

January

- 1 January (Instruction of Banco de Portugal No 31/2010, BNPB No 1/2011)

Amends Instruction No 1/99 of 15 January 1999 governing the Intervention Operations Market. Changes set out in paragraphs 1, 2, 3 and 4 (Chapters VI and VII) enter into force on 1 January 2011. The change in paragraph 5 (Chapter VI) enters into force on 1 February 2011.
- 17 January (Instruction of Banco de Portugal No 30/2010, BNPB No 1/2011)

Regulates the process of registration of the members of the management and auditing boards of institutions subject to the supervision of Banco de Portugal.
- 18 January (Circular Letter of Banco de Portugal No 1/2011/DET, Treasury and Issue Department)

Complementing Instruction No 1/2011, releases a series of specific rules applicable to the use of intelligent banknote neutralisation systems (IBNS).
- 21 January (Instruction of Banco de Portugal No 1/2011, BNPB No 2/2011)

Lays down the principles governing the use of intelligent banknote neutralisation systems and the rules applicable to banknotes damaged as a result of their use.
- 28 January (Opinion of the European Central Bank, OJ C 62; Luxembourg)

Opinion of the European Central Bank on a proposal for a directive of the European Parliament and of the Council amending Directives 98/78/EC, 2002/87/EC and 2006/48/EC as regards the supplementary supervision of financial entities in a financial conglomerate (CON/2011/6). Where the ECB recommends that the proposed directive is amended, a specific drafting proposal is set out in the Annex to this Opinion accompanied by explanatory text to this effect.
- 31 January (Executive Order No 59/2011, Ministry of Finance and Public Administration, Official Gazette No 21, Series I)

Establishes the minimum share capital for microcredit financial institutions.

February

- 8 February (Instruction of Banco de Portugal No 4/2011, BNPB No 3/2011)

Establishes the legal framework governing the conduct of stress tests and the possible adoption of corrective measures. Revokes Instruction No 32/2009 published in Official Bulletin No 1 of 15 January 2010.
- 10 February (Circular Letter of Banco de Portugal No 4/2011/DET, Treasury and Issue Department)

Pursuant to paragraph 4 of the Regulamento da Base de Dados de Contas do Sistema Bancário – BCB (Regulation governing the banking system accounts database), approved by Instruction No 7/2011, sends the template for reporting banking system accounts to Banco de Portugal.
- 15 February (Instruction of Banco de Portugal No 2/2011, BNPB No 2/2011)

Amends Instruction No 13/2007 regulating involvement in and implicit support to securitisations.
- 15 February (Instruction of Banco de Portugal No 3/2011, BNPB No 2/2011)

Amends Instruction No 9/2007 according to which ECAI credit assessments may be used for the determination of risk weight exposures.

- 15 February (Instruction of Banco de Portugal No 5/2011, BNPB No 3/2011)

Defines risk concentration and establishes the manner in which institutions will monitor risks. Revokes Instruction No 2/2010 published in Official Bulletin No 2 of 15 February 2010.
 - 16 February (Circular Letter of Banco de Portugal No 5/2011/DET, Treasury and Issue Department)

Informs that, within the scope of implementation of the legal framework for the recycling of euro coins, governed by Decree-Law No 184/2007 of 10 May, the Treasury and Issue Department has developed a project for the creation of training contents to be integrated in e-learning platforms in the field of the knowledge of euro coins, at the level of authenticity checks.
 - 16 February (Opinion of the European Central Bank (2011/C 99/01) OJ C 99, Luxembourg)

Opinion of the European Central Bank on a proposal for a directive of the European Parliament and of the Council on deposit guarantee schemes (recast) and on a proposal for a directive amending Directive 97/9/EC of the European Parliament and of the Council on investor-compensation schemes (CON/2011/12). Where the ECB recommends that the proposed recast directive is amended, specific drafting proposals are set out in the Annex accompanied by explanatory text to this effect.
 - 16 February (Opinion of the European Economic and Social Committee (2011/C 107/04) OJ C 107, Luxembourg)

Opinion of the European Economic and Social Committee on the “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the European Central Bank — Regulating financial services for sustainable growth” (COM(2010) 301 final).
 - 16 February (Opinion of the European Economic and Social Committee (2011/C 107/03) OJ C 107, Luxembourg)

Opinion of the European Economic and Social Committee on the “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the European Central Bank on Bank Resolution Funds” (COM(2010) 254 final).
 - 22 February (Circular Letter of Banco de Portugal No 1/11/DSPDR, Banking Prudential Supervision Department)

Expresses Banco de Portugal’s view on the accounting treatment of real estate acquired by credit institutions in repayment of housing loans they have granted, in compliance with the accounting rules in force (IAS/IFRS) and the provisions of the Legal Framework of Credit Institutions and Financial Companies, with a view to the standardisation of accounting rules applicable to the entities subject to supervision by Banco de Portugal.
- ## March
- 02 March (Instruction of Banco de Portugal No 7/2011, BNPB No 4/2011)

Approves the Regulation governing the banking system accounts database.
 - 3 March (Opinion of the European Central Bank of 3 March 2011 (2011/C 91/01) OJ C 91, Luxembourg)

Opinion on a proposal for a regulation of the European Parliament and of the Council on short selling and certain aspects of credit default swaps (CON/2011/17). Where the ECB recommends that the proposed regulation is amended, specific drafting proposals are set out in the Annex accompanied by explanatory text to this effect.
 - 10 March (Circular Letter of Banco de Portugal No 2/11/DSPDR, Banking Prudential Supervision Department)

Provides clarification on the risk categories of the standardised approach to measure credit risk referred to in Article 10 (1) of Decree-Law No 104/2007 of 4 April and the consequent application of risk weights as laid down in Annex III to Notice of Banco de Portugal No 5/2007.

