# Finansinspektionen's Regulatory Code

Publisher: Chief Legal Counsel Eric Leijonram, Finansinspektionen, Sweden, www.fi.se
ISSN 1102-7460



---

**FFFS 2023:6**
Published on
27 February 2023

## Regulations
## amending Finansinspektionen's regulations and general guidelines (FFFS 2014:12) regarding prudential requirements and capital buffers;

decided 21 February 2023.

Finansinspektionen prescribes pursuant to section 16 and section 17, point 2 of the Special Supervision and Capital Buffers Ordinance (2014:993) and Chapter 6, section 1, point 56 of the Securities Market Ordinance (2007:572) with regard to Finansinspektionen's regulations and general guidelines (FFFS 2014:12) regarding prudential requirements and capital buffers

*in part* that the heading immediately preceding Chapter 9, section 2 shall be removed,
*in part* that Chapter 1, section 2; Chapter 7, section 1; and Chapter 9, section 11 shall have the following wording.

### Chapter 1

**Section 2** These regulations apply to

1. credit institutions,
2. investment firms, and
3. payment institutions.

### Chapter 7

**Section 1** The information that shall be submitted by a credit institution to Finansinspektionen in accordance with Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council, shall be specified in SEK.

The information that an investment firm shall submit to Finansinspektionen pursuant to Articles 54 and 55 of the Investment Firms Regulation shall be specified in SEK.

That set out regarding investment firms in the second paragraph also applies to such an undertaking as referred to in Chapter 1, section 2, points 7d, e or g of the Special Supervision of Credit Institutions and Investment Firms Act (2014:968).

## Chapter 9

**Section 11** The notification that a credit institution shall submit to Finansinspektionen pursuant to Chapter 8, section 5 of the Capital Buffers Act (2014:966) shall contain information concerning the following:

1. The credit institution's own funds, broken down into:

a) Common Equity Tier 1 capital, and
b) Additional Tier 1 capital.

2. The credit institution's interim and year-end profit.

3. The maximum distributable amount, calculated in accordance with section 9.

4. The portion of the highest distributable amount that the credit institution intends to use in order to

a) perform a distribution to the credit institution's Common Equity Tier 1 capital according to Chapter 1, section 2, point 16 of the Capital Buffers Act,
b) redeem own funds instruments,
c) make payments connected to Additional Tier 1 capital, or
d) undertake to pay variable remuneration, discretionary pension benefits or variable remuneration for which the payment obligation arose at a time when the credit institution did not meet the leverage ratio buffer requirement.

---

These regulations shall enter into force on 08 March 2023.

SUSANNA GRUFMAN

Emilia Dehlin