

# DGS Data Delivery Manual

Version 3.2

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DeNederlandscheBank

EUROSYSTEM





# Contents



# 1 Purpose and structure

## 1.1 Purpose and target group of the DGS Data Delivery Manual

De Nederlandsche Bank is the administrator of the Dutch Deposit Guarantee (DGS). The DGS protects the account balances of depositors (customers) and with it financial stability. A short payout deadline is key in this regard. To achieve this, it is essential that banks provide DNB in a timely fashion with reliable and accurate information on the deposits entrusted to them (single customer view – SCV). Regular validation of the data submitted ensures that the DGS operates reliably and effectively.

This Manual provides practical guidelines to help banks meet the requirements set out in the DGS legislation so as to ensure timely filing of accurate and complete data for DGS purposes. DNB's supervision of SCV requirements is explained in a separate document, the Assessment framework for supervision of compliance with requirements of Single Customer View Policy Rule (*Beoordelingskader voor toezicht op naleving vereisten Beleidsregel Individueel Klantbeeld*<sup>1</sup>).

This Manual provides managers of banks falling within the scope of the Dutch DGS with detailed functional information about the data format and filing requirements imposed by DNB so as to allow them to embed these requirements in the banks' processes. Bank staff with day-to-day responsibility for the SCV will also find that this Manual provides practical and functional guidance. All technical specifications are set out in the Data Delivery Agreement (DDA). The Formal Logical Data Model (FLDM) forms part of the DDA. In the event of any discrepancies between this Manual and the specifications in the DDA, the DDA is leading. Finally, this Manual serves as a reference framework for banks' internal and/or external auditors.

### Which banks are covered by the Dutch DGS?

The Dutch DGS protects deposits held at:

- Banks having their registered office in the Netherlands and holding a banking licence from either DNB or the European Central Bank (ECB) (a licence as defined in Section 2:11 of the Dutch Financial Supervision Act (*Wet op het financieel toezicht – Wft*), with the exception of deposits held

at a branch located outside the European Economic Area (EEA));

- Banks having their registered office in a non-EEA Member State and conducting their operations from a Netherlands-based branch and with regard to which DNB has decided that the DGS applies *mutatis mutandis* as referred to in Section 3:267(2) of the *Wft*, but only with regard to deposits held at this Netherlands-based branch.

If a bank has its registered office in another EEA Member State and offers deposit-type products on the Dutch market, whether or not through a branch, those products are not covered by the Dutch DGS. They will be covered by the other Member State's DGS. A full list ([Register](#)) of all banks and branches covered by the Dutch DGS is available on the DNB website.

<sup>1</sup> See the [Assessment framework for supervision of compliance with requirements of SCV Policy Rule](#)

## 1.2 Why is a new version of the Manual being published?

The European Directive 2014/49/EU, also known as the Deposit Guarantee Scheme Directive (DGSD), states that deposit guarantee schemes must be capable of paying out within seven working days by 2024. DNB and the Dutch banks are already capable of doing this. The DGS has been pre-funded since 2016 by means of a Deposit Guarantee Fund, into which banks pay levies on a quarterly basis.

Experiences with banks' data delivery based on the SCV and a review of the SCV Policy Rule have led to a new version of this Manual and of the Data Delivery Agreement (DDA).

## 1.3 Legal framework

### DGS reforms

The DGSD forms the basis for the structuring of the DGS. The DGSD aims to harmonise deposit guarantee schemes across Europe in order to improve the stability of the banking sector and increase depositor protection. The Directive establishes the scope and level of protection to be afforded by the DGS, provides for a reduced, seven-day payout deadline and ex-ante funding of the schemes, and promotes cooperation

at European level. In the Netherlands, the DGSD has been transposed, inter alia, into the Decree on Special Prudential Measures, Investor Compensation and Deposit Guarantees under the Financial Supervision Act (*Besluit bijzondere prudentiële maatregelen, beleggerscompensatie en depositogarantie Wft – Bbpm*) and the Decree on Prudential Rules for Financial Undertakings (*Besluit prudentiële regels Wft – Bpr*). Based on these two Decrees, DNB has set out further rules for DGS data reporting in the Single Customer View Policy Rule, the Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme and the Regulation on Statements of Financial Undertakings under the Wft (*Regeling staten financiële ondernemingen Wft – Statements Regulation*), which relates to the DGS and the Data Delivery Agreement (DDA).

### Secondary legislation governing the DGS

In the Single Customer View Policy Rule (*Beleidsregel Individueel Klantbeeld Wft – SCV Policy Rule*), DNB sets out the requirements for record-keeping and the procedures and controls that banks need to have in place to create complete, accurate and timely SCV files. The SCV Policy Rule is one of the key elements underlying this Manual.

Based on the SCV Policy Rule, the Policy Rule on the Scope and Execution of the DGS provides further clarity for depositors on how certain situations that may arise during a DGS payout are dealt with, including rules on DGS protection of escrow accounts. The main additions to the policy rule concern the handling of temporary high balances, structured deposits, negative balances and situations in which customers hold deposits in multiple countries. This information is required in part for the production of SCVs.

Finally, the amendment to the Statements Regulation provides more detail on a bank's obligation to submit quarterly data based on the SCVs for calculating the levies payable into the Deposit Guarantee Fund.

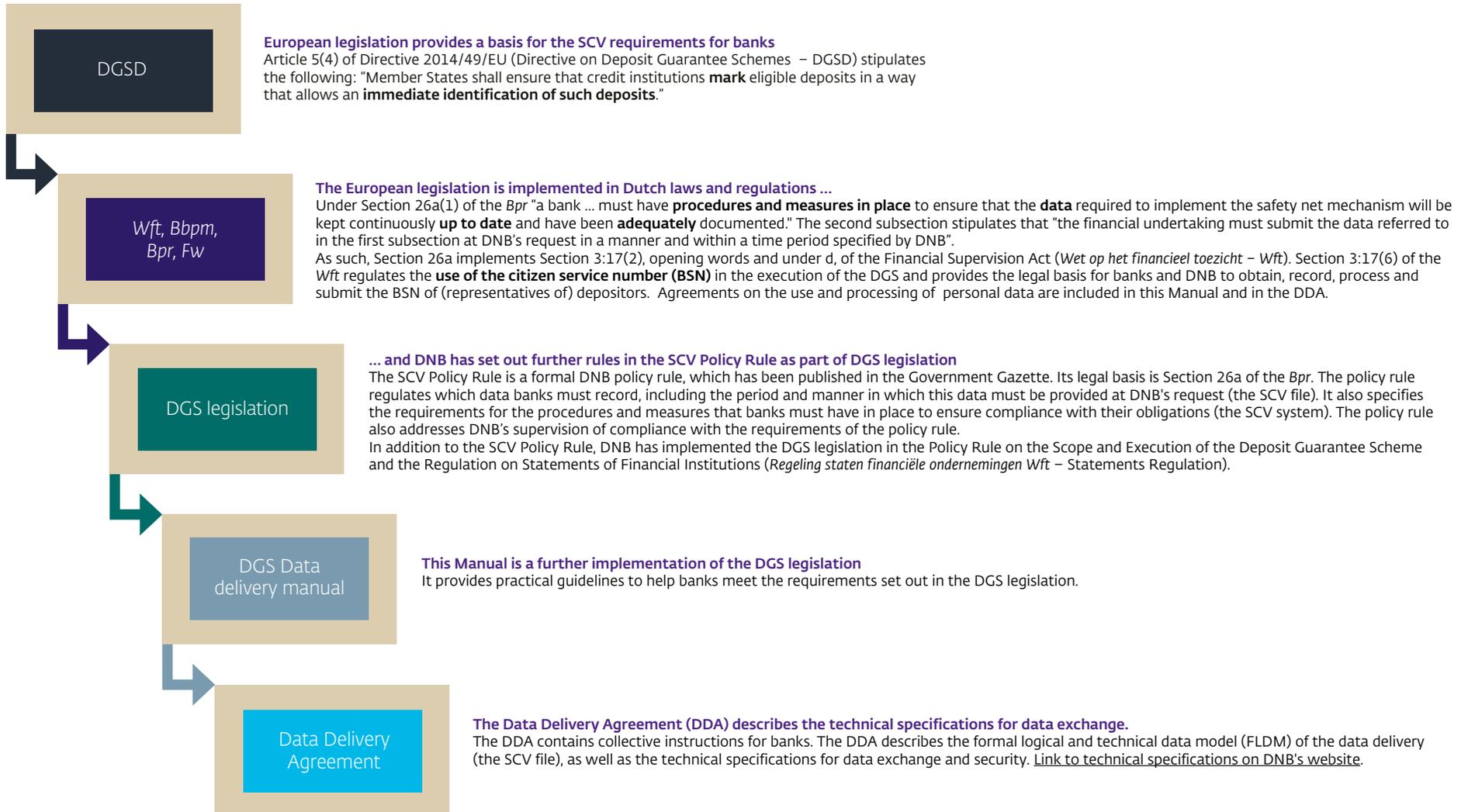
### Single Customer View (SCV)

One of the elements of the DGS is the standard for Dutch banks to produce and submit deposit-related data per depositor.

For each depositor, the SCV must at least contain:

- a list of all deposits;
- markings to show whether the deposit and depositor are eligible for the DGS;
- any additional information necessary to enable a payout.

Figure 1 Legal framework

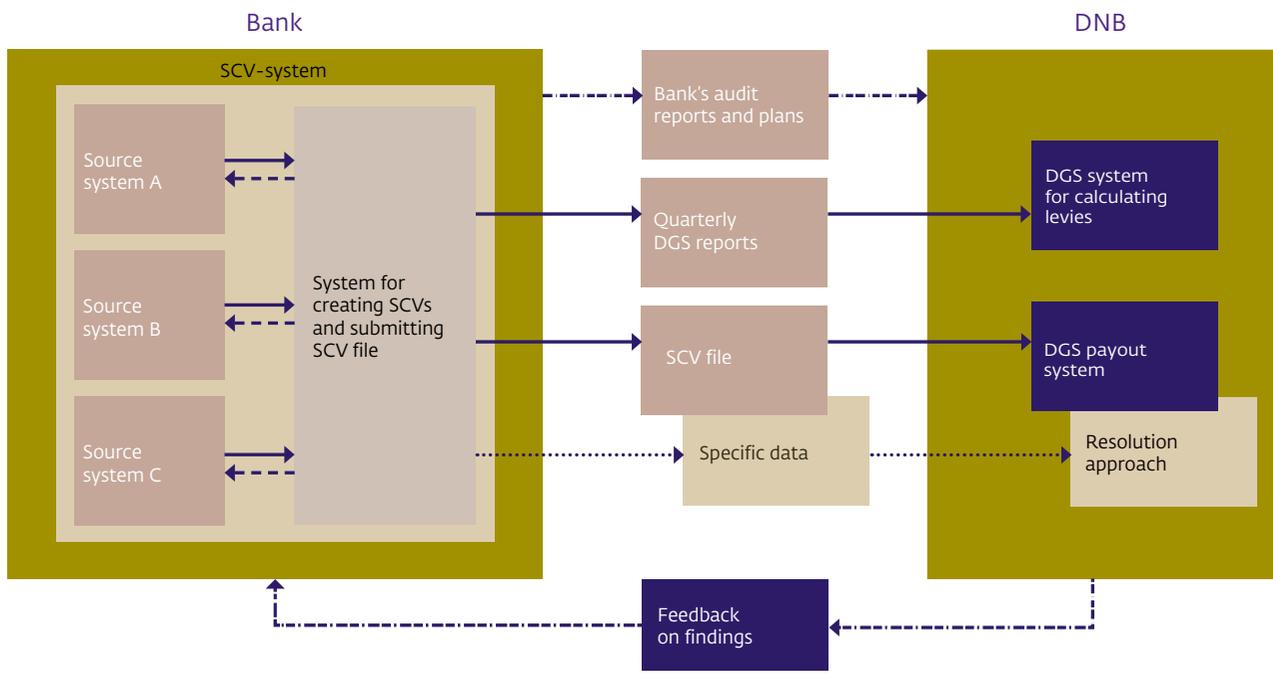


A bank must create an SCV for all of its depositors, regardless of whether they are eligible for the DGS. An SCV contains all of a bank's products that fulfil the definition of a deposit<sup>2</sup>, including those whose eligibility for the DGS is unclear (see Section 2.2). The covered part of a customer's deposits is determined on the basis of the SCV<sup>3</sup>. Banks produce the SCVs themselves and submit them to DNB. DNB then calculates the amount payable to each depositor. This method ensures compliance with the payout deadline of seven working days.

For example: the DGS covers a maximum of EUR 100,000 per eligible depositor per banking licence. To calculate a depositor's claim, all eligible balances in the depositor's accounts must be added together. If a depositor has EUR 40,000 in a checking account and EUR 80,000 in a savings account, for example, proper record-keeping will show that they are entitled to EUR 100,000 instead of EUR 120,000. By requiring banks to conform to a uniform SCV standard, the DGS will be able to pay out faster. It will also improve the accuracy of banks' DGS record-keeping systems and hence the information on the eligible and covered parts of the balances.

Figure 2 shows how banks submit data on the basis of the SCV. The diagram introduces the terms "SCV

Figure 2 Data delivery based on the SCV (process flow)



- (Automated) submission of data by bank to DNB (quarterly reports and SCV files)
- .....→ Additional data for resolution purposes (ad hoc data requests)
- ←- - - (Automated) processing of SCV system outcomes into bank's core data systems to ensure continued access
- - -→ Bank's audit reports and supervision feedback from DNB

file" and "SCV system". It is important for the purposes of this Manual to understand the difference between these two terms:

■ **SCV file:** a data set that complies with the structure described in Section 2 of the SCV Policy Rule. The SCV file contains the single customer views of all

<sup>2</sup> In accordance with the definition of a deposit in Section 1:1 of the Financial Supervision Act.  
<sup>3</sup> It is important to draw a distinction between "eligible" deposits and "covered" deposits. See the glossary in Appendix 2 and the explanation provided in Section 4.3.



depositors at a bank<sup>4</sup>. A bank uses the SCV system to compile the SCV file and overviews derived from it.

- **SCV system:** the set of procedures and measures with which a bank can compile the SCV file and ensure its quality, calculate eligible and covered amounts (partly for inclusion in DGS reports, among other things) and perform resolution-related activities using a method determined by DNB and within a period set by DNB.

The definition of these terms is set out in the SCV Policy Rule<sup>5</sup>.

#### Contribution to the resolution task

The SCV will also contribute to the preparation of resolution plans and the practicability of resolution tools where they concern deposits (see also Section 4.4), for instance when covered deposits are transferred to another bank. To allow this, banks will have to be able to separate covered deposits from non-covered deposits. This will help ensure continuous access to current accounts and other accounts.

The SCV also draws a distinction between large corporates and small and medium-sized enterprises (SMEs), which is important in establishing creditor preference (the creditor hierarchy) in the event of a resolution or failure.

If such measures are included in its resolution plan, a bank's SCV system must be designed in such a way as to allow accounts to be segregated and frozen, in support of the bank's resolution strategy. The specifications for this type of functionality will depend on the eventual resolution measure planned for a bank and are therefore beyond the scope of this Manual.

#### European cooperation

With regard to deposits held at a branch located in another Member State, DNB will need to be able to supply information to the DGS authority in that Member State. Using the information provided, the DGS authority can then pay compensation to the depositors of that particular branch. The data submitted by banks must therefore be clear in terms of the country in which deposits are actually being held. EU-wide cooperation means that DNB will need to adjust its processes and systems<sup>6</sup>.

## 1.4 Structure of this Manual

This Manual is structured according to the process flow for the submission of data based on the SCV (Figure 3). It starts with the specific data to be reported to DNB for DGS purposes (the SCV file and DGS reports). Each chapter deals with a particular element of the process flow as shown in Figure 3:

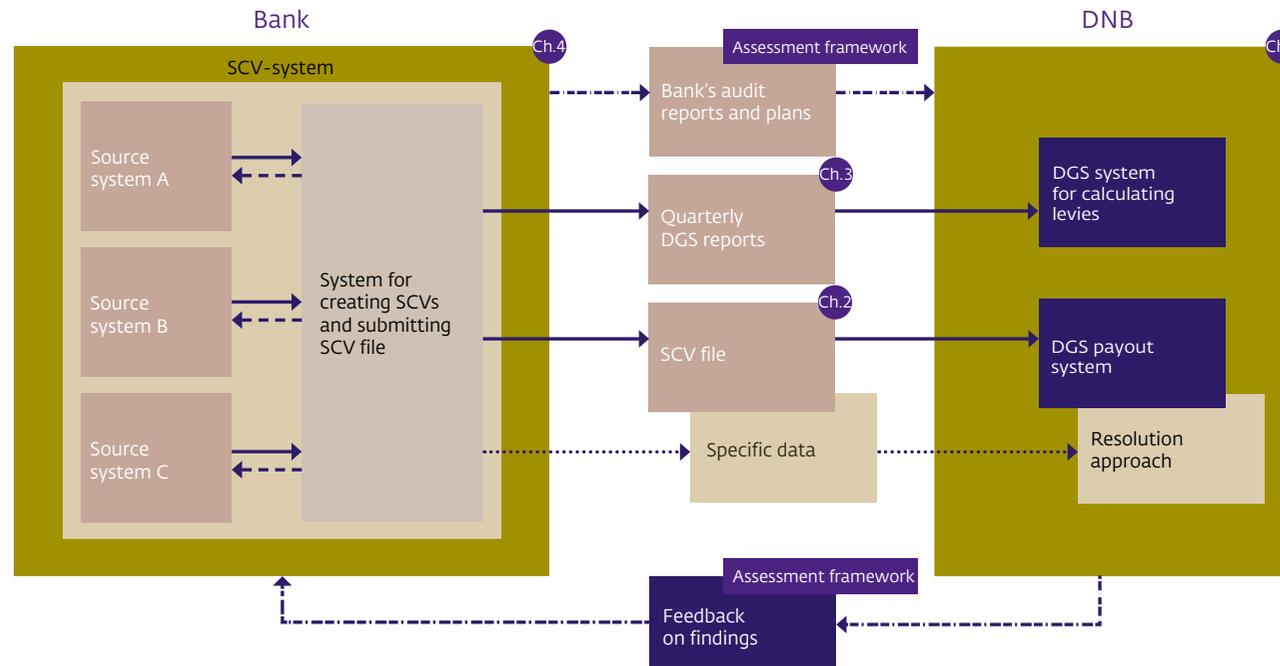
<sup>4</sup> In the case of deposits held at the head office or a branch within the EEA.

<sup>5</sup> Appendix 2 to this Manual also includes an extensive glossary.

<sup>6</sup> Article 14 of the DGSD.



Figure 3 Process flow for data delivery and structure of Manual



- (Automated) submission of data by bank to DNB (quarterly reports and SCV files)
- .....→ Additional data for resolution purposes (ad hoc data requests)
- ←- - - (Automated) processing of SCV system outcomes into bank's core data systems to ensure continued access
- - - - -> Bank's audit reports and supervision feedback from DNB

- Chapter 2 describes how the SCV file is compiled and submitted and looks more closely at the basic principles underlying these requirements (notably Sections 2, 5, 6, 7 and 9 of the SCV Policy Rule and the Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme)<sup>7</sup>
- Chapter 3 considers the DGS reports (notably Section 4 of the SCV Policy Rule and the amendment to the Statements Regulation)
- Chapter 4 explains how and for what purposes DNB will use the submitted data
- The appendices provide details and worked examples. Further details and technical workings can be found in the Data Delivery Agreement (DDA).
- The Assessment framework sets out how audit reports and findings reports are dealt with.

<sup>7</sup> The Formal Logical Data Model (FLDM) and the technical aspects of data/file sharing are detailed in a Data Delivery Agreement (DDA).



## 1.5 Effective date and transitional period

This Manual replaces version 3.1 and comes into force when it is published. The amendments to the DDA will enter into force on 1 April 2022.

## 1.6 Future amendments to this Manual

The Dutch Banking Association (NVB) and bank representatives have been involved in developing this Manual. DNB will arrange for a joint review of the Manual at least once every year. If the review leads to any amendments, the banks will be duly informed so that they can implement them in a timely fashion. The implementation period for major changes will be 18 months, unless agreed otherwise.

## 1.7 Questions and comments

Questions or suggestions about any matters covered by this Manual are greatly appreciated. Please contact DNB if you have any questions or comments about this Manual, the Data Delivery Agreement (DDA), the data model or any general questions about the DGS by sending an email to [dgs@dnb.nl](mailto:dgs@dnb.nl).

## 1.8 Version management

Version	Date	Nature of change	Chapter
3.0	10 July 2017	Data submission based on SCV	Entire Manual.
3.1	1 July 2019	Amended Policy Rule, new DDA and amendments following questions and feedback from users of the Manual and the DDA.	All chapters.
3.2	1 October 2021	Amended Policy Rule, new DDA and amendments following questions and feedback from users of the Manual and the DDA.	All chapters.

## 2 SCV file

### 2.1 Introduction

This chapter sets out the guiding principles for creating a Single Customer View (SCV), the main information to be included in the SCV file and the markings to be entered in a bank's records. It also addresses how and within what time period banks must submit the SCV files to DNB and how to deal with any corrections. The data to be submitted as part of the SCV file must be modelled in a formal logical data model (FLDM). The FLDM provides a clear overview of the information that banks must submit and the validation rules applying to this information. If data are available for submission (provided they meet the technical requirements of the DDA), they must in all cases be submitted. The submission of some data, however, is mandatory. If data are not available for certain data fields, it is essential, partly for the purpose of data quality improvement, that the missing data are obtained, verified, recorded and submitted in the SCV file. Submitting fictitious data (the practice of submitting dummy data or "defaulting") is not permitted, because this in fact entails presenting incorrect information as reliable data. The data

improvement process runs until 2024. The technical specifications for data exchanges are described in the Data Delivery Agreement (DDA)<sup>8</sup>. These include information classification, security, the technical file formats, the chain process, the method of validation and the way in which DNB will communicate with the reporting party about the status of the submissions and the validation findings. See Section 2.8.

### 2.2 Scope of data to be submitted

#### Which depositors are included in the SCV file?

A bank must include all its depositors in the SCV file, regardless of whether they are eligible for the DGS, with the exception of:

- Other banks, to the extent that they hold interbank deposits.
- Central banks.
- Depositors that only hold deposits at a branch in a non-EEA Member State.

The SCV file must specify for each depositor whether they are eligible for the DGS. Natural persons are eligible by definition. Eligibility in the case of non-

natural persons depends on the nature of the activities (see Section 2.6.2). The guiding principles for recording and marking customers as depositors are as follows:

- Natural persons and non-natural persons with legal personality are considered to be depositors. Single customer views must be created for them and added to the SCV file.
- Non-natural persons without legal personality (unincorporated partnerships or collaborative ventures without legal personality) are not eligible as independent entities under the DGS. When the DGSD was transposed into Dutch law, the choice was made not to treat these partnerships or collaborative ventures as eligible parties in their own right. It is their members, partners or owners who are considered to be the depositors. Examples of non-natural persons without legal personality are general partnerships, partnership firms, limited partnerships and mutual funds. Appendix 7 includes guidelines on how to assess the legal personality of foreign entities. The accounts of non-natural persons without legal personality should in principle be submitted as if they were joint accounts of the beneficiaries associated with these non-natural

<sup>8</sup> The Data Delivery Agreement (DDA) includes the FLDM and the DDA document, and it is important that the specifications of both are fulfilled at the time of implementation. The DDA, together with the SCV Policy Rule, the Assessment Framework and this Manual, can be found on the DNB website.

persons. For that purpose, the beneficiaries of these accounts must be identified as depositors in the bank's systems, so that an independent SCV can be compiled for these persons and included in the SCV file. An SCV can only be supplied for the non-natural person without legal personality itself in exceptional cases. In such cases these accounts are marked as escrow accounts in the SCV and the escrow account policy applies. The Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme and the escrow policy section in this chapter explain in greater detail how these depositors' accounts are dealt with and included in the SCV file. The disadvantage of such arrangements for the beneficiaries is that the payment of compensation takes longer, and this may have adverse consequences for businesses.

- One of the exceptions referred to above is the non-natural person without legal personality that engages in (secondary) activities that make the organisation ineligible for protection under the DGS. For example, a non-natural person without legal personality that is a financial enterprise. In this case the depositor, i.e. the non-natural person without legal personality, is marked in the SCV as "GEEN\_DGS". The own accounts of the non-natural person without legal personality are marked in the SCV as "SAMENWERKINGSVERBAND" ("collaborative venture") escrow accounts. If the non-natural

person without legal personality holds escrow accounts for customers, these are marked in the SCV as "CLIENT" ("Customer") escrow accounts.

- If a depositor is a non-natural person with legal personality, one or more representatives of the depositor must be included in the bank's records. All representatives who are permitted to apply for the DGS compensation on behalf of the legal entity are included in the SCV file.
- If a depositor is a natural person who is under age or who has been placed under guardianship or otherwise declared legally incapacitated, this depositor's legal representative or representatives must be included in the bank's records.
- A depositor's (legal) representative to be included in the SCV file should preferably be a natural person. In situations in which the bank only has information available on a non-natural person acting as a representative, the non-natural person is stated as the representative. The guiding principle is that DNB needs access to as much information as possible so as to be able to pay depositors quickly.

#### **Which products are included in the SCV file?**

Products which meet the following definition are covered by the DGS<sup>9</sup>:

*"A balance formed by moneys held in an account or arising temporarily as a result of normal banking transactions and which banks are required to repay under the applicable*

*statutory and contractual conditions, including term deposits and savings deposits, with the exception of balances where:*

- *the existence of the balance can only be demonstrated using a financial instrument, unless it is a savings product that is embodied in a registered certificate of deposit which existed in a Member State on 2 July 2014;*
- *the principal is not repayable at par;*
- *the principal is only repayable at par as a result of a guarantee or an agreement issued by the bank or by a third party.*

Regardless of the balance (positive, negative or zero), the SCV file of the depositors concerned includes all products that match the above definition, including those whose eligibility for the DGS is doubtful. The guiding principle for the inclusion of products is that the depositor himself is included in the SCV file (see above in this section).

Credit card accounts are included in the SCV file with the actual balance (positive, negative or zero). If the product conditions do not allow a positive balance to be held in the account, banks do not have to include these accounts in the SCV file.

The contractual conditions are also important in the demarcation of products in the SCV file. If the product complies with the definition of a deposit in terms of its conditions, in particular the fact that the principal is



←

repayable at par, it is covered by the DGS. Appendix 5 includes a further explanation of selected exceptional products.

The name of a product is not always the determining factor. For example, a “subordinated deposit”, although called a “deposit”, is not actually a deposit according to the DGS definition, unless the conditions show that it is not actually subordinated<sup>10</sup>. Due to innovation in the financial sector and the arrival of FinTech, it has become even more important to test the terms and conditions of (new) products very carefully against the definition given above.

Banks are primarily responsible for determining whether a product is covered by the DGS. This should also be clearly evident from the product conditions and the information that the bank supplies to the depositor. DNB can be contacted in case of doubt. DNB will ultimately decide whether a product is eligible for the DGS, in line with DNB’s responsibility for granting compensation if the DGS is activated<sup>11</sup>.

### **Bank savings deposits for a private residential property.**

Bank savings deposits for private residential properties **must** be included in the SCV file. However, bank savings deposits for a private residential property are not compensated under the DGS if the deposit is set off against the home loan pursuant to Section 3:265d of the Wft. If the balance exceeds the home loan, the depositor will need to prove this by means of documentary evidence, in which case the residual amount will be eligible for payout. This type of deposit must be included in the SCV file, but is marked as ineligible for the DGS.

### **Which products are not included in the SCV file?**

The following is a non-exhaustive list of examples of products which are not included in the SCV file:

- Interbank deposits: these are interbank loans in which one bank lends money to another by depositing funds, with a predetermined term and interest rate.
- Deposits held at the central bank: these may be used by central banks to curb what they consider to be overly rapid growth in lending by banks. These funds are then no longer available for banks to lend to their customers.

