European Banking Authority

23 July 2026

EBA/CP/2026/13

# Consultation Paper

## Draft Implementing Technical Standards

## on depositor information under Directive 2026/804/EU on deposit guarantee schemes

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# 1. Responding to this consultation

The EBA invites comments on all proposals put forward in this paper and in particular on the specific questions summarised in 5.2.

Comments are most helpful if they:

- respond to the question stated;
- indicate the specific point to which a comment relates;
- contain a clear rationale;
- provide evidence to support the views expressed/ rationale proposed; and
- describe any alternative regulatory choices the EBA should consider.

## Submission of responses

To submit your comments, click on the ‘send your comments’ button on the consultation page by 23.10.2026. Please note that comments submitted after this deadline, or submitted via other means may not be processed.

## Publication of responses

Please clearly indicate in the consultation form if you wish your comments to be disclosed or to be treated as confidential. A confidential response may be requested from us in accordance with the EBA’s rules on public access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by the EBA’s Board of Appeal and the European Ombudsman.

## Data protection

The protection of individuals with regard to the processing of personal data by the EBA is based on Regulation (EU) 1725/2018 of the European Parliament and of the Council of 23 October 2018. Further information on data protection can be found under the Legal notice section of the EBA website.

# 2. Executive Summary

Directive 2026/804/EU of the European Parliament and of the Council on deposit guarantee schemes (‘DGSD3’), establishes in recital 36, that “[s]tandardised and regular information disclosure enhances awareness of depositors about deposit protection.(…) Depositors should obtain clear and homogeneous information that explains their deposit protection, while limiting the related administrative burden for credit institutions or DGSs.”

Article 16 of the new Deposit Guarantee Schemes Directive (DGSD3) confers a mandate on the EBA to develop and submit to the European Commission (EC) Implementing Technical Standards (ITS) “to specify: the content and the format of the depositor information sheet [to communicate to depositors the information about deposit coverage], and the procedure to be followed for the provision of, and the content of, the information to be provided in the communications from designated authorities, DGSs or credit institutions to depositors” in specific situations outlined in the Directive. These situations relate to the determination of unavailability of deposits, mergers or similar operations between credit institutions, credit institutions changing their DGS membership, as well as the case of client funds, and certain instances related to money-laundering.

To fulfil the mandate, this consultation paper proposes to:

- amend the currently used information sheet that credit institutions provide to prospective and current depositors. The proposals aim to ensure that depositors receive the most important information they should be aware of, in a language that is easy to understand. It also requires credit institutions and the DGSs to publish more detailed information on their websites,

- outline what formats and channels should be used by credit institutions to communicate with depositors to ensure that information is easily accessible, and thus, depositors are aware of deposit protection. This includes the proposal to offer more flexibility to the credit institutions to use their own visual identity when providing the information sheet in comparison to the rigid template in use currently,

- specify the content and procedures for communicating with depositors and in specific situations where depositors require timely, accurate and consistent information and clear communication on the consequences and next steps, such as the treatment of client funds, the suspension or deferral of reimbursement, the determination of the unavailability of deposits, mergers or conversions affecting coverage and changes in DGS membership.

The EBA has developed these proposals building on existing practices among EU DGSs and applying a proportionate approach, thereby avoiding unnecessary new burdens on DGSs and the industry.

## Next steps

The EBA is consulting on the draft ITS for a period of 3 months. Feedback from the public consultation will be taken into account when finalizing the ITS. The EBA will finalise the ITS once the consultation responses have been assessed.

# 3. Background and rationale

## 3.1. Background

1. Directive 2014/49/EU as amended by Directive 2026/804/EU of the European Parliament and of the Council of 30 March 2026 (henceforth 'DGSD3') was adopted and published in the Official Journal of the European Union on 20 April 2026. It aims to improve depositor protection, enhance the functioning of DGSs and use of DGS funds, harmonise rules for DGSs' interventions other than payout proceedings (e.g. preventive or resolution scenarios), and strengthen the effectiveness and cross-border convergence of DGSs.

2. In the context of improving depositor protection, Article 16(9) of the DGSD3 confers a mandate on the EBA to develop and submit to the European Commission (EC) Implementing Technical Standards (ITS) "to specify:

   a. the content and the format of the depositor information sheet [to communicate to depositors the information about deposit coverage], and

   b. the procedure to be followed for the provision of, and the content of, the information to be provided in the communications from designated authorities, DGSs or credit institutions to depositors, in the situations referred to in Articles 8b and 8c and in paragraphs 6, 7 and 7a of this Article" (see wording of the Articles in Annex II).

3. Concerning the information sheet referred to in paragraph 2(a), Article 16 of the DGSD further states that "Member States shall ensure that credit institutions provide actual and intending depositors with the information those depositors need to identify the DGSs of which the credit institution and its branches are members within the Union. Credit institutions shall provide that information in the form of an information sheet prepared in a data extractable format as defined in Article 2, point (3), of Regulation (EU) 2023/2859 of the European Parliament and of the Council [ESAP Regulation]."

4. Concerning paragraph 2(b) above, the cases referred to in Article 16 relate to:

   a. The treatment of client funds,

   b. The suspension of depositor reimbursement,

   c. The determination of unavailability of deposits,

   d. Mergers and acquisitions, and

   e. Credit institutions ceasing to be a member of a DGS.

5. The EBA has developed these ITS in order to fulfil this mandate. The ITS includes two key components – the content and format of the information sheet, and the procedure for the information sheet to be provided to depositors in the five cases referred to in the paragraph above. The objectives in relation to both sections will be elaborated further in the rational section of this Consultation Paper that follows below.

## 3.2. Rationale

6. In this section the EBA outlines different policy options it has identified and assessed to fulfil this mandate. Accordingly, this section outlines those options, identifies the respective pros and cons, and explains which of the options has been proposed in this Consultation Paper. The presentation is structured around the two key components of the ITS mandated by the DGSD3, namely:

    a. the content and format of the information sheet,

    b. the procedure and the content of the information to be provided to depositors in the five cases referred to in paragraph 4.

### 3.2.1. Content and format of the information sheet

7. The objectives of the ITS in relation to the information sheet are to ensure depositors receive clear, understandable and meaningful information, using clear and understandable language, and that the format of the information depositors receive supports the aim of the information being clear, understandable and meaningful.

8. Article 16(1) of the DGSD3 states that "Member States shall ensure that credit institutions provide actual and intending depositors with the information those depositors need to identify the DGSs of which the credit institution and its branches are members within the Union. Credit institutions shall provide that information in the form of an information sheet prepared in a data extractable format as defined in Article 2, point (3), of Regulation (EU) 2023/2859 of the European Parliament and of the Council."

9. Article 2(3) of ESAP Regulation defines a data extractable format as "mean[ing] any open format as defined in Article 2, point (14), of Directive (EU) 2019/1024 that is widely used or required by law, that allows data extraction by a machine and that is human-readable." Directive on open data and the re-use of public sector information (EU 2019/1024) defines 'open format' as "mean[ing] a file format that is platform-independent and made available to the public without any restriction that impedes the re-use of documents".

10. Article 16(1a) of the DGSD3 then provides a list of elements to be included in the information sheet: "Member States shall ensure that the information sheet referred to in paragraph 1 contains all of the following:

    (i) basic information about the protection of deposits;

(ii) contact details of the credit institution as a first point of contact for information on the content of the information sheet;

(iii) coverage level for deposits as referred to in Article 6(1) and (2) in EUR or, where relevant, another currency;

(iv) applicable exclusions from DGS protection;

(v) limit of protection in relation to joint accounts;

(vi) reimbursement period in case of the credit institution's failure;

(vii) currency of reimbursement;

(viii) identification of the DGS responsible for protecting a deposit, including a reference to its website."

11. The EBA took into account that recital 43 states that the purpose of the information sheet is to "enhance awareness of depositors about deposit protection" and to provide "information that explains their deposit protection". The EBA noted that current Directive 2014/49/EU already outlines an information sheet template credit institutions are required to provide to depositors. In that context, the EBA assessed what further elements ought to be included in the information sheet to enhance awareness and provide information that explains deposit protection.