- 15 March (Instruction of Banco de Portugal No 6/2011, BNPB No 3/2011) Sets at € 17,500.00 the minimum contributory rate for the Deposit Guarantee Fund in 2011.
 - 15 March (Instruction of Banco de Portugal No 8/2011, BNPB No 4/2011) Fixes the maximum rates in credit agreements for consumers applicable in the 2nd quarter of 2011, within the scope of Decree-Law No 133/2009 of 2 June.
 - 17 March (Circular Letter of Banco de Portugal No 3/11/DSPDR, Banking Prudential Supervision Department) Informs, pursuant to the provisions of Article 7 (7) of Notice No 6/2010, on the programme of gradual reduction of the amount that may be incorporated in the own funds of the borrower institutions in the last five years of subordinated loans.
 - 17 March (Guideline of the European Central Bank (ECB/2011/2) (2011/205/EU) OJ L 86, Luxembourg) Amends Guideline ECB/2007/2 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2). The present Guideline shall enter into force 2 days after its adoption. It shall apply from 11 April 2011. The participating NCBs shall by 1 April 2011 send to the ECB the measures by which they intend to comply with this Guideline.
 - 25 March (Decision of the European Council (2011/199/EU) OJ L 91, Luxembourg) Amends Article 136 of the Treaty on the Functioning of the European Union with regard to a stability mechanism for Member States whose currency is the euro. This Decision shall enter into force on 1 January 2013.
 - 30 March (Executive Order No 121/2011, Official Gazette No 63, Series I, Ministry of Finance and Public Administration) Regulates the contribution on the banking sector laid down in Article 141 of Law No 55-A/2010 of 31 December, as well as the respective conditions of application.
- ### April
- 5 April (Notice of Banco de Portugal No 1/2011, Official Gazette No 74, Series II, Part E) Determines that the banking groups subject to supervision on a consolidated basis by Banco de Portugal and the institutions not included in those groups which have their head office in Portugal and are entitled to take deposits shall raise their "core tier 1" capital ratios to a minimum of 8% no later than 31 December 2011.
 - 11 April (Instruction of Banco de Portugal No 9/2011, BNPB No 5/2011) Introduces changes in Instruction No 24/2009 published in the Official Bulletin No 11 of 16 November 2009, which regulates the granting of intraday credit and the contingency liquidity facility.
 - 11 April (Instruction of Banco de Portugal No 10/2011, BNPB No 5/2011) Introduces changes in Instruction No 33/2007 published in the Official Bulletin No 1 of 15 January 2008, which regulates the operation of the TARGET2 national system.
 - 27 April (Notice of Banco de Portugal No 2/2011, Official Gazette No 90, Series II, Part E) Introduces changes in Part 2 (4) of Annex V to Notice of Banco de Portugal No 5/2007, in order to ensure consistency between the regulatory framework governing the calculation of capital requirements of institutions subject to the supervision of Banco de Portugal and the provisions of Directive 2009/111/EC of the European Parliament and of the Council. This Notice enters into force on the day of its publication.
 - 28 April (Circular Letter of Banco de Portugal No 13/DET, Issue and Treasury Department) Informs, as regards the accounts database of the banking system, which is governed by Instruction of Banco de Portugal No 7/2011, that the file transfer service can be subscribed through the BNet portal and presents version 1.2 of the communication model with participating entities.



- **28 April (Circular Letter of Banco de Portugal No 31/2011/DSC, Banking Conduct Supervision Department)**

Provides clarification on good practices to be followed by credit institutions as regards cross selling, particularly concerning consumer credit, home loans and related loans, in accordance with the provisions of Decree-Law No 133/2009 of 2 June and Decree-Law No 51/2007 of 7 March respectively.
- **4 May (Instruction of Banco de Portugal No 11/2011, BNPB No 6/2011)**

Introduces changes in Instruction of Banco de Portugal No 23/2007 on prudential information, published in Official Bulletin of Banco de Portugal No 8 of 16 August 2007, following the transposition into Portuguese law of EU Directives by Decree-Law No 140-A/2010 of 30 December.
- **10 May (Notice of Banco de Portugal No 3/2011, Official Gazette No 95, Series II, Part E)**

Lays down, within the framework of the agreed Financial Assistance Programme to Portugal, that the financial groups subject to supervision on a consolidated basis by Banco de Portugal must raise their Core Tier 1 capital to a minimum level of 9% by 31 December 2011 and 10% by 31 December 2012. This Notice shall enter into force on the first working day following its publication.
- **17 May (Notice of Banco de Portugal No 3/2011, Official Gazette No 74, Series II)**