- Deposits held at a branch located in a non-EEA Member State: these are not covered by the Dutch DGS.<sup>12</sup>
- Instruments falling within the definition of “own funds” within the meaning of the Capital Requirements Regulation.<sup>13</sup>
- Debt instruments issued by banks or debts arising from banks’ own accepted bills and promissory notes.
- Products guaranteed by another EEA Member State, such as the Livret A guaranteed by the French State.
- Electronic money such as balances stored on cards or other physical media (Note that the amounts that are linked to this electronic money and held in e.g. an escrow account are eligible for the DGS).
- Virtual money or crypto currencies such as Bitcoin, Ripple or Litecoin.
- Seal bags that have not yet been processed
- Insurance services
- Financial instruments, such as swaps and derivatives
- Bearer bonds

<sup>10</sup> This was the case, for example, with the “subordinated deposits” of DSB in 2009/2010.

<sup>11</sup> In accordance with Section 29.06 of the Decree on Special Prudential Measures, Investor Compensation and Deposit Guarantees under the Financial Supervision Act.

<sup>12</sup> Deposits of a depositor residing in a non-EEA Member State but held at the head office or EEA branch must be included in the SCV file.

<sup>13</sup> Regulation (EU) 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) 648/2012; Amended by Regulation (EU) 2020/873 of the European Parliament and of the Council of 24 June 2020 (CRR 2).

### 2.3 Reliability of the SCV and deduplication of depositors

This section describes the importance of a reliable SCV and the resulting requirements for the deduplication process in banks. The reliability of the SCV constitutes the essence of the SCV file. The SCV Policy Rule<sup>14</sup> explains that the bank's procedures and measures must be arranged in such a way as to guarantee the accuracy and completeness of both the data required for the compilation of single customer views and the data in the single customer views themselves. A high degree of reliability of SCVs is only achieved if the entire chain operates effectively (from the bank's core processes through to the generation and submission of the SCV file to DNB). The control of the necessary business processes must focus on avoiding errors ("zero tolerance of errors"). This makes high demands of the bank's SCV system. It starts with properly establishing and verifying the depositors' identity and full and accurate recording of identifying data (i.e. customer onboarding and Know Your Customer (KYC)). An important element of the DGS is that the identity of the depositor (beneficiary) must already be

established and verified at the time when the deposits become unavailable. The identity of depositors must have been established and verified pursuant to Article 9(1) of Directive 2005/60/EU<sup>15</sup>. DNB's *Guidance on the Anti-Money Laundering and Anti-Terrorist Financing Act and the Sanctions Act*<sup>16</sup> provides guidance on establishing and verifying the identity of natural persons and legal entities in the Netherlands. The quality of customer deduplication within and across systems then ensures that a reliable SCV is compiled for each customer. The more complex a bank (multiple systems, EEA branches, multiple trade names operating independently), the more important a good deduplication process is.

Why is the reliability of an SCV important? DNB can only pay out rapidly to a depositor if the reliability of an SCV can be guaranteed to a high degree. This requires a bank to establish and verify the depositor's identity with a high level of reliability<sup>17</sup>. The bank's SCV system must ensure that:

I. under no circumstances can two or more SCVs be included for a single depositor (which could result in the depositor receiving excessive compensation) or;

II. under no circumstances can two or more depositors be included in a single SCV (so that the wrong person receives compensation).

The bank itself also has an interest in proper deduplication of customers. Although non-deduplicated SCVs must be marked as "unreliable", these SCVs are included in the determination of the deposit base for the calculation of the contribution for the Deposit Guarantee Fund (see also Chapter 3). The SCV Policy Rule specifies that each SCV (i.e. including "unreliable" SCVs) must be included as an independent SCV in the determination of the covered amount. If SCVs are not deduplicated, there is a risk that the combined covered amount will exceed EUR 100,000. If the bank has doubts about the reliability of deduplication or the combination of accounts in SCVs, the bank will mark the SCV in the SCV file with "BETROUWBAARHEID NIET GEGARANDEERD" ("Reliability not guaranteed"). There are various permitted combinations of identifying properties on the basis of which a customer's identity can be established with certainty for SCV purposes. Such a combination of details is known as the "golden

<sup>14</sup> See Chapter 5, Data Quality Assurance, in the SCV Policy Rule.

<sup>15</sup> See Article 5(1f) of the DGS Directive.

<sup>16</sup> See DNB's *Guidance on the Wwft and the Sw*, version of December 2020

<sup>17</sup> In connection with the requirement in Section 29.01(2) of the Decree on Special Prudential Measures, Investor Compensation and Deposit Guarantees under the Wft that a depositor's identity must be established and verified.

triangle". The most obvious example is: Citizen service number (*Burgerservicenummer* – BSN) + *surname(s) as included in an official*<sup>18</sup>, valid ID document + date of birth. See Appendix 8 for possible combinations of identifying properties on the basis of which a bank can establish a customer's identity with certainty.

The "reliable SCV" marking in the SCV file must be validated in two steps (see Appendix 9):

1. Does the SCV contain at least one full set of the combinations of identifying properties listed in Appendix 8?
2. Are **all** the identification numbers combined with the issuing country in the SCV file (such as BSN, Chamber of Commerce number, foreign identification number and bank relation number<sup>19,20</sup>) unique for all SCVs in the overall SCV file?

However, validating the SCV file will not be sufficient to ensure the reliability of the individual SCVs included in the file, as an error may have been made when creating the SCVs in the bank's SCV system. If two customers (from separate sets of records) are combined incorrectly, this could create what appears

to be a "reliable SCV". Validating the SCV file will not detect this error.

### Two examples of an incorrect combination of SCVs in the SCV file:

#### Example 1

Take the following customers from a bank's various customer systems:

BSN	Date of birth	Surname on ID document
477216912	01-02-1950	Peeters
477216912	-	Peeters
477216912	02-02-1950	Peeters
477216912	02-02-1950	Peters

The bank might combine these customers into a single SCV:

BSN	Date of birth	Surname on ID document
477216912	02-02-1950	Peeters

The combined SCV in this example would then be based on the most commonly occurring "date of birth" and "surname on ID document". But even then there is not sufficient certainty that this combination is actually correct. One of the databases may contain a typing error in a BSN, date of birth or surname on the ID document, but this must first be established with certainty and corrected in the customer systems, before these customers may be combined into a single SCV.

#### Example 2

Take the following customers from a bank's various customer systems:

BSN	Date of birth	Surname on ID document	Foreign TIN
477216912	01-02-1950	Peeters	Country A: 80012345
477216912	01-02-1950	Peeters	Country A: 80012349

<sup>18</sup> Section 4(i) of the Regulation implementing the Anti-Money Laundering and Anti-Terrorist Financing Act (Uitvoeringsregeling Wwft) includes an overview of documents that can be used to verify a customer's identity.

<sup>19</sup> The bank relation number as an identifying property must be unique. If a bank is able to guarantee that it uses unique relation numbers in all its accounts and records, it may use relation numbers as an identifying property. Banks must obtain prior consent for the use of this method from DNB.

<sup>20</sup> Please note that where this Manual refers to bank relation number as part of the "golden triangle", this refers to the **value** "BANK\_RELATIE\_NUMMER" in the data model field "type of natural person identifier". This should not be confused with the **field** "bank relation number".

The bank might combine these customers into a single SCV:

BSN	Date of birth	Surname on ID document	Foreign TIN
477216912	01-02-1950	Peeters	Country A: 80012345

The combined SCV in this example would then be based on a single “golden triangle”, namely BSN, date of birth and surname on ID document. But even then there is not sufficient certainty that this combination is actually correct, because the foreign TIN of issuing country A differs in the records. One of the databases may contain a typing error in one of the TINs, but this must be established with certainty and corrected in the customer records before the customers may be combined into a single SCV. In view of the differences between banks, the banks themselves are responsible for establishing a system to deduplicate customer records. The guiding principle in the compilation of SCVs for the ultimate SCV file is that customers with differences in identifying data (or possible combinations of such data) cannot be combined without further assessment (check of entries in the customer file or KYC). See the above examples. Customer deduplication also affects other (non-identifying) data. There may be differences between

data in different sets of records (for example as a result of spelling errors in an address) or certain data may occur several times (multiple telephone numbers, multiple addresses). Many of these details can only be supplied once in the SCV file.

The deduplication of this data is the bank’s responsibility. A bank must guarantee that the data in the SCV file is accurate and up to date.

With the entry into force on 3 July 2019 of the *Act amending the Financial Supervision Act in order to further regulate the use of the citizen service number in the implementation of the deposit guarantee*<sup>21</sup>, a bank is not only obliged to record the BSN of each depositor that has been issued one in the source administration and to supply it in the IKB file, but also to record the BSN of representatives. The bank is also obliged to use the BSN in its deduplication process for creating the SCV.

While not all persons residing in the Netherlands have been issued a BSN, the BSN of those persons who have one must be retrieved, verified and recorded in the bank’s records

## 2.4 Structure of the SCV file

The FLDM describes what data banks must submit and how they must be structured. The FLDM ensures a uniform method of submission, regardless of the bank’s organisational structure. Correct implementation of the FLDM ensures that all banks are able to submit DGS data uniformly, making a seven working day payout a feasible goal.

The following sections explain the required data for the banks’ management and staff involved with the DGS in more detail. They do not include an exhaustive list or specification of all data fields. Please consult the FLDM and the DDA document for detailed information.

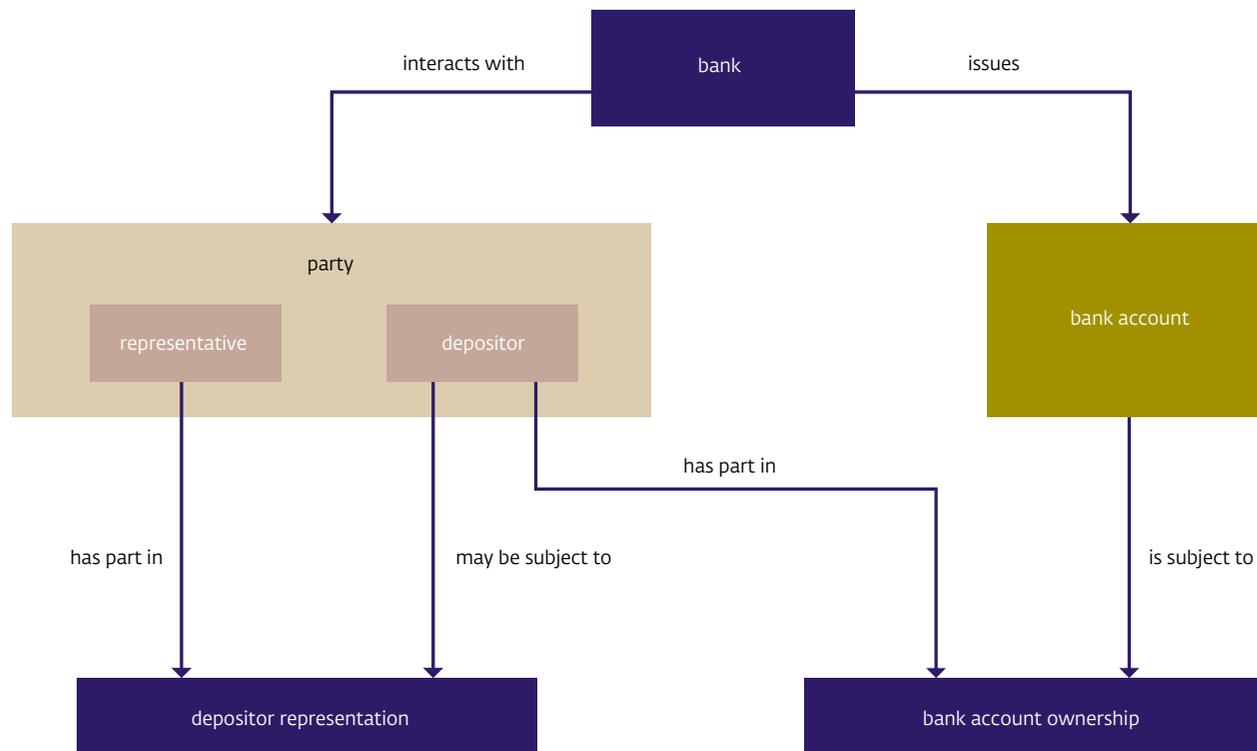
Figure 4 shows a simplified version of the data model. The full FLDM is a mathematically precise model that forms the basis of the technical specifications for the data delivery. The FLDM also creates the possibility of automating certain parts of the technical implementation.

The simplified model shown in this chapter explains two key aspects of the main data blocks: how the data elements are structured relative to each other (by

<sup>21</sup> <https://zoek.officielebekendmakingen.nl/stb-2019-256.html>



Figure 4 Conceptual data model for SCV file



means of the model in Figure 4) and how the required data should be interpreted.

The data to be supplied are roughly divided into the following data blocks:

- **Bank:** this block states which banking licence relates to the data delivery.

- **Party:** this block contains the identifying data of the depositors and representatives. A distinction is drawn between natural persons and non-natural persons. The party may have one of the following roles:

- Depositor:** the holder of the deposit (beneficiary)

- Representative:** the depositor's (legal) representative.

Contact details are recorded for each party, including the address.

- **Depositor representation:** this block contains the link to the correct (legal) representative(s) of each depositor whose representation is documented in the bank's records. Parties with the role of "representative" can only be linked to parties with the role of "depositor" and not to accounts.
- **Bank account ownership:** since an account may have multiple depositors or a depositor may have multiple accounts, this block contains the link between the account and the depositor. Accounts can only be linked to parties with the role of "depositor" and not to parties with the role of "representative".
- **Bank account:** this block contains all the details of the deposit.

The following sections provide further guidance on the data to be submitted.

## 2.5 Bank

DNB can identify the bank on the basis of the bank's RIAD code entered in the "bank identifier" field. The RIAD code is the banking licence number issued by DNB or the ECB. Details of the correct use of the RIAD in the submission can be found in the DDA.

The date on which the DGS was activated for the bank is stated in the “reporting reference date” field. This date is stated in the delivery obligation in the Digital Reporting Portal (DLR). The “reporting reference date” must be uniformly applied throughout the submission.

## 2.6 Party

### 2.6.1 General information

All natural persons and non-natural persons, irrespective of whether they are depositors or (legal) representatives, are included in the SCV file as a “party”. The terms “depositor” and “representative” are explained below:

- **Depositor:** the holder or, in the case of a joint account as referred to in Section 29.02(2) of the *Bbpm*, each of the holders of a deposit, including a third party as referred to in Section 29.02(3) of the *Bbpm*; In many cases, the depositor and the account holder will be one and the same person. See Section 1(i) of the SCV Policy Rule and accompanying notes.

- **(Legal) Representative:** A person authorised to act / perform legal acts on behalf of the depositor but who has no right to the funds (see Section 1(k) of the SCV Policy Rule and accompanying notes).

**A person representing a natural person** is referred to as a “legal representative”. This may be someone who has been appointed by the courts to represent a legally incapacitated person. The parent of a minor child will usually be the child’s legal representative.

The **representative of a non-natural person** is referred to as a “representative”. This type of representation must be formalised in the organisation’s charter or its registration with the Chamber of Commerce. In most cases this will be the organisation’s directors.

A representative may also be a person who has a power of attorney to act on behalf of a legal person for all bank accounts of that legal person. This may be a general power of attorney or a special power of attorney, such as a bank authorisation. The extent of the special power of attorney is determined by the articles of association or the text of the power of attorney.

- **Natural person:** a person (of flesh and blood) who has legal status as an individual.

- **Non-natural person:** an organisation or collaborative venture with legal personality (see Section 2.2 for further guidance on data delivery regarding non-natural persons without legal personality). A non-natural person must be represented by one or more representatives authorised to act solely or jointly.

Sections 2.6.2 and 2.6.3 then provide explanatory notes on the submission of data on depositors and (legal) representatives. A distinction is drawn between natural and non-natural persons where relevant. A number of generic fields for parties in the FLDM are first explained below.

Field	Notes
<b>Party identifier</b>	This field must be unique for depositors within the overall data submission and forms the basis of the SCV file. Each individual SCV must have its own, unique “party identifier” in the SCV file. Since the “party identifier” is used in unencrypted form in the validation reports, it must not contain any data that can be traced to the customer (or hashes of such data), such as the BSN.
<b>Party role</b>	As stated above, a party can have the role of “depositor” or “representative”. There are also situations in which a party can have both roles. For example, a parent may be the legal representative of a minor, but may also have a private account at the failed bank. In that case a party role must be included twice for this party: 1x the role of “depositor” for their private account and 1x the role of “representative” for the representation of their minor child. A party with the role of “representative” can only be linked to a “depositor” in the SCV file, not to accounts, since a (legal) representative represents a person or a legal entity and can therefore act on behalf of the person or legal entity for all of the latter’s accounts. It follows that only a party with the role of “depositor” can be linked to an account in the SCV file.



## 2.6.2 Depositor

### Marking of SCV reliability

Section 2.3 deals with the reliability of the SCV in relation to the identification and deduplication of customers (the depositors). If a bank doubts the reliability of an SCV, this is recorded by means of a marking in the Data Model. If this marking is set to "TWIJFEL" (doubt), DNB will not pay out automatically to the depositor.

### Identifying data

This section provides a more detailed explanation of the recording and submission of identifying data.

### Natural persons

For **natural persons**, at least one of the following data items must be verified and recorded:

- **BSN**: mandatory in the case of a Dutch resident.
- **Buitenlands TIN** (foreign TIN, or Tax Identification number): for identification of non-residents.
- **Buitenlands nationaal ID** (foreign national ID): for identification of non-residents. A condition is that it must be a unique identifier in the country of origin, as in the case of the BSN for Dutch residents.

These data are submitted in the data model in the "natural person identification" entity. If several such identifying data items are available for a natural

person (for example a BSN and a foreign national ID in the case of dual nationality), all available data must be submitted. The country of issue of the formal identifying data item must be recorded.

The verifying and recording requirements of identifying data items for natural persons who have only the role of "representative" are the same as those for deposit holders.

The BSN can have a length of eight or nine digits. Preferably, eight-digit BSNs should be recorded with a "leading zero". For example, BSN "12345678" must be recorded as "012345678". The BSN must also pass the modulo 11 check digit calculation.

As well as submitting the above formal identification numbers, banks must supply the available ID document data for natural persons. This gives DNB an additional means to identify persons if necessary. The submission of ID document data is mandatory if banks do not have a formal identification number for the person. The data that can be submitted (see the "identification by document" entity in the data model):

- **Paspoort (passport)**: the document number of the passport.
- **ID**: some Member States also allow other types of valid proof of ID in addition to a passport, such as an identity card.

- **Rijbewijs (driving licence)**: the document number of the driving licence.
- **Verblijf (residence)**: residence permit number. Some Member States allow a residence permit to be used as a valid proof of ID.

For each of the fields submitted, the bank must also supply the country code of the country that issued the document concerned. "Issuing country" means the country to which the document relates. For example, in the case of a Dutch passport issued by the Dutch Embassy in France, the issuing country is entered as "NL".

Since these documents have a limited validity period, there is a risk that the data may no longer be up to date. Such data cannot therefore be used as a basis for an SCV. Banks are expected to obtain the formal identifying data as part of their data quality improvement, so that the identity of the customer can be determined with a high degree of reliability for the SCV.

If there are no identifying data items for the "natural person identification" entity, it is not possible to create a valid "golden triangle" and the SCV must be marked as "BETROUWBAARHEID NIET GEGARANDEERD", even if ID document data for this customer are supplied in the "identification by document" entity.

If the natural person has been identified in the SCV file by means of a BSN, TIN or foreign ID, but additional

document data is also available, the banks must also supply such additional data.

Dutch residents under the age of 14 often do not have an identity document but are issued with a BSN. In that case they are identified by means of the BSN.

In addition to identification numbers and documents, there are other identifying data, such as name, date of birth, etc. In addition to the mandatory fields, banks must supply all data items available. The following table provides further guidance on some of these data items.

Field	Notes
<b>Birthname</b>	Official surname(s), as recorded in an official, valid ID document. Mandatory to create the golden triangle. If this data item is not available, the official first names may be used until the official surname has been retrieved, verified and recorded.
<b>Official first names</b>	Official first name(s), in full, as recorded in an official, valid ID document. If "Birthname" is not available, the official first names may be used to create a valid golden triangle. A driver's licence is <b>not</b> permitted to be used as a source for official first names, since only the first official first name is stated in full on this.
<b>Unofficial first names</b>	A person's first names are entered here if they are given first names, or if it cannot be ascertained that the names are the person's official first names.
<b>Date of birth</b>	This is a mandatory field. Dates from 1 January 1900 up to the date of the failure of the bank are accepted. The following format can be used for persons whose date of birth is not fully known: "<YYYY>-<MM>-00" or "<YYYY>-00-00". For example: "1966-00-00". This is accepted as a valid format.

### Non-natural persons

For non-natural persons it is mandatory to supply at least one of the following identifying data items:

- **KvK (CoC):** Dutch Chamber of Commerce registration number.
- **RSIN:** Dutch legal entities and partnerships identification number.
- **Buitenlands KvK (Foreign CoC):** Foreign Chamber of Commerce registration number.
- **Buitenlands TIN (Foreign TIN):** Foreign taxpayer identification number.

Practically all forms of organisation are subject to registration with the Chamber of Commerce. Preferably, a bank should supply both the RSIN and the CoC number for each organisation in the SCV file. Any form of organisation that is not subject to CoC registration is still required to have an RSIN. This can then be supplied as an identifier. Other identifying data of non-natural persons are:

Field	Notes
<b>Registered name, place en country</b>	In these fields it is necessary to enter the legally registered name <sup>22</sup> , registered office (city) and country of establishment of non-natural persons with legal personality as included in the CoC registration or articles of association.

### Marking for eligibility for DGS

Under the DGSD most of a bank's customers are now eligible for the DGS. There are some exceptions, however.

The following depositors are **not** eligible for the DGS:

- Banks
- Financial institutions
- Insurance and re-insurance undertakings

<sup>22</sup> The legally registered name also includes the organisation's legal form (for example: "Jansen B.V."). The SCV file must include the exact registered name, including the legal form, as verified in the articles of association or CoC registration.

- Investment firms
- Investment funds, managers of investment funds, undertakings for collective investment in transferable securities (UCITS) and UCITS managers
- Pension funds
- Public authorities

These depositors are not eligible for the DGS with respect to the deposits held in their own name and for their own account. Deposits held for the account of customers (escrow accounts) are protected under the DGS.

“Depositors who have not identified themselves in accordance with Section 4(1) of the Dutch Anti-Money Laundering and Anti-Terrorist Financing Act (Wet ter voorkoming van witwassen en financiëren van terrorisme – Wwft)” are also included in the above list in the legislation. The SCVs of these depositors must therefore also be marked as “BETROUWBAARHEID NIET GEGARANDEERD”. If these depositors are **not** excluded from DGS protection for any of the other reasons listed above, they are marked as eligible under the DGS.

Ascertaining whether a depositor is eligible for the DGS is primarily the responsibility of the bank. Appendix 6 provides a list of definitions of ineligible parties,

including a tool for banks to establish eligibility/ineligibility.

Previous versions of this Manual referred to the CoC’s standard Business Classification (SBI code) as a tool for establishing this. In practice, however, many banks established eligibility solely or largely on the basis of the SBI code. This is problematic, since it serves as a guide but not as a firm basis for determining eligibility:

- For some SBI codes, eligibility is ambiguous.
- The Chamber of Commerce registration is not always reliable;
- Banks should also assess any secondary activities;

They must determine the classification of an organisation in the KYC process and therefore ask specific questions to determine the actual activities. For the above reasons, the references to the SBI code have therefore been removed from Appendix 6 of this Manual.

The eligibility marking can be recorded in the “eligible depositor” field of the SCV file. DDA version 1.2.0 introduces a new field, “type of non-natural person” in the “non-natural person” entity. Using the above-mentioned categories, banks must specify the type of depositor here. This allows DNB to comply with the EBA Directive, which states that it must be specified for legal

persons why they are ineligible for compensation under the DGS (See also Section 5(4) of the SCV Policy Rule).

### Marking for capacity of depositor

The SCV file must state whether the depositor is able and permitted to conduct legal acts independently. If not, the representation of the depositor must be included. The “unqualified depositor” value in the “depositor qualification” field states that the depositor is not able or permitted to perform legal acts independently.

The following are considered to be “unqualified depositors”:

- Minors, persons under guardianship or otherwise declared legally incapacitated.<sup>23</sup>
- Non-natural persons.

### Deceased depositors

Balances on the accounts of deceased depositors are not paid out automatically. If depositors are deceased, this is entered in the “vital status” field. In principle, representatives for deceased depositors can be included in the SCV file, but settlement will take place manually.

<sup>23</sup> An account subject to a gift administration clause for a minor does not qualify as a custody account within the meaning of the “unqualified depositor” marking, and the depositors of such an account must be marked as “qualified depositors” once they reach adulthood. These accounts must be marked with the “BLOK-SCHENKING” blocking.



Field	Notes
<b>Type of non natural person</b>	<p>The following values are valid in this field:</p> <p>BANK            FINANCIËLE_INSTELLING            VERZEKERINGSONDERNEMING            BELEGGINGSONDERNEMING            BELEGGINGSINSTELLING            PENSIOENFONDS            OVERHEID</p> <p>OVERIGE_ORGANISATIES</p> <p>ONBEKEND</p> <ul style="list-style-type: none"> <li>■ Institutions for which it is established with certainty that they are not eligible under the DGS must be marked with one of the first seven values.</li> <li>■ Institutions for which it is established with certainty that they are eligible under the DGS must be marked as "OVERIGE_ORGANISATIES" ("other organisations").</li> <li>■ Institutions for which it has not been established with certainty whether or not they are eligible under the DGS must be marked as "ONBEKEND" ("unknown").</li> </ul> <p>Appendix 6 provides a list of definitions of ineligible parties, including guidance for banks to establish eligibility/ineligibility.</p>

Deceased depositors are included in the SCV file as "qualified depositors" that are eligible under the DGS. Although deceased depositors cannot receive DGS compensation, their heirs are eligible.

#### Lack of legal personality

Although forms of organisation without legal personality cannot in principle be entered as depositors, exceptions are possible. Examples include investment funds, or financial institutions with a legal form without legal personality. See also Section 2.2.

The bank determines whether a non-natural person has legal personality. The data from the Chamber of Commerce register can be used as a guide. In the case

of foreign forms of organisation it may be difficult to determine whether they have legal personality. The bank must be able to make this assessment (KYC). (See also Appendix 7)

#### Language marking for outward service passport

Article 8(7) of the DGSD states that where a bank operates in another EEA Member State under a European passport for cross-border services, deposit guarantee schemes must provide information in the language selected by the depositor at the time of opening the account. A bank is therefore requested to state in the SCV file whether a deposit is held in another Member State where no branches are established (and hence is covered by the European passport for cross-border services). In that case, the bank must state the country concerned and the language which the depositor selected when opening the account. For example, a bank that does not have any branches located in France, but does take deposits there via a French language website (and consequently also communicates with the customers in French), would submit the language code for French.

One language per depositor is entered in the SCV file. Language codes are included in the data model for the languages featured on the ISO 639-1 code list. Since banks often do not specifically ask customers to select a language, they can also enter here the language used in practice to communicate with the depositor. This



information is mandatory if crossborder services are applicable to at least one of the deposits in the SCV. A further principle is that Dutch (NL) is entered if one of the languages is NL.

### Determination and submission of customer category (enterprise size)

The customer category field for non-natural persons has been included to help determine the creditor hierarchy. It contributes to the resolution planning and resolution of banks. The following customer categories are distinguished:

- Micro, small and medium-sized enterprises (“SMEs”);
- Large companies (“Corporates”).

Corporates are all enterprises with an annual turnover that exceeds the criterion defined in Article 2 of the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ EU 2003, L 124/16 (2003/361/EC)).

Effective from 31 December 2021 the customer category must also be specified in the DGS quarterly report (see Chapter 3).

### 2.6.3 Representation and (legal) representative

In all cases in which the depositor is a minor, a legally incapacitated person or a non-natural person with legal personality, banks must supply the details of

one or more (legal) representatives. As a rule, a (legal) representative is a natural person.

In the case of a non-natural person with legal personality, its representatives must be shown in the company’s Chamber of Commerce registration or articles of association. Banks must supply the details of all representatives (such as directors or authorised persons) authorised to perform legal acts on behalf of the legal entity, such as applying for compensation under the DGS, in accordance with the FLDM specifications.