12. The EBA examined the possibility of maintaining the current information sheet already required under current DGSD, but with an additional explanatory document. Under this option the ITS would keep the current information sheet broadly similar to the one currently in use, but in addition require credit institutions to include a separate document which highlights the purpose of the information sheet, explains the most important aspects of deposit protection, and tells depositors what actions are expected of them.

13. The second option assessed by the EBA was to redesign the current information sheet to have an introduction at the top explaining the purpose of the sheet, and steps to be taken by the depositor. The sheet would then highlight key components of deposit protection in a visually separate part. This will include information such as the fact that deposits are safe and protected by the deposit guarantee scheme, they are protected up to 100,000 Euro, and that in case of failure depositors would receive their deposits back within 7 working days. The remaining part of the information sheet would stay largely the same as is currently the case.

14. The EBA assessed the pros and cons of both options and concluded that the option to redesign the currently used information sheet fulfils better the aims of the DGSD3, as it both provides the necessary information to depositors, as well as enhances their awareness of deposit protection. The EBA also assessed if, under that option, credit institutions should have the possibility to adapt the template to apply their visual identity onto the sheet, as well as have the possibility to amend some technical aspects of the document to prepare them for printing. The EBA arrived

at the view that allowing such flexibility will be beneficial for the depositors, because a document consistent with a credit institution's visual identity is more likely to be seen as a document with information worth reading, than if it looks like part of the contractual terms and conditions. Furthermore, the EBA arrived at the view that if a credit institution has a way to make the information sheet more visually appealing, it should be able to do so, as long as the sequence of information, the content, and the wording are maintained. While this may lead to information sheets that look different between different credit institutions, comparability is not a key aspect of the information sheet, because the intending depositor would not be deciding on which product to choose based on the features of the deposit protection – key elements are identical in all Member States, and for all credit institutions.

15. Furthermore, the EBA assessed the pros and cons of having footnotes with further legal explanations in the information sheet as is currently the case in the information sheet provided under DGSD2, and proposes to remove those from the document to make the information more manageable to depositors. At the same time, to ensure that interested depositors have access to detailed information about deposit protection, and to ensure the data is available for artificial intelligence to scrape the legally sound information from the internet, the information currently included in the footnotes will be required to be published by the credit institutions on their websites. The content of the information to be published by the credit institutions on their websites is outlined in Annex II. Credit institutions can decide in what format to publish that information while retaining the wording in Annex II.

16. Finally, the EBA took the opportunity to review the wording of the more technical parts of the information sheet with the aim of simplifying the wording to make it easier to understand for depositors.

17. In consequence, the CP proposes in Annex I to the ITS a redesigned information sheet, with an introductory part explaining key aspect of deposit protection, the purpose of the note, as well as simplified language in the table with further information, and no footnotes. The CP also proposes that when adapting the template for their use, credit institutions should have the possibility to use their logo, colours and fonts in the information sheet, as long as the content, the wording, the relative size of the fonts used, and the sequence in which the information is provided, are in line with the template in Annex I.

18. Concerning the format of the information sheet, the EBA assessed whether the ITS should outline an exhaustive or a non-exhaustive list of acceptable file formats to be used. Furthermore, it assessed whether the information sheet itself must be provided in a data extractable format with no possibility to use formats that do not meet the definition, or if depositors could receive the information sheet in a non-data extractable format, provided that the data extractable version was easily accessible for the depositors online.

19. The EBA arrived at the view that a non-exhaustive list of available formats better meets the aims of the DGSD3 which refers to 'align[ing] disclosure requirements with technological developments', while providing clarity to the industry on which formats are acceptable. The EBA

also arrived at the view that allowing flexibility for the credit institutions to provide the information sheet in a format that does not meet the definition of data extractable format provided that the information is easily accessible in that format is preferable, because it caters to different ways in which depositors may open their bank accounts. More specifically, this solution allows for situations whereby a depositor opens an account at a bank branch and receives the information sheet on paper, as well as a case whereby the depositor opens an account on their mobile device, and the information sheet is displayed within the app and not as a separate file. In such instances, the credit institutions should also provide the information sheet in a data extractable format, for example via email, or via a message in an app addressed to the depositor.

20. In consequence, the CP proposes for the ITS to refer to an example of a format credit institutions may use when providing the information sheet to depositors, and allows for a situation where the depositor receives the information in a format other than the one meeting the definition of data extractable format, as long as the same information sheet is available to them easily in the data extractable format, too. The example of an acceptable file format is a PDF where it allows extraction of text by a machine and is human-readable and machine-readable (i.e. are not scanned).

21. Finally, the EBA noted that there may already exist, or may exist in the future, neobanks that do not have websites and instead use other digital platforms for interaction with customers and publishing all the legally required information. Thus, the CP proposes in Article 3 that, for the purposes of these ITS, where a credit institution does not have a website, the same requirements should apply to the place where the credit institution makes information available to its customers.

**Question 1:**

Do you have any comments on the proposal to redesign the currently used information sheet to have an introduction at the top explaining the purpose of the sheet, and steps to be taken by the depositor, followed by further essential information about deposit protection, as proposed in Annex I to the ITS?

**Question 2:**

Do you have any comments on the proposal to remove information currently provided in the information sheet in the footnotes and instead to require their publication only on the credit institution's website, as proposed in Article 3(1)(b)?

**Question 3:**

Do you have any comments on the proposal to allow flexibility for the credit institutions to 1) incorporate their visual identity into the sheet and make small technical changes to the sheet, and to 2) provide the information sheet in a format that does not meet the definition

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| of 'data extractable format', provided that the information is easily accessible to the depositor in that format elsewhere? |

### 3.2.2. Procedure and content of the information to be provided to depositors in the five specific cases

22. The objectives of these ITS are to ensure depositors receive clear, understandable and meaningful information, including in case of bank failures, and other cases such as mergers and changes to DGS protection, and to ensure DGSDAs/DGSs/credit institutions follow a clear and straightforward procedure for providing depositors with the required information in a timely manner.

23. As outlined in the background section of this consultation paper, the DGSD3 mandates the EBA to develop "the procedure to be followed for the provision of, and the content of, the information to be provided in the communications from designated authorities, DGSs or credit institutions to depositors, in the situations referred to in Articles 8b and 8c and in paragraphs 6, 7 and 7a of this Article", which relate to the cases of:

    a. The treatment of client funds,

    b. The suspension of depositor reimbursement,

    c. The determination of unavailability of deposits,

    d. Mergers and acquisitions, and

    e. Credit institutions ceasing to be a member of a DGS.

#### The treatment of client funds

24. Article 8b of the DGSD3 requires that client funds deposits are covered by DGSs when certain conditions are met – that the depositor is eligible for coverage, the deposit is on a segregated account in compliance with safeguarding requirements, and the client is identified or identifiable by the financial institution holding the account on behalf of the client. Article 8b additionally provides that "when determining the repayable amount for an individual client, the DGS shall not take into account the aggregate amount of deposits placed by that client with the same credit institution."

25. The EBA assessed what the procedure and content in relation to informing depositors about the treatment of client funds should be, in light of the provisions in Article 8b, both in a business-as-usual scenario, and in case of bank failure.

26. In terms of business-as-usual, the EBA assessed whether there is merit to require credit institutions to require financial institutions placing funds with them, to inform individually their clients of applicable rules concerning deposit protection, or whether general information on the financial institution's and credit institution's websites is sufficient.

27. The benefits of informing clients individually about the applicable rules concerning coverage of client funds, akin to providing an information sheet, are that depositors would receive access to the information thus increasing their awareness of the applicable rules in such cases. The disadvantage of such a solution is that to explain the rules of deposit protection to clients of investment firms, e-money institutions and payment institutions, could be confusing and too complex for clients. Such a requirement would create a burden on the credit institutions to require the necessary provisions in their contracts with financial institutions and would create a burden on the financial institutions to explain this information to their clients, and handle queries about it.

28. Another option that the EBA assessed was to require credit institutions to include in their contracts with the financial institutions that the latter disclose on their websites whether the financial institution safeguards client funds by means of placing them with a credit institution, and what the applicable deposit protection rules are in such circumstances, including information about which clients are eligible for protection and contact details for more information. The benefits of this approach would be that interested clients would have access to the information relevant for such cases, but without the need to explain to clients the complexities of safeguarding requirements and potentially raising further questions.