Fixes the minimum Core Tier 1 ratio. Revokes Notice of Banco de Portugal No 1/2011 of 5 April, published in Official Gazette No 74, Series II, of 14 April.
- **17 May (Circular Letter No 14/2011/DET, Banco de Portugal, Issue and Treasury Department)**

Informs that Banco de Portugal will make available on its institutional Website more comprehensive technical information on counterfeit euro banknotes and coins for credit institutions and professional cash handlers and explains in detail the procedures to be followed for the accreditation of users.
- **17 May (Circular Letter No 32/2011/DSC, Banco de Portugal, Issue and Treasury Department)**

Defines a set of good practices to be observed by credit institutions when using contractual clauses enabling the unilateral change of interest rates or other charges, establishing guidelines as to their wording and content.
- **26 May (Decision No 8845/2011, Official Gazette No 127, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance)**

Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by Caixa Geral de Depósitos, S.A., to an amount of up to 1,800,000,000 euro and nominal value of 50,000 euro and multiples of 50,000 euro, in order to grant access to liquidity in the medium term, in order to finance the normal business activity of the bank, in particular the granting of credit to firms and individuals.
- **8 June (Instruction of Banco de Portugal No 14/2011, BNPB No 7/2011)**

Releases for the third quarter of 2011 the maximum rates to be applied to consumer credit agreements, signed within the scope of Decree-Law No 133/2009 of 2 June.
- **21 June (Circular-Letter No 1/2011/DMR, Banco de Portugal, Markets and Reserve Management Department)**

Informs on the new price list of the services provided by SITEME (market electronic transfer system of Banco de Portugal), with effect as of 4 July 2011, which replaces the previous list attached to Circular-Letter No 2/DMR of 17 February 2009. The present changes to the price list are due to the changes introduced in Instruction No 1/99 on the Intervention Operations Market, in particular changes to financial pledge arrangements.

May

June

- 22 June (Instruction of Banco de Portugal No 15/2011, BNPB No 7/2011) Introduces changes in Instruction No 1/99 of 15 January 1999, which regulated the Intervention Operations Market.
- 22 June (Instruction of Banco de Portugal No 16/2011, BNPB No 7/2011) Introduces changes in Instruction No 24/2009 of 16 November 2009, which regulated the provision of intraday credit and the contingent liquidity facility.
- 29 June (Decree-Law No 85/2011, Official Gazette No 123, Series I, Ministry of Finance and Public Administration) Simplifies the system regulating settlement finality in payment and securities settlement systems and introduces credit claims as an eligible type of collateral for financial collateral arrangements, transposing Directive 2009/44/CE of the European Parliament and of the Council of 6 May.

July

- 4 July (Instruction of Banco de Portugal No 17/2011, BNPB No 8/2011) Determines that information on credit provided to board members (Article 85 of the Legal Framework of Credit Institutions and Financial Companies) and to owners of qualifying holdings (Article 109 of the Legal Framework of Credit Institutions and Financial Companies) shall be regularly updated and reported to Banco de Portugal.
- 6 July (Decision No 9127-A/2011, Official Gazette No 136, Supplement, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance) Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by BANIF - Banco Internacional do Funchal, S.A., to an amount of up to 200,000,000 euro and nominal value of 100,000 euro, to increase the liquidity levels and to balance the maturity structure of the balance sheet, in order to maintain the levels of credit granting to corporations and small businesses.
- 6 July (Decision No 9127-B/2011, Official Gazette No 136, Supplement, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance) Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by BANIF - Banco de Investimento, S.A., to an amount of up to 55,000,000 euro and nominal value of 100,000 euro, to increase the liquidity levels and to balance the maturity structure of the balance sheet, in order to ensure a more balanced management of assets and liabilities.
- 8 July (Instruction of Banco de Portugal No 18/2011, BNPB No 8/2011) Determines that, with regard to the evaluation and management of operational risk exposure, institutions shall take into account the guidelines issued by CEBS (Committee of European Banking Supervisors) - EBA, on 12 October 2010, under the title "Guidelines on operational risk management in market-related activities".
- 12 July (Council Decision (2011/734/EU), OJ L 296, Luxembourg, the Council of the European Union) Council Decision addressed to Greece with a view to reinforcing and deepening fiscal surveillance and giving notice to Greece to take measures for the deficit reduction judged necessary to remedy the situation of excessive deficit (recast). This Decision is addressed to the Hellenic Republic and shall take effect on the day of its notification.
- 13 July (Decision No 9127-C/2011, Official Gazette No 136, Supplement, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance) Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by Banco Espírito Santo, S.A., to an amount of up to 1,250,000,000 euro and nominal value of 50,000 euro and multiples of 50,000 euro, to strengthen the fulfilment of this bank's obligations regarding its collateralised financing operations or the provision of the guarantees required for the pursuance of its credit granting activity.