In the case of representatives of a non-natural person with legal personality, the authority will be recorded in the CoC registration or articles of association.

The following forms are distinguished:

- *Volledig bevoegd* (fully authorised): the application for compensation under the DGS only has to be endorsed by one fully authorised person.
- *Gezamenlijk bevoegd* (jointly authorised): If an organisation only has jointly authorised persons, the application for compensation under the DGS must be endorsed by all jointly authorised persons.

Joint authority only applies in the case of representation of non-natural persons with legal personality. Legal representatives of natural persons always have full authority.

### 2.6.4 Contact details

Further details of a number of data fields relating to communication with customers are provided below.

#### Telephone numbers

It is mandatory to enter either a landline telephone number (in the “Telephone number” field) or a mobile telephone number (in the ‘Mobile number’ field).

#### Address

The payout deadline of seven working days makes high demands on the quality of the address data. As soon as possible after the DGS comes into force, depositors or their representatives must be informed individually of their right to request compensation, regardless of whether the depositor is eligible under the DGS. It is no longer sufficient simply to publish advertisements in media, as there would then be a risk that depositors could successfully argue that they were not paid in time because they missed the advertisement.

Address details may be included in the SCV file in either of two ways:

- Structured address details (entity: Structured address): this is the standard form and is intended to be used for address details entered by the bank in the individual fields or which may be traced back to those fields.

- Unstructured address details (entity: Unstructured address): This form can be used for address details entered in address lines that can no longer be traced back to the individual fields.

It is strongly recommended that addresses (including foreign addresses) are entered in structured form to the extent possible for purposes of customer contact, addressing of letters and other processing of address details.

The recording of private addresses of representatives of non-natural persons is often laborious and error-prone. For practical purposes the official address of the non-natural person can be entered for these representatives. The bank itself must assess whether this is sensible and feasible, for example if a natural person has multiple roles (depositor and representative) or is linked as a representative to multiple non-natural persons with different addresses.

## 2.7 Account and account ownership

### Identification of accounts in the SCV file

Bank products (also referred to as accounts or deposits) must be recorded in a clear and unique way in the SCV file. The following fields are used.

Fields	Notes
<b>Bank account identifier</b>	As a supplement to the requirements in the DDA, this field must not include any data (or hashes of such data) which can be traced back to customers, such as the IBAN. This is because the "bank account identifier" is included in unencrypted form in the validation report and is made available to the bank in the Digital Reporting Portal (DLR) after the SCV file has been processed.
<b>Product label</b>	A previous version of the data model included an "account label" field. Since this field refers to the specific product that the depositor purchases from the bank, it has been renamed "product label".
<b>Currency</b>	The bank must include each account in the SCV file in the currency in which the account is held. The currency must be an official currency for which an exchange rate is available. All valid currency codes are included in the data model.
<b>Balance</b>	The balance in the account. The number of decimal places for some currencies differs from the standard two places. Examples include the Burundi Franc (0 places) or the Bahraini dinar (3 places). Banks must pay particular attention when processing balances in such currencies in the SCV file. See the DDA document for further instructions.

### Product categories

For SCV purposes, accounts (deposits) are classified into product categories (as referred to in Section 5(2) of the SCV Policy Rule). A standard classification of products has been defined to determine the type of products involved.

These are:

#### Type of code

- Current account REK-BETAAL
- Savings account REK-SPAAR
- Fixed-term deposit REK-TERMIJNDEP
- Investor account (cash account) REK-BELEG

- Bank savings deposit for a private residential property REK-WONING
- Other tax-efficient savings accounts REK-FISCAAL
- Credit card account REK-CREDITCARD
- Home construction account REK-BOUW

Definitions of these product types can be found in Appendix 4

### Escrow accounts

An escrow account is an account in which funds are held on behalf of one or more third parties who are not the account holder. A third party is entitled to

compensation under the DGS if it meets the following conditions<sup>24</sup>:

- The account holder holds a deposit for the third party's benefit pursuant to statutory or contractual provisions that already existed before the date of insolvency and which apply to the relationship between the account holder and that third party;
- The bank knows the third party's identity, unless the account holder has a professional record-keeping system in place, in which case it will be sufficient for the bank to know that one or more third parties are involved.
- DNB can establish the third party's identity and the level of the third party's claim on the basis of the information that was available before the date of insolvency.

The Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme provides a definition of a "professional record-keeping system". The Policy Rule also covers how to apply the third-party policy to groups without legal personality.

If the monies in the escrow accounts are administrated using a professional record-keeping system, DNB will

make enquiries of the system's administrator. These accounts must be included in the SCV file as escrow accounts held for "customers" (value: "CLIENT"). Examples include escrow accounts administrated by notaries or court bailiffs.

In exceptional cases accounts of non-natural persons without legal personality (e.g. a general partnership) may also be treated as escrow accounts. This will be necessary if, for instance, the beneficiaries have not been included in the bank's database as depositors in their own right. In those cases, the attribute "type of third party account" must specify that this is an escrow account held for a "**non-natural person without legal personality**" (value: "SAMENWERKINGSVERBAND").

Particular attention should be devoted to escrow accounts of financial undertakings such as banks, financial institutions or investment firms. Although financial undertakings themselves are ineligible for the DGS, another rule applies to escrow accounts in the name of these undertakings. For the operation of the DGS, the principle applied by DNB is that the ultimate beneficiaries of these accounts (the third parties) must be identified. If these beneficiaries are eligible

under the DGS, DNB will make a payout to them as third parties despite the ineligibility of the account owner (the financial undertaking). It is therefore important that banks also record the escrow accounts of financial undertakings. Financial undertakings are also considered to be administrators of a professional record-keeping system.

If the third parties are eligible for the DGS, each will be entitled to compensation based on its share of the escrow account, subject to a maximum of EUR 100,000 per person. If the third parties hold accounts at the failed bank themselves, these will also be taken into consideration when calculating their entitlement. The maximum seven-day payout deadline may be deviated from for escrow accounts and blocked deposits, as stated in Section 29.05(5) of the *Bbpm*. The marking for an escrow account is included in the SCV file on the next page.

#### Marking showing whether products are eligible

In the SCV file a bank marks whether a product is eligible for the DGS, regardless of whether the depositor is eligible. Since the products included in the SCV file in principle fulfil the definition of deposit

<sup>24</sup> See Section 29.02(3) of the *Bbpm*: "If a depositor holds a deposit in their own name, but does so for the benefit of another party under a contract or statutory requirement, it is the third-party beneficiary that enjoys protection and is treated as the depositor, provided that its identity can be established before the date when it is decided to activate the deposit guarantee."



Field	Notes
<b>Type of third party account</b>	<p>Field showing whether the deposit is held for the benefit of a third party. Possible values::</p> <ul style="list-style-type: none"> <li>■ "CLIENT" (customer): if the identity of the third parties is evident from:               <ol style="list-style-type: none"> <li>1. the records of the bank concerned or</li> <li>2. a professional record-keeping system operated by the account holder (e.g. the beneficiaries of a notary's clients' account).</li> </ol> </li> <li>■ "SAMENWERKINGSVERBAND" (collaborative venture): if the owner of the account is a non-natural person without legal personality.</li> <li>■ 'GEEN_DERDENREKENING' (not escrow account): all accounts which are not escrow accounts.</li> </ul> <p>It should be noted that the "SAMENWERKINGSVERBAND" type can only be used in exceptional cases. The preferred approach for entering forms of organisation without legal personality is described in Section 2.2.</p>

included in Section 2.2, most products in the SCV file can be designated as "eligible for the DGS".<sup>25</sup> If a bank has doubts about whether a product is eligible, it must include this product in the SCV file with the marking "TWIJFEL". In principle this marking should not actually be applied, since banks have a legal requirement to inform all depositors annually whether they are eligible for the DGS with regard to each product. This information must therefore be available within the bank.

There is one product that the bank always marks as "GEEN DGS". This is the "bankspaardeposito eigen

woning" (bank savings deposit for a private residential property).

A marking for eligibility should be uniform for the entire product. For example, if a bank has a product with the label "Xbank for-a-rainy-day account" in the REK-SPAAR product category, all accounts with the same label/product category combination must have the same marking. These products should either *all* be marked as "DGS", or they should *all* be marked as "GEEN\_DGS".

<sup>25</sup> If a depositor who is not eligible for the DGS holds a product that is eligible for the DGS, the deposit must still be marked as eligible for the DGS. "Depositors" and "deposits" are marked separately in the data model. The marking on the depositor prevents the deposit from being paid out if the DGS is activated.

## Example

A notary's escrow account with a balance of EUR 500,000 and four beneficiaries included in the notary's professional record-keeping system.

### Beneficiary:

- 1 owns EUR 80,000 of the account balance
- 2 owns EUR 120,000 of the account balance
- 3 owns EUR 95,000 of the account balance
- 4 owns EUR 205,000 of the account balance

Assuming that none of the beneficiaries themselves have an account with the failed bank, compensation will be paid as follows:

### Beneficiary:

- 1 receives EUR 80,000
- 2 receives EUR 100,000
- 3 receives EUR 95,000
- 4 receives EUR 100,000

Beneficiary 2's residual claim of EUR 20,000 and beneficiary 4's residual claim of EUR 105,000 will be left in administration. They will need to pursue the matter with the liquidator.





### Determining the balance

A bank must be able to determine the balance of a deposit reliably at any time. Depositors have the right to expect banks to calculate account balances uniformly at the cut-off time (in an actual payout situation this will be the point in time when the DGS is activated). Guidance on the processing of in-flight transactions is given below.

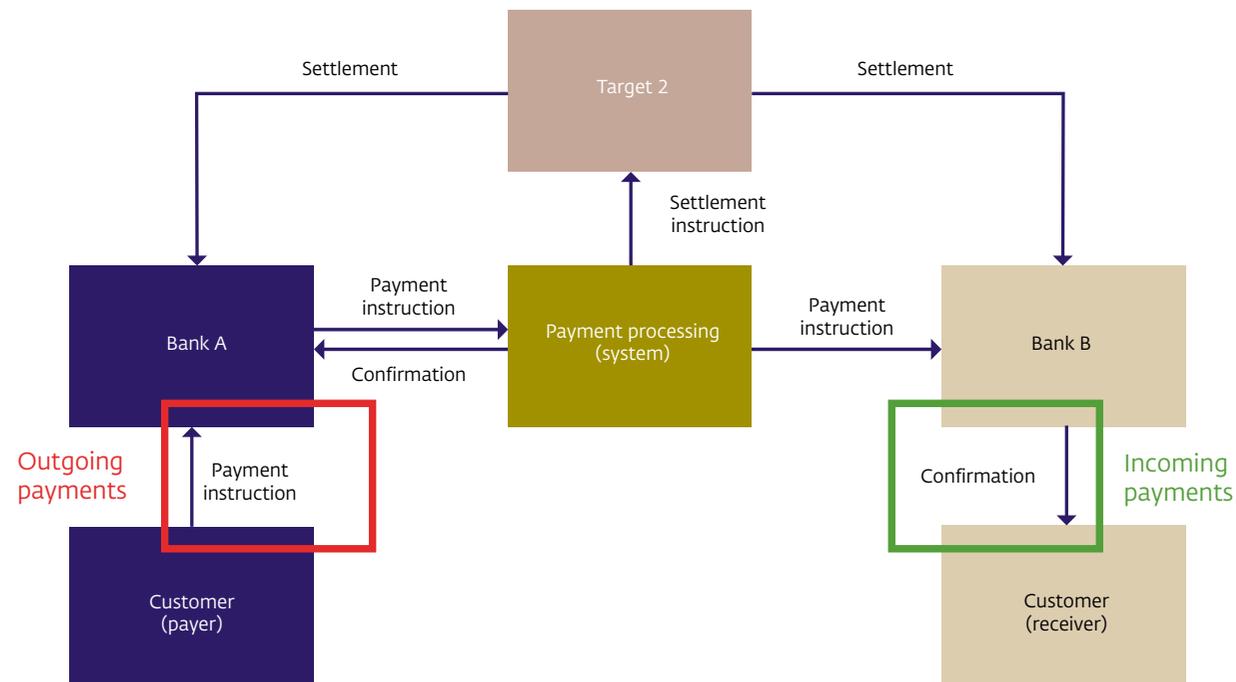
### How to deal with in-flight transactions when calculating an account balance

The SCV Policy Rule sets out the guiding principles for dealing with in-flight transactions when calculating the account balances that need to be included in the SCV file. "In-flight transactions" are payments where not all the underlying cash movements making up a transaction have been settled in full. Figure 5 illustrates the payment process.

To calculate an account balance for DGS purposes, banks must adhere to the following principles<sup>26</sup>:

- a. All outgoing payments that have already been debited at the time of creating the SCV are not included in the account balance, even if these payments are in a suspense account at the bank.
- b. Incoming payments must be included in the account balance wherever possible, taking into account the period for submitting the SCV file (three working

Figure 5 Illustration of the payment process



days). These are payments such as those referred in the Settlement Finality Directive (which has been transposed into the Dutch Bankruptcy Act).

It should be noted that there are situations in which outgoing payments evidently belong to the customer. For example in the case of a transfer from the

customer's savings account to their regular counter account at another bank. In such situations, these outgoing payments should preferably be transferred back to the customer's original account. This will prevent a lot of extra work during the settlement of the bankruptcy, since the customer will claim the amount anyway – either with the DGS or with the

<sup>26</sup> Also see the explanatory notes to Section 3(1) and (2) of the SCV Policy Rule.



liquidator. It also contributes to the protection of the customer.

For the purposes of assessing and improving data quality and the accurate and timely delivery of SCV data each year, and to calculate the account balances, a bank will take as a reference point the moment after the night batch has been processed.

The guiding principle is that this should not jeopardise the continuity of business. The account balance is a snapshot. However, a bank must describe the procedures it has in place for the processing of in-flight transactions in the event that it does in fact fail.

### Determining interest

A bank is required to be able to calculate “interest accrued but not yet credited” at any time until the day of bankruptcy. The amount of interest must be included as a separate field in the SCV file. Any interest to which a customer has not yet become irrevocably entitled must be disregarded.

In the case of “bonus interest”, the terms “accrued” and “credited” are important legal concepts. The product’s terms and conditions must show clearly that interest will “accrue” during the year. The interest accrued until

the day when the DGS is activated must be included in the SCV file if the product’s terms and conditions clearly show that the product will accrue interest.

Under the DGS legislation, DNB is not authorised to set off any negative balances, including negative interest. It is nevertheless important to inform depositors about negative amounts when DGS compensation is paid.

Particular attention should be devoted to determining the accrued interest on structured deposits<sup>27</sup>. The difference as compared to ordinary deposits is that the interest payable on structured deposits is not determined on the basis of an interest rate, but depends on external factors such as the market and indices. The way in which interest is determined for this type of product is explained in greater detail in Section 3.6 of the Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme. If the accrued interest qualifies as an investment component, it is included in the SCV file with a value of EUR 0.

If, under local tax rules, the bank is obliged to pay tax on interest (withholding tax), this tax is deducted from the ‘accrued but not yet credited’ interest that the bank enters in the SCV file. This ensures that the tax is not included in the DGS compensation and that the failed

bank can meet its tax obligations (See Section 3(5) of the SCV Policy Rule).

### Division of the balance in the case of joint accounts

For every account with more than one depositor (for example a joint account), a *pro rata* division is applied in principle. In the absence of any other information, this is the guiding principle in a DGS payout situation.

In situations in which a different division has been contractually agreed in the bank’s customer records, this can be stated in the “participation percentage” field, for example where there is an account with two depositors, one of whom is entitled to 25% of the deposit and the other to 75%.

<sup>27</sup> Structured deposits as referred to in Article 4(1)(43) of Directive 2014/65/EU (MiFID). See also Appendix 5 to this Manual.

### Blocking of accounts

A situation may arise in which, although eligible for the DGS based on the guiding principles set out above, a deposit has been "blocked" and automatic DGS payout is not possible. Blocked deposits **must** nonetheless be

included in the SCV file<sup>29</sup>. In the payout phase, DNB must determine if and to whom any compensation will be paid out. The following deposits must be marked as having been blocked in the SCV file (see Section 6(1) of the SCV Policy Rule for further details):

Blocking code	Notes
<b>BLOK-WITWASSEN (money laundering)</b>	Deposits involving transactions that are subject to a criminal conviction for money laundering.
<b>BLOK-GESCHIL (dispute)</b>	Deposits that are the subject of a legal dispute, as referred to in Article 8(5)(a) of the DGSD.
<b>BLOK-MAATREGEL (restrictive measures)</b>	Deposits that are subject to restrictive measures imposed by national governments or international bodies, as referred to in Article 8(5)(b) of the DGSD. The bank must assess new and existing customers according to the criteria set out in sanctions law (including Section 3 of the Dutch Regulation on Supervision pursuant to the Sanctions Act 1977 (Regeling toezicht Sanctiewet 1977)). In practice, this means that a bank checks, for example through periodic and ad hoc screening of sanctions lists, whether its customers appear on one or more sanction lists. If they do, the bank marks their deposits in its administration and includes these deposits in the SCV file with the "BLOK-MAATREGEL" marking.
<b>BLOK-BESLAG (attachment)</b>	Deposits that have been fully or partially attached. This code is used, for example, in the event of a bankruptcy or if the Act on Debt Rescheduling for Natural Persons is applied.
<b>BLOK-SURSEANCE (suspension)</b>	Deposits held by depositors to which suspension of payments has been granted.
<b>BLOK-VERPAND (pledged)</b>	Deposits over which a pledge has been created and only the pledgee is authorised to collect payments. <sup>28</sup>
<b>BLOK-SCHENKING (custody)</b>	Deposits on accounts that are subject to a BEM clause or other type of custody clause (e.g. gift administration or testamentary administration).
<b>BLOK-BUITENLAND (foreign block)</b>	Deposits that have been blocked pursuant to the laws of the country where the deposit is held (not being the Netherlands), to the extent that the blocking is relevant to a DGS pay-out.

If a deposit in any of the above-listed category is only partially blocked, i.e. if the beneficiary can still freely dispose of part of the balance, it must still be marked with the applicable blocking code.

Any other blocking of accounts by banks is irrelevant for DGS purposes and the deposits in question must not be marked as blocked in the SCV file.

### Marking of cross-border services

In order to determine the payout approach, it must be clearly stated for each deposit whether cross-border services are provided as part of the respective activity European passport outward – 2:110 Supply of bank services to the EEA. An important factor is whether deposits are solicited through a branch in another Member State or without the bank having a branch. The marking for cross-border services involves the use of the following fields.

<sup>28</sup> G-accounts for the payment of wage tax and VAT to the tax authorities are always marked as "BLOK-VERPAND". See the further explanatory notes in Appendix 5  
<sup>29</sup> If evidence is provided showing that an eligible but blocked deposit should no longer be blocked, payment can be made.





Fields	Notes
Country of branch of account	If the deposit is held at a branch of the bank in an EEA Member State, the country code of the respective Member State is entered here. In all other cases the "NL" code is entered, even for an account of a foreign depositor operated under a "European passport outward – 2:110 Supply of bank services to EEA" structure.
Country of Cross Border Services	Where a bank operates in another EEA Member State under the European passport for cross-border services, the country through which the deposit was solicited must be stated. A bank can select the following options for this field: <ul style="list-style-type: none"> <li>■ NVT (n/a, not cross-border)</li> <li>■ Onbekend (unknown whether cross-border)</li> <li>■ &lt;country&gt; (for cross-border services, limited to EEA Member States)</li> </ul>

See the following examples for some practical guidance on how to apply these markings:

1. **Account held in the Netherlands<sup>30</sup> by a customer residing in the Netherlands**  
Country of branch of account = **NL**  
Country of cross border service = **NVT**
2. **Account held in the Netherlands by a customer residing outside the Netherlands in another EEA Member State (e.g. Portugal)**  
Country of branch of account = **NL**  
Country of cross border service = **PT**
3. **Account held in the Netherlands by a customer residing outside the Netherlands in another EEA Member State, but not held with the branch of**

- the Dutch bank in this other EEA Member State (e.g. the customer lives in Spain, but does not hold an account with the branch of their Dutch bank in Spain – the customer has a Dutch IBAN)**  
Country of branch of account = NL  
Country of cross border service = ES
4. **Account held with an EEA branch (e.g. Spain) by a customer residing in that EEA Member State**  
Country of branch of account = ES  
Country of cross border service = NVT
5. **Account held with an EEA branch (e.g. Spain) by a customer residing in another EEA Member State (e.g. Portugal)**

- Country of branch of account = ES  
Country of cross border service = PT
6. **Account held in the Netherlands by a customer residing outside the EEA (e.g. Japan)**  
Country of branch of account = NL  
Country of cross border service = NVT
  7. **Account held with an EEA branch (e.g. Spain) by a customer residing outside the EEA (e.g. Japan)**  
Country of branch of account = ES  
Country of cross border service = NVT

## 2.8 Technical specifications, submission and validation of the SCV file

The DDA provides extensive guidance on how to submit the SCV file and explains all the validation rules that the submission of the SCV file must meet.

### 2.8.1 Technical specifications for data structure and submission

The technical specifications of the data structure and submission are included in the DDA. The DDA consists of the following components.

<sup>30</sup> In practice, an "account held in the Netherlands" means an account with a Dutch IBAN, and an "account held in an EEA branch" means an account with an IBAN from that EEA Member State.



DDA

Document	Notes
DDA Document	<b>DGS Single Customer View Data Exchange - GLO_&lt;date&gt;_&lt;version&gt;.pdf</b> Technical management information concerning the Data Delivery Agreement. In addition to specifications, contains all references to/user guide for information/documents/files required for submission according to the DDA. Also intended for data specialists.
Data model (technical)	<b>DNB_STAT_NDGS_SCV_GLO_&lt;date&gt;_&lt;version&gt;.ldm</b> File in native PowerDesigner format which banks can use to implement the requirements of the data model as a database. Intended for data specialists.
Datamodel (HTML)	<b>DNB_STAT_DGS_SCV_GLO_Report_for_Banks_&lt;date&gt;_&lt;version&gt;.zip</b> Version of the data model that can be opened in a web browser and is intended as a reference source for data specialists. Contains fields, diagrams, validations, entities, codes, relationships, data types, permitted values, etc.
Reference data sets	<b>Reference_data_sets_&lt;date&gt;_&lt;version&gt;.xlsx</b> Excel sheet with each tab containing the permitted values for a specific field from the data model. See Section 4.2 of the DDA document for further information.
Reference metadata sets	<b>Reference_metadata_sets_&lt;date&gt;_&lt;version&gt;.xlsx</b> Excel sheet containing the entity types. See Section 4.3 of the DDA document for further information.
Release notes	<b>Release Notes_&lt;version&gt;.xlsx</b> These keep a record of all changes in the DDA from version to version.

All of the above is published as a single complete set (**GLO\_DGS\_IKB\_<date>\_<version>.zip**) on the DNB website.

### Dealing with field lengths in the data model

The length of the data fields in the data model takes as much account as possible of the usual maximum size of these data in bank databases. Nevertheless, if the available field length in a specific case turns out to be insufficient for the data to be supplied, the data can be truncated at the maximum field length. Banks should

contact DNB if this gives rise to a structural problem. The field length for a subsequent version of the DDA may be amended in consultation with banks.

Spaces should not be added to the data to fill the maximum field length, because that would greatly increase the size of the SCV file, with detrimental

consequences for processing and speed of operations at DNB. Particularly during a DGS payout situation, this could jeopardise compliance with the payout deadline.

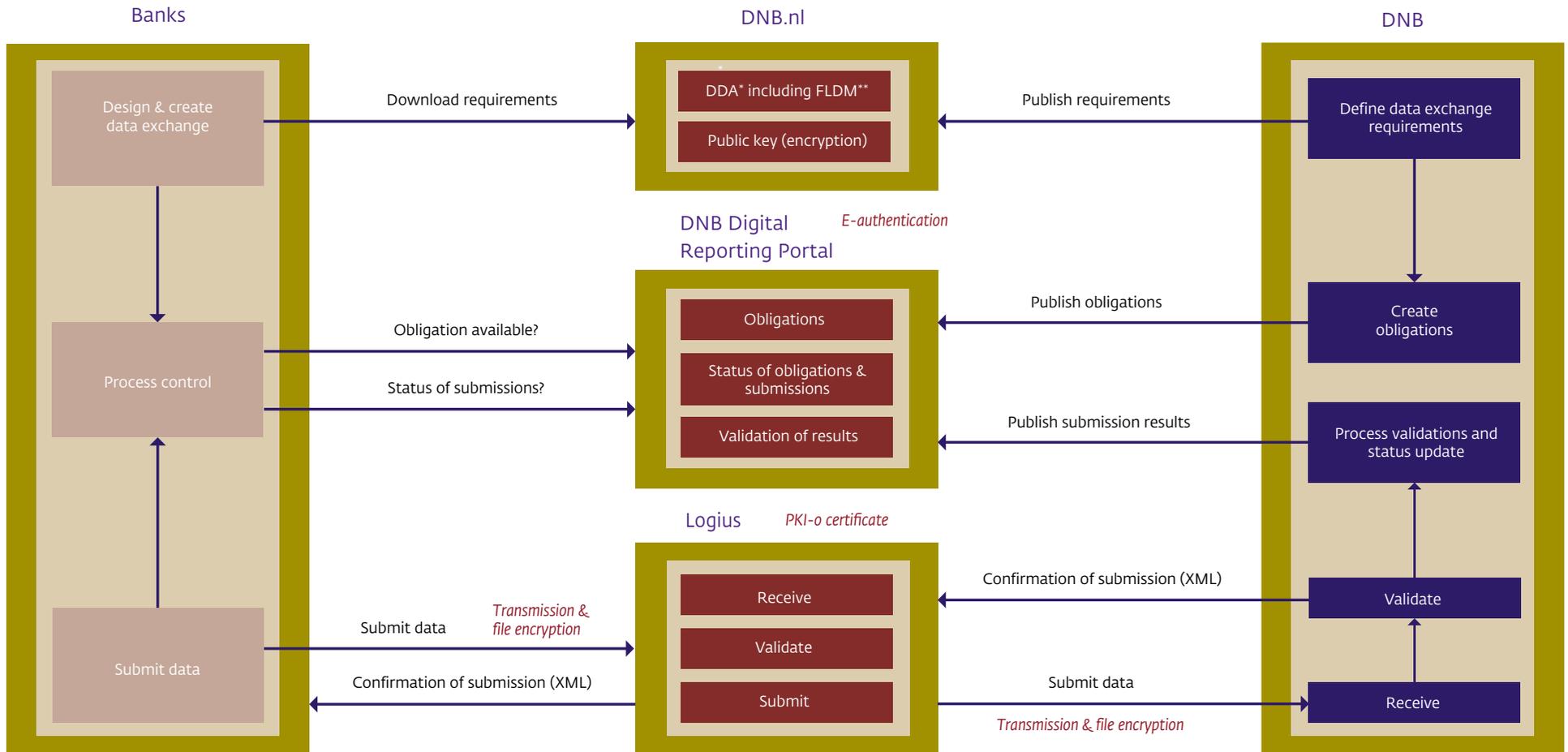
### 2.8.2 Submission process and timelines

A data delivery will take place through Logius and has to be made specific for compliance with three different sets of requirements.

- **Logius-specific.** In addition to DNB, Logius has specific requirements with regard to the composition of the files sent through its FTP connection. These are described in documentation available on the Logius website. Where the Logius documentation differs from DNB documentation, the DNB documentation is leading.
  - **DNB-specific.** This is described in the document *Delivery of data to DNB using Logius Digipoort\_<version>.pdf* available on the DNB website. This document supplements the Logius documentation. It states how the delivery must be made DNB-specific. It is a generic document intended for all types of data obligations towards DNB (AnaCredit, DGS, RRE, etc.)
  - **DGS-specific.** The DDA document describes how the delivery is made DGS-specific.
- The three documentation sets are complementary and must be used concurrently to ensure correct delivery.