29. The EBA has arrived at the view that the second option is preferable, and in this Consultation Paper proposes that credit institutions should require financial institutions as part of their contractual agreement to publish information on the financial institution's website about the protection of their client funds safeguarded with a credit institution in case of that credit institution's failure, including contact details of the financial institution where customers can request further information. The EBA is of the view that this approach ensures interested clients have access to the right information, while also ensuring that financial institutions make it clear that when clients place funds with them, such funds are robustly safeguarded – even if the credit institutions holding the safeguarded funds was to fail.

30. Separately from the requirement imposed on the credit institutions, the EBA assessed if, in a business-as-usual scenario, DGSs should be required to publish on their websites information about coverage of client funds deposited with credit institutions. The EBA arrived at the view that such an approach would have a range of benefits, including that DGSs' websites are the most authoritative and accessible source of information about deposit protection in a given jurisdiction and thus it would make sense to include such information there. Furthermore, the EBA arrived at the view that publishing it on the DGS website would have the benefit of not only depositors being able to retrieve the information from there directly, but also that information published on the DGS websites is likely to be used by artificial intelligence, if a depositor was to

put in a query via artificial intelligence. Thus, EBA proposes to require DGSs to publish information about coverage of client funds on their websites, in a clear and understandable way.

31. The EBA assessed what should the ITS require in cases of bank failures, in the scenario when clients are reimbursed directly by the DGS, and the scenario where the account holder (i.e. the investment firm, e-money institution or payment institution) receive the DGS reimbursement. The EBA noted that whether explicit information concerning client funds should be published, depends on whether the credit institution holds as deposits any client funds placed for safeguarding purposes. If a credit institution does not hold such client funds, there is no requirement to refer to such information, as it might confuse depositors. However, if a credit institution does hold such client funds, at the point of determination of unavailability of deposits, information concerning client funds should be included in the communication to depositors, alongside the information provided about the unavailability of deposits.

32. Finally, the EBA assessed what information in relation to client funds should, DGSs and credit institutions publish. The EBA arrived at view that the information should briefly and clearly outline the approach the DGS intends to take in relation to the reimbursement of such client funds – i.e. whether the reimbursement will be to the account holder or to the ultimate beneficiary directly (if already known), and what the next steps are. Whether to include such information depends on whether the credit institution holds or is likely to hold client funds. To determine whether the credit institution holds, or is likely to hold, client funds, the DGS should use the information readily available to it at the point of the determination of unavailability of deposits, including the assessments of the most recent SCV files of that credit institutions used for stress testing purposes.

33. Finally, in relation to ensuring compliance with the contractual obligations between the credit institution and the financial institution, the EBA proposes not to outline further detail concerning the monitoring of compliance with the requirements on such contractual agreements.

**Question 4:**

Do you have any comments on Article 5(1) of the draft ITS, which proposes that the DGSs publish general information about the protection of client funds placed with credit institutions?

**Question 5:**

Do you have any comments on Article 4(2) of the draft ITS, proposes that the information on client funds should be included in the communication about the determination of unavailability of deposits, where the credit institution in question hold or is likely to hold client funds?

### The suspension of depositor reimbursement

34. Article 8c(3) of the DGSD3 clarifies that "Member States shall ensure that DGSs suspend the reimbursement of the repayable amount for the same duration as laid down in Article 24 of

Directive (EU) 2024/1640 where they are informed by the credit institution or designated authority that the financial intelligence unit referred to in Article 24 of that Directive has suspended a transaction, account or business relationship related to the concerned depositor.”. Furthermore, Article 8c(2) of the DGSD3 states that “Member States shall ensure that the DGS suspends the repayment of the repayable amount where a depositor or any person entitled to the sums held in his or her account has been charged with an offence arising out of, or in relation to, money laundering or terrorist financing, pending the judgement of the court. Member State shall establish a procedure which ensures that the information is communicated to the DGS in a timely manner”. In light of the above, the EBA assessed which aspects of the procedures referred to in Article 8c and what content of communication should be elaborated further in the ITS.

35. The EBA noted that the Directive already outlines that the CIs or the DGSDAs should inform the DGSs that the FIU has suspended a transaction, account or business relationship related to the concerned depositors. However, it does not specify which authority should inform the DGS in case a depositor is charged with an offence. Thus, the ITS proposes that where a credit institution or the DGSDA is aware of such cases, including where it was informed of them, they should inform the DGS following the same procedure as in relation to the suspensions of a transaction, account or business relationship. Furthermore, the Directive does not specify when the CI or the DGSDA should provide that information, or what the content of that information should be. The EBA assessed the merits of providing further specifications to that effect. The EBA arrived at the view that, given the relative rarity of credit institution failures where there are money laundering concerns, and the idiosyncratic nature of such cases, there is little merit in specifying the procedures and the content of such communication in much detail. However, the EBA concluded that the ITS should specify that such information should be shared with the DGS as soon as possible and in any case no later than within 24 hours, once the relevant authority has determined that deposits in the credit institution where the depositors related to the suspended transaction, account or business relationship, or the depositor has been charged with money laundering offences, are unavailable. To meet the requirement in a business-as-usual scenario, it is sufficient to highlight such depositors in the credit institution’s SCV file or another file in line with the specifications provided by the DGS, in line with the requirements proposed in the Consultation Paper on the ITS on information exchange, that the EBA is publishing alongside this CP.

36. Furthermore, the EBA arrived at the view that the ITS should also specify that the information to be provided should be limited to the information that is strictly necessary for the exercise of the DGS’ tasks and responsibilities under this Directive and that such exchange of information respects the requirements laid down in Directive 96/9/EC on the legal protection of databases to also match the requirements under Article 8c(1) DGSD3. More specifically, the EBA proposes that the information to be transmitted from the credit institution or the designated authority to the DGS, should include the information for the DGS to be able to correctly identify the depositor or the person entitled to the amount in the account, and the institution where the FIU suspended a transaction, account or business relationship related to the concerned depositor.

37. Finally, given the depositor information focus of the ITS, the EBA assessed which aspects of the procedures referred to in Article 8c(3) should be elaborated further in relation to the communication with the depositors whose accounts, or whose reimbursement, have been suspended. Given the rarity and idiosyncratic nature of money laundering cases, as well as the prohibition of tipping off in Article 39 of the Directive 2024/1640, the EBA arrived at the view that there is no need to provide detailed procedures on such matters. However, the CP proposes in Article 6(3) of the draft ITS to include a requirement for DGSs to reply in due course to depositors' questions concerning suspensions. The CP also proposes to include in Article 6(4) a requirement that DGSs have to publish on their website general information on suspensions and deferrals. The EBA is of the view that such a requirement strikes the right balance between not imposing requirements on the DGS that would undermine the no-tipping of provisions, while at the same time, ensuring that depositors are informed of their cases.

**Question 6:**

Do you have any comments on the CP proposing in Article 6 of the draft ITS to require DGSs to reply in due course to depositors' questions concerning suspensions, and to publish general information about suspensions on the DGSs' websites?

### The determination of unavailability of deposits

38. Article 16(7a) of DGSD3 states that "Where a relevant administrative authority makes a determination as referred to in Article 2(1), point (8)(a), or a judicial authority makes a ruling as referred to in Article 2(1), point (8)(b), Member States shall ensure that designated authorities, DGSs and credit institutions concerned inform depositors thereof, including by a publication on their websites".

39. The EBA took into account the fact that all designated authorities and DGSs already have well-established procedures in place that outline how to inform depositors about the unavailability of deposits, and publish such information using the official channels specific to that MS's institutional set up and national specificities. In that context, the EBA assessed what elements should the ITS specify to, on the one hand, ensure depositors receive timely and clear information on the one hand, without disrupting well-established procedures that proved to work in practice.

40. To that end, the EBA identified two issues that require addressing in the ITS: 1) the need to provide information (including by means of publication on the websites of different stakeholders, at potentially very short notice), and 2) the risk of misalignment of the messages issued by different stakeholders, with the subsequent risk of increased workload to address depositor questions, at the precise point the stakeholders already are under stress.

