be disclosed

(1) Institutions shall disclose at least the following information:

- (a) the names of the group entities being a party to the group financial support agreement;
- (b) the form the support may take;
- (c) in case of a loan, the purposes for which the capital advanced under the loan may be used;
- (d) in case of a guarantee, which transactions and which third parties are potentially covered;
- (e) to which extent obligations to provide group financial support and entitlement to receive group financial support of each of the parties to the group financial support agreement are reciprocal; if the agreement is not fully reciprocal, the information shall differentiate between the different parties following the different terms of agreement;
- (f) the limitations of the group financial support for each form of support covered by the financial support agreement;
- (g) the principles for calculation of the consideration for the provision of the group financial support and how they relate to market conditions at the time of the support;
- (h) a general description of the seniority, the maturity profile and the maximum term of any loans provided as support;
- (i) a general description of any further repayment obligations;
- (j) a general description of the circumstances or indicators relating to the receiving entity and the providing entity that trigger the provision of the support;
- (k) a general description of collateral and margin requirements.

Disclosure shall cover the information applicable to the group entity concerned including information on the terms of the agreement relating to other group entities where that disclosure may affect the group entity concerned.

Information that is not applicable shall be indicated as "non-applicable".

(2) The disclosure shall be accompanied by a statement that the provision of the financial support is subject to the conditions set out in Chapter 4 of the Group Financial Support Part of the PRA Rulebook or in rule IFPRU 11.5.14R of the Recovery and Resolution Part of the FCA Handbook and to the right of the competent authority to prohibit or restrict the provision.