



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 May 2012

**Interinstitutional File:
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**9715/12
ADD 1**

**EF 112
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ADDENDUM TO NOTE

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 9224/12 EF 101 ECOFIN 363 CODEC 1099
No. Cion prop.: 13284/11 EF 112 ECOFIN 531 CODEC 1284 + ADD1, ADD2

Subject: PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
 AND OF THE COUNCIL on prudential requirements for credit institutions and
 investment firms
 - Presidency Compromise

Delegations will find attached the modifications agreed by the ECOFIN Council on 15 May 2012.

1. The following paragraph shall be added to Article 343 of the Presidency compromise in doc. 9715/12:

“5a. Where daily exchange-rate data for the preceding three or five years - occurring on equal and opposite positions in a pair of currencies over the following 10 working days show that these two currencies are perfectly positively correlated and the institution always can face a zero bid/ask spread on the respective trades, the institution can, upon explicit permission by its competent authority, apply an own funds requirement of 0 % until the end of 2017.”

2. Article 443a(3x) of the Presidency compromise in doc. 9715/12 shall read as follows:

“3x. Notwithstanding the procedure as set out in paragraph 0 to 3, Member States shall be allowed to increase the risk weights beyond those provided in the Regulation of up to 25 %, for those exposures identified in paragraph 1(c) (vi) and (vii) above and tighten the large exposure limit provided in Article 384 of up to 15 %.”