41. With that in mind, the EBA assessed if the ITS should include the precise wording to be used as a basis for the notifications (with the possibility for the relevant authorities to specify additional elements to be included in the notifications), or should outline the minimum elements that

ought to be mentioned when publishing the information about the unavailability of deposits, including the elements to be included in the communication with depositors.

42. On the one hand, providing precise wording in the ITS can limit the workload for the designated authorities, the DGS and the credit institutions as they would be able to use predefined wording at the time of stress. It would also limit the risks of misaligned messages between different authorities. On the other hand, it may constrain the possibility to tailor the wording to specific circumstances of a given case.

43. Thus, the EBA arrived at the view that the ITS should only mention the key elements that ought to be included in the communication with depositors, while leaving flexibility for the designated authorities and the DGSs to develop the most suitable phrasing given each case.

44. The EBA then assessed how to address the risk of misalignment of messages between the designated authority and the DGS on the one hand, and the credit institution on the other, in light of not prescribing precise wording to be used within the ITS. To that effect, the EBA assessed the merits or otherwise of requiring DGSs to provide the credit institutions with the wording they should use in communication with the depositors, or to leave it up to the credit institution. The EBA took into account that the benefit of the DGS providing the credit institution with the core message to be shared with the depositors (as a press release of general information on the website) has the benefit of ensuring the messages published by the DGS and the credit institutions to be aligned and consistent, and takes away the need for the credit institution to develop the best wording at the time of extreme stress, when the credit institution is failing.

45. Eventually, the EBA arrived at the view that the ITS should require the DGS to provide the right wording to the credit institution, which is then obliged to use it when issuing the information about the bank failure and the next steps.

46. The EBA also assessed how best to ensure that depositors are made aware of the unavailability of their funds. More specifically, the EBA assessed if it is sufficient that general information is published on the designated authority's, the DGS's and the credit institution's websites, or if individual communication with each depositor is necessary. The EBA noted the benefits of individual, direct communication with each depositor as the most reliable way of ensuring each depositor receives the right information. On the other hand, the EBA notes the potential costs of issuing such individual and direct communication at the time of extreme stress for the credit institution, and the speed with which such information may reach depositors, in a fast-evolving situation. Furthermore, the EBA noted that in some cases individualised and direct communication may be more appropriate than in other cases. Thus, on balance, the EBA proposes not to require such individual and direct communication from the credit institution or the DGS to each depositor, without restricting the possibility for the credit institution or the DGS to do so, if deemed appropriate and feasible.

47.The EBA also noted that, depending on the circumstance of a given case and national specificities, the above requirement may be for the DGS to share the message to be used with the credit institution or the insolvency practitioner in charge of managing the failure of the credit institution.

48.Finally, the EBA assessed if there is a need for one authority to coordinate between authorities to ensure effective and consistent publication of information concerning the unavailability of deposits. As part of this assessment, the EBA evaluated which aspects of such coordination should be required to achieve the aims of the DGSD3 and of this ITS. More specifically, the EBA assessed the need to harmonise the wording to be published by various stakeholders, as well as the timing of such publication. In the EBA's view, aside from ensuring the credit institution provides a message consistent with the DGS's message, the EBA concluded there is no need to provide requirements to ensure alignment in the wording between the information published by the competent authority, the DGS designated authority and the DGS. It is not necessary, firstly, because the authorities play a different role in a crisis, and their communication is issued from a different perspective, and thus, does not require finding aligned wording. Secondly, the authorities, unlike the credit institution itself, are experienced in dealing with bank failures based on real life experiences and/or stress testing. However, the EBA concluded that coordination to ensure the right time of publication of information be different stakeholders would be useful, because it would ensure that depositors can cross-check information across different sources and thus minimise the necessity to approach any of the stakeholders for further information. In that sense, effective coordination is a way to both provide the depositors with relevant and timely information and also limit the burden of dealing with enquires for the credit institutions, as well as the authorities. Thus, the ITS requires Member States to establish effective procedures to ensure coordination of the time of publication between the relevant stakeholders.

**Question 7:**

Do you agree with the proposal that information about the determination of unavailability of deposits should be published on DGS and DGSDA's websites, and where possible, should be coordinated with publications by other authorities?

**Question 8:**

Do you agree with the proposal that the DGS should provide the credit institution with the information it is required to publish upon the determination of unavailability of deposits?

### Mergers and acquisitions that impact depositors

49.Article 16(6) of the DGSD3 states that "Member States shall ensure that in the case of a merger of credit institutions, conversion of subsidiaries of a credit institution into branches, or similar operations, credit institutions notify the DGS and their depositors thereof at least one month before that operation takes legal effect, unless the competent authority allows for a shorter deadline on the grounds of commercial secrecy or financial stability. That notification shall explain the impact of the operation on depositor protection.”.

50. Furthermore, Article 16(6) of the DGSD3 states that “Member States shall ensure that, where, as a result of operations referred to in the first subparagraph of this paragraph, depositors with deposits in those credit institutions will be affected by the reduced deposit protection, the credit institutions concerned notify those depositors that they may withdraw or transfer to another credit institution their eligible deposits, including all accrued interest and benefits, without incurring any penalty, up to an amount equal to the lost coverage of their deposits, including with respect to the coverage levels provided under Article 6(2), within three months following the notification referred to in the first subparagraph.”

51. The EBA assessed whether, as part of the procedure to be followed by the credit institutions when informing all depositors and specifically those who are losing coverage due to the merger, the ITS should provide:

   a. the wording to be used by the credit institution when addressing depositors, or

   b. the elements to be mentioned when addressing the depositors, and require the credit institution to share the text intended for depositors with the DGS ahead of sending it to depositors.

52. The EBA arrived at the view that the second option is preferable, as it leaves a certain degree of discretion to the credit institution to adapt the wording to the circumstances, while providing the DGSs with an opportunity to check if the deposit protection-related wording to be used by the credit institution will not confuse depositors. The credit institution should inform their current DGS and, where the operation results in change of DGS membership, also the DGS it will be joining following the merger.

53. Furthermore, the EBA assessed what should be the elements the credit institution is required to include in their communication with depositors in the case of mergers, conversion or similar operations. The EBA concluded that the most important elements are: explanation why the depositor is contacted, legal names of the institutions merging, effective date of merger, impact of the merger on depositor’s coverage level, information on the actions depositors can take to ensure full coverage of their deposits, and bank contact details. The credit institution is allowed to include other relevant information in this communication.

54. Finally, the EBA notes that a transfer of a deposit book, even if there is no merger, may result in changes to deposit protection and so it should be understood as falling under the term ‘similar operations’ as per Article 16(6) of the DGSD. In consequence, in such cases, provisions of the ITS shall apply, too.

**Question 9:**

Do you agree with the wording of Article 7 in the draft ITS, which proposes to require credit institutions to provide the DGSs with the wording the credit institution intends to use to inform all depositors about the impact of the merger, conversion of subsidiaries of a credit institution into branches, or similar operations on their deposits, including those who lose coverage as a result of the event?

**Question 10:**

Do you have any comments on the wording of Article 7(3) in the draft ITS, which proposes to require the minimum elements to be included in the communication from the credit institution to the depositors?

### Credit institutions ceasing to be a member of a DGS

55. Article 16(7) of the DGSD states that "Member States shall ensure that credit institutions that cease to be a member of a DGS and join another DGS notify their depositors thereof at least one month prior to such cessation. That notification shall explain the impact of the cessation of that membership on depositor protection.".

56. Similarly, to the cases of mergers, the EBA assessed whether the ITS should provide

    a. the wording to be used by the credit institution when addressing depositors, or

    b. the elements to be mentioned when addressing the depositors and require the credit institution to share the text intended for depositors with the DGS they are currently a member of and the DGS the credit institution will be joining, ahead of sending it to depositors.

57. The EBA arrived at the view that the second option is preferable, as it leaves a certain degree of discretion to the credit institution to adapt the wording to the circumstances, while providing the DGSs with an opportunity to check if the deposit protection-related wording to be used by the credit institution will not confuse depositors.