Figure 6 SCV file submission process



\* Data Delivery Agreement  
 \*\* Formal Logical Data Model



A summary description of the process (see Figure 6):

- DNB defines the specifications for submitting the SCV file (DDA, logical data model);
- DNB publishes these specifications, including a public encryption key<sup>31</sup>, on its website;
- Banks use this information to operationalise the submission of the SCV file;
- DNB alerts banks to their obligation to submit an SCV file through the Digital Reporting Portal (*Digitaal Loket Rapportages – DLR*);
- Banks have secure access to the DLR, which contains their reporting obligations, including the obligation to submit the SCV file;
- Banks submit the SCV file through Logius, encrypting both the transmission and the file itself;
- Logius receives the SCV file, runs a number of technical checks and sends confirmation of receipt to the bank. Logius then forwards the SCV file to DNB.
- DNB receives the SCV file, performs a number of technical and logical validations, updates the status of receipt in the DLR and publishes the outcome of the validations in the DLR.
- The bank's authorised staff receive confirmation in the DLR;

- Banks can view the validation outcomes and status in the DLR.
- DNB deletes the submitted SCV files within three months. The bank receives confirmation of this in the DLR.

SCV files must be submitted in the following two situations:

- During normal business operations: this involves the delivery of data for validation purposes in the context of the *Assessment framework for supervision of compliance with requirements of Single Customer View Policy Rule*<sup>32</sup> to allow DNB to monitor and ensure data quality<sup>33</sup>;
- In crisis situations: this involves the delivery of data by a failing bank if the DGS has been activated for the bank.

In both situations, a full data delivery is required. Partial filings or fictitious data are not permitted because that would prevent the SCV file from being checked for correctness, completeness and timeliness. The data delivery must comprise all data covered by the full extent of the banking licence, i.e. including any EEA-based branches. Banking groups with multiple banking licences must deliver the data per banking licence.

### Timelines

Section 9 of the SCV Policy Rule specifies the timelines for banks to deliver the SCV data to DNB. To allow payouts to be made within seven working days, banks must deliver their SCV files to DNB within three working days. "Delivery within three working days" means a delivery that does not contain blocking validation results, so the status in the DLR is set to "Accepted".

A bank must supply the SCV data within three working days following the decision to activate the DGS or when DNB makes a specific request to that effect. See Chapter 4 for the process to be followed once the DGS has been activated.

### Verification of data after submission

DNB will check whether the data delivered meets the technical and other requirements set out in the DDA (with the FLDM). If the delivery is invalid, the bank will be considered not to have met its delivery obligation. It will then be required to make a new delivery (see the extensive guidance in the DDA document).

<sup>31</sup> The public encryption key is valid for a limited period, so banks should check the DNB website for new versions of this key before each SCV file delivery.

<sup>32</sup> <https://www.dnb.nl/en/sector-information/deposit-guarantee-scheme/deposit-guarantee-scheme/single-customer-view/>

<sup>33</sup> Many banks carry out a full SCV run for the quarterly report for the DGS/DGF. They are not required to submit the SCV file resulting from this run to DNB, but they may do so upon request, if they wish to use this for their own validation purposes. DNB will contact the bank if it intends to request submission of an SCV file pursuant to Section 9 of the SCV Policy Rule.



### 2.8.3 Corrections

Because of the maximum seven working-day payout, it is essential that the delivered SCV data are correct and complete. In exceptional situations, a bank may discover, after delivering the SCV file to DNB, that corrections need to be made to the original batch, for instance because the bank has come across deposits or depositors that were left out of the original batch, because in-flight transactions were not (fully) processed or because the original batch contained incorrect data.

The DDA describes how corrections are to be submitted.

A distinction is drawn between two situations:

- Corrections submitted **before** DNB opens the DGS portal to depositors; and
- Corrections submitted **after** DNB has opened the DGS portal to depositors (the DGS has been activated).

A further distinction is made in terms of the scale of the corrections:

- Minimal corrections;
- Substantial corrections.

DNB will determine whether the extent of the corrections is minimal or substantial and will inform the bank accordingly.

The specific circumstances of the case will determine how corrections are to be handled:

Figure 7 Handling corrections

		Time of submission of adjustments	
		Before opening of web portal	After opening of web portal
Size of adjustments	Minimal	Handled manually	Handled manually
	Substantial	Entirely new delivery, automated handling	Payout processes stopped Specific solution for each situation

#### Corrections requiring a new data batch submission

If DNB or the bank involved discovers that a substantial amount of data is missing from the original batch or is incorrect, and the DGS portal has not yet been opened, the bank, in consultation with DNB, must submit an entirely new data batch.

#### Corrections that can be processed manually

If a bank discovers that a minimal amount of data is missing from the original batch or is incorrect, this data may be entered or adjusted manually by DNB staff. The bank must consult with DNB on how to supply these adjustments.

#### Substantial corrections after payouts have begun

If a bank discovers that a substantial amount of data is missing from the original batch or is incorrect, and the web portal has already been opened, the payout process will be discontinued immediately.

#### Corrections in response to complaint by beneficiary or (legal) representative

Apart from corrections of errors discovered by the bank, the situation may arise in which a beneficiary or (legal) representative detects an error. Obviously, these errors will not come to light until after the DGS portal has opened. Such errors may include a beneficiary missing an account on their statement or a (legal) representative missing a beneficiary represented by them. If they contact DNB and duly submit the right documentary evidence, DNB will proceed to pay compensation.



## 3 DGS reports

### 3.1 Introduction

This chapter describes the different types of DGS reports, their format and the period and the manner in which banks are required to supply them. The DGS reports show at aggregate level the number of accounts, balances with interest accrued but not yet credited and the amount of a bank's covered deposits (deposit base).

The 2011 Regulation on Statements of Financial Undertakings under the *Wft* (Statements Regulation) sets out in more detail the banks' obligation to file quarterly data to enable calculation of the levies payable into the Deposit Guarantee Fund. The reporting forms (DGS reports) comprise both the traditional basis for the levy calculation and the levy contribution calculation based on SCV data. The banks report the number of accounts they provide and their balances on a quarterly basis, and DNB uses these to establish the base for calculating the levies. The data are supplemented by a list of covered deposits based on the SCVs.

Banks must be able to calculate the amount in covered deposits in euros for each depositor using the SCV system. In order to determine the deposit base, the parts of the deposits covered by the DGS must be aggregated subject to the maximum of EUR 100,000 per depositor. In determining its deposit base, a bank must consider the markings and guiding principles set out in the SCV Policy Rule (see Section 4(3) of the SCV Policy Rule). Accounts are included in the original currency in the SCV file, both for validation purposes and in an actual payout situation. A bank must also be able to perform the conversion into euros itself, for example in order to include the balance and total of the covered amount in the quarterly DGS reports for the purpose of forming the Deposit Guarantee Fund. The covered amount is always in euros. The conversion is based on the reference exchange rates for the euro published by the ECB (ECB reference rates), or exchange rates published by price information providers.

### 3.1 Overview of DGS reports

A distinction is drawn between four types of DGS reports

DGS report	Notes	Submission frequency <sup>34</sup>	Submission method
Table A: Liabilities eligible for the DGS – consolidated	Quarterly DGS report stating the number of deposits, the account balances in euros, including interest accrued but not yet credited, and the total amount in covered deposits (deposit base) at consolidated level;	Every calendar quarter	DLR
Table B: Liabilities eligible for the DGS – individual	Quarterly DGS report stating the number of deposits, the account balances in euros, including interest accrued but not yet credited, and the total amount in covered deposits (deposit base) per bank holding a banking licence, at individual level (i.e. banking groups are broken down by banking licence);	Every calendar quarter	DLR
Table C: Liabilities eligible for the DGS – by EEA branch	Annual DGS report stating for each licensed bank the number of deposits and the account balances, including interest accrued but not yet credited, for each EEA-based branch.	Every calendar year	DLR
Table D: Liabilities eligible for the DGS – cross-border service by EEA Member State	Annual DGS report stating for each licensed bank the number of deposits and the account balances, including interest accrued but not yet credited, through a passport for cross-border services within the EEA. (see also section 2.7).	Every calendar year	DLR

Appendix 15 of the Statements Regulation provides extensive guidance on the structure of these reports, including full instructions on how to fill in the forms.

#### 3.2.1 Structure of quarterly DGS reports

The quarterly reports (individual and consolidated) provide aggregate information on eligible deposits and the covered part of the deposits held at a Dutch bank including its EEA-based branches.

<sup>34</sup> DNB can also request these reports on an ad hoc basis, for example in connection with the transfer of all or part of the deposits to a DGS in a different EEA Member State as a result of a restructuring, merger or sale.



Figure 8 Liabilities eligible for the deposit guarantee (DGS)

		Number of accounts in units <sup>10</sup>			Amounts in euros						
		At Dutch branches	At EEA branches	Total number of accounts (01+02)	From the Netherlands	From EEA branches	Total for the Netherlands and EEA branches (04+05)	Foreign subsidiaries and non-EES branches	Total (06+07)	Covered deposits according to bank records <sup>11</sup>	
		01	02	03	04	05	06	07	08	09	
Deposits (excluding deposits of credit institutions) as defined in the DGSD <sup>1</sup>	0010									V	
of which from the Netherlands or EEA branches respectively <sup>2</sup>	0020	V	V	B	V	V	B				
By legal status of creditors											
D - public authorities	0030	V	V	B	V	V	B				V
- other financial undertakings <sup>3</sup>	0040	V	V	B	V	V	B				V
- business customers except financial undertakings - corporates <sup>4</sup>	0051	V	V	B	V	V	B				V
- business customers except financial undertakings - others <sup>4</sup>	0052	V	V	B	V	V	B				V
- retail customers	0060	V	V	B	V	V	B				V
C Total of lines 0030 to 0060 inclusive	0070	B	B	B	B	B	B				B
of which bank savings deposits for a private residential property <sup>5</sup>	0080	V	V	B	V	V	B				
Total eligible for DGS as shown in this statement (0051+0052+0060-0080)	0100	B	B	B	B	B	B				
Total eligible for DGS (010) by balance size and account type <sup>6</sup>											
of which =< EURO 100,000	0170	V	V	B	V	V	B				
EUR 100,000 - 200,000 (accounts with one beneficiary)	0180	V	V	B	V	V	B				
EUR 100,000 - 200,000 (joint and other accounts) <sup>7</sup>	0190	V	V	B	V	V	B				
>= EUR 200,000 (accounts with one beneficiary)	0200	V	V	B	V	V	B				
>= EUR 200,000 (joint and other accounts)	0210	V	V	B	V	V	B				
Total of lines 0170 to 0210 inclusive <sup>8</sup>	0220	B	B	B	B	B	B				
Total size of covered deposits based on numbers of deposits and balances <sup>9</sup>	1000					B	B				



Notes on components of the quarterly report (see Figure 8):

- A. Column 09 states the amount in covered deposits based on the bank's SCVs. Since 30 September 2019, reporting the volume of covered deposits is mandatory in column 09 and the levy calculation is based on the amounts reported in column 09, provided that DNB's own assessments and the reports of the internal and external auditor demonstrate that the amounts reported by the bank are sufficiently reliable.
- B. Line 1000, column 06, is a calculated field, with the amount in covered deposits being estimated on the basis of the number of accounts and the account balances, which are included in lines 0170 to 0210 inclusive. If this calculation deviates more than 5% from the amount in column 09, line 0070, the bank must supply a quantitative explanation for this difference. An excessive deviation may indicate a reporting error in column 09.
- C. Line 0080 must be used to specify bank savings deposits related to the purchase of a private residential property. These deposits are therefore not entered directly in line 0020. This ensures that the report is consistent with the SCV file.
- D. Lines 0051, 0052 and 0060 contain the number and balances of business and private accounts eligible under the DGS. The report also requires banks to specify the number of accounts and the account balances for public authorities (line 0030) and other

financial enterprises (line 0040). This ensures that the report is consistent with the SCV file.

The breakdown of business customers in lines 0051 and 0052 matches the customer category markings for non-natural persons: (enterprise size), which break down into deposits of corporates and other business customers (see Section 2.6.2, "Determination and submission of customer category"). The breakdown contributes to the settlement of banks in resolution, since corporates' eligible deposits have a lower ranking in the creditor hierarchy.

The information in this report will serve as input to calculate the levies payable into the Deposit Guarantee Fund (see also Chapter 4). The amount in covered deposits will also be reported to the Single Resolution Board (SRB) to calculate the levies payable into the Single Resolution Fund (SRF).

### 3.2.2 Structure of DGS reports for branches

The structure of the annual DGS report stating the number of accounts and balances of branches is as follows (Figure 9).

### 3.2.3 Structure of DGS reports for cross-border services

The structure of the annual DGS report stating the number of accounts and balances through a passport for cross-border service is as follows (Figure 10).

Figure 9 Liabilities eligible for DGS – EEA branches

		Numbers of accounts in units <sup>5</sup>					Amounts in euros				
		At EEA branch in country A	At EEA branch in country B	At EEA branch in country C	At EEA branch in country Z	Total number of accounts at EEA branches <sup>6</sup>	At EEA branch in country A	At EEA branch in country B	At EEA branch in country C	At EEA branch in country Z	Total at EEA branches <sup>6</sup>
		01	02	03	30	31	32	33	34	61	62
EEA country (ISO-code)	Z001	V	V	V	V		V	V	V	V	
Name of branch:	0010	V	V	V	V		V	V	V	V	
By legal status of creditors											
- business customers except financial undertakings - corporates <sup>1</sup>	0051	V	V	V	V	V	B	V	V	V	B
- business customers except financial undertakings - others <sup>1</sup>	0052	V	V	V	V	V	B	V	V	V	B
- retail customers	0060	V	V	V	V	V	B	V	V	V	B
Total eligible for DGS according to this return (0051+0052+0060)	0100	B	B	B	B	B	B	B	B	B	B
By balance size and account type <sup>2</sup>											
of which =< 100,000 euro	0170	V	V	V	V	V	B	V	V	V	B
EUR 100,000 - 200,000 (accounts with one beneficiary)	0180	V	V	V	V	V	B	V	V	V	B
EUR 100,000 - 200,000 (joint and other accounts <sup>3</sup> )	0190	V	V	V	V	V	B	V	V	V	B
>= EUR 200,000 (accounts with one beneficiary)	0200	V	V	V	V	V	B	V	V	V	B
>= EUR 200,000 (joint and other accounts)	0210	V	V	V	V	V	B	V	V	V	B
Total of lines 0170 to 0210 inclusive <sup>4</sup>	0220	B	B	B	B	B	B	B	B	B	B



Figure 10 Liabilities eligible for the DGS – cross-border services by EEA Member State

		Numbers of accounts in units <sup>5</sup>			Amounts in euros						
		At EEA branch in country A	At EEA branch in country B	At EEA branch in country C	At EEA branch in country Z	Total number of accounts at EEA branches <sup>6</sup>	At EEA branch in country A	At EEA branch in country B	At EEA branch in country C	At EEA branch in country Z	Total at EEA branches <sup>6</sup>
		01	02	03	30	31	32	33	34	61	62
EEA country (ISO-code)	Z001	V	V	V	V		V	V	V	V	
By legal status of creditors											
- business customers except financial undertakings - corporates <sup>1</sup>	0051	V	V	V	V	B	V	V	V	V	B
- business customers except financial undertakings - others <sup>1</sup>	0052	V	V	V	V	B	V	V	V	V	B
- retail customers	0060	V	V	V	V	B	V	V	V	V	B
Total eligible for DGS according to this return (0051+0052+0060)	0100	B	B	B	B	B	B	B	B	B	B
By balance size and account type <sup>2</sup>											
of which =< 100,000 euro	0170	V	V	V	V	B	V	V	V	V	B
EUR 100,000 - 200,000 (accounts with one beneficiary)	0180	V	V	V	V	B	V	V	V	V	B
EUR 100,000 - 200,000 (joint and other accounts <sup>3</sup> )	0190	V	V	V	V	B	V	V	V	V	B
>= EUR 200,000 (accounts with one beneficiary)	0200	V	V	V	V	B	V	V	V	V	B
>= EUR 200,000 (joint and other accounts)	0210	V	V	V	V	B	V	V	V	V	B
Total of lines 0170 to 0210 inclusive <sup>4</sup>	0220	B	B	B	B	B	B	B	B	B	B





### 3.2.4 Review by external auditor

The external auditor's review is part of the annual engagement to form an opinion on compliance with the requirements of the SCV Policy Rule during the year under review (see Section 12 of the SCV Policy Rule and the Assessment framework for compliance with requirements of SCV Policy Rule).

## 3.3 Submission deadlines and method of submission

### 3.3.1 Submission deadlines for DGS reports

The deadlines for submitting quarterly DGS reports are 28 January, 28 April, 28 July and 28 October. Accordingly, banks must report on the deposits held by them as at 31 December by 28 January of the following year at the latest.

The deadline for submitting the annual DGS reports is the same as for the quarterly DGS reports as at 31 December. These reporting requirements only apply to banks with deposits held with an EEA-based branch or through cross-border services.

If the submission deadline falls on a Saturday, Sunday or public holiday, the report must be submitted to DNB on the next working day.

These submission deadlines allow DNB to comply with the reporting obligation laid down in Article 16(1) of Delegated Regulation (EU) 2015/63, which stipulates that each year by 31 January at the latest, deposit guarantee schemes must provide resolution authorities with the amount of covered deposits of the previous year of all their member credit institutions. After the submission of the FINREP report, banks must be able to provide, at DNB's request, a quantitative explanation of the difference between the amounts as defined in the DGSD (line 0010 in the DGS report) and the obligations set out in Table 08.01.a. in the FINREP report.

If a bank fails to submit the report on time, its deposit base will be estimated by DNB. This estimate will then serve as a basis for calculating the levies payable into the Deposit Guarantee Fund. Similarly, the DGS and resolution authority will use estimates of their own if reports are not received on time so as to calculate the levies payable into the resolution fund.

### 3.3.2 Method of submitting of DGS reports

The DGS reports must be submitted through DNB's Digital Reporting Portal (Digitaal Loket Rapportages – DLR). The DLR Manual available on the DNB website

explains how to submit the reports (see <https://www.dnb.nl/en/login/dlr/>).

### 3.3.3 XBRL taxonomy for DGS reports

Effective from the 31 December 2021 report, banks must use the XBRL taxonomy that was published on DNB's website in mid-2021. The XBRL taxonomy includes all tables (A, B, C and D).

## 3.4 Consistency between SCV file and DGS reports<sup>35</sup>

The single customer views in the SCV file form the basis for determining the amount in covered deposits per depositor. The DGS quarterly DGS reports then state the total amount in the covered deposits. This is an aggregate statement of the number and balances of the covered part of deposits at an individual level. Section 4(3) of the SCV Policy Rule sets out how banks must deal with markings when calculating the amount in covered deposits.

Example: Figure 11 shows a simplified SCV file from a fictional bank, ABC Bank. Figure 12 shows ABC Bank's quarterly DGS report based on the simplified SCV file.

<sup>35</sup> Many banks carry out a full SCV run for the quarterly report for the DGS/DGF. They are not required to submit the SCV file resulting from this run to DNB, but they may do so upon request, if they wish to use this for their own validation purposes. DNB will contact the bank if it intends to request submission of an SCV file pursuant to Section 9 of the SCV Policy Rule.



Figuur 11 Versimpeld IKB-bestand – ABC Bank

Data in SCV file												Information derived from SCV file data			
SCV-ID	Depositor	Country/branch	Customer identified unambiguously	Type of depositor	Customer is eligible	Client is deceased	Product (deposit)	Product type	Product is eligible	Blocked	Balance (including interest)	Covered amount in accordance with quarterly report	Automatic processing of DGS payout	Manual processing of DGS payout	Note
o1	Customer 1	NL	Yes	Government authority	No	Na	Account 1 Account 2	Current account Savings account	Na Na		200.000 30.000 <u>230.000</u>	0	0	0	Government bodies are not eligible under DGS
o2	Customer 2	NL	Yes	Government authority	No	Na	Account 3	Current account	Na		45.000	0	0	0	Government bodies are not eligible under DGS
o3	Customer 3	NL	Yes	Financial corporation	No	Na	Account 4 Account 5	Current account Fixed-term deposit	Na Na		400.000 35.000 <u>435.000</u>	0	0	0	Financial corporations are not eligible under DGS
o4	Customer 4	NL	Yes	Financial corporation	No	Na	Account 6 Account 7 Account 8	Current account Savings account Escrow account	Na Na Na		10.000 240.000 20.000 <u>270.000</u>	20.000	0	20.000	Financial corporations are not eligible under DGS
o5	Customer 5	NL	Yes	Business customer Corporate	Yes	Na	Account 9 Account 10	Current account Current account	Yes Yes		30.000 40.000 <u>70.000</u>	70.000	70.000	0	
o6	Customer 6	NL	Yes	Business customer - other	Doubt	Na	Account 11 Account 12	Savings account Fixed-term deposit	Yes Yes		20.000 300.000 <u>320.000</u>	100.000	0	100.000	Doubt as to whether customer is eligible, but amount is shown in quarterly report
o7	Customer 7	NL	Yes	Business customer - other	Yes	Na	Account 13	Escrow account	Yes		140.000	140.000	0	140.000	Escrow account to be shown fully in quarterly report
o8	Customer 8	DU	Yes	Business customer - other	Yes	Na	Account 14 Account 15 Account 16	Current account Savings account Savings account	Yes Yes Yes		30.000 1.000 15.000 <u>46.000</u>	46.000	46.000	0	Customer through EEA branch
o9	Customer 9	NL	No	Retail customer	Yes	No	Account 17	Current account	Yes		10.000	10.000	0	10.000	Doubt about unambiguous identification, but amount is shown in quarterly report



Data in SCV file												Information derived from SCV file data			
SCV-ID	Depositor	Country/branch	Customer identified unambiguously	Type of depositor	Customer is eligible	Client is deceased	Product (deposit)	Product type	Product is eligible	Blocked	Balance (including interest)	Covered amount in accordance with quarterly report	Automatic processing of DGS payout	Manual processing of DGS payout	Note
10	Customer 10	NL	Yes	Retail customer	Yes	No	Account 18 Account 19 Account 20	Current account Savings account Other tax-efficient accounts	Yes Yes Doubt		-500 2.000 10.000 <u>11.500</u>	<u>12.000</u>	<u>2.000</u>	<u>10.000</u>	Overdraft is a debt and not set off against DGS payout. Negative total amounts are set to 0 for quarterly reporting.  Doubt whether deposit is eligible, but amount to be included in quarterly report.
11	Customer 11	NL	Yes	Retail customer	Yes	No	Account 21 Account 22 Account 23	Current account Savings account Other tax-efficient accounts	Yes Yes Yes		10.000 20.000 300 <u>30.300</u>	<u>30.300</u>	<u>30.300</u>	<u>0</u>	Correct SCV, no special comments.
12	Customer 12	NL	Yes	Retail customer	Yes	No	Account 24 Account 25 Account 26	Current account Current account Savings account	Yes Yes Yes	Yes	30.000 3.000 15.000 <u>48.000</u>	<u>48.000</u>	<u>18.000</u>	<u>30.000</u>	Blocked account to be included in quarterly report
13	Customer 13	BE	Yes	Retail customer	Yes	Yes	Account 27 Account 28	Savings account Savings account	Yes Yes		5.000 300 <u>5.300</u>	<u>5.300</u>	<u>5.300</u>	<u>0</u>	Correct SCV, customer is deceased, but amount to be included in quarterly report. Customer of EEA branch (BE)
14	Customer 14	NL	Yes	Retail customer	Yes	No	Account 29 Account 30	Savings account Bank savings deposit private residential property	Yes No		5.000 150.000 <u>155.000</u>	<u>5.000</u>	<u>5.000</u>	<u>0</u>	Account 30 is a bank savings deposit for a private residential property



Figure 12 Liabilities eligible for the DGS – ABC Bank

		Number of accounts in units <sup>10</sup>			Amounts in euros					
		At Dutch branches	At EEA branches	Total number of accounts (01+02)	From the Netherlands	From EEA branches	Total for the Netherlands and EEA branches (04+05)	Foreign subsidiaries, and branches outside EEA	Total (06+07)	Covered deposits according to bank records <sup>11</sup>
		01	02	03	04	05	06	07	08	09
Deposits (excluding deposits of credit institutions) as defined in the DGSD <sup>1</sup>	0010								1.816,100	
of which from the Netherlands or EEA branches respectively <sup>2</sup>	0020	25	5	30	1,765,300	51,300	1,816,100			
By legal status of creditors										
- public authorities	0030	3	0	3	275,000	0	275,000			0
- other financial undertakings <sup>3</sup>	0040	5	0	5	705,000	0	705,000			20,000
- business customers except financial undertakings - corporates <sup>4</sup>	0051	2	0	2	70,000	0	70,000			70,000
- business customers except financial undertakings - others <sup>4</sup>	0052	3	3	6	460,000	46,000	506,000			286,000
- retail customers	0060	12	2	14	255,300	5,300	260,600			110,600
Total of lines 0030 to 0060 inclusive	0070	25	5	30	1,765,300	51,300	1,816,600			486,600
of which bank savings deposits for a private residential property <sup>5</sup>	0080	1	0	1	150,000	0	150,000			
Total eligible for DGS according to this return (0051+0052+0060-0080)	0100	16	5	21	635,300	51,300	686,600			
Total eligible for DGS (010) by balance size and account type <sup>6</sup>										
of which =< 100,000 euro	0170	14	5	19	195,300	51,300	246,600			
100,000 - 200,000 euro (accounts with one beneficiary)	0180	0	0	0	0	0	0			
100,000 - 200,000 euro (joint and other accounts) <sup>7</sup>	0190	0	0	0	0	0	0			
>= 200,000 euro (accounts with one beneficiary)	0200	2	0	2	440,000	0	440,000			
>= 200,000 euro (joint and other accounts)	0210	0	0	0	0	0	0			
Total of lines 0170 to 0210 inclusive <sup>8</sup>	0220	16	5	21	635,300	51,300	686,600			
Total size of covered deposits based on numbers of deposits and balances <sup>9</sup>	1000						446,600			



### Notes to ABC Bank example

This example uses a fictional bank, ABC Bank, to explain how banks must deal with markings when producing a quarterly report.

In the example, ABC Bank has 14 customers and 30 accounts. Most of its customers have multiple accounts, as shown in the (simplified) SCV. These customers and their products have different characteristics, as reflected by the markings which the bank is required to apply under the SCV Policy Rule. In the simplified SCV the interest accrued but not yet credited is included in the balances. In a standard SCV the interest amount is shown separately. The balances in the quarterly DGS report include this interest.

On the basis of these markings, the bank determines the covered amount per depositor according to the various rules governing the calculation of its deposit base (from which the quarterly levies are derived) and the amounts of compensation to be paid, whether or not automatically.

The example shows how the markings are to be used in the different reports.

### Consistency between SCV file and quarterly DGS reports

Guiding principles:

- A bank must create the SCV file using an SCV system. The bank must ensure that the SCV system is connected to its source systems (see Chapter 5 of the SCV Policy Rule).
- The SCV file must contain all SCVs, including those of depositors ineligible for the DGS (see Section 2 of the SCV Policy Rule). The SCV file must contain the required data for all of the bank's depositors, i.e. their deposits (accounts), the account balances and the interest accrued but not yet credited as at the reference date (Section 29.06(2) of the *Bbpm*).
- The SCV file must contain the markings required for each SCV. These are important for processing in the quarterly reports and in an actual payout situation.
- The SCV file must also specify the country where the deposits are held (if they are held at a branch in an EEA Member State).

The following rules apply to the determination of the size of the covered deposits in the quarterly reports:

- The balances shown in the quarterly reports include the interest accrued but not yet credited on the reference date.
- A bank can use exchange rates published by exchange rate providers in order to calculate the eligible and covered amounts.