- 14 July (Decision No 9127-D/2011, Official Gazette No 136, Supplement, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance)

Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by Banco Mais, S.A., to an amount of up to 25,000,000 euro and nominal value of 100,000 euro, to increase the liquidity levels and to balance the maturity structure of the balance sheet, in order to mitigate the impact of the current liquidity crisis, in particular, on the levels of credit granting to corporations and small businesses.
- 15 July (Instruction of Banco de Portugal No 12/2011, Official Bulletin No 7/2011)

Lays down, for the purposes of Article 3 (1) (a) and (j) of Notice of Banco de Portugal No 6/2010 of 31 December, that account shall be taken of the guidelines published by EBA (European Banking Authority) on 14 June 2010 and 10 December 2009.
- 15 July (Instruction of Banco de Portugal No 13/2011, Official Bulletin No 7/2011)

Lays down, for the purposes of Article 2 (2) (d) and (e) and (1) (e) of the same Article 2 and in Article 5 (3) of Notice of Banco de Portugal No 7/2010 of 31 December, that account shall be taken of the guidelines published by EBA (European Banking Authority) on 28 July 2010 and 11 December 2009.
- 20 July (Decree-Law No 88/2011, Official Gazette No 138, Series I, Ministry of Finance and Public Administration)

Transposes into Portuguese law Directive 2010/76/EU of the European Parliament and of the Council of 24 November 2010, amending Directives 2006/48/EC and 2006/49/EC, both of the European Parliament and of the Council of 14 June 2006, as regards capital requirements for the trading book and for re-securitisations, and the supervisory review of remuneration policies. This Decree-Law aims to impose on credit institutions and investment firms the obligation to establish remuneration policies and practices to ensure sound and effective risk management for categories of staff whose professional activities have a material impact on the risk profile of the institution, to submit the said remuneration policies to the review of Banco de Portugal, and to implement changes in certain capital requirements of financial institutions. This Decree-Law shall enter into force one day following its publication.
- 22 July (Decision No 9814-A/2011, Official Gazette No 149, Supplement, Series II, Part C, Ministry of Finance. Office of the Secretary of State for the Treasury and Finance)

Authorises the granting of a personal guarantee of the State for the fulfilment of principal and interest obligations within the scope of bank bond issuance by Banco Comercial Português, S.A., to an amount of up to 1,750,000,000 euro and nominal value of 100,000 euro, to restore and increase the liquidity levels of the bank and provide it with the financing means required for the pursuance of its credit granting activity.
- 28 July (Circular Letter of Banco de Portugal No 45/2011/DSC, Banking Conduct Supervision Department)

Lays down, following a number of questions raised in the implementation of some provisions set forth in Decree-Law No 133/2009 of 2 June, a set of good practices to be observed by credit institutions as regards their activity in the consumer credit market.
- 28 July (Resolution of the Council of Ministers No 36/2011, Official Gazette No 159, Series I, Presidency of the Council of Ministers)

Regulates the reprivatisation operation of the capital stock of BPN - Banco Português de Negócios, S.A.
- 2 August (Notice of Banco de Portugal No 4/2011, Official Gazette No 154, Series II, Part E)

Lays down the duties to be complied with by credit institutions as regards the announcement of their adherence to the legal framework of minimum banking services, approved by Decree-Law No 27-C/2000 of 10 March, as well as the public disclosure of the legally established conditions for natural persons to be able to have access to and benefit from that legal framework. This Notice shall enter into force one day following its publication.

August

- 9 August (Notice of Banco de Portugal No 5/2011, Official Gazette No 157, Series II, Part E)

Lays down that the institutions that are members of Fundo de Garantia do Crédito Agrícola Mútuo (Mutual Agricultural Credit Guarantee Fund) shall have in place an information system enabling them to identify the deposits that are covered by the guarantee or excluded from it, as well as the respective depositors.
 - 15 August (Instruction of Banco de Portugal No 29/2011, Official Bulletin No 12/2011)

Amends Instruction No 33/2007, published in the Official Bulletin No 1 of 15 January 2008, which regulates the operation of the TARGET2 national system.
 - 15 August (Instruction of Banco de Portugal No 30/2011, Official Bulletin No 12/2011)

Amends Instruction No 24/2009, published in the Official Bulletin No 11 of 16 November 2009, which regulates the granting of intraday credit and the contingency liquidity facility.
 - 17 August (Notice of Banco de Portugal No 5/2011, Official Gazette No 157, Series II, Part E)

Lays down that the member institutions of *Fundo de Garantia do Crédito Agrícola Mútuo* (Mutual Agricultural Credit Guarantee Fund) must have in place an information system enabling them to identify the deposits covered by this Fund's guarantee and those that are excluded from the said guarantee, as well as the depositors.
 - 19 August (Decree-Law No 96/2011, Official Gazette No 159, Series I, Ministry of Finance)

Amends Decree-Law No 2/2010 of 5 January, which approved the reprivatization operation of the capital stock of BPN - Banco Português de Negócios, S.A.
 - 22 August (Instruction of Banco de Portugal No 19/2011, Official Bulletin No 9/2011)