58. Furthermore, the EBA assessed what should be the elements the credit institution is required to include in their communication with depositors in the case of changes of DGS membership. The EBA arrived at the view that the most important elements are: an explanation why the depositor is contacted including the names of the DGSs involved, effective date of change of DGS membership, impact of the change of DGS membership on depositor's coverage including reassurance on the continuity of coverage, reminder of key components of deposit protection as per information sheet, contact information to the credit institution, as well as the DGS the credit institution is joining. The credit institution is allowed to include other relevant information in this communication.

59. Finally, the EBA noted that currently DGSs do not always know of changes to the DGS membership of the credit institutions holding the deposits the DGSs protect. The requirement for the credit institution to share with them the text intended for depositors would ensure that the DGS is aware of such a change. However, the EBA noted that in practice it may not be sufficient to rely on the credit institution to inform the DGS, and so to ensure the DGS is aware, the ITS should also require the competent authorities to inform the DGS of such changes. Thus, the EBA proposes in Article 7 that the ITS should include a requirement for the NCAs to inform DGSs of any instances when credit institutions mergers, conversions of subsidiaries into branches, or similar operation, including sales of deposit books, impact their DGS membership or have significant impact on DGS operations, such as calculations of DGS contributions.

**Question 11:**

Do you have any comments on the wording of Article 8 of the draft ITS, which proposes to require credit institutions to provide the DGS with the wording the credit institution intends to use to inform relevant depositors about the changes to DGS membership?

**Question 12:**

Do you have any comments on the wording of Article 8 of the draft ITS, which proposes to require the minimum elements to be included in the communication from the credit institution to the depositors in case of changes to DGS membership?

**Question 13:**

Do you have any comments on the requirement for the NCAs to inform DGSs of any changes to DGS membership?

# 4. Draft ITS

**COMMISSION IMPLEMENTING REGULATION (EU) …/...**

**of XXX**

**laying down implementing technical standards for the application of Directive 2026/804/EU of the European Parliament and of the Council with regard to depositor information**

**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to *[full title of the basic act]*[1], and in particular Article 16 (9) thereof,

Whereas:

(1) In order to enhance depositors' understanding and awareness of the protection applicable to their deposits, it is necessary to further strengthen current framework for the provision of depositor information across the Union. Ensuring that depositors receive clear and homogeneous information strengthens confidence in the financial system and contributes to financial stability.

(2) Actual and intending depositors should receive from credit institutions a clear information sheet that provides them with information why they are receiving the sheet, what actions are expected of them, and what are the essential aspects of deposit protection all depositors should be aware of. The information should be provided in a predefined format to ensure clarity and consistency of how the information is presented. Given that the Deposit Guarantee Schemes Directive leaves some national discretion on how to implement the Directive, the deposit guarantee schemes (DGS) should have flexibility to add additional information relevant to the depositors in their jurisidiction under the 'Further information' field. Credit institutions should be able to apply their visual identity to the information sheet, as long as the content, the order of the content, and relative sizes of fonts remain unchanged. Credit institutions should also publish further information about deposit protection on their websites to ensure that depositors have access to it, if needed.

(3) Depositors should receive that information using a channel that matches best how they interact with their credit institution. Credit institutions should also ensure that the information sheet is available to the depositors in a data extractable format, such

[1] OJ L [number], [date dd.mm.yyyy], [p. ].

as PDFs where they allow extraction of text by a machine and are human-readable and machine-readable (i.e. are not scanned), online regardless of how they initially received it.

(4) In addition to the information sheet provided to actual and intending depositors when opening an account with a credit institution, and regularly thereafter, there are further, specific situations when Directive (EU) 2026/804 requires depositors to receive information from the credit institution or the DGS or another authority. Such specific situation relate to the treatment of client funds, the suspension or deferral of reimbursement, determinations of unavailability of deposits, mergers or similar operations affecting depositor protection, and changes in a credit institution's membership of a deposit guarantee scheme. In such cases, depositors require timely, accurate and consistent information.

(5) Financial institutions such as investment firms, payment institutions and e-money institutions, may deposit their client funds with a credit institution for the purpose of safeguarding those funds. To ensure clients are aware of the protection offered to them in case the credit institution holding client funds was to fail, credit institutions should, as a precondition for opening the client account for financial institutions, require financial institutions to publish information about the protection of client funds as a deposit on their websites. Where a financial institution already has an account with a credit institution, the contract should be amended to include such provisions.

(6) It is essential that credit institutions and designated authorities inform the DGS of cases when they are aware that a depositor's transaction, or business relationship has been suspended based on the information the credit institution received from the FIU, as well as cases when a person has been charged with money laundering offences. It is necessary to handle such cases in a timely and accurate manner. Depositors whose reimbursement is affected should receive appropriate responses to their enquiries within the limits of the applicable legal framework, while clear and accessible information on exclusions, suspensions and deferrals should be made available through the website of the deposit guarantee scheme.

(7) Where the relevant authority determines that deposits at a credit institution are unavailable, depositors should be informed of the situation, the consequences of this decision for the depositors, and the next steps they should expect. To ensure depositors receive timely, clear and accurate information swiftly, the designated authority and the relevant deposit guarantee scheme should publish information promptly. The designated authority or the deposit guarantee scheme should also provide the credit institution with the text the credit institution should provide to depositors ensuring consistency of messaging, while allowing national authorities the necessary flexibility to adapt communication to the circumstances of each case.

(8) In the context of mergers, conversion of subsidiaries into branches or similar operations, including transfers of deposit book, as well as changes in a credit institution's membership of a deposit guarantee scheme that may affect the protection available to depositors, it is important that credit institutions inform depositors

sufficiently in advance of any change that may impact their coverage. To support a consistent approach across the Union, it is desirable to specify the elements that credit institutions should include when addressing depositors in such circumstances, while preserving the necessary flexibility to adapt the communication to the particularities of each operation. In case of mergers, conversions of subsidiaries into branches or similar operations, the information to be provided shall include at least the explanation why the depositor is contacted, legal names of the institutions merging, effective date of merger, impact of the merger on depositor's coverage level, maximum coverage level, explanation of the impact the merger may have on depositors who have deposits in both merging institutions, and steps they can take to ensure all their funds remain fully covered, and the credit institution's contact details. To safeguard the consistency and accuracy of the information provided by credit institutions in such scenarios, it is important that the deposit guarantee schemes concerned are given the opportunity to review the deposit protection-related aspects of the intended communication before it is sent to depositors. Such coordination helps avoid misunderstandings and ensures that the messaging reflects the applicable protection in a clear and coherent manner across the Union.

(9) To ensure that the relevant deposit guarantee schemes are aware of operations such as mergers, conversions of subsidiaries into branches, or similar operations, that impact deposit guarantee schemes' membership and their operations such as, for example, the calculation of contributions from the relevant credit institutions, competent authorities should inform deposit guarantee schemes of any such operations in line with procedures established by the competent authorities and the deposit guarantee schemes.

(10) This Regulation is based on the draft implementing technical standards submitted to the Commission by the European Banking Authority.

(11) The European Banking Authority has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the […] Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 109x/2010 of the European Parliament and of the Council[2].

HAS ADOPTED THIS REGULATION:

*Article 1*

**Provision of depositor information sheet**

1. When providing the information sheet to an actual or intending depositor in a printed form, or as a digital file, in accordance with national provisions transposing Article 16(1) of Directive 2026/804/EU credit institutions shall:
    a. use the template as laid down in the Annex,

[2] Regulation (EU) No 109x/2010 of the European Parliament and of the Council *[+ full title]*, (OJ L [number], [date dd.mm.yyyy], [p. ]).

b. request acknowledgement of receipt of the information sheet from the depositor, either in writing or digitally, when providing the information sheet for the first time.

