

Q&A

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406

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Guidelines on classification of own funds

ARTICLE:

82

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Question

Does the 20% limit in article 82(3) of the delegated regulation and Guideline 20 paragraph 1.76(b) refer to the amount of eligible or available Tier 1 items?

EIOPA answer

Both of the limits mentioned in Article 82(3) refer to eligible Tier 1 not available Tier 1.

Eligible Tier 1 own funds can have no more than 20 % of the items referred to in points (a) to (d) of Article 82(3) of Commission Delegated Regulation 2015/35 (restricted own fund items). This is provided for in Article 82(3) where it states ‘within the limits referred to in point (a) of paragraph 1 and point (a) of paragraph 2’, since both these paragraphs refer to the eligible amount of Tier 1 items.