

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 (Text with EEA relevance)

## TITLE XI

### TRANSITIONAL AND FINAL PROVISIONS

#### CHAPTER 3

#### *Final provisions*

#### *Article 162*

#### **Transposition**

1 By 31 December 2013 Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive.

[<sup>X1</sup>Member States shall apply those provisions from 1 January 2014.]

Member States shall communicate to the Commission and to EBA the text of the main provisions of national law which they adopt in the field covered by this Directive. Where the documents accompanying notification of transposition measures provided by Member States are not sufficient to assess fully the compliance of the transposing provisions with certain provisions of this Directive, the Commission may, upon EBA's request with a view to carrying out its tasks under Regulation (EU) No 1093/2010, or on its own initiative, require Member States to provide more detailed information regarding the transposition and implementation of those provisions and this Directive.

2 By way of derogation from paragraph 1, Title VII, Chapter 4 shall apply from 1 January 2016.

3 The laws, regulations and administrative provisions necessary to comply with Article 94(1)(g) shall require institutions to apply the principles laid down therein to remuneration awarded [<sup>X1</sup>for services provided or performance from the year 2014 onwards, whether due on the basis of contracts concluded before or after 1 January 2014.]

4 When Member States adopt the provisions referred to in paragraphs 1 and 2, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

5 By way of derogation from paragraph 1 of this Article, Article 131 shall apply from 1 January 2016. Member States shall implement Article 131(4) from 1 January 2016 in the following manner:

- a 25 % of the G-SII buffer, set in accordance with Article 131(4), in 2016;

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***Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

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- b 50 % of the G-SII buffer, set in accordance with Article 131(4), in 2017;
- c 75 % of the G-SII buffer, set in accordance with Article 131(4), in 2018; and
- d 100 % of the G-SII buffer, set in accordance with Article 131(4), in 2019.

6        [<sup>X1</sup>By way of derogation from paragraph 2 of this Article, Article 133 shall apply from  
1 January 2014.]

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**Editorial Information**

- X1** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 176 of 27 June 2013\)](#).