Lays down that the institutions that are members of Fundo de Garantia do Crédito Agrícola Mútuo (Mutual Agricultural Credit Guarantee Fund) shall have in place an information system enabling them to provide this Fund with a full list of each depositor's claims, existing on a specific date.
 - 23 August (Circular Letter of Banco de Portugal No 10/2011/DSPDR, Banking Prudential Supervision Department)

Conveys the understanding of Banco de Portugal about the non-application of the tax effect in the determination of the amount to be deducted from own funds, corresponding to the difference between the expected losses of the exposures of institutions applying the IRB approach for the calculation of the own funds requirements and the sum of the value adjustments and the provisions of those exposures.
 - 24 August (Circular Letter of Banco de Portugal No 3/2011/DMR, Markets and Reserve Management Department)

Makes known the new price list of the services provided by SITEME (market electronic transfer system of Banco de Portugal), which replaces the price list published in Circular Letter of Banco de Portugal No 1/2011/DMR of 21 June 2011. This update is meant as a clarification about the VAT collection method.
 - 25 August (Instruction of Banco de Portugal No 20/2011, Official Bulletin No 9/2011)

Amends Instruction of Banco de Portugal No 3/2009, published in Official Bulletin No 2 of 16 February 2009, which regulated the Interbank Clearing System (Sistema de Compensação Interbancária – SICOI).
- ## September
- 1 September (Resolution of the Council of Ministers No 38/2011, Official Gazette No 171, Series I, Presidency of the Council of Ministers)

Awards the proposal submitted by Banco BIC Português, S.A., within the scope of a direct sale procedure launched for the sale of all shares representing the capital stock of BPN, and sets out the time limit as well as other conditions regarding their sale to the successful proposer. Pursuant to this Resolution, a lot of shares representing 5% of the capital stock of BPN shall be reserved for acquisition by this bank's employees. This Resolution also sets the price and other conditions regarding the acquisition.



- **2 September (Council Implementing Decision of 2 September 2011 (2011/541/EU))**

Amending Implementing Decision 2011/344/EU on granting Union financial assistance to Portugal, following the first review of the Portuguese authorities' progress on the implementation of the agreed measures as well as of the effectiveness and economic and social impact of those measures. This Decision is addressed to the Portuguese Republic.
 - **15 September (Circular Letter No 13/11/DSPDR)**

Conveys the understanding of Banco de Portugal about the eligibility of instruments for the calculation of the original own funds of institutions subject to its supervision.
 - **15 September (Circular Letter No 14/11/DSPDR)**

Emphasizes the importance of the duty of institutions acting as issuers or sponsors of and as investors in securitisation positions to fulfil the requirements of the document entitled "Guidelines to Article 122a of the Capital Requirements Directive", published after a public consultation conducted by the Committee of European Banking Supervisors (CEBS). This Circular Letter includes an annex featuring some aspects of the above-mentioned document with the purpose of providing guidance to institutions when intending to invest in securitisation positions or to act as originators/sponsors in securitisations.
 - **15 September (Instruction of Banco de Portugal No 21/2011, Official Bulletin No 10/2011)**

Discloses for the fourth quarter of 2011 the maximum rates to be applied to consumer credit agreements, signed within the scope of Decree-Law No 133/2009 of 2 June 2009.
 - **16 September (Instruction of Banco de Portugal No 22/2011, Official Bulletin No 10/2011)**

For credit quality monitoring purposes, requests the reporting of data on risk exposures.
 - **16 September (Instruction of Banco de Portugal No 23/2011, Official Bulletin No 10/2011)**

Amends Instruction of Banco de Portugal No 16/2004, published in the Official Bulletin No 8 of 16 August 2004, regarding information disclosed to the public.
 - **27 September (Instruction of Banco de Portugal No 24/2011, Official Bulletin No 10/2011)**

Sets at 0.03% the base rate applicable to the calculation of the contribution of each member institution to the Deposit Guarantee Fund, as well as the value of the minimum contribution to this Fund by its members (€ 17,500.00) in 2012.
 - **27 September (Instruction of Banco de Portugal No 25/2011, Official Bulletin No 10/2011)**

Lays down that credit institutions that are members of the Deposit Guarantee Fund cannot replace their annual contribution to the Fund with the assumption of irrevocable payment commitments.
 - **28 September (Notice of Banco de Portugal No 6/2011)**

Amends Notice of Banco de Portugal No 5/2007 so that, within the scope of the recognition of equivalent regulations and supervision by third countries, Banco de Portugal may determine a stricter risk weight than that allocated by the competent authority of the third country. This Notice shall enter into force on the day following its publication and shall apply from 30 September 2011.
 - **30 September (Instruction of Banco de Portugal No 26/2011, Official Bulletin No 10/2011)**

Sets at 0.075% the base rate applicable to the calculation of the contribution of each member institution to the Mutual Agricultural Credit Guarantee Fund in 2012.
- ## October
- **11 October (Council Implementing Decision of 11 October 2011 (2011/683/EU))**

Amending Implementing Decision 2011/344/EU on granting Union financial assistance to Portugal, applying an extension of maturities and a reduction in the interest rate margin to the tranches of the loan that have already been disbursed. This Decision is addressed to the Portuguese Republic.

