

National Bank of Romania

Circular No. 26 of 19 November 2004

Published in *Monitorul Oficial al României*, Part One, No. 1,140 of 2 December 2004
for supplementing NBR Regulation No. 6/2002 on reserve requirements

Having regard to the provisions of Art. 5 and Art. 8 of Law No. 312/2004 – The NBR Act, pursuant to the provisions of Art. 38 of Law No. 58/1998 – The Banking Act, as subsequently amended and supplemented, and of Art. 164 and Art. 206 of Government Emergency Ordinance No. 97/2000 on credit co-operatives, as subsequently amended and supplemented,

By virtue of Art. 48 of Law No. 312/2004,

The National Bank of Romania issues this circular.

Art. I. – NBR Regulation No. 6/2002 on reserve requirements, published in *Monitorul Oficial al României*, Part One, No. 566 of 1 August 2002, as subsequently amended and supplemented, is hereby supplemented as follows:

- A new section shall be added to Chapter II “Required Reserves”, i.e. Section 7 “The manner of setting up required reserves in case of credit institutions’ merger or splitting-up”, which shall read as follows:

“Art. 26¹. – (1) For the maintenance period when the legal document concerning the merger of two or several credit institutions takes effect, the obligation of setting up required reserves for all credit institutions subject to the merger shall be incumbent upon the resulting credit institution. The domestic and foreign currency reserves of merged credit institutions shall be taken into account on a cumulative basis for fulfilling the obligation of setting up the required reserves.

(2) Starting with the maintenance period following the date when the legal document concerning the merger takes effect, the resulting credit institution shall carry out the reporting and shall set up the required reserves, based on the aggregate balance sheet items of all credit institutions taken over, throughout the related observance period.

(3) For the maintenance period when the legal document concerning the splitting-up of a credit institution takes effect, the obligation of setting up the required reserves is incumbent upon each resulting credit institution, in direct proportion to the assigned portion of the reserve base. In order to fulfil the obligation of setting up the required reserves, the domestic and foreign currency

reserves of the credit institution that was subject to the splitting-up shall be considered for each resulting credit institution, in direct proportion to the assigned portion of the reserve base.

(4) Starting with the maintenance period following the date when the legal document concerning the splitting-up takes effect, each credit institution shall carry out the reporting and shall set up the required reserves, in direct proportion to the balance sheet items of the credit institution that was subject to the splitting-up, throughout the related observance period.”

Art. II. – This circular shall enter into force starting with the maintenance period following the publication date in *Monitorul Oficial al României*, Part One.

GOVERNOR OF THE NATIONAL BANK OF ROMANIA,
MUGUR ISĂRESCU

Bucharest, 19 November 2004

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