- Accounts with a negative balance are included in the SCV file with the actual balance. In the quarterly reports, these accounts are included with a balance of EUR 0. They are included in the total number of accounts, so the number of accounts in the quarterly report matches the number of accounts in the SCV file.
- Deposits held by depositors (customers) whose identity cannot be established with a high degree of reliability **must** be included.
- Deposits held by depositors (customers) whose eligibility for the DGS is doubtful **must** be included.
- Deposits held by deceased depositors (customers) **must** be included.
- Deposits (products) whose eligibility for the DGS is doubtful **must** be included.
- Deposits with the following markings (blockings) **must** be included:
  - deposits arising from transactions where there has been a criminal conviction for money laundering, as referred to in Section 29.01(2) of the *Bbpm*;
  - deposits that are the subject of a legal dispute, as referred to in Article 8(5)(a) of the DGS Directive;
  - deposits that are subject to restrictive measures imposed by national governments or international bodies, as referred to in Article 8(5)(b) of the DGS Directive;





- deposits over which a pledge has been created for a third party, which have been attached or are being managed by an administrator;
- deposits that are blocked pursuant to the laws of the country where the deposit is held, to the extent that the blocking is relevant to a DGS pay-out.
- The full account balance must be included for deposits held on behalf of third-party beneficiaries under a contract or pursuant to a statutory requirement (escrow accounts), unless the bank can perform an accurate calculation in accordance with Section 4(3)(e) of the SCV Policy Rule. The alternatives are:
  - The number of third parties multiplied by the maximum covered amount
  - The sum of the covered amounts of each third party individually, taking into account the maximum covered amount per depositor per banking licence, with no requirement for the bank to take into account other deposits that the third party holds at the bank.
  - Processing the covered amount of each third party individually, taking into account the maximum covered amount.

A bank must be able to show which method has been used to calculate the amount of each escrow account.

- Escrow accounts of financial enterprises, including escrow accounts held by banks in their own name for the account of third parties, must be included

in line 0040 "other financial enterprises", and the corresponding covered amount must be included in column 09.

- Bank savings deposits for a private residential property, as referred to in Section 29.01(2)(e) of the *Bbpm*, **must not** be included.
- Accounts that are marked as home construction accounts **must not** be included.

If a deposit has any of these markings, the SCV must be processed manually in the event of an actual payout.



## 4 Use of DGS data by DNB

### 4.1 Introduction

This chapter explains the different ways in which DNB will use the deposit data for DGS and resolution purposes. The emphasis is on the processes of DNB. The aim is to provide banks with an insight into these processes. A distinction is drawn between DNB's administration of the DGS, DNB's resolution task and the funding of both tasks.

DNB will use the deposit data included in the SCV files and DGS reports to:

- pay depositors under the DGS in the event of a bank failure;
- select and apply resolution tools;
- calculate the target size of and periodic levies payable into the various funds (DGF, NRF, SRF).

These uses are explained in more detail in the next sections.

### 4.2 DGS payout in the event of a bank failure

This section provides a general outline of DNB's role in the DGS payout process, starting from when a bank submits the SCV file.

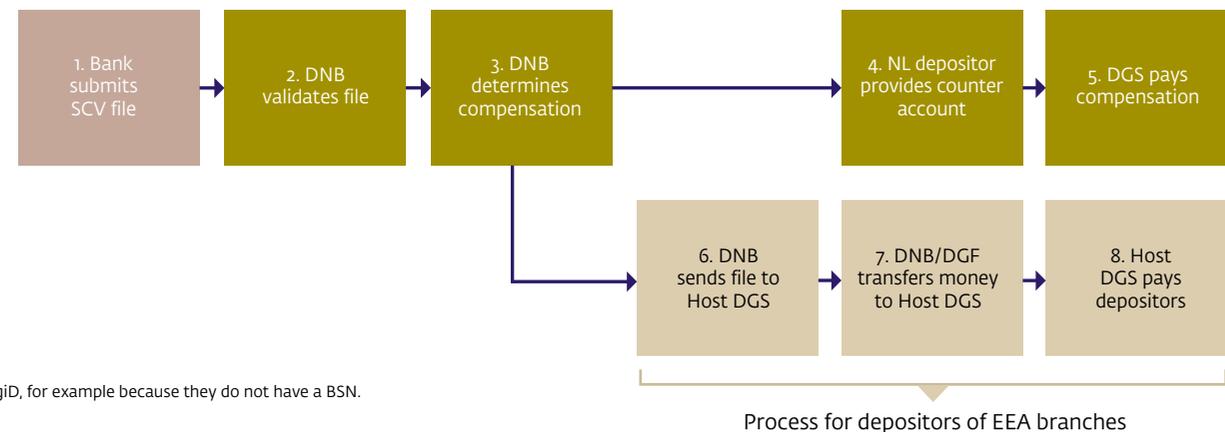
#### 4.2.1 Description of the DGS payout process

##### The payout process for Dutch bank depositors (no deposits at EEA branches)

The payout process for depositors of a Dutch bank who do not hold deposits at a branch in another Member State comprises the following steps (see Figure 13):

1. If a bank becomes insolvent, it must submit the SCV file to DNB.
2. DNB receives and validates this file.
3. DNB determines the compensation according to the system described in Section 4.3 and makes the compensation available via the web portal.
4. The depositor or their representative logs into the web portal using a DigiD<sup>36</sup> and enters the account number to which the compensation is to be paid. DNB prepares a decision letter in PDF format with information on the amount of the payout and the way in which it has been calculated.
5. DNB pays the amount to the account number supplied.

Figure 13 DGS payout process including Home-Host



<sup>36</sup> DNB is working to increase the login possibilities for persons who do not have a DigiD, for example because they do not have a BSN.



Banks are required to provide an SCV file periodically during business-as-usual in order for DNB to assess whether the bank will be able to supply full and accurate data for DGS payout purposes in a timely fashion. In such cases, steps 1 and 2 are used to assess the quality of the data delivered by the banks. DNB will request an SCV file at least annually, but may do so more frequently if the situation so requires, for example in the event of data quality problems or if a bank appears to be getting into difficulty. Banks may also request to submit the SCV file themselves, for example for validation purposes.

#### **Payout process for foreign depositors at a Dutch bank (based on a passport for cross-border services)**

The payout process for depositors who hold deposits on the basis of a *European passport outward* – 2:110 *Supply of bank services to the EEA* is similar to the procedure described in the previous section. The main difference is that many of these depositors do not have a BSN, so they cannot (yet) apply for their compensation through the web portal. DNB requires a counter account for the payout of the compensation. This is requested and processed manually (Step 4 in Figure 13; see also Section 4.2.3). Since the deposits are not held through a branch, the payout is made by DNB.

The DGSD (Article 8(7)) states that communication with this group of depositors must take place in the language specified by the depositor when opening

the account. In order to meet this requirement, DNB amended Section 2 of the Single Customer View Policy Rule in February 2019 (Section 2(4)(o)). This led to a number of fields being added to the SCV file data model: a field in which a bank states whether a deposit is held under a passport for cross-border services, and if so, the country and the language involved. If this is not recorded in the bank's records, the bank should enter the language in which it communicates with these customers in practice.

#### **Payout process for depositors of a Dutch bank's EEA-based branch**

In Europe it has been agreed that the DGS in the Member State in which the branch is established will handle the payout and communication with depositors of the branch in that country (Article 14 of the DGS directive). The reasons for this are as follows:

- "Host depositors" are more familiar with the DGS in their own country (the "Host DGS");
- payouts are made in different ways in the various Member States (e.g. by cheque or through an Agent Bank);
- due to the language.

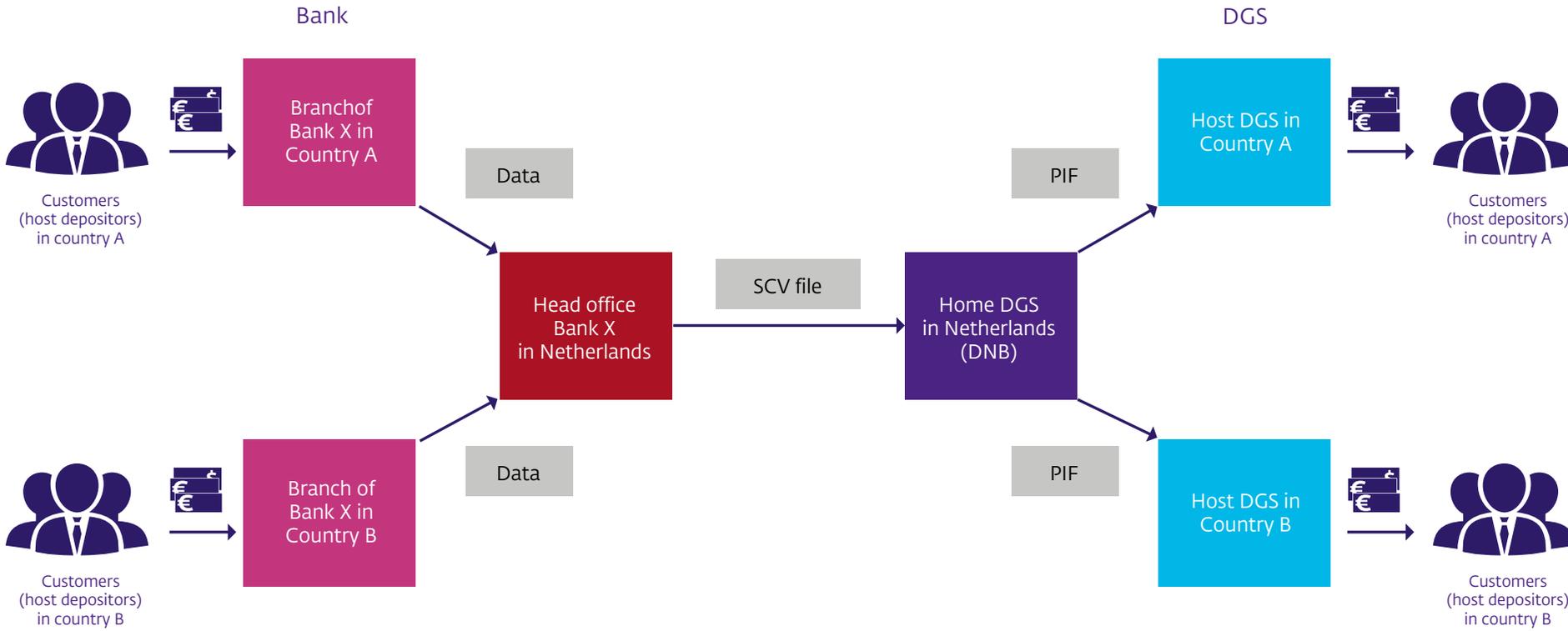
Host depositors cannot therefore use the web portal that DNB provides for Dutch depositors.

The payout process for depositors of EEA-based branches of a Dutch bank (host depositors) contains the following steps after Steps 1 to 3 of Figure 13:

6. After DNB has determined the compensation for depositors on the basis of the data supplied by the bank (the SCV file), the DGS through which the payout will take place is determined for each depositor. For each EEA Member State in which the bank has branches (host DGS), a payout file (payment instruction file, PIF) is created and sent.
7. DNB transfers the money for the payout to the host DGS(s).
8. The host DGS(s) pay(s) the money to the host depositors.



Figure 14 Visual representation of the home-host payout process



Banks do not have to perform any additional actions for payouts to host depositors as compared to a payout to Dutch depositors, because the data on host depositors has been included in the SCV file. DNB generates the Payment Instruction Files (PIF files) for host DGS(s) on the basis of the data in the SCV file. The PIF file contains the name and address of each depositor, the amount payable and, if necessary, the account number to which the amount must be transferred. The PIF file is the instruction for the host DGS to pay compensation to the host depositors. The payout decisions are taken by DNB and the payout is made by the host DGS under the responsibility of DNB.

#### 4.2.2 Payout hierarchy

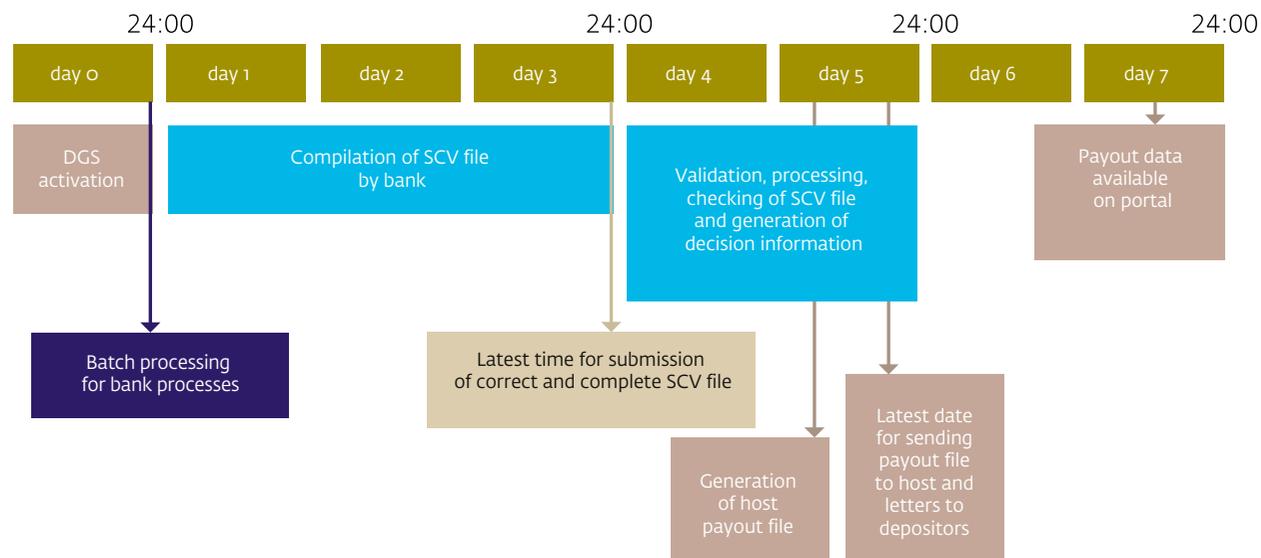
In a DGS situation accounts are paid out in the following sequence in accordance with Section 3.1 of the Policy Rule on the Scope and Execution of the DGS:

##### 1. Payout by product type

The order of payouts by product type is as follows:

- Current account
- Savings account
- Fixed-term deposit
- Accounts, not being current accounts, savings accounts or fixed-term deposits
- Accounts in respect of which DNB cannot determine and pay out the amount covered on the basis of the data supplied by the bank

Figure 15 Timeline from DGS activation to publication of payout information on web portal



For example, a person has a current account of EUR 100,000 and five savings accounts each of EUR 1,000. The current account is then paid out, and the five savings accounts are left in administration. These balances are then dealt with by the liquidator.

##### 2. Payout within product type

If a depositor has multiple accounts within the same product type, the account with the smallest balance will be paid out first, followed by the account with the next smallest balance, so that as many as possible of the eligible accounts will be paid out.

For example, a person has three current accounts with the following balances:

- Current account 1                      Balance EUR 50,000
- Current account 2                      Balance EUR 75,000
- Current account 3                      Balance EUR 95,000

In that case Current account 1 will be settled in full and Current account 2 for an amount of EUR 50,000. Current account 2 will remain in administration for an amount of EUR 25,000 and Current account 3 for an amount of EUR 95,000.



### 4.2.3 Automatic versus manual handling

After the SCV file is received from a bank it is validated. If the file is technically in order and the data can be imported, DNB will determine for each SCV whether it can be handled automatically. This will be done partly on the basis of the markings supplied by the bank<sup>37</sup>.

An SCV will be handled manually in the following two situations:

- If the SCV data are of poor quality;
- For various other valid reasons that may require a further analysis or examination.

DNB must process as many applications as possible automatically in order to pay out to as many depositors as possible within seven working days.

Banks are responsible for ensuring good data quality so as to minimise the manual handling of SCVs by DNB.

#### Poor SCV data quality

The SCV data stored in a bank's systems may be of poor quality:

- There is not a sufficient combination of identifying properties for a depositor in the bank's systems, so the depositor's identity cannot be established with certainty. In such cases, the bank must mark the depositor as "BETROUWBAARHEID NIET GEGARANDEERD" (reliability not guaranteed);

- It cannot be established with certainty whether a deposit or depositor is covered by the DGS. In such cases, the bank must mark the deposit and/or depositor as "TWIJFEL" (doubt);
- The data in the SCV file are incorrect or incomplete or have been incorrectly combined.

#### Examples

A depositor's BSN does not meet the modulo 11 check digit calculation, the representative of a non-natural person is missing from the file or a general partnership (rather than the partners) is being treated as the depositor and the account is not marked as "SAMENWERKINGSVERBAND" (collaborative venture).

It is essential that banks put in place procedures and controls to ensure the data quality of their record-keeping systems. DNB supervises compliance with this requirement by performing checks (see the Assessment framework for supervision of compliance with requirements of SCV Policy Rule).

#### Various valid reasons for manual handling

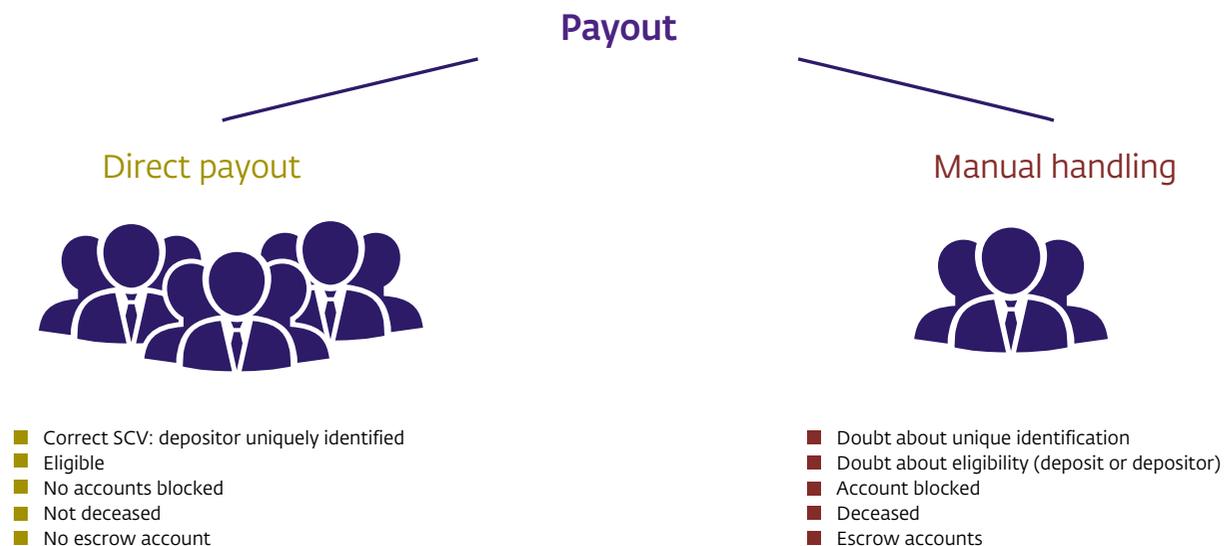
Manual handling may be necessary even if the data is of good quality:

- the type of account cannot be handled automatically, such as an escrow account. The beneficiaries of the balance in an escrow account will need to be identified first. Chapter 2 explains the policy on escrow accounts and how to submit escrow account information;
- an account has been blocked. A further examination is required before a payout can be made;
- the depositor or the depositor's (legal) representative is unable to log into the DGS portal using a DigiD, as in the case of a foreign depositor with no BSN;
- the depositor is marked as "Overleden" (deceased), so it is first necessary to identify the heirs;
- the depositor claims a higher amount of compensation because of a "temporary high balance": the account balance is linked directly to the performance of a purchase contract for a private residential property (Section 29.02 of the *Bbpm*), which may lead to higher compensation;
- the depositor contacts DNB after their compensation is published on the web portal, for example due to a missing account or an unidentified account balance;
- the depositor lodges a formal objection.

<sup>37</sup> These markings are described in Chapter 2 of this Manual and in Sections 2, 5 and 6 of the SCV Policy Rule



Figure 16 Automatic versus manual handling



**Request for information for manual handling purposes**

In the case of an escrow account, for example, DNB will actively request information from the failed bank, court bailiffs, notaries, etc. This will be in addition to its assessment of the SCV file. In all other situations, DNB will wait until the depositor or (legal) representative comes forward and then request the required information.

**4.3 How the amount covered is calculated in a payout situation**

**Difference between “eligible” and “covered”**

Whether the balance in an account entrusted to a bank is eligible for a DGS payout will depend on three conditions:

- the bank is covered by the deposit guarantee scheme
- the deposits are covered by the deposit guarantee scheme
- the depositor is eligible for a payout under the deposit guarantee scheme.

The bank must specify in the SCV file whether a depositor or deposit is eligible. It is essential to distinguish between “eligible” and “covered”. An eligible deposit is one that falls within the scope of the DGS, which means it is not excluded under Section 29.01(2) of the *Bbpm*. The covered part of the deposit is the part of the eligible deposits covered by the DGS (as referred to in Section 7k(1) of the *Bbpm*), namely an amount not exceeding EUR 100,000 per depositor per bank.





### General guiding principles

The bank must include each account in the SCV file in the currency in which the account is held by the bank. In a DGS payout situation, DNB will calculate the covered amount for each depositor. For the quarterly DGS report the bank determines this itself.

The covered amount will be calculated according to the following guiding principles:

- **Allocation of joint accounts to depositors:** the balance in an account held by multiple depositors will be allocated to them on a *pro rata* basis, unless a different contractual allocation is documented in the bank's records. If so, the bank must state such different allocation in the SCV file. The allocation process will require specific attention if a beneficiary has multiple accounts or shares accounts with other beneficiaries. The allocation must not involve (legal) representatives, authorised agents or sureties.
- **No debt set-off:** DNB has no authority to set off debts. Debts (including overdrafts on current accounts or a negative amount in interest not yet set off against the deposit) cannot be set off against positive balances.

### Example

If a depositor has a current account with a positive balance of EUR 2,000 and one with a negative balance of EUR 500 at the same bank, the depositor will be entitled to the full EUR 2,000. The EUR 500 debt will be settled outside the DGS as part of the bankruptcy procedure.

- **Temporary high balances (THB):**<sup>38</sup> a bank does not have to include a marking in the SCV file for "temporary high balances" (Section 29.02 of the *Bbpm*). A deposit that is linked directly to the performance of a contract for the purchase of a private residential property as defined in Section 3.111 of the Dutch Personal Income Tax Act 2001 (*Wet inkomstenbelasting 2001*) is covered up to an amount of EUR 500,000 per depositor per bank. This guarantee remains valid for three months after the payment of the deposit and is in addition to the maximum standard guarantee of EUR 100,000. The conditions for temporary high balances are explained further in the "Policy Rule on the Scope and Execution of the Deposit Guarantee Scheme".

### How DNB calculates the compensation payable in a payout situation

DNB will establish the depositor's entitlement in a DGS payout situation according to the following steps:

1. Deposits denominated in a foreign currency are converted into euros at the exchange rates prevailing when the DGS is activated.
2. The depositor's share of a deposit, for example in the case of joint accounts, is identified.
3. The total amount in eligible deposits is calculated.
4. The payout is calculated, subject to a maximum of EUR 100,000 per depositor.

<sup>38</sup> Not to be confused with "Bank savings deposit for a private residential property". See Section 2.2 for further information



## Example

An account holder is the beneficiary of:

- A current account Balance: EUR 67,000
- A savings account Balance: EUR 83,000
- A pro rata joint account Balance: EUR 112,000

In this example, the beneficiary is eligible for the full balance in the current and savings accounts and 50% of the joint account:

EUR 67,000  
EUR 83,000  
EUR 56,000 +  
EUR 206,000 is eligible

The cover provided is a maximum of EUR 100,000 per beneficiary per banking licence, so the ultimate payout to this beneficiary will be EUR 100,000. The remaining EUR 106,000 will be left in administration

### 4.4 Selection and use of resolution tools in the event of a resolution

The SCV will not only contribute to a shorter DGS payout deadline, but will also provide the information necessary for resolution planning purposes and to improve a bank's resolvability. This section provides a

brief introduction to the resolution task and explains the legal framework and the link between a resolution and the DGS (and SCV).

Directive 2014/59/EU (also known as the Bank Recovery and Resolution Directive – BRRD), Regulation (EU) No. 806/2014 (Single Resolution Mechanism Regulation – SRMR) and a number of technical standards drawn up by the European Banking Authority (EBA) together constitute the legal basis for the orderly resolution of a failed bank. The BRRD provides a uniform resolution toolset for EU-based banks and investment firms, including a common approach to preparing recovery and resolution plans that should enable the orderly resolution of failed banks. In the Netherlands, the BRRD has been transposed into the Financial Supervision Act (*Wet op het financieel toezicht – Wft*) and secondary legislation, such as the Decree on Special Prudential Measures (*Besluit bijzondere prudentiële maatregelen – Bbpm*). DNB was designated as the National Resolution Authority (NRA) on 1 January 2015. With the introduction of the SRM Regulation, DNB has become a part of the European Banking Union's resolution pillar. DNB forms part of the Single Resolution Mechanism (SRM) together with the European resolution authority, the Single Resolution Board (SRB), and other NRAs.

The purpose of resolution is to allow a bank to default without having a material impact on the financial system, the economy or public finances. To achieve this, the resolution authority will focus on the (i) continuity of critical functions and (ii) protection of covered depositors, and on the financial and operational capacity of the DGS. The resolution authority in charge (SRB or NRA) will determine whether a bank needs to be resolved or whether bankruptcy is an acceptable option. The resolution authority will draw up a comprehensive resolution plan for all banks, taking into account the preferred strategy as referred to above. It has power to remove any structural, organisational, financial and operational obstacles. In the event of a bank failure, the SRM will take over from the microprudential regulator and the NRA or SRB will implement the resolution strategy.

#### Resolution tools

The BRRD describes the tools that the SRB and NRAs can use if a bank fails or is likely to fail. These resolution tools may be used in combination:

- **Bail-in:** This instrument is used to absorb the losses incurred by the bank and recapitalises the bank through write-down and conversion of own funds and liabilities to the point that the bank again complies with the applicable licence requirements. Barring a few exceptions in connection with



excluded liabilities<sup>39</sup>, the creditor hierarchy is observed in the application of this instrument. The primary objective of the instrument is to have the shareholders and subordinated creditors bear the losses in order to prevent a possible bail-out with public money.

- **Transfer of undertaking:** the resolution authority may use this tool to arrange for the transfer of the failed bank's shares or assets and liabilities. The transfer may be to another private party for consideration. The transfer of assets and liabilities to the other party must in any case include the covered deposits. They must be covered by adequate high-value assets (e.g. mortgage loans).
- **Asset management vehicle:** this tool may be used to transfer the failed bank's assets and liabilities to a separate public-law entity that has no banking licence. This will effectively create a "bad bank", which will take over the toxic assets and liabilities in order to clean up the failed bank's balance sheet. The asset management vehicle will try to sell the assets and generate the highest possible proceeds, which will eventually benefit the failed bank's creditors.
- **Bridge bank:** this tool may be used to transfer the failed bank's shares or assets and liabilities

to an independent public-law entity, also known as a bridge bank. This is to bridge the period between the failure of a bank and its acquisition by a private party. The aim is to maintain critical banking functions, prevent loss of value and a costly insolvency procedure, and to gain time in order to formulate a sale strategy. A bridge bank will usually have to be sold to a private buyer within two years.

### Creditor hierarchy

The BRRD has introduced a key change to the status of depositors within the creditor hierarchy in the event of a bank failure. Under Article 108 of the BRRD, Member States are required to give priority ranking to all deposits of natural persons and micro, small and medium-sized enterprises and to give super-priority ranking to DGS-covered deposits over claims of

ordinary unsecured, non-preferred creditors. Deposits of other parties, e.g. financial institutions (which are not eligible under the DGS) and large companies, will continue to rank on a par with senior uncovered bonds. The changes to the creditor hierarchy have been implemented in Section 212ra of the Bankruptcy Act.

The SCV file indicates the creditor hierarchy, because banks include the customer category (enterprise size) of NNP depositors. This follows from Section 7 of the Single Customer View Policy Rule.

### Use of DGS data for resolution purposes

To draw up resolution plans, DNB may request information from institutions. It will draw up the resolution plans on the basis of that information. A resolution plan will be specific to a bank.

Position in creditor hierarchy in accordance with the BRRD<sup>40</sup>

Depositor	DGS cover	≤ EUR 100k	> EUR 100k
(1) Natural person	Yes	Super-preferred	Preferred
(2) Legal entity: Micro, small and medium-sized enterprises	Yes	Super-preferred	Preferred
(3) Legal entity: corporate	Yes	Super-preferred	Unsecured
(4) Ineligible	No	Unsecured	Unsecured

<sup>39</sup> See also Article 55(2) of the BRRD.