- **18 October (Notice of Banco de Portugal No 7/2011)** Adds subparagraph (o) to Article 5 of Notice of BP No 6/2010 of 31 December 2010, which establishes the items which may constitute the own funds of the institutions subject to the supervision of Banco de Portugal.
- **18 October (Notice of Banco de Portugal No 8/2011)** Amends paragraph 4 of the single Article of Notice of BP No 3/2011 of 17 May 2011, which determines the minimum core Tier 1 ratio.
- **25 October (Instruction of Banco de Portugal No 28/2011, Official Bulletin No 11/2011)** Determines the amount of the deduction laid down in Article 5(1)(o) of Notice of BP No 6/2010 of 31 December 2010.
- **27 October (Instruction of Banco de Portugal No 27/2011, Official Bulletin No 11/2011)** Amends paragraph 5 of Instruction of BP No 17/2011, published in the Official Bulletin No 8 of 16 August 2011.

November

- **3 November (Decision of the European Central Bank (ECB/2011/17) (2011/744/EU), OJ L 297, Luxembourg, the Governing Council of the European Central Bank)** Decision of the European Central Bank on the implementation of the second covered bond purchase programme, under which the Eurosystem central banks shall purchase eligible covered bonds with a targeted nominal amount of EUR 40 billion. This Decision shall enter into force on the day following its publication on the ECB's website, and shall apply until 31 October 2012.
- **8 November (Council Regulation (EU) No 1177/2011 of the European Parliament and the Council, OJ L 306, Luxembourg, the European Parliament and the Council of the European Union)** Council Regulation amending Regulation (EC) No 1467/97 on speeding up and clarifying the implementation of the excessive deficit procedure. This Regulation shall enter into force on the 20th day following its publication.
- **8 November (Council Directive 2011/85/EU, OJ L 306, Luxembourg, the Council of the European Union)** This Directive lays down detailed rules concerning the characteristics of the budgetary frameworks of the Member States. Those rules are necessary to ensure Member States' compliance with obligations under the TFEU with regard to avoiding excessive government deficits. Member States shall bring into force the provisions necessary to comply with this Directive by 31 December 2013. By 31 December 2012, the Commission shall assess the suitability of the International Public Sector Accounting Standards for the Member States. This Directive shall enter into force on the 20th day following its publication.
- **14 November (Commission Directive 2011/90/EU, OJ L 296, Luxembourg, the European Commission)** Commission Directive which provides new assumptions on standards for the calculation of the annual percentage rate of charge for credits without fixed duration or repayable in full repeatedly. It also provides standards for the timing of the initial drawdown of credit and the payments to be made by the consumer. Member States shall adopt and publish, by 31 December 2012 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall apply those provisions from 1 January 2013. This Directive shall enter into force on the 20th day following its publication.
- **16 November (Regulation (EU) No 1173/2011 of the European Parliament and of the Council, OJ L 306, Luxembourg, the European Parliament and the Council of the European Union)** Regulation of the European Parliament and of the Council on the effective enforcement of budgetary surveillance in the euro area, which sets out a system of sanctions for enhancing the enforcement of the preventive and corrective parts of the Stability and Growth Pact in the euro area. This Regulation shall enter into force on the 20th day following its publication.

- 16 November (Regulation (EU) 1174/2011 of the European Parliament and of the Council, OJ L 306, Luxembourg, the European Parliament and the Council of the European Union)

Regulation of the European Parliament and of the Council on enforcement measures to correct excessive macroeconomic imbalances in the euro area, which lays down a system of sanctions for the effective correction of excessive macroeconomic imbalances in the euro area. This Regulation shall enter into force on the 20th day following its publication.
- 16 November (Regulation (EU) 1175/2011 of the European Parliament and of the Council, OJ L 306, Luxembourg, the European Parliament and the Council of the European Union)

Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies. This Regulation shall enter into force on the 20th day following its publication.
- 16 November (Regulation (EU) 1176/2011 of the European Parliament and of the Council, OJ L 306, Luxembourg, the European Parliament and the Council of the European Union)

Regulation of the European Parliament and of the Council on the prevention and correction of macroeconomic imbalances. It sets out detailed rules for the detection of macroeconomic imbalances, as well as the prevention and correction of excessive macroeconomic imbalances within the Union. This Regulation shall enter into force on the 20th day following its publication.
- 16 November (Decision of the European Central Bank (ECB/2011/20) (2011/789/EU), OJ L 319, Luxembourg, the Governing Council of the European Central Bank)

Decision of the European Central Bank establishing detailed rules and procedures for implementing the eligibility criteria for central securities depositories to access TARGET2-Securities services. This Decision shall enter into force on the day following its publication.
- 22 November (Commission Regulation (EU) 1205/2011, OJ L 305, Luxembourg, the European Commission)

Commission Regulation amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards International Financial Reporting Standard (IFRS) 7. Each company shall apply the amendments referred to in this Regulation as from the commencement date of its first financial year starting after 30 June 2011. This Regulation shall enter into force on the third day following that of its publication.
- 27 November (Decision No 16569/2011, Official Gazette No 234, Series II, part C, Ministry of Finance, Office of the Secretary of State for Treasury and Finance)

Authorises the State to grant a personal guarantee for compliance with principal and interest requirements within the scope of the bond loan to be issued by Banco Comercial Português, S.A., to the amount of €1,350,000,000 and a nominal value of €100,000, in order to restore and rebalance available collateral levels, with a view to endowing the Bank with the means of finance to continue to ensure its function in terms of providing credit to the economy.
- 28 November (Law No 58/2011, Official Gazette No 228, Series I, Parliament)

Authorises the Government to review the system applicable to the reorganisation and winding-up of institutions subject to the supervision of Banco de Portugal. The present legislative authorisation will be valid for 180 days, and shall enter into force on the day following its publication.