2. When providing the information to be included in the information sheet to an actual or intending depositor in accordance with national provisions transposing Article 16(1) of Directive 2026/804/EU neither in a printed form nor as a file in data extractable format, the information shall:
    a. include the information as set out in the information sheet in Annex I.
    b. use the same wording as in the information sheet in Annex I;
    c. use the same relative sizes of font as in the information sheet in Annex I, where applicable;
    d. follow the same order of information as in the information sheet in Annex I,
    e. request acknowledgement of receipt digitally, when providing the information sheet for the first time.
3. In cases outlined in paragraphs 1 and 2, credit institutions shall also provide the actual or intending depositor with a digital copy of the information sheet via email and/or by providing easy access to the digital file in the same online space where depositors can access other documents concerning their account.
4. In all cases, when providing the information sheet as a digital file, credit institutions shall use a data extractable format.

*Article 2*

**Format of the depositor information sheet**

1. Credit institutions shall have the flexbility to adapt the template to incorporate their visual identity into the information sheet, as long as the content, the precise wording, the relative font sizes and the sequence in which the information is outlined in the template, is maintained.
2. Credit institutions shall complete the information sheet by using the template as provided in this Regulation and do so without modifications, other than those allowed under paragraph 1 of this Article.
3. The monetary amounts referred to in the information sheet shall be expressed in the currency of the Member States where the credit institution is established or, if agreed by the depositor and the credit institution, in another currency.

*Article 3*

**Information to be published on the credit institution website**

1. Credit institutions shall publish on their website:
    a. the current information sheet as outlined in Annex I, as a digital file, in a data extractable format;
    b. the content of the information about deposit protection as outlined in Annex II.
2. Where a credit institution does not have a website, the same requirements should apply to the place where the credit institution makes information available to its customers.

*Article 4*

**Information about unavailability of deposits**

1. Upon determination of unavailability of deposits, the deposit guarantee scheme protecting deposits in the credit institution where the unavailability of deposits was determined, and the designated authority, shall publish on their websites information about the determination in accordance with national provisions transposing Article 16(7a) of Directive 2026/804/EU.
2. The publication shall include at least information on:
    a. The date of the determination of the unavailability of deposits;
    b. The authority that made the determination;
    c. The name of the credit institution subject to the determination;
    d. The consequence of the determination for depositors;
    e. Key elements of deposit protection, including coverage level and reimbursement process and timeline;
    f. If the deposit guarantee scheme is aware or it is highly likely that the credit institution holds client funds subject to deposit guarantee scheme protection, information about the treatment of client funds, including, if known, whether client funds will be reimbursed to the account holder or to the ultimate beneficiary directive.
3. Member States shall specify if the designated authority or the deposit guarantee scheme, shall provide the credit institution where unavailability of deposits was determined with the text the credit institution is then obliged to publish on their website, without undue delay, in accordance with national provisions transposing Article 16(7a) of Directive 2026/804/EU.
4. Member States shall specify if the designated authority or the deposit guarantee scheme shall provide the text referred to in paragraph 3 of this Article to the credit institution without delay, and in any case, no later than within 24 hours of such a determination.
5. Member States shall specify if the designated authority or the deposit guarantee scheme shall include in the text to be published the same elements as outlined in paragraph 2, in a clear and easily understandable manner.
6. The designated authority, and the deposit guarantee scheme shall ensure the publication of the information on the unavailability of deposits on their websites, and the website of the credit institution is, to the extent possible, synchronised with the publication by the authority responsible for the determination of the unavailability of deposits in their jurisdiction.
7. The information to be published by the designated authorities, the deposit guarantee scheme and the credit institution shall be written in the official language of the Member State, and any other languages the designated authority and the deposit guarantee scheme would deem appropriate.

*Article 5*

**Information about the treatment of client funds**

1. DGSs shall publish on their websites information about the treatment of client funds using clear and understandable language.
2. Credit institutions holding client funds on behalf of other financial institutions, provided they meet the conditions specified in Article 8b of Directive 2026/804/EU, shall ensure that their newly issued and existing contractual agreements with the financial institutions placing client funds with them oblige the financial institutions to disclose on their websites information about the coverage treatment of client funds safeguarded with a credit institution, with reference to the information published by the DGS the credit institution is a member of. This information shall be presented in clear and understandable language, in line with paragraph 1 of this Article, as used by deposit guarantee schemes to explain such rules. The publication shall also include contact details of the financial institution.

*Article 6*

**Information about the suspension of depositor reimbursement**

1. Credit institutions and designated authorities shall inform the deposit guarantee scheme when they are aware that a depositor or any person entitled to sums held in his or her account has been charged with offences arising out of, or in relation to, money laundering or terrorist financing, or that the FIU has suspended a transaction, account or business relationship related to the concerned depositor. They should do so as soon as possible and in any case no later than within 24 hours once the relevant authority has determined that deposits in the institution where the person charged with such offences holds an account are unavailable.
2. The information to be provided to the deposit guarantee scheme shall include the information necessary for the correct identification of the depositor, or the person that is entitled to the amount in the account and has been charged with money laundering offences, including the name of the credit institution where the account of that depositor or that person entitled to the amount is held.
3. In cases where the deposit guarantee scheme excludes a depositor from reimbursement, or suspends or defers the reimbursement, it shall ensure that it replies in due course to the concerned depositors’ questions concerning such exclusion, suspension or deferral.
4. Deposit guarantee scheme shall publish on its website general information concerning rules on exclusions from, and suspensions and deferrals of reimbursements.

*Article 7*

**Information about mergers, acquisitions and similar operations**

1. Ahead of credit institutions informing depositors in line with Article 16(6) of the Directive 2026/804/EU, credit institutions shall send to the deposit guarantee scheme they are currently members of, and, where the operation results in change of DGS membership, the deposit guarantee scheme the credit institution will be joining, the text the credit

institutions intend to use to notify the depositors in the relevant credit institution of the merger, conversion of subsidiaries of a credit institution into branches or similar operations.

2. The deposit guarantee schemes shall have 7 working days after receiving the information specified in paragraph 1 to submit any comments to the credit institution about the deposit protection aspects of the information to be shared with the depositors. The credit institution shall revise the content of the information to reflect comments received from the deposit guarantee schemes in its communication to be shared with depositors.
3. The information to be provided by the credit institutions to all the depositors in the relevant credit institution shall include at least the explanation why the depositor is contacted, legal names of the institutions merging, effective date of merger, impact of the merger on depositor's coverage level, reminder of key components of deposit protection as per information sheet including the maximum coverage level, explanation of the impact the merger may have on depositors who have deposits in both merging institutions, and steps they can take to ensure all their funds remain fully covered, and the credit institution's contact details.
4. Competent authorities shall inform the relevant deposit guarantee schemes in the case of a merger of a credit institution, conversion of subsidiaries or similar operations that lead to the change of the deposit guarantee scheme membership of the credit institution or impact deposit guarantee schemes' operations.

*Article 8*

**Information about changes of deposit guarantee scheme membership**

1. Without prejudice to the Article 7, ahead of credit institutions informing depositors in line with Article 16(7) of the Directive 2026/804/EU, credit institutions shall send to the deposit guarantee scheme they are currently members of, and the deposit guarantee scheme the credit institution will be joining, the text the credit institutions intend to use to notify the depositors. The deposit guarantee schemes shall have 7 working days after receiving it to submit any comments to the credit institution about the deposit protection-related content of the information to be shared with the depositors. The credit institution shall revise the content of the information to reflect comments received from the deposit guarantee schemes in its communication to be shared with depositors.
2. The information to be provided by the credit institutions to the depositors shall include at least the explanation why the depositor is contacted, the names of the deposit guarantee schemes involved in the membership change, effective date of change of deposit guarantee scheme membership, impact of the change of deposit guarantee scheme membership on depositor's coverage including reassurance on the continuity of coverage, reminder of key components of deposit protection as per information sheet, contact information to the credit institution, as well as the deposit guarantee scheme the credit institution is joining.

*Article 9*

**Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in all Member States.
It shall apply from [11 May 2028].

Done at Brussels,

*For the Commission*
*The President*

*On behalf of the President*

*[Position]*

## ANNEX I

[Name/Logo] of Credit Institution
and Credit Institution contact details at the top of the information sheet]

# Your deposits are protected

[Dear customer,/Dear [Name of the depositor],

We would like to inform you that by law your deposits at [***Name of Credit Institution***] are protected by the [***Name of Deposit Guarantee Scheme***]:

- General protection limit is up to **EUR 100 000** [replace by adequate amount and currency if currency not EUR] per depositor per bank,
- If [*Name of credit institution*] fails, your deposits will be repaid up to this limit,
- Your deposits will be made available within **7 working days**, and your deposits will be repaid in [**euro, [**replace by another currency, where applicable].