<sup>40</sup> Claims (including the DGS's subrogation claim) are still subordinated to: (i) bankruptcy costs (including the remuneration of the liquidator and consultancy costs incurred); (ii) Remuneration/pension benefits due (these claims are often subrogated by the Employee Insurance Administration Agency (UWV)).



DNB, in its capacity as resolution authority has the power to request information either directly or indirectly through the regulatory authority in order to draw up and/or implement a resolution plan. The information necessary to draw up and update these plans may include information on the bank's eligible liabilities, including the deposits held at the bank. The customer category that banks include in the SCV file enables different types of depositors to be distinguished according to the BRRD creditor hierarchy.

#### **Possible division of accounts for bail-in or sale of the undertaking**

Under Section 8 of the SCV Policy Rule, DNB can request a bank to have procedures and measures in place to segregate parts of deposits and freeze deposits if this is necessary to facilitate its resolvability. In practice this means that a bank does not have to prepare for such an eventuality unless DNB has expressly requested it as part of the resolution planning and to promote resolvability. This may be the case if DNB, as the NRA, has decided as part of its resolution planning that the preferred resolution strategy will be to sell part of the deposits if the bank gets into difficulty.

## **4.5 Calculation of the target size of and levies payable into funds**

The data in the quarterly DGS reports will be used to calculate the levies payable into the Deposit Guarantee Fund and the resolution funds.

### **4.5.1 DGS funding**

Ex ante funding is a key element of the DGS legislation. The Dutch Deposit Guarantee Fund (DGF) was set up for this purpose at the end of 2015. Banks have paid quarterly contributions into this fund since the first quarter of 2016. DNB is responsible for setting the amount of levies payable by each bank. This levy depends on the amount of covered deposits held by a bank (its deposit base) and its risk profile relative to other banks in the scheme. The fund's target size is 0.8% of the total amount of covered deposits of all banks taken together and must be reached by 3 July 2024 (with no change in the size of covered deposits around EUR 4,5 billion).

### **Legal basis for the Deposit Guarantee Fund**

The legal basis for the Deposit Guarantee Fund is Section 3:259a of the Financial Supervision Act (*Wft*). Following on from the Act, the *Bbpm* stipulates that banks must contribute to the Deposit Guarantee Fund. The way in which DNB calculates these levies is set out in Section 29.13 of the *Bbpm*.

### **Structure of the Deposit Guarantee Fund**

The DGF consists of two sections: an individual section and a general section. Both sections have their own function and are made up of the amounts contributed by the banks.

- Each individual section comprises the balance allocated to a participating bank. This balance is made up of the basic levies and supplements paid by the bank (the latter of which are used in the event of a balance increase to adjust for the fact that basic levies had been set on the basis of a lower deposit volume). The target size for each bank is 0.4% of its deposit base.
- The general section comprises the risk-weighted levies payable by banks, i.e. the risk-weighted levy and risk-weighted supplement. The target size for all banks taken together is 0.4% of their total deposit base.

The method of calculating the levies payable into the Deposit Guarantee Fund is set out in the *Bbpm* and the Regulation on Risk Indicators for Payments into the Deposit Guarantee Scheme (*Regeling risico-indicatoren bijdragen depositogarantiestelsel Wft*).

DNB calculates the amount in deposits covered by the DGS (deposit base). Based among other things on its assessment of the SCV file, the bank's internal Audit Department (IAD) report and the external auditor's assurance report (ISAE 3402 statement), DNB assesses



whether the bank's SCV reporting<sup>41</sup> can be used as the deposit base for calculating its levy (see Chapter 3). If that is not the case, DNB will determine the deposit base on the basis of the number of accounts and account balances reported by the bank<sup>42</sup>. Generally, this calculation results in levies that are a few percentage points higher, since the fact that an account holder may have multiple accounts is not taken into account.

### Quarterly levies

The quarterly levies are calculated on the deposit base reported by a bank for the previous quarter (and the balance accrued). To calculate the risk-weighted portion of the levies, DNB also uses information from the other reports submitted by banks, including FINREP and COREP.

Banks will receive a quarterly decision (where applicable, at group level) specifying the levy payable by the bank, divided into a basic levy and a risk-weighted levy. These levies are generally collected by direct debit in TARGET2 based on an authorisation issued by the bank to DNB.

### New bank

If a new bank has a banking licence and is headquartered in the Netherlands, it falls automatically

within the scope of the DGS. From then on, the bank will be required to pay into the Deposit Guarantee Fund. The same applies when bank branches of foreign banks operating in the Netherlands are converted into subsidiaries. Where this concerns EU-based banks, part of the levies paid to the foreign DGS in the past 12 months must be transferred to the Dutch DGS pursuant to Article 14 of the DGS Directive. Such a transfer is then taken into account in calculating the bank's levies.

### Extraordinary contributions

If the available financial resources in the Deposit Guarantee Fund are insufficient, banks must pay extraordinary contributions pursuant to Section 29.14 of the *Bbpm*. They are levied from all banks holding a Dutch banking licence – and are therefore subject to the DGS – at the moment it is established that the financial resources in the fund are insufficient.

DNB calculates the extraordinary contributions on the basis of the method specified in Appendix D of the *Bbpm*. A bank's extraordinary contribution is based on its covered deposits as established by DNB on basis of the data reported by the bank on the first reporting date after the deficit in the Deposit Guarantee Fund has arisen. It is also partly based on the bank's risk

profile relative to the other banks participating in the DGS.

If extraordinary contributions are to be levied, the banks receive a decision stating the amount of the extraordinary contribution, a specification of how it is calculated and the date and method of levying.

### Advance payments for extraordinary contributions

If extraordinary contributions are to be levied, DNB may require the banks to make an advance payment. The advance payments are determined based on DNB's estimate of the amount of extraordinary contributions to be levied, which is based on the most recent reporting on covered deposits.

The definitive amount of extraordinary contributions is determined after DNB has established the banks' deposit base on the first reporting date after the deficit in the Deposit Guarantee Fund has arisen. Any advance payments will be offset against the extraordinary contributions payable. The banks receive a decision stating the definitive amount of the extraordinary contribution, the advance payment already paid and the amount that will be collected or credited.

<sup>41</sup> in column 09 of the DGS quarterly report pursuant to Section 4(3) of the SCV Policy Rule.

<sup>42</sup> See also Section 4(4) of the SCV Policy Rule.

#### 4.5.2 Funding of the resolution funds

##### Single Resolution Fund

In order to ensure effective use of the resolution toolset, the European Single Resolution Fund (SRF) was launched on 1 January 2016. Banks and investment firms that fall within the scope of the SRM Regulation are required to make annual payments into the SRF. The SRF will be funded over a period of eight years (2016-2023) and is being managed by the SRB in Brussels. It can be deployed when a resolution situation requires financing. An exhaustive list of the specific measures that may be funded from the SRF is provided in Article 76 of the SRM Regulation.

The reports specifying the amount of covered deposits are necessary to calculate the target size of the SRF and the individual levies to be contributed by the banks. Over the course of the accrual period, the SRF will eventually amount to 1% of the covered deposits held in the Member States taking part in the SRF (around EUR 55 billion). The amount to be raised annually to achieve the fund's target size is based on the amount of covered deposits at t-1. The SRB will request the information it needs from the DGS authorities in the participating Member States. For its part, DNB will use the quarterly DGS reports submitted by banks (see Chapter 3). The amount in covered deposits will be deducted from the contribution base for purposes of calculating the individual levies, which

will lead to a lower levy. Banks will themselves need to report the amount in covered deposits at t-2 using the SRF reporting template. This amount must be consistent with the quarterly DGS reports submitted for the same period.

In accordance with the law, the reports specifying the amount in covered deposits are subject to a number of requirements imposed by the SRB. Requirements apply to the amounts reported by the individual DGS authorities to calculate the fund's target size (covered deposits at t-1) and to the amounts stated by banks to calculate the levies payable into the fund (covered deposits at t-2). For example, they must supply an average amount over the four quarters of the reporting year, the calculations must be performed according to the SCV method as described in the DGSD and the reports must be submitted per banking licence. These requirements will ensure a level playing field in terms of calculating the SRF levies. The quarterly reports (see Chapter 3) must meet these requirements.

##### National Resolution Fund

Non-EEA banks and investment firms have no access to the SRF. For these institutions a separate resolution fund has been set up: the National Resolution Fund. The statutory name of the National Resolution Fund is "Afwikkelingsfonds", but the name used in this report is National Resolution Fund (NRF), also to distinguish it from the SRF. Over a period of ten years (2015-2024),

levies are collected from the banks and investment firms to build up the NRF. The NRF can be used to fund resolution measures for the contributing institutions. The NRF can make the funds available on the instructions of DNB in its capacity as resolution authority.

The NRF contributions are calculated on the basis of the DGS reports. DNB sets the NRF contributions annually on the basis of the relevant statutory framework as set out in Section 7h of the *Bbpm*. The amount in covered deposits will be deducted from the contribution base for purposes of calculating the individual contributions, which will lead to a lower contribution. Banks will themselves need to report the amount in covered deposits at t-2 using the NRF reporting template. This amount must be consistent with the quarterly DGS reports submitted for the same period.





# Appendices



## Appendix 1 Acronyms

<b>AMvB</b>	General Administrative Order ( <i>Algemene Maatregel van Bestuur</i> )	<b>UCITS</b>	Undertaking for Collective Investment in Transferable Securities
<b>Bbpm</b>	Decree on Special Prudential Measures, Investor Compensation and Deposit Guarantees under the Financial Supervision Act ( <i>Besluit bijzondere prudentiële maatregelen, beleggerscompensatie en depositogarantie Wft</i> )	<b>SCV</b>	Single Customer View
<b>Bpr</b>	Decree on Prudential Rules for Financial Undertakings ( <i>Besluit prudentiële regels Wft</i> )	<b>ISO</b>	International Organization for Standardization
<b>BRRD</b>	Bank Recovery and Resolution Directive (Directive 2014/59/EU)	<b>CoC</b>	Chamber of Commerce
<b>BSN</b>	Citizen Service Number ( <i>burgerservicenummer</i> )	<b>NEN</b>	Dutch normalisation standard
<b>BV</b>	Private limited company ( <i>Besloten vennootschap</i> )	<b>NRA</b>	National Resolution Authority
<b>COREP</b>	Common Reporting	<b>NRF</b>	National Resolution Fund
<b>CV</b>	Limited partnership ( <i>Commanditaire vennootschap</i> )	<b>NV</b>	Public limited company ( <i>Naamloze vennootschap</i> )
<b>DGF</b>	Deposit Guarantee Fund	<b>NVB</b>	Dutch Banking Association ( <i>Nederlandse Vereniging van Banken</i> )
<b>DGS</b>	Deposit Guarantee Scheme	<b>RWT</b>	Legal entities entrusted with a statutory task ( <i>Rechtspersoon met een wettelijke taak</i> )
<b>DGSD</b>	European Deposit Guarantee Schemes Directive (Directive 2014/49/EU)	<b>SBI</b>	Standard Industrial Classification (Dutch version, <i>Standaard bedrijfsindeling</i> )
<b>DLR</b>	DNB's Digital Reporting Portal ( <i>Digitaal Loket Rapportages</i> )	<b>SRB</b>	Single Resolution Board
<b>DNB</b>	De Nederlandsche Bank NV	<b>SRF</b>	Single Resolution Fund
<b>EBA</b>	European Banking Authority	<b>SRM</b>	Single Resolution Mechanism
<b>ECB</b>	European Central Bank	<b>SVU</b>	Reduced Payout Deadline Subgroup ( <i>Subgroep Verkorting Uitkeringstermijn</i> )
<b>EEA</b>	European Economic Area	<b>TARGET2</b>	Interbank payment system for the real-time processing of cross-border payments within the European Union
<b>EU</b>	European Union	<b>THB</b>	Temporary high balances
<b>FINREP</b>	EBA guideline for implementation of the framework for consolidated financial reporting	<b>TIN</b>	Tax Identification Number
<b>FLDM</b>	Formal Logical Data Model	<b>VOF</b>	General partnership ( <i>Vennootschap onder firma</i> )
<b>Fw</b>	Bankruptcy Act ( <i>Faillissementswet</i> )	<b>Wft</b>	Financial Supervision Act ( <i>Wet op het financieel toezicht</i> )
<b>DDA</b>	Data Delivery Agreement	<b>ZBO</b>	Autonomous Administrative Authority ( <i>Zelfstandig bestuursorgaan</i> )
<b>IBAN</b>	International Bank Account Number		

## Appendix 2 Definitions

### Glossary

<b>Bank</b>	a deposit-taker whose deposits are covered by the deposit guarantee scheme, as defined in Section 29.01 of the <i>Bbpm</i> .	<b>SCV file</b>	a data set that meets the design requirements of Section 2 of the SCV Policy Rule and comprises all single customer views of a bank, i.e. <i>the data set that a bank needs to supply to enable DNB to pay compensation</i> .
<b>Deposit Guarantee Scheme</b>	as referred to in Section 3:259(2) of the <i>Wft</i> : a scheme guaranteeing depositors' claims on banks against the risk that these banks will not be able to meet their liabilities in respect of such claims.	<b>SCV system</b>	the set of procedures and controls a bank may use to produce an SCV file, ensure its quality, calculate eligible and covered amounts, and take any resolution action, in a manner and within a time period specified by DNB.
<b>Covered deposit</b>	as defined in Section 7k(1) of the <i>Bbpm</i> , i.e. <i>the portion of eligible deposits that is effectively covered by the DGS (subject to a maximum of EUR 100,000 per depositor)</i> .	<b>Eligible deposit</b>	a deposit covered by the operation of the deposit guarantee scheme.
<b>Depositor</b>	the holder or, in the case of a joint account as referred to in Section 29.02(2) of the <i>Bbpm</i> , each of the holders of a deposit, including a third party as referred to in Section 29.02(3) of the <i>Bbpm</i> , i.e. <i>the person who is entitled to all or any part of the funds deposited with a bank</i> .	<b>Eligible depositor</b>	a <b>depositor</b> that is <b>not</b> excluded under Section 29.01(2)(a) of the <i>Bbpm</i> .
<b>Single customer view</b>	a summary of all deposits held by a depositor at a bank in accordance with the data template referred to in Section 2 of the SCV Policy Rule showing all the data to be submitted, i.e. <i>an overall view of each depositor's aggregate funds, supplemented with specific details and markings that DNB requires to be able to pay out compensation</i> .	<b>Micro, small and medium-sized enterprises</b>	as defined in Section 212g(1)(n) of the Dutch Bankruptcy Act; micro, small and medium-sized enterprises as defined on the basis of the annual turnover criterion specified in the European Commission recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJEU 2003, L 124/16);
		<b>Representative</b>	a person authorised to perform acts on the depositor's behalf as referred to in Section 29.07(1) of the <i>Bbpm</i> .



## Appendix 3 Standards

### Processing of name data in the SCV file

#### Definition

<b>Surname</b>	The (official) surname without prefix and without the separator space following the prefix. At most seventy (70) alphabetical characters and/or spaces. If the main part of the surname consists of two or more hyphenated (“-”) elements, no space is placed before and after this hyphen in a data exchange.
<b>Initials</b> (first name abbreviated to one or more letters)	The collection of letters comprising the first letter of all the first names occurring in sequence. No more than twenty (20) alphabetical characters and/or spaces. This element is derived from the “official first names” data element. To avoid any misunderstanding, the initials of the names Jan-Pieter, Christiaan, Philip, Theo and IJsbrand are “J”, “C”, “P”, “T” and “I” respectively.
<b>Date of birth</b>	A person’s date of birth. Eight (8) numerical characters, fixed length and fixed format: YYYYMMDD
<b>Prefix</b>	The collection of one or more prepositions and/or articles which, in the context of the NEN1888 Standard, precede the main part of the surname; the prefixes and surname together constitute the surname. No more than ten (10) alphabetical characters and/or spaces. The NEN1888 table contains all prefixes designated as such for the purposes of this Standard. They are separated from the main part of the surname by a space. For example, the name d’Ancona has no prefix and constitutes the main part of the surname.

#### ISO standards

ISO standards are internationally adopted quality standards. They allow banks to supply data in the SCV file uniformly.

Field	ISO standard
Country code	ISO 3166-1 Alpha 2 <sup>4344</sup>
Currency <sup>45</sup>	ISO 4217 <sup>46</sup>
BIC	ISO 9362
IBAN	ISO 13616
Date/Time	ISO 8601
Language	ISO 639-1 <sup>47</sup>

<sup>43</sup> It is permitted to use country codes that are no longer existing for the “country of birth” field. For example, if someone was born in former Czechoslovakia, it is permitted to use “CS”.

<sup>44</sup> It is not permitted to use the user-assigned code elements from the ISO 3166 list, such as “XX” for an unknown country.

<sup>45</sup> The number of decimal places for some currencies differs from the standard two decimals. Examples include the Burundi Franc (0 decimals) or the Bahraini dinar (3 decimals).

Banks must pay particular attention when processing balances in such currencies in the SCV file. See the DDA document for further instructions.

<sup>46</sup> The codes that are permitted in the SCV file all have the ISO 4217 format, but only a limited selection from the ISO 4217 list is permitted for use in the SCV file. See the DDA for a list of permitted values.

<sup>47</sup> Please note: the DDA displays the country codes in the reference list in capitals, contrary to the ISO 639-1 standard





A number of other, non-field-related ISO standards also apply to the SCV process.

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ISO standard

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ISO/IEC 27001:2005 Exchange solution security standards

ISO/IEC 18033 Information technology – Security techniques – Encryption algorithms.

ISO 9000 Accreditation for central supplier if exchange solution is to be delivered by third party

ISO22301 industry standard for Disaster Recovery / Business Continuity for central supplier, for full scope of the services

ISO 27001 Information technology – Security techniques – Information security management systems – Requirements

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See <http://www.iso.org/iso/home.html> for more information about these ISO standards.

## Appendix 4 Definitions for list of product codes

List:

- Current account
- Savings account
- Fixed-term deposit
- Investor account (cash account)
- Bank savings deposits for a private residential property
- Tax-efficient savings account
- Credit card
- Home construction account (*bouwdepotrekening*)

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### Current account

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<b>Field code</b>	REK-BETAAL
<b>Description</b>	An account that allows use of a bank's payment services, such as transferring money to a third party, depositing or receiving money, withdrawing money or direct debits.
<b>Characteristics</b>	<ul style="list-style-type: none"><li>■ The account usually pays variable interest or no interest.</li><li>■ Unlimited withdrawals at all times.</li><li>■ Paying money into the account is allowed at all times.</li></ul>
<b>Examples</b>	Current accounts, credit balances from a loan linked to early repayments in excess of the principal.

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### Savings account

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<b>Field code</b>	REK-SPAAR
<b>Description</b>	An account in which money is saved for (usually) a non-fixed period of time at (usually) a variable rate of interest.
<b>Characteristics</b>	<ul style="list-style-type: none"><li>■ The money in the account usually earns variable interest, but in some cases a fixed rate of interest.</li><li>■ Withdrawals are usually free, with no limitations in terms of the time of withdrawal.</li><li>■ Paying extra money into the account is usually allowed, but not in all cases.</li><li>■ Unlike a current account, it is not usually possible for the money in a savings account to be transferred directly to a third-party account; in many cases the payee account can only be a fixed counter account. Cash withdrawals are sometimes allowed, as are transfers to another account of the same account holder at the same bank. Similar restrictions often apply to payments into the account.</li><li>■ A savings account may sometimes be subject to restrictive requirements, such as: a cap on the account balance that earns interest, a cap on the withdrawals allowed to be made in a particular period, a short cooling-off period before all or any part of the balance in the account can be withdrawn, the obligation to set up a direct debit for a fixed sum of money to be transferred periodically from a linked account to the savings account.</li></ul>
<b>Examples</b>	Instant-access savings accounts, savings accounts for children under 18.

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#### Fixed-term deposit

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<b>Field code</b>	REK-TERMIJNDEP
<b>Description</b>	A blocked account on which money is deposited for a fixed term at a fixed rate of interest.
<b>Characteristics</b>	<ul style="list-style-type: none"> <li>■ The account pays a fixed rate of interest. The fixed term can range from one month to several years.</li> <li>■ No early withdrawals are allowed (or perhaps only with a penalty)</li> <li>■ Additional deposits are not usually allowed, but may sometimes be possible.</li> <li>■ These include time deposits (maximum of one year) and pure savings deposits (term of more than year).<sup>48</sup></li> </ul>
<b>Examples</b>	Savings deposits, registered bonds.

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#### Investor account (cash account)

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<b>Field code</b>	REK-BELEG
<b>Description</b>	An account used primarily to carry out investment transactions. The balance in the account may be used to buy securities. Any dividends received will usually also be paid into the investor account. An investor account is usually linked to a securities account, in which the securities are held.
<b>Characteristics</b>	<ul style="list-style-type: none"> <li>■ The balance in the account may accrue interest.</li> <li>■ The balance in the account may usually be withdrawn without a penalty.</li> </ul>
<b>Examples</b>	The balance in an investor account that is not invested in equities or other financial instruments.

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#### Bank savings deposits for a private residential property

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<b>Field code</b>	REK-WONING
<b>Description</b>	An account held for the sole purpose of repaying a home loan. In the SCV file it is categorised as "GEEN DGS" (not covered by the DGS).
<b>Examples</b>	Bank savings deposits for a private residential property.

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#### Tax-efficient savings account

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<b>Field code</b>	REK-FISCAAL
<b>Description</b>	An account held only or primarily for tax benefits
<b>Examples</b>	Annuity accounts and standing right savings accounts.

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#### Credit card

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<b>Field code</b>	REK-CREDITCARD
<b>Description</b>	An account used only or primarily to process credit card payments.

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#### Home construction account (*bouwdepotrekening*)

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<b>Field code</b>	REK-BOUW
<b>Description</b>	The part of a home construction account not yet paid out. See the explanatory notes in Appendix 5.

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<sup>48</sup> Some banks use the term "time deposit" as a synonym of "savings deposit". Savings deposits held for a longer period may therefore sometimes be referred to as time deposits.



## Appendix 5 Notes to exceptional products

This Appendix contains notes to a (non-exhaustive) number of exceptional products that may be included in the SCV file. The exceptional products are listed in alphabetical order.

### **BEM clause**

BEM stands for *Belegging, Erfenis en andere gelden Minderjarigen* (minors' investment, inheritance and other monies). It is an investment account held on trust for a minor that can be opened with the authorisation of the District Court. The minor in whose name the account is held cannot access the deposits in this account, and the minor's parents or representatives can only do so after having obtained permission from the District Court. By law, any interest accrued in this account is for the minor's parents or representatives (parental usufruct). The BEM clause is lifted when the account holder (i.e. the minor) turns 18.

The minor is the beneficiary of the BEM account and is included in the SCV as the depositor. BEM accounts are marked as "BLOK-SCHENKING". This ensures that parents cannot have the deposits of the minor paid out to themselves without the permission of the District Court.

### **Home construction account (*bouwdepotrekening*)**

At the time of publication of this DGS Data Delivery Manual (version 3.2), DNB is still in the process of assessing whether the balance in a home construction account is eligible for the DGS. While this legal assessment is still underway, banks that are already including home construction accounts in their SCV files are asked to continue to do so. Until this legal assessment is completed, home construction accounts must be marked in the SCV file as "TWIJFEL" (doubt) in terms of eligibility for the DGS.

### **Cash account as part of a custody, clearing or similar agreement**

In principle, cash accounts must be included in the SCV file. In the case of cash accounts that are part of a custody or clearing agreement or similar it is important to look at the liability that arises in the event of bankruptcy. If this liability amount can be established unambiguously, the balance in the cash account is eligible for the DGS. If the liability amount cannot be established unambiguously, the balance is not repayable at par, which means it comes under the grounds for exclusion listed in the definition of a deposit in the DGS Directive. In that case, the cash account must **not** be included in the SCV file.

### **Cash collateral**

Cash collateral is money or money equivalents held as collateral for certain creditors, generally as collateral for a loan. If cash collateral takes the form of an amount in an account, it qualifies as a deposit that is eligible for the DGS. DNB must request the underlying contractual conditions from the failed bank in order to proceed to payout.

The SCV file must include the total amount in the account. The account must be marked as "BLOK-VERPAND".

### **Cash pooling**

Cash pooling involves the settlement between different accounts of an organisation with a single bank. The question arises of how an overdraft in one of these accounts must be treated in the SCV file.

Banks may offer cash pooling to groups, i.e. several legal entities that are part of the same holding company. For each of these legal entities a separate SCV must be compiled and included in the SCV.

If cash pooling is offered to a single legal entity holding several accounts, e.g. for foreign branches that are not subsidiaries, the type of cash pool also matters.

In the case of notional cash pooling, debit and credit accounts with different banks are combined and interest rates are compensated between these different accounts. In this case, each account in the cash pool with a particular bank must be included separately in the SCV file, without settlement between these accounts.

In the case of physical cash pooling, the accounts in the pool are topped up or skimmed off to a particular balance on a regular basis by means of transfers from or to a central account. The liability to the customer is a net liability. In this case, the resulting net balance can be included in the SCV file.

The exact contractual conditions of the cash pooling agreement are decisive in this regard. If the agreement specifies that a depositor's claim against the bank never exceeds the net amount of all accounts (positive balances less negative balances), not even if the bank fails, then the DGS only covers the net amount, which must be included in the SCV file. In all other cases, the amounts of all accounts in the pool must be included in the SCV file separately.

### Structured deposit

The revised Markets in Financial Instruments Directive (2014/65/EU, MIFID II) defines a structured deposit as a deposit within the meaning of the DGSD that is paid out in full upon maturity (in line with Article 2(1)(3), of

the DGSD). This means structured deposits are also eligible for protection under the DGS.

A structured deposit differs from regular deposits in that creditable interest is not based on an agreed interest rate but on external market factors, such as indices. The principal is repayable at par, which means it is not subject to the exclusion grounds referred to in Article 2(1)(3) of the DGSD.

Structured deposits do not involve any accrued interest before the reference date that is used in the definitive calculation of interest to be credited. This is because until the reference date, price movements of the external factor that determines creditable interest can still cause upward or downward adjustments. Because of the investment component, creditable interest is not covered under the DGS.

See also the worked example in the notes to Section 3.6 of the Policy Rule on the Scope and Execution of the DGS.

Structured deposits and their balances are included in the SCV file. Since the accrued but not yet credited interest is ineligible under the DGS, EUR 0 is entered in the "interest" field.

### G-account

A G-account qualifies as a deposit. G-accounts are held by suppliers of personnel. The hirer transfers money

to this account to reduce their liability for payroll tax and VAT not paid by the supplier. A G-account is a three-party agreement between the supplier, the bank and the recipient (the tax authorities). A pledge has been established on the account for the benefit of the recipient. Transfers from the G-accounts to parties other than the tax authorities are only possible with permission from the tax authorities.

G-accounts must be included in the SCV file with a "BLOK-VERPAND" marking. The supplier is the account holder.

### Loans and credit

Loans and credit are in principle products, where the bank has a claim on the customer. These products are on the assets side of the banking balance sheet. It may happen that customers have paid off too much on their loan or credit. In that case, the customer has a claim on the bank. The positive balance qualifies as a deposit that is eligible under the DGS. Banks do not have to include loans and credit – and any positive balances related to these – in the SCV file. In a DGS payout situation these balances are requested separately from the liquidator and settled manually.





### **Gift administration clause**

Account holders of accounts that are subject to a gift administration clause cannot immediately access the deposits in their account. Contrary to a BEM clause, a *gift administration clause* may also apply to accounts of adult account holders over 18 years of age. In addition, the administrator has independent disposal of the deposit in the account. In the SCV file, the beneficiary of the account must be included as the depositor, and the account must be marked as "BLOK-SCHENKING". If the depositor is over 18 years' of age, they must not be marked as an unqualified depositor.

### **Trust account**

A Trust is an Anglo-Saxon type of entity without legal personality that does not exist in the Dutch system. Dutch banks are obliged to recognise foreign trusts if they meet the definition laid down in the 1985 Hague Trust Convention. The purpose of a trust is to protect and manage assets.

A trust involves the following three roles: A trustee, who administers the assets. This may either be a natural person or a non-natural person. The beneficiary is the one with an interest in the assets in the trust and who is entitled to the benefits. The trustee may also be the beneficiary (or a partial beneficiary). Then there is the settlor, who deposits the assets into the trust. The settlor may also have certain powers or rights.