December

- **6 December (Communication from the Commission 2011/C 356/02, OJ C 356, Luxembourg, the European Commission)**

Communication from the Commission on the application, from 1 January 2012, of State aid rules to support measures in favour of banks in the context of the financial crisis. It establishes that the Banking Communication, the Recapitalisation Communication and the Impaired Assets Communication, as well as the scope of application of the Restructuring Communication will remain in place beyond 31 December. It also sets out the necessary amendments to the parameters for the compatibility of crisis-related State aid to banks as from 1 January 2012.
- **6 December (Decision No 17531/2011, Official Gazette No 250, Series II, Part C, Ministry of Finance, Office of the Minister of State and for Finance)**

Establishes the terms and conditions for the provision of the bank guarantee referred to in Clause 15 (2) of the specification annexed to Resolution of the Council of Ministers No 44-A/2011 of 8 November, on the 8th phase of the re-privatisation of the share capital of EDP - Energias de Portugal, S.A., approved by Decree-Law No 106-A/2011 of 26 October.
- **14 December (Regulation (EU) No 1358/2011 of the European Central Bank, OJ L 338, Luxembourg)**

Regulation of the European Central Bank amending Regulation (EC) No 1745/2003 on the application of minimum reserves (ECB/2003/9). This Regulation shall enter into force on the third day following its publication, except Article 1, which shall apply from the maintenance period starting on 18 January 2012.
- **15 December (Decision No 17153/2011, Official Gazette No 245, Series II, Part C, Ministry of Finance, Office of the Secretary of State for the Treasury and Finance)**

Authorises the State to grant a personal guarantee for compliance with principal repayments and interest payments within the scope of the bond loan to be issued by Caixa Geral de Depósitos, S.A., for an amount of up to €2,800,000,000 and nominal value of EUR 50,000, in order to maintain its portfolio of securities eligible as collateral for ECB monetary policy operations and to ensure that its lending to the economy can continue.
- **15 December (Decision No 17154/2011, Official Gazette No 245, Series II, Part C, Ministry of Finance, Office of the Secretary of State for the Treasury and Finance)**

Authorises the State to grant a personal guarantee for compliance with principal repayments and interest payments within the scope of the bond loan to be issued by Banco Espírito Santo, S.A., for an amount of up to €1,000,000,000 and nominal value of €50,000, in order to strengthen the fulfilment of this bank's obligations regarding its collateralised financing operations or the granting of the required guarantees to ensure that its lending to the economy can continue.
- **15 December (Decree-Law No 117/2011, Official Gazette No 239, Series I, Ministry of Finance)**

Approves the Organic Law of the Ministry of Finance. In addition to the merger of a number of bodies, and the establishment and strengthening of tasks assigned to other bodies, it enshrines the autonomy of Banco de Portugal, recognising its role as the Central Bank of the Portuguese Republic and the authority responsible for the supervision and regulation of the financial sector, without prejudice to the guarantee of independence as established in the Statute of the European System of Central Banks and of the European Central Bank. It also approves the organisational structure of the Tax and Customs Authority, which results from the merger of the Directorate-General for Tax, the Directorate-General for Customs and Excise and the Directorate-General for Informatics and Support to Tax and Customs Services, as laid down in Decree-Law No 118/2011 of 15 December. The models and forms in force remain valid and are to be used by taxpayers when providing information to these entities to meet their obligations as regards contributions, taxes, fees and custom duties, as laid down in Executive Order No 7-A/2012 of 3 January.

- 15 December (Circular Letter of Banco de Portugal No 62/2011/ DSC, Banking Conduct Supervision Department)

Clarifies that credit institutions shall provide, in a clear and timely manner, information on the interest rate applicable to add-ons to simple time deposits, where it differs from the interest rate applicable to the initial deposit and previous add-ons. This information must be included in the Standardised Information Sheet.
- 15 December (Instruction of Banco de Portugal No 31/2011, Official Bulletin No 1/2012)

Publishes for the first quarter of 2012 the interest rate caps applicable to consumer credit agreements signed within the scope of Decree-Law No 133/2009 of 2 June.
- 20 December (Circular Letter of Banco de Portugal No 4/2011/DMR, Markets and Reserve Management Department)

