

DECISIONS

DECISION (EU) 2023/55 OF THE EUROPEAN CENTRAL BANK

of 16 December 2022

amending Decision (EU) 2019/1743 on the remuneration of holdings of excess reserves and of certain deposits (ECB/2019/31) and Decision (EU) 2022/1521 on temporary adjustments to the remuneration of certain non-monetary policy deposits held with national central banks and the European Central Bank (ECB/2022/30) (ECB/2022/47)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1 and Articles 17 and 18 thereof,

Whereas:

- (1) As stated in the proposal for a regulation of the European Parliament and of the Council, establishing an Instrument for providing support to Ukraine for 2023 (macro-financial assistance+) (¹) and in the proposal for a regulation of the European Parliament and the Council amending Regulation (EU, Euratom) 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method (²), the funding needs for the Union's support to Ukraine require mobilisation and disbursement in a cost-effective and financially sound manner, integrating all funding needs including those for NextGenerationEU (NGEU). Funding should therefore be organised using a single funding method in order to allow different policy needs of the Union to be met concurrently, ensuring parallel financing of all Union programmes relying on borrowing.
- (2) Article 13(2) of Commission Implementing Decision of 14 April 2021 establishing the necessary arrangements for the administration of the borrowing operations under Council Decision (EU, Euratom) 2020/2053 and for the lending operations related to loans granted in accordance with Article 15 of Regulation (EU) 2021/241 of the European Parliament and of the Council (³) provides that a dedicated account is maintained with the European Central Bank (ECB) for prudential cash holdings. Following the establishment of a single funding method ensuring parallel financing of all Union programmes that rely on borrowing, the dedicated account maintained with the ECB is also to be used in the context of this single funding method for the purposes of prudential cash holdings related to the Instrument for providing support to Ukraine for 2023 (macro-financial assistance+).
- (3) The Governing Council has decided that it is appropriate that the dedicated account maintained with the ECB, which is currently used for prudential holdings related to NGEU and which will be extended to be used also for prudential holdings related to the Instrument for providing support to Ukraine for 2023 (macro-financial assistance+), continues to be remunerated on the basis of the rules and provisions laid down in Decision (EU) 2019/1743 of the European Central Bank (ECB/2019/31) (⁴) and Decision (EU) 2022/1521 of the European Central Bank (ECB/2022/30) (⁵).

(¹) COM(2022) 597 final.

(²) COM(2022) 596 final.

(³) C(2021) 2502 final.

(⁴) Decision (EU) 2019/1743 of the European Central Bank of 15 October 2019 on the remuneration of holdings of excess reserves and of certain deposits (ECB/2019/31) (OJ L 267, 21.10.2019, p. 12).

(⁵) Decision (EU) 2022/1521 of the European Central Bank of 12 September 2022 on temporary adjustments to the remuneration of certain non-monetary policy deposits held with national central banks and the European Central Bank (ECB/2022/30) (OJ L 236I, 13.9.2022, p. 1).

(4) Decision (EU) 2022/1521 (ECB/2022/30) will remain in force until 30 April 2023. Until that date, pursuant to Article 3 of that Decision, in the event of a conflict between it and, *inter alia*, Article 2 of Decision (EU) 2019/1743 (ECB/2019/31), Decision (EU) 2022/1521 (ECB/2022/30) prevails. Therefore, Decision (EU) 2019/1743 (ECB/2019/31) and Decision (EU) 2022/1521 (ECB/2022/30) are to be read in conjunction.

(5) In light of the current situation in Ukraine, this Decision should enter into force and apply as a matter of urgency.

(6) Therefore, Decision (EU) 2019/1743 (ECB/2019/31) and Decision (EU) 2022/1521 (ECB/2022/30) should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Amendment to Decision (EU) 2019/1743 (ECB/2019/31)

In Article 2 of Decision (EU) 2019/1743 (ECB/2019/31), paragraph 2 is replaced by the following:

'2. The dedicated account maintained with the ECB in accordance with Article 13(2) of Commission Implementing Decision of 14 April 2021 establishing the necessary arrangements for the administration of the borrowing operations under Council Decision (EU, Euratom) 2020/2053 and for the lending operations related to loans granted in accordance with Article 15 of Regulation (EU) 2021/241 of the European Parliament and of the Council (*) and used for the purposes of prudential cash holdings in relation to NextGenerationEU (NGEU) and in relation to the Instrument for providing support to Ukraine for 2023 (macro-financial assistance+) shall be remunerated at zero per cent or the euro short-term rate (€STR), whichever is higher, except where the aggregate amount of deposits held in that dedicated account exceeds EUR 20 billion, in which case the amount in excess shall be remunerated as follows:

- (a) if the deposit facility rate on the relevant calendar day is zero or higher (positive), at zero per cent or the euro short-term rate (€STR), whichever is lower;
- (b) if the deposit facility rate on the relevant calendar day is lower than zero (negative), at the deposit facility rate or the euro short-term rate (€STR), whichever is lower.

() C(2021) 2502 final.'*

Article 2

Amendment to Decision (EU) 2022/1521 (ECB/2022/30)

In Article 2 of Decision (EU) 2022/1521 (ECB/2022/30), paragraph 3 is replaced by the following:

'3. The dedicated account maintained with the ECB in accordance with Article 13(2) of Commission Implementing Decision of 14 April 2021 establishing the necessary arrangements for the administration of the borrowing operations under Council Decision (EU, Euratom) 2020/2053 and for the lending operations related to loans granted in accordance with Article 15 of Regulation (EU) 2021/241 of the European Parliament and of the Council (*) and used for the purposes of prudential cash holdings in relation to NextGenerationEU (NGEU) and in relation to the Instrument for providing support to Ukraine for 2023 (macro-financial assistance+) shall be remunerated at zero per cent or the euro short-term rate (€STR), whichever is higher, except where the aggregate amount of deposits held in that dedicated account exceeds EUR 20 billion, in which case the amount in excess of EUR 20 billion shall be remunerated at the deposit facility rate or the euro short-term rate (€STR), whichever is lower.

() C(2021) 2502 final.'*

Article 3

Entry into force

1. This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.
2. It shall apply from 9 January 2023.

Done at Frankfurt am Main, 16 December 2022.

The President of the ECB
Christine LAGARDE