In the SCV file, the trustee is included as the depositor. If the trustee is a non-natural person, the trustee's representatives are included as representatives in the SCV file. A trust account qualifies as an escrow account. It is important that the bank knows the identity of the trust's beneficiary when the DGS is activated.



## Appendix 6 Definitions of ineligible customers

Under the *Bbpm*, banks are obliged to check whether their customers fall within the scope of the DGS. To do so, banks must assess whether their customers meet the criteria set out in Section 29.01(2) of the *Bbpm*.

*The deposit guarantee scheme does not apply to:*

a. *deposits of:*

1° *banks, if the deposits are held by the bank in its own name and for its own account*

2° *financial institutions*

3° *investment firms*

...

5° *insurance and reinsurance undertakings as defined in Article 13(1) to (6) of the Solvency II Directive*

6° *investment undertakings, managers of investment undertakings, UCITS and managers of UCITS*

7° *pension funds*

8° *public authorities.*

Part I of this Appendix provides a further specification of these customer categories.

Part II of this Appendix provides guidance on how to establish whether an entity qualifies as an ineligible customer.

### Part I

The categories that are ineligible for the DGS are defined in more detail below, based, where relevant, on the definitions provided in Section 1:1 of the *Wft*. Further guidance is also given on the interpretation of terms used in those initial definitions (e.g. "providing an investment service").

**1° Bank** a credit institution as referred to in Article 4(1) (1) of the Capital Requirements Regulation (CRR)<sup>49</sup>, not being a credit union having its registered office in the Netherlands, on the understanding that the holder of a licence as referred to in Section 3:4 of the *Wft* will be equated with a bank unless otherwise provided.

*Article 4(1)(1) of the CRR:*

Credit institution: an undertaking the business of which is

- a. to take deposits or other repayable funds from the public and to grant credits for its own account.
- b. carrying out activities referred to in points 3 and 6 of Section A of Appendix I to Directive 2014/65/EU of the European Parliament and of the Council, where one of the following conditions applies but the undertaking is not a commodity and emission allowance dealer, a collective investment undertaking or an insurance undertaking:
  - i. the total value of the consolidated assets of the undertaking is equal to or exceeds EUR 30 billion;
  - ii. the total value of the assets of the undertaking is less than EUR 30 billion, and the institution is part of a group in which the total value of the consolidated assets of all undertakings within that group which individually own less than EUR 30 billion of total assets and which carry out any of the activities referred to in points 3 and 6 of Section A of Appendix I to Directive 2014/65/EU is equal to or greater than EUR 30 billion;

<sup>49</sup> Regulation (EU) 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) 648/2012; Amended by Regulation (EU) 2020/873 of the European Parliament and of the Council of 24 June 2020 (CRR 2).



iii. the total value of the assets of the undertaking is less than EUR 30 billion, and the undertaking is part of a group in which the total value of the consolidated assets of all undertakings within the group carrying out any of the activities referred to in points (3) and (6) of Section A of Appendix I to Directive 2014/65/EU is equal to or greater than EUR 30 billion, where the consolidated supervisor, in consultation with the college of supervisors, so decides to address potential risks of circumvention and potential risks to the financial stability of the Union;

for the purposes of points (b) (ii) and (b) (iii), where the undertaking is part of a third-country group, the total assets of each branch of the third-country group holding a licence in the Union must be included in the combined total value of the assets of all undertakings in the group;

**2° Financial institution:** financial institution as referred to in Article 4(1)(26) of the CRR.

*Article 4(1)(26) of the CRR:*

Financial institution: An undertaking, other than an institution or a purely industrial holding company,

the principal activity of which is to acquire holdings or to pursue one or more of the activities listed in points 2 to 12 and 15 of Appendix I to Directive 2013/36/EU, including an investment firm, a financial holding company, a mixed financial holding company, an investment holding company, a payment institution within the meaning of Directive (EU) 2015/2366 of the European Parliament and of the Council and an asset management company, but excluding insurance holding companies and mixed-activity insurance holding companies within the meaning of Article 212(1) (f) of Directive 2009/138/EC;

*Appendix I to the Capital Requirements Directive (CRD)<sup>50</sup>*

#### LIST OF ACTIVITIES SUBJECT TO MUTUAL RECOGNITION

1. [...]
2. Lending, including consumer credit, loan agreements relating to immovable property, factoring (with or without recourse), financing of commercial transactions (including forfeiting).
3. Financial leasing.
4. Payment services as defined in Article 4(3) of Directive (EU) 2015/2366 of the European Parliament and of the Council<sup>51</sup>.

5. Issuing and administering other means of payment (e.g. travellers' cheques and bankers' drafts) insofar as such activity is not covered by point 4.
6. Guarantees and commitments.
7. Trading for own account or for the account of customers in any of the following:
  - a. money market instruments (cheques, bills, certificates of deposit, etc.);
  - b. foreign exchange;
  - c. financial futures and options;
  - d. swaps and similar financial instruments;
  - e. securities;
8. Participation in securities issues and the provision of services relating to such issues.
9. Advice to businesses on capital structure, industrial strategy and related questions and advice as well as services relating to mergers and acquisitions.
10. Money broking.
11. Portfolio management and advice.
12. Custody and administration of securities. [...]
13. Issuing electronic money.

<sup>50</sup> Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 2013.06.26, p. 5), amended by Directive (EU) 2019/878 of the European Parliament and of the Council of 20 May 2019 (CRD 5).

<sup>51</sup> Directive 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010 and repealing Directive 2007/64/EC (PSD2).



**3° Investment firm:** an undertaking providing an investment service or performing an investment activity.

*providing an investment service:*

- a. in the conduct of a profession or business to receive and pass on orders from customers relating to financial instruments.
- b. in the conduct of a profession or business to execute orders relating to financial instruments for the account of customers.
- c. to manage an individual customer's assets.
- d. in the conduct of a profession or business to render advice on financial instruments.
- e. in the conduct of a profession or business to underwrite financial instruments or place financial instruments on a firm commitment basis as referred to in the Prospectus Regulation<sup>52</sup>.
- f. in the conduct of a profession or business to place financial instruments without a firm commitment basis as referred to in the Prospectus Regulation.

*performing an investment activity:*

- a. in the conduct of a profession or business to deal for its own account.

- b. in the conduct of a profession or business to operate an organised trading facility.
- c. in the conduct of a profession or business to operate a multilateral trading facility.

**5° Insurance and reinsurance undertakings** as defined in Article 13(1) to (6) of the Solvency II Directive<sup>53</sup>. The DGSD and the *Bbpm* both refer directly to the definitions in the Solvency II Directive. Article 13 of the Solvency II Directive provides the following definitions:

1. *insurance undertaking*: a direct life or non-life insurance undertaking which has received a licence in accordance with Article 14.
2. *captive insurance undertaking*: an insurance undertaking, owned either by a financial undertaking other than an insurance or reinsurance undertaking or a group of insurance or reinsurance undertakings within the meaning of Article 212(1)(c) or by a non-financial undertaking, the purpose of which is to provide insurance cover exclusively for the risks of the undertaking or undertakings to which it belongs or of an undertaking or undertakings of the group of which it is a member.

3. *third-country insurance undertaking*: an undertaking which would require a licence as an insurance undertaking in accordance with Article 14 if its head office were situated in the Community.
4. *reinsurance undertaking*: an undertaking which has received a licence in accordance with Article 14 to pursue reinsurance activities.
5. *captive reinsurance undertaking*: a reinsurance undertaking, owned either by a financial undertaking other than an insurance or reinsurance undertaking or a group of insurance or reinsurance undertakings within the meaning of Article 212(1)(c) or by a non-financial undertaking, the purpose of which is to provide reinsurance cover exclusively for the risks of the undertaking or undertakings to which it belongs or of an undertaking or undertakings of the group of which it is a member.
6. *third-country insurance undertaking*: an undertaking which would require a licence as a reinsurance undertaking in accordance with Article 14 if its head office were situated in the Community.

These specifically involve insurance and reinsurance undertakings which have received a licence under Article 14 of the Solvency II Directive. This does not

<sup>52</sup> Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (Prospectus Regulation).

<sup>53</sup> Directive 2009/138/EC of the European Parliament and the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II).



include insurers that are classified under the Wft as “insurers whose risks are limited in size”: An insurer who, pursuant to Article 4, 7 or 10 of the Solvency II Directive, is excluded from the scope of that Directive, and who has not used the possibility referred to in Article 4(5) of that Directive to apply for or retain a licence.

In brief, this concerns small insurers, mutual insurance societies and funeral expenses and benefits in kind insurers. Please note that these insurers whose risks are limited in size are covered under the DGS unless they used the possibility referred to in Article 4(5) of the Solvency II Directive.

#### *Article 4 of the Solvency II Directive Exclusion from scope due to size*

1. Without prejudice to Article 3 and Articles 5 to 10, this Directive shall not apply to an insurance undertaking which fulfils all the following conditions:
  - a. the undertaking’s annual gross written premium income does not exceed EUR 5 million.
  - b. the total of the undertaking’s technical provisions, gross of the amounts recoverable from reinsurance contracts and special purpose vehicles, as referred to in Article 76, does not exceed EUR 25 million.
  - c. where the undertaking belongs to a group, the total of the technical provisions of the group defined as gross of the amounts recoverable from reinsurance

contracts and special purpose vehicles does not exceed EUR 25 million.

- d. the business of the undertaking does not include insurance or reinsurance activities covering liability, credit and suretyship insurance risks, unless they constitute ancillary risks within the meaning of Article 16(1).
  - e. the business of the undertaking does not include reinsurance operations exceeding EUR 0.5 million of its gross written premium income or EUR 2.5 million of its technical provisions gross of the amounts recoverable from reinsurance contracts and special purpose vehicles, or more than 10% of its gross written premium income or more than 10% of its technical provisions gross of the amounts recoverable from reinsurance contracts and special purpose vehicles.
2. If any of the amounts set out in paragraph 1 is exceeded for three consecutive years, this Directive shall apply as from the fourth year.
  3. By way of derogation from paragraph 1, this Directive shall apply to all undertakings seeking a licence to pursue insurance and reinsurance activities of which the annual gross written premium income or technical provisions gross of the amounts recoverable from reinsurance contracts and special purpose vehicles are expected to exceed any of the amounts set out in paragraph 1 within the following five years.

4. This Directive shall cease to apply to those insurance undertakings for which the supervisory authority has verified that all of the following conditions are met:
  - a. none of the thresholds set out in paragraph 1 has been exceeded for the three previous consecutive years; and
  - b. none of the thresholds set out in paragraph 1 is expected to be exceeded during the following five years.For as long as the insurance undertaking concerned pursues activities in accordance with Articles 145 to 149, paragraph 1 of this Article shall not apply.
5. Paragraphs 1 and 4 shall not prevent any undertaking from applying for a licence or continuing to be licensed under this Directive.

#### *Article 7 of the Solvency II Directive Mutual insurance associations*

This Directive shall not apply to mutual undertakings which pursue non-life insurance activities and which have concluded with other mutual undertakings an agreement which provides for the full reinsurance of the insurance policies issued by them or under which the accepting undertaking is to meet the liabilities arising under such policies in the place of the ceding undertaking. In that case the accepting undertaking is subject to the provisions of the Directive.

#### *Article 10 of the Solvency II Directive Organisations, undertakings in institutions*



In regard to life insurance, this Directive shall not apply to the following organisations, undertakings and institutions:

1. institutions guaranteeing death benefits only where the amount of such benefits does not exceed the average amount of funeral expenses for a death or where such benefits are provided in kind, [...]

**6°(a)<sup>54</sup>Investment undertaking:** an investment undertaking as defined in Article 4(1)(a) of the Alternative Investment Fund Managers Directive in the form of an investment fund or investment company.

*investment fund:* assets that have not been transferred to an investment company and which comprise funds or other commodities requested or obtained for the purpose of collective investment, in order that the unit holders can share in the proceeds of the investments;

*investment company:* a legal entity other than an undertaking for collective investment in transferable securities which requests or obtains funds or other commodities for collective investment purposes

so as to allow investors to share in the proceeds of those investments;

*Article 4(1)(a) of the Alternative Investment Fund Managers Directive (AIFs: alternative investment funds):* collective investment undertakings, including investment compartments thereof, which:

- i. raise capital from a number of investors, with a view to investing it in accordance with a defined investment policy for the benefit of those investors; and
- ii. do not require a licence pursuant to Article 5 of Directive 2009/65/EC (i.e. which are not undertakings for collective investment in transferable securities (UCITS)).

**6° (b)Manager of an investment undertaking:** any party which, in the conduct of a profession or business, manages one or more investment undertakings.

**6° (c)UCITS:** a company for collective investment in transferable securities or a fund for collective investment in transferable securities, in the form of:

- a. an undertaking as defined in Article 1(2) of the UCITS Directive;
- b. a feeder UCITS; or

- c. a master UCITS which has at least two feeder UCITS as unit holders and whose units are transferable and will be repurchased or redeemed directly or indirectly out of its assets at the unit holders' request;

*feeder UCITS:* a UCITS which invests at least 85% of its assets in units of a master UCITS;

*master UCITS:* a UCITS which:

- a. has at least one feeder UCITS among its unit holders;
- b. is not itself a feeder UCITS; and
- c. does not hold units of a feeder UCITS.

**6° (d)Manager of a UCITS:** any party which, in the conduct of a profession or business, manages one or more UCITS.

**7° Pension funds (as defined in the Pensions Act):** a foundation which is not a premium pension institution into which payments are made or were made for the benefit of at least two members, former members or their surviving relatives and which is managed for purposes of administering at least one basic pension scheme.

<sup>54</sup> Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directive 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (AIFMD).

Because the *Bbpm* is not based on the Pensions Act, this definition is not legally decisive when interpreting the term “pension fund” as used in the *Bbpm*. It would nonetheless seem useful to use this definition in order to interpret the *Bbpm*. An added benefit for banks is that the pension funds referred to in the Pensions Act are listed in a register kept by DNB. Premium pension institutions would then be covered.

Please note: an *occupational pension fund* as defined in the Mandatory Occupational Pension Scheme Act (Wet verplichte beroepspensioenregeling – Wvb) is also a pension fund as defined in the Pensions Act (see Section 1 of the Wvb).

#### 8° Public authorities:

The deposits of public authorities are excluded from DGS protection. Since the DGSD does not provide a definition of “public authorities”, this manual refers to the definition provided in the Explanatory Memorandum on the implementation of the DGSD in the *Bbpm*<sup>55</sup>.

The Explanatory Memorandum on the implementation of the DGSD in the *Bbpm* explains that deposits of the State, central governments and of provincial, regional, local or municipal

government bodies could be excluded from DGS protection under the previous version of the DGSD. According to the Explanatory Memorandum, this does not imply a material change.

Public authorities are defined as the competent authorities in a certain area. In the Netherlands, this means the Dutch State, provincial authorities, municipal authorities, water control boards and public bodies on the BES islands qualify as public authorities. International and foreign competent public authorities, such as for example the German Bundesländer, are also covered by this definition. The European Union also qualifies as a public authority.

Independent public bodies (*zelfstandige bestuursorganen* – ZBOs) and legal entities with a statutory task (*rechtspersonen met een wettelijke taak* – RWT’s) do not qualify as public authorities and are therefore protected under the DGS. International partnerships such as the United Nations and NATO also do not qualify as public authorities.

#### Part II

This Part provides guidance on the basis of which banks can determine whether an entity qualifies as an ineligible customer for the DGS.

#### Financial undertakings

Banks can use the public register of DNB (<https://www.dnb.nl/en/public-register/>) and the AFM (<https://www.afm.nl/en/professionals/register/vergunningenregisters>) to determine whether an entity qualifies as a financial undertaking that is ineligible for protection under the DGS pursuant to Section 29.01(2) of the *Bbpm*. The register not only lists the parties that have received a licence from DNB/AFM, but also those that have received a licence from a regulatory authority in another Member State and who operate in the Netherlands through a branch or by providing cross-border services. Undertakings that have been exempted from the licensing requirement are also included in the register. Section 1:107(2) of the *Wft* lists the undertakings that need to be included on the DNB/AFM register. The majority of undertakings that are not covered will therefore be listed in the register.

Please note that the register does **not** include all undertakings that are **not covered**. It does not include, for instance, a financial undertaking which is

<sup>55</sup> Explanatory Memorandum, Bulletin of Acts, Orders and Decrees 2015, 434, pp. 27-28.



a customer of a branch in another Member State of a DNB-supervised bank (a “Dutch” bank) and which does not operate in the Netherlands. The bank is covered by the Dutch DGS. The financial undertaking is excluded from protection under the DGS, but it is not listed in the DNB/AFM register.

The fact that an undertaking may benefit from an exemption from the licensing requirement does not automatically imply whether or not the enterprise is covered by the DGS. What is relevant is whether the undertaking falls under one of the customer categories listed in Section 29.01(2) of the *Bbpm* and (therefore) meets one of the definitions given above.

#### **Public authorities**

In this version (3.2) of the Manual, the definition of public authorities is limited to the Dutch State, provincial authorities, municipal authorities, water control boards, public bodies on the BES islands, and to comparable international and foreign public authorities.

For the Dutch public authorities (the Dutch State, provincial authorities, municipal authorities, water control boards and public bodies on the BES islands) the following guidelines apply. The Dutch State, provincial authorities, municipal authorities, water control boards, public bodies on the BES islands have legal personality pursuant to Section 2:1 of the Dutch

Civil Code. As such, the legal person is excluded from protection under the DGS. This means that all administrative bodies and other organised activities forming part of this legal entity are also excluded from protection under the DGS. If the account holder is a part of such legal person, they are excluded from protection under the DGS.

Legal entities with a statutory task (*rechtspersonen met een wettelijke taak* – RWTs) and independent public bodies (*zelfstandige bestuursorganen* – ZBOs) **are** protected under the DGS.

#### **SBI codes**

Previous versions of this Manual referred to the CoC’s standard Business Classification (*Nederlandse Standaard Bedrijfsindeling*) - SBI code as a tool for customer classification. However, SBI codes do not provide the correct definition in all cases, which meant that customers were frequently assigned to an incorrect category. DNB stresses that banks must themselves establish the eligibility of their customers for the DGS in their customer due diligence processes.

#### **Foreign classifications**

There are international classifications that are similar to those of the Dutch SBI code system, such as the Statistical Classification of Economic Activities in the European Community (NACE), the International Standard Industrial Classification (ISIC) and the North

American Industry Classification System (NAICS). These too may result in incorrect classification of customers, which is why banks must establish the eligibility of their customers under the DGS in their customer due diligence processes rather than relying solely on such systems.

## Appendix 7 Determining the legal personality of foreign legal entities

Partnership firms and collaborative ventures (without legal personality) are not eligible as independent entities for the DGS. This Appendix provides guidance in establishing whether or not a non-natural person has legal personality. This can be done using the framework within which the tax authorities determine whether a foreign entity is regarded as transparent or non-transparent (i.e. whether it can be classified as a taxable entity) Banks may use the Tax Authorities' *Lijst gekwalificeerde buitenlandse samenwerkingsverbanden* (list of qualified foreign partnerships) for this purpose.<sup>56 57.</sup>

The main question is whether or not the non-natural person is transparent. If the entity is considered transparent, this means the participants are entitled to the profits and the non-natural person has no legal personality.

The tax authorities have checked the transparency of a large number of foreign entities using the following four questions:

A. Can the partnership have legal ownership of the assets with which it carries out the activities?

- B. Are all participants subject to limited liability for the debts and other obligations of the partnership?
- C. Does the partnership have capital divided into shares in the civil law sense, or can the capital in the social sense be treated in the same way as a capital divided into shares?
- D. Except in the case of inheritance or legacy, can participants join or be replaced without the consent of all participants?

The first question seems to be the most relevant for establishing whether an entity has legal personality in terms of the DGS. If an entity can be the rightful claimant of a bank balance, any DGS compensation for this balance must also be paid out to that entity.

Legal ownership exists where, under civil law, the partnership can acquire assets and enter into rights and obligations in the name of the partnership. This also applies where the partnership acquires legal ownership of assets as a result of registration in the Trade Register of the Chamber of Commerce or a comparable institute which gives the partnership legal personality.

If the answer to the first question is "Yes", it is likely that the DGS compensation will have to be paid to the non-natural person, since it would be considered to have legal personality under the DGS. It must be noted that in practice, the classification in some countries strongly depends on the set-up of an entity's articles of association. The tax authorities list is therefore only indicative in nature, but banks are recommended to use it. If a bank has doubts about the legal personality of an entity that is on the list, it may request the non-natural person's participant or representative to demonstrate whether the entity has legal personality.

<sup>56</sup> See the Decree of 11 December 2009, no. CPP2009/519 (Government Gazette 2009, 19749)

<sup>57</sup> See [Lijst van gekwalificeerde buitenlandse samenwerkingsverbanden \(belastingdienst.nl\)](#)

## Appendix 8 Reliable “golden triangle” combinations

Natural persons			Non-natural persons without legal personality (partnerships) <sup>58</sup>		
Bank relation number	First name(s) as registered in identity document	Date of birth	Bank relation number	Registered name	Place of registered office
Citizen Service Number (BSN)	First name(s) as registered in identity document	Date of birth	CoC number	Registered name	Place of registered office
Tax identification number (including issuing country)	First name(s) as registered in identity document	Date of birth	Legal Entities and Partnerships Identification Number (RSIN)	Registered name	Place of registered office
Bank relation number	Surname as registered in identity document	Date of birth	Foreign CoC number (including country of registration)	Registered name	Place of registered office
Citizen Service Number (BSN)	Surname as registered in identity document	Date of birth	Tax identification number (including issuing country)	Registered name	Place of registered office
Tax identification number (including issuing country)	Surname as registered in identity document	Date of birth			
Non-natural persons with legal personality (legal entities)					
Bank relation number	Registered name	Registered office (including country of registration)			
Dutch CoC number	Registered name	Registered office (including country of registration)			
Legal Entities and Partnerships Identification Number (RSIN)	Registered name	Registered office (including country of registration)			
Foreign CoC number (including country of registration)	Registered name	Registered office (including country of registration)			
Tax identification number (including issuing country)	Registered name	Registered office (including country of registration)			

**Please note:** if a bank uses bank relation numbers to create SCVs, the bank must ensure and be able to demonstrate that these unique customer numbers are used across all of its record-keeping systems. This method cannot be used until DNB has given its consent. In that case the bank relation number must also be used for all depositors in the submission in order to compile the SCVs. For example, it would not be permissible to compile the single customer view on the basis of the BSN for 60% of depositors and on the basis of the bank relation number for the remaining 40%.

<sup>58</sup> Only in exceptional cases. See Section 2.2 for further information

## Appendix 9 Examples of when an SCV's reliability is not guaranteed

For each depositor, a combination of identifying properties ("golden triangle") must be included in the SCV file (see Appendix 8) to enable a customer's identity to be established with certainty for SCV purposes.

The examples below are situations in which the customer's identity cannot be established with certainty. The SCV in question must then be marked as "BETROUWBAARHEID NIET GEGARANDEERD" (reliability not guaranteed) in the "Reliability indicator" field. Whether or not to assign this value is decided in two steps:

- Step 1: check that the "golden triangle" is complete: are any details missing from the "golden triangle"?
- Step 2: "deduplication": check to ensure that the same identification number combined with issuing country<sup>59</sup> or bank's customer number<sup>60</sup> included in the "golden triangle" used by the bank does not occur twice in the SCV file (i.e. the same number/country code combination in two or more SCVs).

In the "Reliable SCV" column in the examples below:

- Yes = "reliable"
- No = "reliability not guaranteed"

In the examples below, the value No is entered in the column "Reliable SCV" in step 1 because those SCVs have not yet been deduplicated and are therefore by definition unreliable. For the other SCVs, this will only become evident in Step 2.

### Step 1 – Check that "golden triangle" is complete (correct identification)

#### Example 1

In the following situation, the date of birth is missing from SCV-05.

Party identifier	Bank relation number	BSN	Date of birth	Surname (as registered in ID document)	Reliable SCV
IKB-04		477216912	01-02-1950	Peeters	
IKB-05		477216912	-	Peeters	No
IKB-06		477216912	02-02-1950	Peeters	

We disregard the difference in date of birth between SCV-04 and SCV-06, since this is not checked until Step 2.

#### Example 2

In the following situation, the date of birth is missing from SCV-08.

Party identifier	Bank relation number	BSN	Date of birth	Surname (as registered in ID document)	Reliable SCV
IKB-07		531648990	29/05/1974	Jansen	
IKB-08		531648990	-	Jansen	No

<sup>59</sup> Citizen Service Number (BSN), foreign national identification number or foreign tax identification number.  
<sup>60</sup> If SCVs are created (deduplication and matching) on the basis of unique customer numbers.



### Example 3

In the following situation, the surname is missing from SCV-13.

Party identifier	Bank relation number	TIN	Date of birth	Surname (as registered in ID document)	Reliable SCV
IKB-12		BE / 82.01.22.084.27	25/04/1987	Klaassen	
IKB-13		BE / 82.01.22.084.27	27/04/1987	-	No
IKB-14		BE / 82.01.22.084.27	26/04/1987	Klaassen	

### Step 2 – Check that identification or customer number does not occur twice (correct deduplication)

All SCVs that have not been marked as “reliability not guaranteed” in Step 1 are checked for duplicated identification or customer numbers (Bank ID, BSN, TIN, CoC and foreign CoC). If **two or more SCVs have the same identification or bank relation number**, those SCVs must be marked as “reliability not guaranteed” in the attribute “Reliable SCV”. Some examples of this situation are given below. *These examples are non-exhaustive.*

### Example 1

In the following situation, the bank relation number is not unique. Several “customers” with the same customer number have different dates of birth or surnames. All of those SCVs must then be marked as “reliability not guaranteed” in the attribute “Reliability indicator”.

Party identifier	Bank relation number	CoC / BSN	Date of birth	Surname (as registered in ID document) / Registered name	Reliable SCV
IKB-01	BNKT-04583	CoC 12313229	-	Pieters Bike Shop	No
IKB-02	BNKT-04583	BSN 670,885,514	02/02/1950	Peeters	No
IKB-03	BNKT-04583	BSN 670,885,541	02/02/1950	Peeters	No

### Example 2

Let us return to the situation in Example 1, Step 1. After Step 1, there are two SCVs left. These must also be marked as “reliability not guaranteed” because they both have the same BSN.

Party identifier	Bank relation number	BSN	Date of birth	Surname (as registered in ID document)	Reliable SCV
IKB-04		477216912	01-02-1950	Peeters	No
IKB-06		477216912	02-02-1950	Peeters	No

### Example 3

In the following situations (Examples 3 and 4), there are two SCVs whose “golden triangle” of identifying information appears to be correct. In both examples the SCVs have the same BSN, so they presumably are the same customer. Nevertheless, two separate SCVs have been created for this customer, thus creating the risk that they will receive excessive compensation. These SCVs must therefore also be marked as “reliability not guaranteed”.

Party identifier	Bank relation number	BSN	Date of birth	Surname (as registered in ID document)	Reliable SCV
<b>IKB-08</b>		679195208	21/08/1947	Poel	No
<b>IKB-09</b>		679195208	21/08/1947	Poel	No

### Example 4

Party identifier	Bank relation number	BSN	Date of birth	Surname (as registered in ID document)	Reliable SCV
<b>IKB-10</b>		371705678	29/05/1974	Janssen	No
<b>IKB-11</b>		371705678	29/05/1974	Jansen	No

### Example 5

Let us now return to the situation in Example 3, Step 1.

In the following cases (Examples 5, 6, and 7), there are a number of SCVs whose “golden triangle” appears to be correct. However, they have the same TIN (Example 5), CoC number (Example 6) or foreign CoC number (Example 7). These SCVs must therefore also be marked as “reliability not guaranteed”.