Publishes, in accordance with Article 5 (4) of the Regulation of the European Central Bank of 12 September 2003 on the application of minimum reserves (ECB/2003/9), the time limits for notification and calendars of maintenance periods for 2012 and 2013 (reported on a quarterly basis).
- 20 December (Circular Letter of Banco de Portugal No 5/2011/ DMR, Markets and Reserve Management Department)

Publishes, in accordance with Article 5 (4) of the Regulation of the European Central Bank of 12 September 2003 on the application of minimum reserves (ECB/2003/9), the time limits for notification and calendars of maintenance periods for 2012 and 2013 (reported on a monthly basis).
- 21 December (Instruction of Banco de Portugal No 32/2011, Official Bulletin No 1/2012)

Amends Instruction of Banco de Portugal No 1/99 of 15 January 1999, which regulated the Intervention Transactions Market.
- 23 December (Notice of Banco de Portugal No 9/2011, Official Gazette No 250, Series II)

Updates the regulatory framework concerning the calculation of risk-weighted assets and information disclosure by institutions subject to the supervision of Banco de Portugal, following the publication of Directive 2010/76/EU of the European Parliament and of the Council of 24 November 2010. This Notice enters into force on the day following its publication.
- 26 December (Decree-Law No 119/2011, Official Gazette No 246, Series I, Ministry of Finance)

Sets at €100,000, on a permanent basis, the limit of the guarantee provided by the Deposit Guarantee Fund and the Mutual Agricultural Credit Guarantee Fund, for the repayment of deposits with member credit institutions in the event of deposits being unavailable. It also transposes into the Portuguese law Directive No 2009/14/EC of the European Parliament and of the Council of 11 March 2009. This Decree-Law enters into force on 1 January 2012.
- 30 December (Law No 64-B/2011, Official Gazette No 250, Series I, Supplement, Assembly of the Republic)

Approves the State Budget for 2012. It enshrines a number of provisions, many of which of a tax nature, and several amendments to related legislation. It approves the exceptional tax regularisation scheme for assets not in Portuguese territory on 31 December 2010 (regime exceçional de regularizaço tributaria de elementos patrimoniais que nao se encontrem em territorio portugues em 31 de Dezembro de 2010 - RERT III). It extends the validity, up to 31 December 2012, of the tax regime supporting investment made in 2009 (RFAI 2009), approved by Article 13 of Law No 10/2009 of 10 March. It also approves a number of exceptional measures to facilitate financing of the economy, such as the tax regime applicable to external loans and the special tax regime applicable to debt securities issued by non-resident entities. It also extends the scheme establishing an extraordinary levy on the banking sector. This law enters into force on 1 January 2012.
- 30 December (Law No 64-C/2011, Official Gazette No 250, Series I, Supplement, Assembly of the Republic)

Approves the strategy and procedures to be adopted within the scope of the Budget Framework Law, as well as the time schedule for their implementation until 2015, in accordance with the provisions laid down in Article 6 of Law No 52/2011 of 13 October. This Law enters into force on the day of its publication.

- 30 de December (Instruction of Banco de Portugal No 33/2011, Official Bulletin No 1/2012) Amends Instruction of Banco de Portugal No 7/2008 of 15 May 2008.
 - 31 December (Decree-Law No 127/2011, Official Gazette No 250, Series I, Ministry of Finance) Transfers to the State the liabilities related to the payment of pensions under the substitutive social security system set forth in the banking industry's collective bargaining agreement in force. The provisions of this Decree-Law are binding and therefore they cannot be superseded by other collective labour regulation instruments. This Decree-Law provides for the maintenance of the welfare rights and obligations of pension funds' members and beneficiaries falling outside its scope of cover. This Decree-Law enters into force on the day of its publication.
- ### January
- 9 January (Notice of Banco de Portugal No 10/2011, Official Gazette No 6, Series II) Regulates the principles and rules governing the compensation policy of the members of governing bodies, as well as relevant employees of credit institutions, investment firms and branches established in Portugal of credit institutions and investment firms having their head office outside the European Union. This Notice enters into force on the day following its publication, and the disclosure requirements envisaged therein shall already apply to the 2011 fiscal year. Revokes Circular Letter of Banco de Portugal No 2/2010/DSB of 1 February, published in the Official Bulletin No 3 of 15 March 2010.
 - 9 January (Decision No 180/2012, Official Gazette No 6, Series II, Part C, Ministry of Finance, Office of the Secretary of State for the Treasury and Finance) Authorises the State to grant a personal guarantee to Fundo de Contragarantia Mútuo (mutual counter guarantee fund), to the overall amount of €215,000,000, as security for the counter guarantees granted by the State, under credit lines with mutual guarantee in favour of national corporations, specifically Credit Lines V,VI and VI-Supplement to small and medium-sized enterprises and overall credit lines (Linhas de crédito PME Investe V, VI e VI - Aditamento and Linhas de Atividade Geral respectively).
 - 11 January (Law No 4/2012, Official Gazette No 8, Series I, Assembly of the Republic) Amends for the third time Law No 63-A/2008 of 24 November, providing for measures to strengthen the financial soundness of credit institutions within the scope of the initiative undertaken to enhance financial stability and the provision of liquidity to financial markets. This Law enters into force on the day following its publication.