

TRANSLATION

Republic of Panama Superintendency of Banks

GENERAL RESOLUTION SBP-RG-0001-2017 (dated 13 February 2017)

“Whereby General Resolution N° 001-2010 dated 3 December 2010 is amended”

THE SUPERINTENDENT OF BANKS,
in use of its legal powers and,

WHEREAS:

Due to the issuance of Decree Law 2 dated 22 February 2008, the Executive Branch reedited Decree Law 9 dated 26 February 1998 and all its amendments as a consolidated text, and this text was approved by means of Executive Decree 52 dated 30 April 2008, hereinafter referred to as the Banking Law;

Pursuant to paragraph 2 of Article 5 of the Banking Law, strengthening and fostering favorable conditions for the development of the Republic of Panama as an International Financial Center is an objective of the Superintendency of Banks;

Pursuant to paragraph 13 of Article 16 of the Banking Law, conducting the inspections ordered by this Decree Law, by the Board of Directors and those considered necessary or prudent, is a technical duty of the Superintendent;

Pursuant to paragraph 1 of Article 23 of the Banking Law, the income from inspections and other special services paid by the banks and other regulated entities is among the resources of the Superintendency;

Article 66 of the Banking Law establishes that the total cost of the inspections conducted by the Superintendency, as well as incidental expenses, will be paid for by the respective banks;

By means of Rule 5-2010 dated 4 October 2010, the concept of Bank Examination, contained in Article 66 of the Banking Law, is further developed;

By means of General Resolution 1-2010 dated 3 December 2010 the methodology for the calculation of the costs of Bank Examinations is established and General Resolution 1-2009 dated 26 October 2009 is repealed;

During the working sessions of the Superintendency of Banks, it was deemed necessary and advisable to update the methodology for the collection of inspection fees applied to General and International License Banks.

RESOLVES:

ARTICLE 1. Article 2 of General Resolution 1-2010 dated 3 December 2010 shall read:

“ARTICLE 2: METHODOLOGY TO BE APPLIED TO GENERAL LICENSE BANKS. The calculation of inspection costs for General License Banks will be based on a rate of 0.0065% of their average consolidated assets. The calculation will be based on the information in Table BAN 02 reported to the Superintendency through the ITBANK information system.

For these banks, the annual minimum fixed amount to be paid to the Superintendency for inspection fees will be SEVENTY-FIVE THOUSAND BALBOAS (B/.75,000.00), up to a maximum amount of SEVEN HUNDRED THOUSAND BALBOAS (B/.700,000.00).”

ARTICLE 2. Article 3 of General Resolution 1-2010 dated 3 December 2010 shall read:

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“ARTICLE 3: METHODOLOGY TO BE APPLIED TO INTERNATIONAL LICENSE BANKS. The calculation of inspection costs for International License Banks will be based on the rate of 0.0065% of their average consolidated assets. The calculation will be based on the information in Table BAN 02 reported to the Superintendency through the ITBANK information system.

For these banks, the annual minimum fixed amount to be paid to the Superintendency for inspection fees will be SEVENTY-FIVE THOUSAND BALBOAS (B/.75,000.00), up to a maximum amount of ONE HUNDRED THOUSAND BALBOAS (B/.100,000.00).”

ARTICLE 3. Article 4-A is added to General Resolution 1-2010 dated 3 December 2010 as follows:

“ARTICLE 4-A: VARIABLE BANK INSPECTION COSTS. In addition to the fixed inspection fees referred to herein, General, International and Microfinance banks whose GREN rating is four (4) will be assessed an additional annual amount equivalent to **TWENTY-FIVE THOUSAND BALBOAS (B/.25,000.00)**, taking as a reference the last GREN rating notified to the Bank. For banks whose GREN rating is five (5), an additional annual amount equivalent to **FIFTY THOUSAND BALBOAS (B/.50,000.00)** will be applied taking as a reference the last GREN rating notified to the Bank.

The payments referred to in this article will be made annually in a single payment within the first 20 calendar days of January of every year.”

ARTICLE 4. ENACTMENT. This Rule shall become effective upon its promulgation.

ARTICLE 5. TRANSITORY. The payment of the minimum fixed amounts referred to in Articles 1 and 2 herein will be made proportionally beginning with the payment period for July 2017 and, thereafter, as set forth in Article 7 of [General] Resolution 1-2010.

For the payment referred to in Article 3 herein adding Article 4-A to General Resolution 1-2010, this payment for 2017 will be made within the first 20 calendar days of July 2017. In subsequent years, this payment will be made within the first 20 calendar days of January of each year.

Given in the city of Panama on the thirteenth (13th) day of February, two thousand seventeen (2017).

FOR COMMUNICATION, PUBLICATION AND ENFORCEMENT.

THE ACTING SUPERINTENDENT OF BANKS,

Gustavo Adolfo Villa L.