Party identifier	Bank relation number	TIN	Date of birth	Surname (as registered in ID document)	Reliable SCV
<b>IKB-12</b>		BE / 82.01.22.084.27	25/04/1987	Klaassen	No
<b>IKB-14</b>		BE / 82.01.22.084.27	26/04/1987	Klaassen	No

### Example 6

Party identifier	Bank relation number	CoC	Registered place	Registered name	Reliable SCV
<b>IKB-15</b>		51821915	Amsterdam	Trading Company 't IJ	No
<b>IKB-16</b>		51821915	Amsterdam	Trading Company Het IJ	No
<b>IKB-17</b>		51821915	Amsterdam	Trading Company IJ	No

### Example 7

Party identifier	Bank relation number	Foreign CoC	Registered place	Registered name	Reliable SCV
IKB-18		BE / 87654321	Brussels	Flemish eatery	No
IKB-19		BE / 87654321	Antwerp	Flemish eatery	No
IKB-20		BE / 87654321	Bruges	Flemish eatery	No

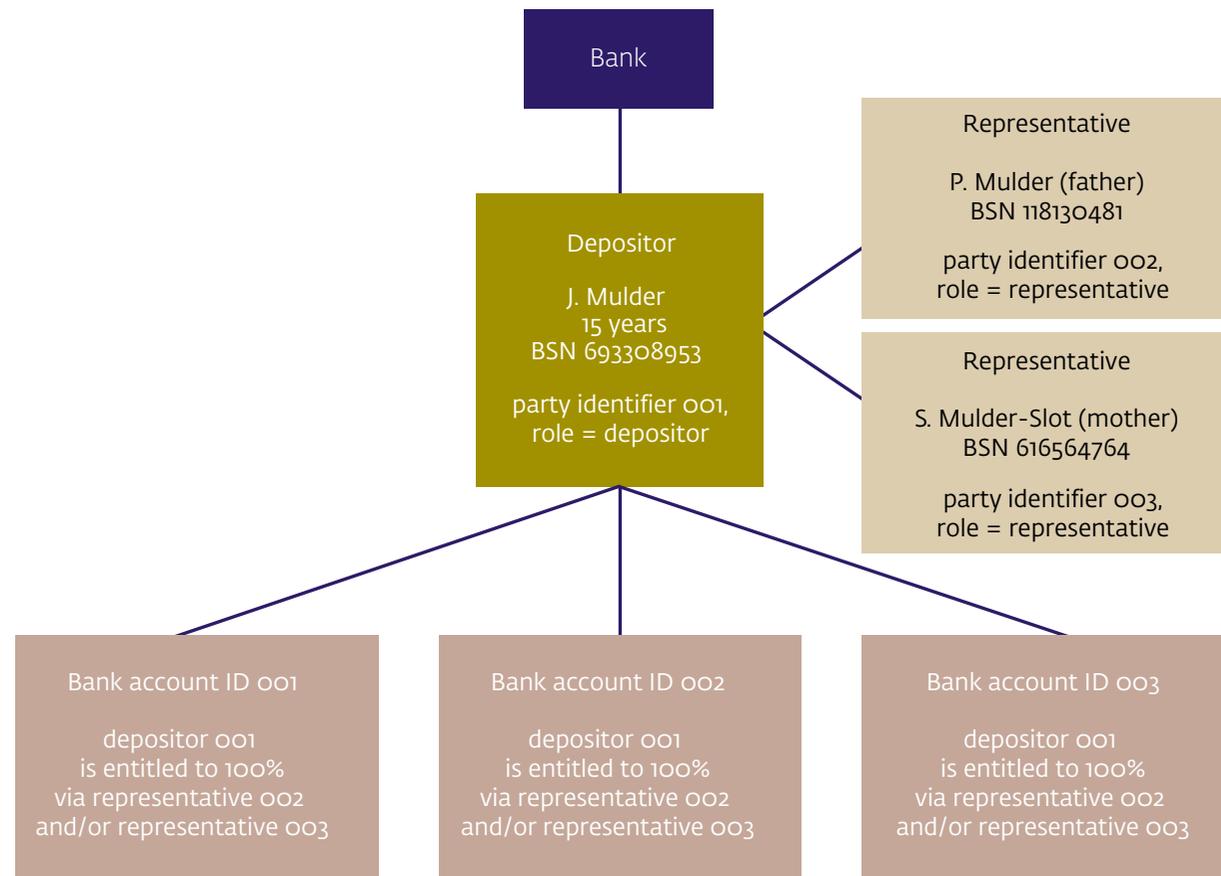


## Appendix 10 Data model situation examples

This appendix gives a number of examples of frequently occurring situations and how these are reflected in the conceptual data model (see the simplified data model in Section 2.4).

### Example 1 – Underage depositors

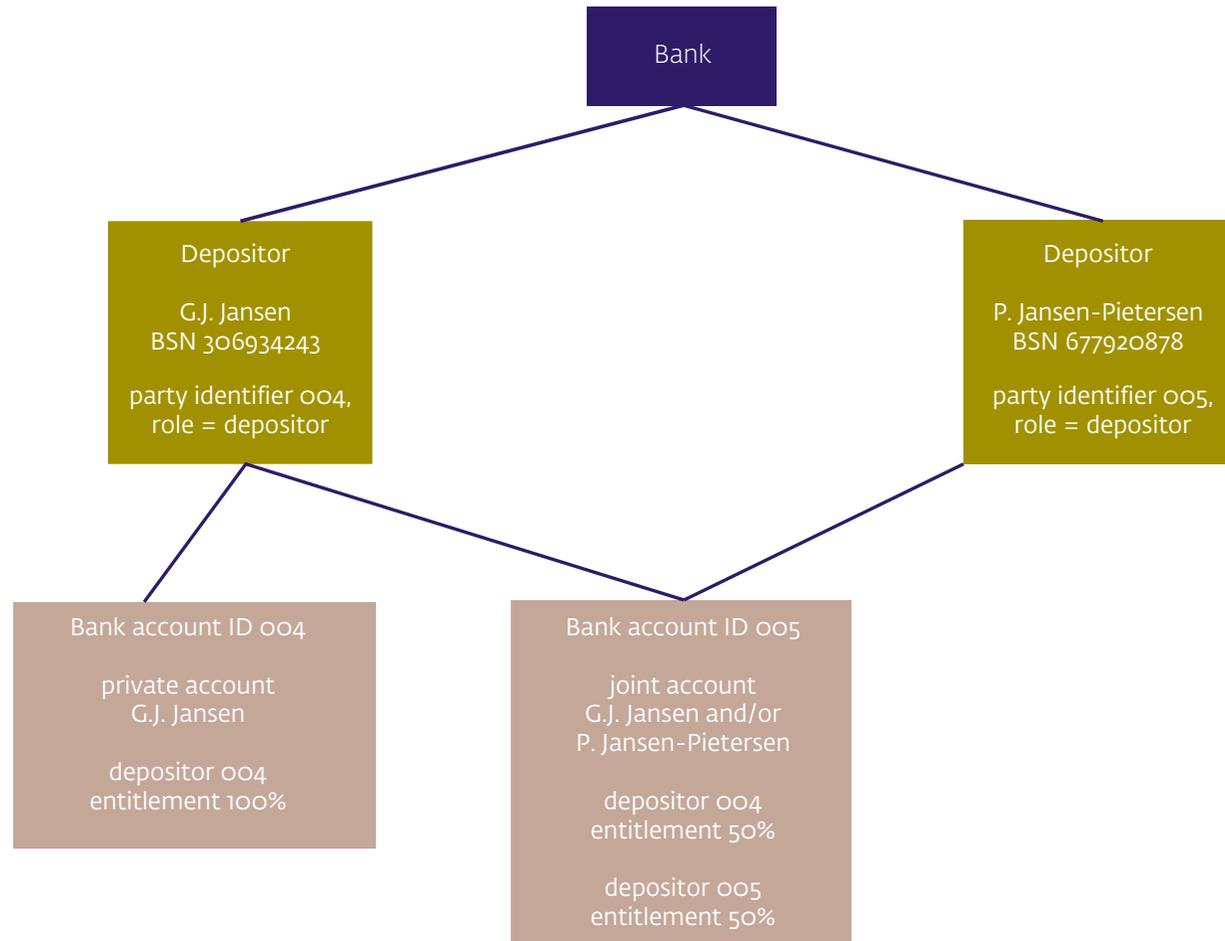
J. Mulder is an underage depositor with multiple accounts. The balance in these accounts will be paid, up to a maximum of EUR 100,000, to J. Mulder.



### Example 2 – Joint account

A joint account, one of whose holders also has a private account with the failed bank. In this example, the balance in the joint account is divided equally between the account holders.

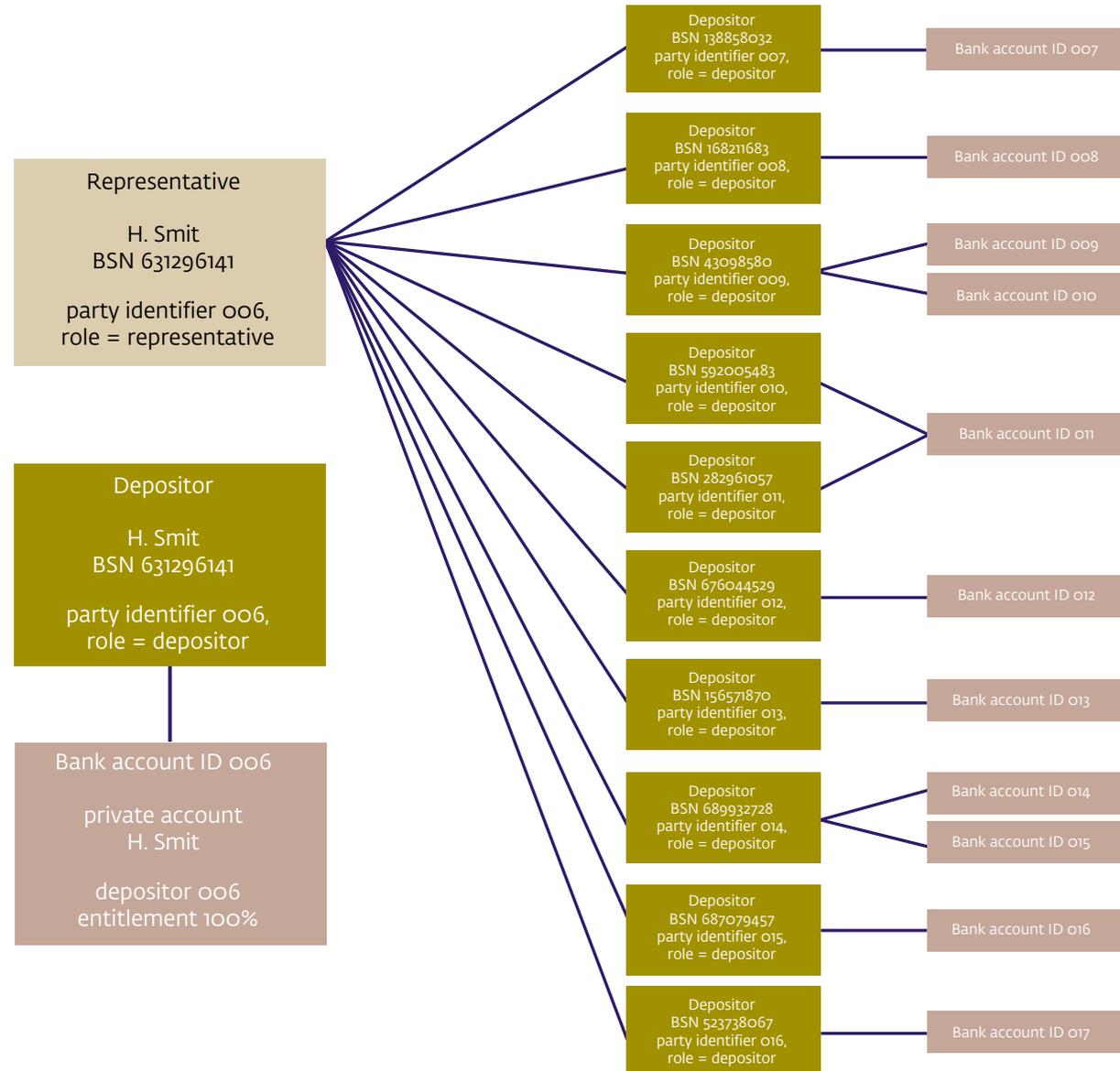
The balance in the account will be paid, subject to a maximum of EUR 100,000 per depositor.



### Example 3 – Representative

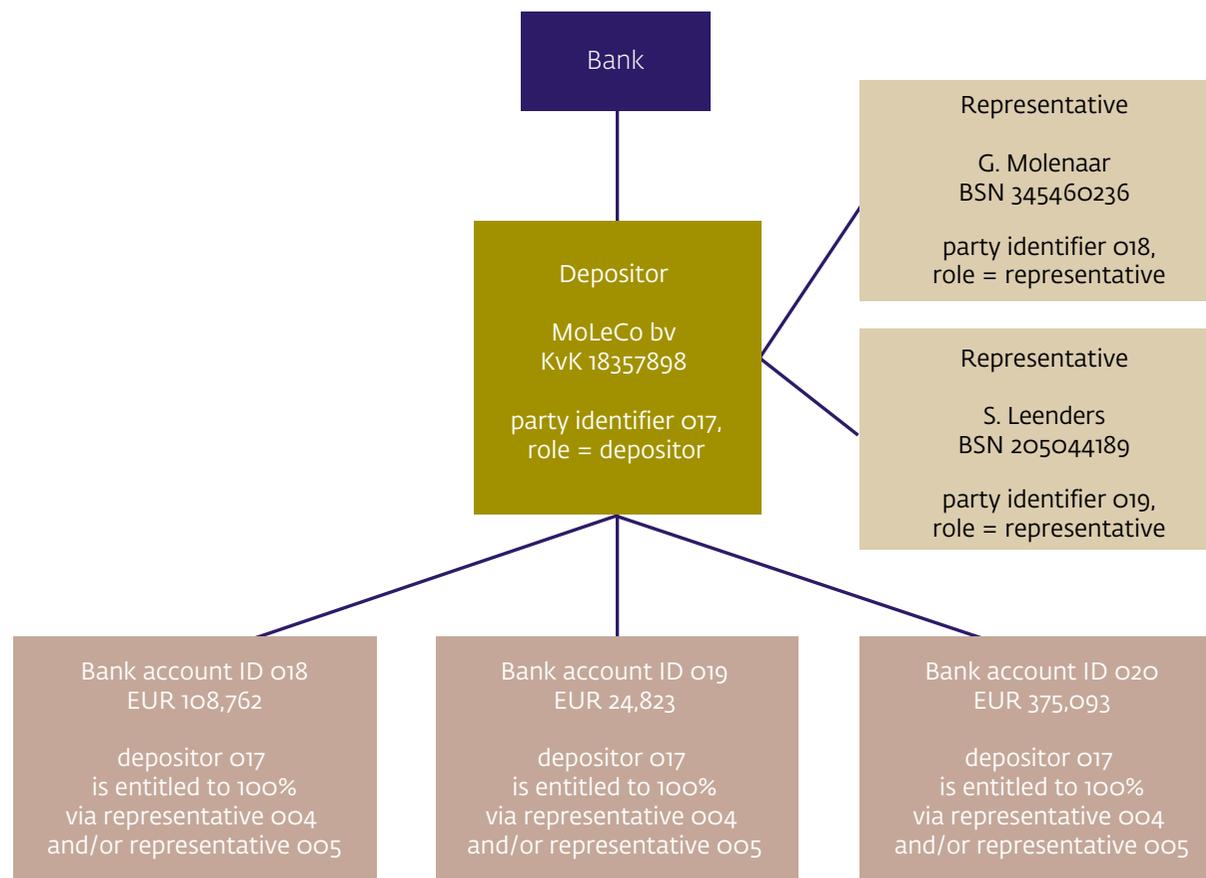
H. Smit is a guardian and legal representative of ten different depositors who between them have a total of eleven accounts. He also has an account of his own with the failed bank. The balances in the accounts will be paid out, subject to a maximum of EUR 100,000 per depositor.

Please note: in accordance with the formal logical data model, H. Smit has both the role of depositor and the role of representative.



**Example 4 – private limited company (non-natural person with legal personality)**

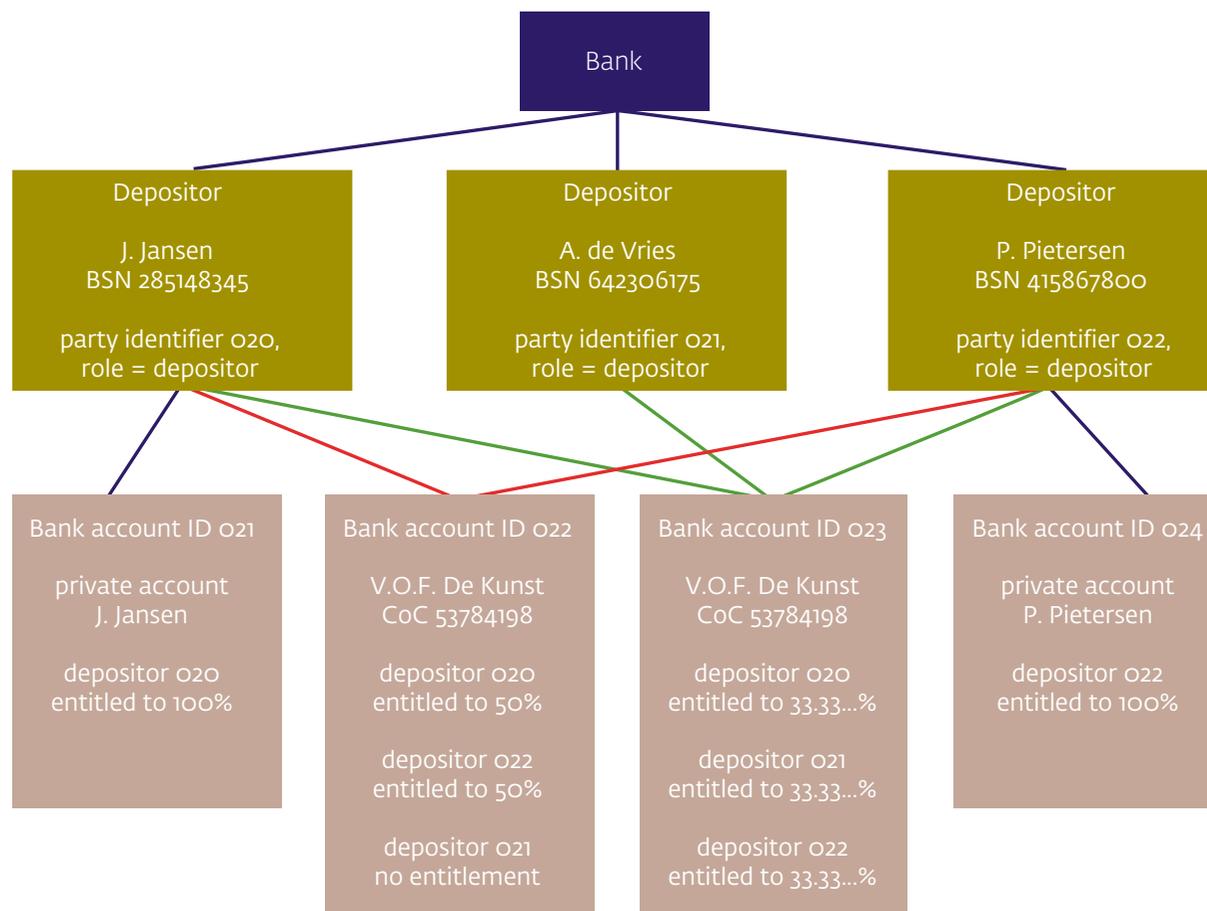
The depositor is a private limited company (*besloten vennootschap – BV*) with three accounts and two representatives. The aggregate balance in the company's accounts will be paid out, subject to a maximum of EUR 100,000. The remaining amount (EUR 408,678) will be left in the failed bank's estate. The company will have a claim against the bankrupt estate up to this amount.



**Example 5 – general partnership (non-natural person without legal personality) whose partners are all natural persons**

This example shows how a non-natural person without legal personality, such as a general partnership (*vennootschap onder firma - VOF*), is to be dealt with. The general partnership has three partners (the depositors), all of whom have an equal share in the firm. The partnership has two accounts. Additionally, two partners also have a private account with the failed bank. The aggregate balance in the private account and partnership's account will be paid out, subject to a maximum of EUR 100,000 per depositor.

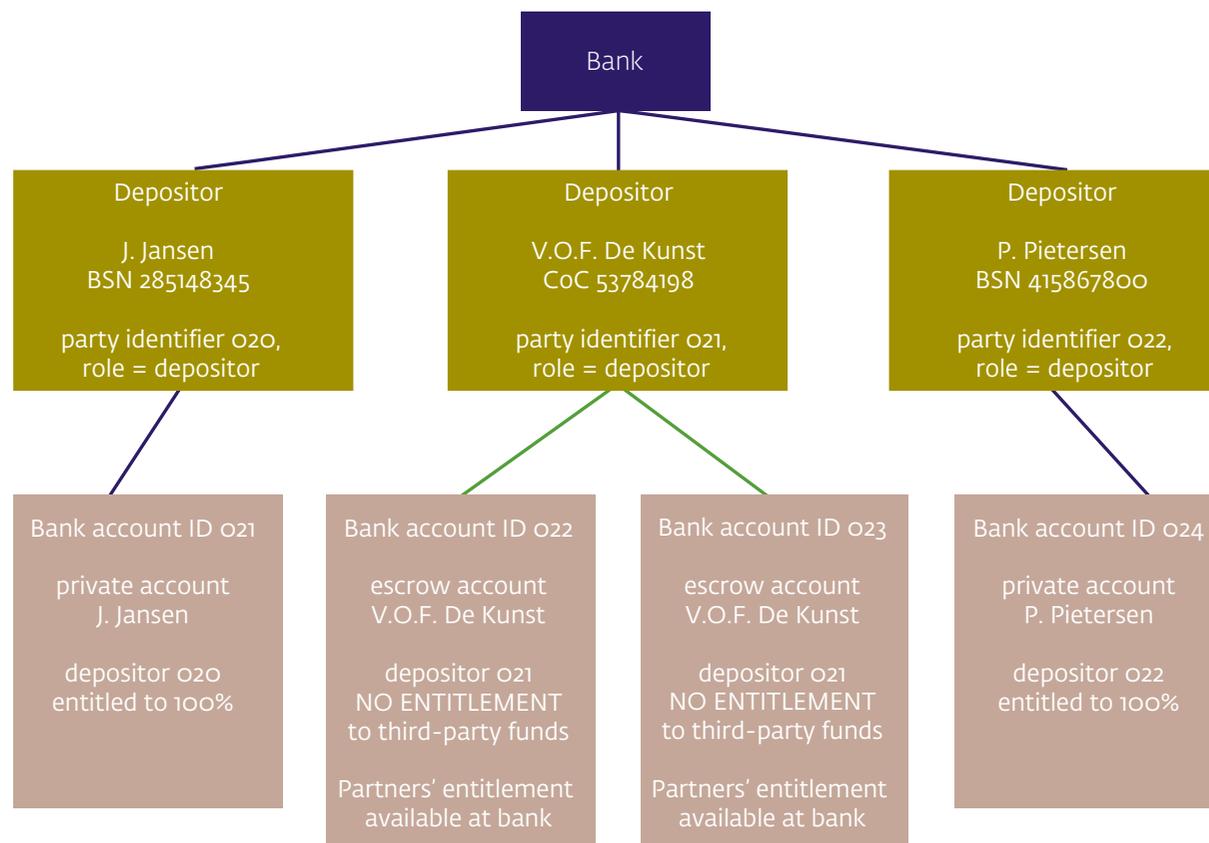
Example 5a shows the situation where the partners are registered as depositors in the bank's customer records. A separate SCV must be created for each partner and included in the SCV file. This is the standard method for dealing with this type of depositor.



The partnership may only be identified as the “depositor” in exceptional situations (see Section 2.2), in which case the accounts must be identified as escrow accounts (see Example 5b).

A. de Vries (the third partner in Example 5a), BSN 642306175, is known to the bank but not registered in a structured manner in its customer records. However, the identities of the three partners are available to the bank, including their individual share interest in the partnership.

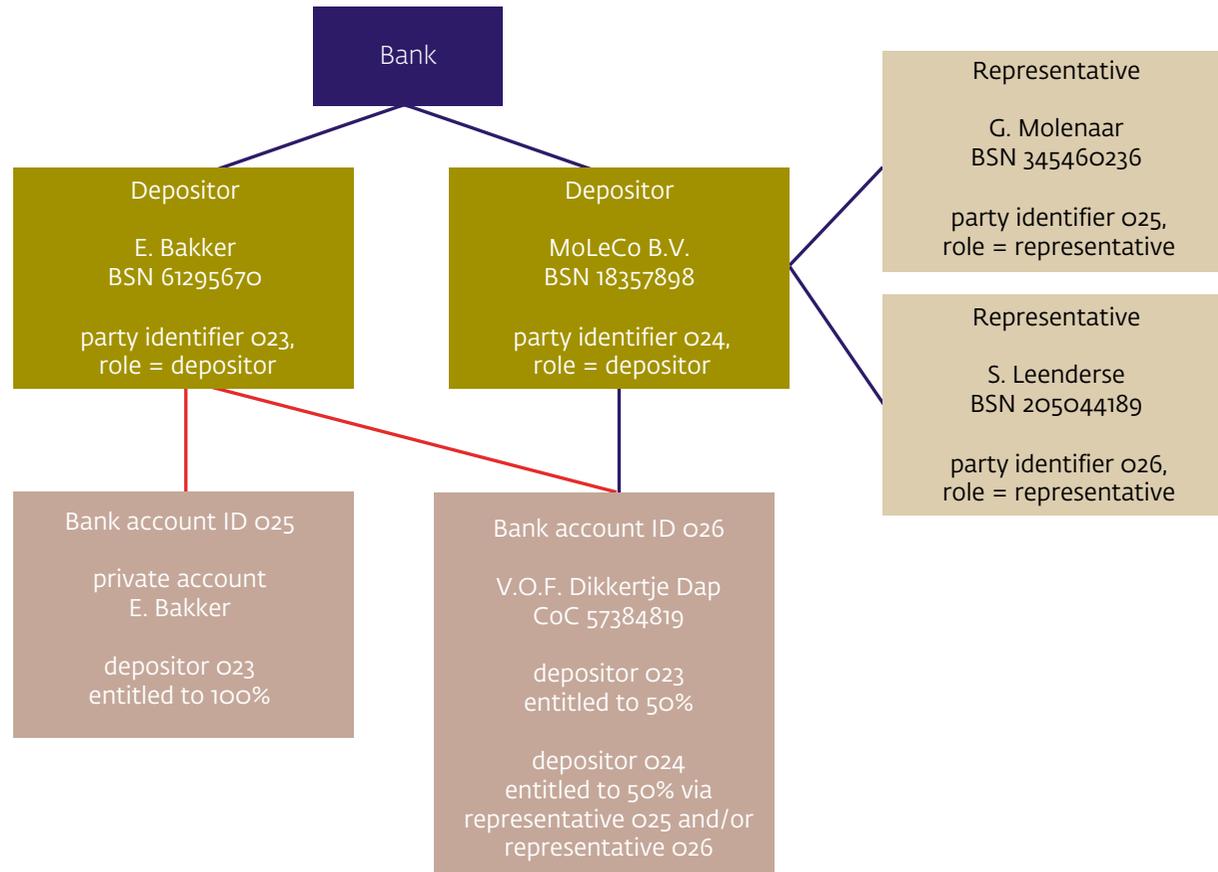
SCVs have been created for the two other partners because they have private accounts at the same bank. However, these SCVs do not yet take account of the partnership’s accounts.



**Example 6 - general partnership (non-natural person without legal personality), one of whose partners is a non-natural person**

Partnership account with two partners, one of whom has a private account at the failed bank, and in which the second partner is a non-natural person with legal personality (in the example a BV) and is hence represented.

In this example, the partners are registered as depositors in the bank's systems. The balance in the account will be paid out, subject to a maximum of EUR 100,000 per depositor.



### Example 7 – Firm of notaries with a business account and an escrow account

Notariskantoor De Vries BV has a business account and an escrow account. The escrow account must be submitted as if it were an account of the firm, but will need to be marked as “escrow account held for client”. DNB will separate this account, with the notary – as the account’s operator – being requested to transfer the beneficiary records to DNB to determine the depositors and payouts. The balance in the notary’s business current account will be paid out, subject to a maximum of EUR 100,000.