The protection covers most bank accounts, such as current accounts, savings accounts and term deposits.
This document is **for information only**. You do not need to take any action.
For more information, please read the information below or contact us: [***Name of Credit Institution***], [Website of Credit Institution], [Telephone of Credit Institution], [E-mail of Credit Institution].

## Important information about deposit protection

| | |
|---|---|
| Your deposits at [Name of Credit Institution] are protected by: | [Name of the relevant Deposit Guarantee Scheme] |
| Maximum protection: | Your deposits are protected up to EUR 100 000 per person, per [bank/credit union]/[other type of credit institution]] [replace by adequate amount and currency if currency not EUR] |
| Other brand names used by [Name of Credit Institution] | Please note that deposits held under the following brands are combined for the purpose of the EUR 100 000 [replace by adequate amount and currency if currency not EUR] limit: [Insert trademark(s)] |
| If you have more than one account at the same [bank/credit union/[other type of credit institution]: | All your deposits at the same [bank/credit union]/[other type of credit institution]] are added together and the total is protected up to EUR 100 000 [replace by adequate amount and currency if currency not EUR] |
| If you have a joint account: | Each person is protected separately up to EUR 100 000 [replace by adequate amount and currency if currency not EUR] |
| If [Name of Credit Institution] fails: | Your deposits will be made available within 7 working days [replace by another deadline if applicable] |
| Currency of repayment: | You will be repaid in euro [replace by another currency, where applicable]. |
| Contact us for questions about your accounts: | [Website of Credit Institution], [Telephone of Credit Institution], [E-mail of Credit Institution]. |

| | |
|---|---|
| Further information: | [Additional information as specified by the relevant Deposit Guarantee Schemes], for example: If you owe money to the bank (for example, a loan or overdraft that is already due), this amount may be deducted from your deposits when calculating the repayment.]<br><br>For more information and further details about the protection of deposits visit [website of the Deposit Guarantee Scheme] or consult Frequently Asked Questions [insert link to Credit Institution *Q&A website section*] |
| You can check your account statement to see whether your deposits are eligible for deposit protection**.** | |
| This information is available for download at: **[insert direct link to Credit Institution website].** | |

## ANNEX II

# Further information about deposit protection

| | |
|---|---|
| **Scheme responsible for protection of deposits** | [Only where applicable:] Your deposits are covered by [Name of the Deposit Guarantee Scheme], a deposit guarantee scheme officially recognised under EU law.<br><br>[Only where applicable:] [Credit Institution] is part of [Name of the Institutional Protection Scheme], which is an officially recognised as a Deposit Guarantee Scheme within the EU. [Credit Institution] is also part of [Name of the IPS], which is a mutual support system for its member institutions.<br><br>If [Credit Institution] fails, your eligible deposits will be repaid up to EUR 100 000 per person [replace by adequate amount if currency not EUR].<br><br>[Only where applicable:] [Name of Credit Institution] is part of [Name of the Institutional Protection Scheme] - an Institutional Protection Scheme officially recognised as a Deposit Guarantee Scheme. This means that all institutions that are members of this scheme mutually support each other in order to avoid insolvency. If insolvency should occur, your deposits would be repaid up to EUR 100 000 [replace by adequate amount if currency not EUR].<br><br>[Only where applicable:] Your deposit is covered by [Name of the Deposit Guarantee Scheme] - a statutory Deposit Guarantee Scheme and by [Name of the Deposit Guarantee Scheme] - a contractual Deposit Guarantee Scheme. If insolvency of your credit institution should occur, your deposits would in any case be repaid up to EUR 100 000 [replace by adequate amount if currency not EUR].<br><br>[Only where applicable:] Your deposit is covered by [Name of the Deposit Guarantee Scheme] - a statutory Deposit Guarantee Scheme. In addition, [Name of Credit Institution] is part of [Name of the Institutional Protection Scheme] - an Institutional Protection Scheme in which all members mutually support each other in order to avoid insolvency. If insolvency should occur, your deposits would be repaid up to EUR 100 000 [replace by adequate amount if currency not EUR] by the Deposit Guarantee Scheme.<br><br>For detailed information about deposit protection, visit the website of [Name of the Deposit Guarantee Scheme] here [Link to the website of the Deposit Guarantee Scheme].<br><br>[Only where applicable:] For more information, visit [Name of the DGS/IPS: [DGS/IPS website] |
| **General limit of protection** | If a [bank/credit union/[other type of credit institution]] fails deposits are repaid by [DGS/IPS]. The maximum guarantee is EUR 100 000 per depositor and per [bank/credit institution]. |

| | |
|---|---|
| | All deposits with your [bank/credit union/other type of credit institution] are added up. As an example, EUR 90 000 in one account and EUR 20 000 in another account with the same [bank/credit union/other type of credit institution] result in EUR 110 000 of which EUR 100 000 are covered.<br>[Only where applicable:] As [Name of Credit Institution] uses different brand names, all deposits held with [insert all brand names of the Credit Institution] are added up and covered up to EUR 100 000 per depositor. |
| **Accrued interest** | If a [bank/credit union/[other type of credit institution]] fails, accrued interest on a deposit is added to the deposit amount to be repaid subject to the EUR 100 000 limit. |
| **Limit of protection for joint accounts** | For joint accounts, the limit of EUR 100 000 applies to each depositor separately.<br>[Only where applicable:] If an account is held by a business partnership, association or similar group without legal personality, [for example as a [name of accounts used for such purposes in the Member State]], the deposits are treated as belonging to a single depositor. This means the total balance is protected up to EUR 100,000 [replace by adequate amount if currency not EUR] in total, not per individual member. |
| **Temporary high balances** | In some cases as defined by law, deposits may be protected above EUR 100 000 [replace by adequate amount if currency not EUR] for a limited period of up to 6 months. For more information on the conditions applicable visit [DGS/IPS: [DGS/IPS website]] |
| **Reimbursement** | The [Name of the DGS] is responsible for repaying depositors if a bank fails. It will make your funds available to you within seven working days.<br>For more information about reimbursement conditions including timelines and currency of reimbursement, visit [DGS/IPS: [DGS/IPS website]. |
| **[Only where applicable: Link between deposits and loans and overdrafts]** | [Only where applicable:] If you owe money to the bank (for example, a loan or overdraft that is already due), this amount may be deducted from your deposits when calculating the repayment.] |
| **Other important information** | In general, deposits of retail depositors and businesses are covered by Deposit Guarantee Schemes. Exceptions are listed on the website of the relevant Deposit Guarantee Scheme. On request, your [bank/credit union/[other type of credit institution]] will confirm whether certain products are covered. If deposits are covered, [bank/credit union/[other type of credit institution]] this will be indicated on your account statement. |

# Accompanying documents

## 4.1. Draft cost-benefit analysis / impact assessment

As per Article 15(1) of Regulation (EU) No 1093/2010 (EBA Regulation), any Implementing technical standards developed by the EBA shall be accompanied by an Impact Assessment (IA), which analyses 'the potential related costs and benefits'.

This analysis presents the IA of the main policy options included in this Consultation Paper on the draft Implementing Technical Standards on depositor information under Directive 2026/804/EU on deposit guarantee schemes ('the draft ITS'). The analysis provides an overview of the identified problem, the proposed options to address this problem as well as the potential impact of these options. The IA is high level and qualitative in nature.

### A. Problem identification and background

Directive (EU) 2026/804/EU (DGSD3) was adopted and published in the Official Journal of the European Union on 20 April 2026 and aims to improve depositor protection, enhance the functioning of DGSs, while harmonising rules for DGSs' interventions other than payout proceedings (e.g. preventive or resolution scenarios), and strengthen the effectiveness and cross-border convergence of DGSs. Article 16 of the DGSD3 confers a mandate on the EBA to develop and submit to the European Commission (EC) Implementing Technical Standards (ITS) to specify: (i) the content and the format of the depositor information sheet [to communicate to depositors the information about deposit coverage], and (ii) the procedure to be followed for the provision of, and the content of, the information to be provided in the communications from designated authorities, DGSs or credit institutions to depositors, in the five following situations : treatment of client funds, suspension of depositor reimbursement, determination of unavailability of deposits, mergers and acquisitions, and Credit institutions ceasing to be a member of a DGS.

### B. Policy objectives

The draft Implementing Technical Standards on depositor information under Directive 2026/804/EU on deposit guarantee schemes aims at specifying the content and the format of the depositor information sheet and the procedure to be followed for the provision of information in the five situations mentioned in previous section.

### C. Options considered, assessment of the options and preferred options

#### Content of the Information Sheet

Depositors should receive clear, understandable, and meaningful information about deposit protection. An information sheet already exists for depositors but feedback suggest that it is not fully effective and would benefit from improvements. The EBA evaluated two options to address identified issues with the current information sheet.

**Option 1a: Maintain the current information sheet, with an additional explanatory document**

**Option 1b: Redesign the information sheet to include a clear introduction, while keeping the remaining content unchanged and highlighting key messages**

Option 1a would directly address depositor confusion by providing a separate, plain-language document alongside the existing legally robust information sheet. This approach ensures depositors receive both detailed technical information and a simplified explanation, potentially improving awareness. However, it risks further confusion by presenting the same information in two different formats, increasing the volume of documentation and associated costs for credit institutions - particularly when distributed in hard copy.

On the other hand, Option 1b offers a more streamlined solution by integrating a clear introduction and key messages into a single, redesigned sheet. This approach directly tackles depositor uncertainty about the sheet's purpose and required actions while maintaining legal precision in the technical details. By combining plain-language highlights with the existing content, it reduces the risk of confusion from multiple documents and lowers implementation costs. The redesign also aligns with depositors' preference for concise, structured information. While careful drafting is required to ensure consistency between simplified and technical language, this option better balances clarity, cost-efficiency, and effectiveness.

Based on the above, **Option 1b has been chosen as the preferred option**, and the draft ITS will redesign the information sheet to include a clear introduction, while keeping the remaining content unchanged and highlighting key messages.

## Information provided by financial institutions to their clients on their DGS funds' treatment

The EBA has assessed how best to ensure that clients of financial institutions – placing funds with credit institutions - are adequately informed about the protection of their funds. Two options were considered:

**Option 2a: Requiring credit institutions to include in their contracts with financial institutions that the latter disclose the relevant rules on their websites.**

**Option 2b: Requiring credit institutions to mandate that financial institutions inform their clients individually about the applicable rules concerning deposit protection.**

Requiring individual client notifications (Option 2b) would ensure depositors receive direct, tailored information, thereby maximising awareness of deposit protection rules. However, this approach risks overwhelming clients with complex details, particularly for those unfamiliar with safeguarding arrangements. It would also impose significant operational burdens on both credit institutions - who must enforce contractual provisions - and financial institutions, which would need to manage client queries and adapt communications. Such requirements could lead to confusion rather than clarity, undermining the intended benefit.

However, mandating website disclosures (Option 2a) strikes a balance between accessibility and proportionality. Interested clients can easily access the information without unnecessary complexity, while financial institutions avoid the administrative strain of individualised communications. This approach aligns with the principle of transparency without creating undue burdens, ensuring clarity for those who seek it while minimising operational disruption.

Based on the above, **Option 2a has been chosen as the preferred option**, and the draft ITS will require credit institutions to include in their contracts with financial institutions that the latter disclose on their websites the applicable rules concerning coverage of client funds.

### Information provided by credit institutions to their clients on unavailability of deposits

As outlined in Article 16(7a) of DGSD3, Member States shall ensure that depositors are informed when a relevant administrative authority has made a determination as referred to in Article 2(1), point (8)(a) or a judicial authority has made a ruling as referred to in Article 2(1), point (8)(b). Two options were considered for how credit institutions should communicate deposit unavailability to their clients.

**Option 3a: Requiring credit institutions to communicate unavailability of deposits via a publication on their website.**

**Option 3b: Requiring credit institutions to communicate unavailability of deposits individually with each depositor.**

Requiring individual communication with each depositor (Option 3b) would ensure that all depositors receive direct, personalised notification of the unavailability of their funds, minimising the risk of misinformation or missed communications. However, this method imposes significant operational burdens, particularly during a crisis when credit institutions may lack the capacity, time, or even up-to-date contact details to execute mass individual notifications efficiently.

On the other hand, mandating publication on the credit institution's website (Option 3a) offers a more practical and scalable solution. It avoids the high operational costs and delays associated with individual notifications while still ensuring that depositors can access clear, consistent information through official platforms. Though some depositors might initially miss the announcement, the risk is mitigated by parallel publications on DGS and authority websites, as well as potential supplementary measures (e.g., press releases or media alerts). Importantly, this option does not preclude credit institutions or DGSs from supplementing website publications with direct communications.

Based on the above, **Option 3a has been chosen as the preferred option**, and the draft ITS will require credit institutions to communicate unavailability of deposits via a publication on their website.

### D. Conclusion

The development of the draft Implementing Technical Standards on depositor information under Directive 2026/804/EU on deposit guarantee schemes will specify the content and the format of the depositor information sheet and the procedure to be followed for the provision of information in the five situations mentioned in previous section. The benefits – principally an enhancement of communication with depositors - are deemed to exceed the costs associated with this draft ITS which are not supposed to be material and are mostly driven by underlying requirements of the DGSD3. As such these draft ITS hence should achieve, with acceptable costs, their objectives.

## 4.2. Overview of questions for consultation

Question 1: Do you have any comments on the proposal to redesign the currently used information sheet to have an introduction at the top explaining the purpose of the sheet, and steps to be taken by the depositor, followed by further essential information about deposit protection, as proposed in Annex I to the ITS?

Question 2: Do you have any comments on the proposal to remove information currently provided in the information sheet in the footnotes and instead to require their publication only on the credit institution's website, as proposed in Article 3(1)(b)?

Question 3: Do you have any comments on the proposal to allow flexibility for the credit institutions to 1) incorporate their visual identity into the sheet and make small technical changes to the sheet, and to 2) provide the information sheet in a format that does not meet the definition of 'data extractable format', provided that the information is easily accessible to the depositor in that format elsewhere?

Question 4: Do you have any comments on Article 5(1) of the draft ITS, which proposes that the DGSs publish general information about the protection of client funds placed with credit institutions?

Question 5: Do you have any comments on Article 4(2) of the draft ITS, proposes that the information on client funds should be included in the communication about the determination of unavailability of deposits, where the credit institution in question hold or is likely to hold client funds?

Question 6: Do you have any comments on the CP proposing in Article 6 of the draft ITS to require DGSs to reply in due course to depositors' questions concerning suspensions, and to publish general information about suspensions on the DGSs' websites?

Question 7: Do you agree with the proposal that information about the determination of unavailability of deposits should be published on DGS and DGSDA's websites, and where possible, should be coordinated with publications by other authorities?

Question 8: Do you agree with the proposal that the DGS should provide the credit institution with the information it is required to publish upon the determination of unavailability of deposits ?

Question 9: Do you agree with the wording of Article 7 in the draft ITS, which proposes to require credit institutions to provide the DGSs with the wording the credit institution intends to use to inform all depositors about the impact of the merger, conversion of subsidiaries of a credit institution into branches, or similar operations on their deposits, including those who lose coverage as a result of the event?

Question 10: Do you have any comments on the wording of Article 7(3) in the draft ITS, which proposes to require the minimum elements to be included in the communication from the credit institution to the depositors?

Question 11: Do you have any comments on the wording of Article 8 of the draft ITS, which proposes to require credit institutions to provide the DGS with the wording the credit institution intends to use to inform relevant depositors about the changes to DGS membership?

Question 12: Do you have any comments on the wording of Article 8 of the draft ITS, which proposes to require the minimum elements to be included in the communication from the credit institution to the depositors in case of changes to DGS membership?

Question 13: Do you have any comments on the requirement for the NCAs to inform DGSs of any changes to DGS membership?