

INFORMATION NOTICE

COMPENSATION BY THE FGDR UNDER THE DEPOSIT GUARANTEE SCHEME

In the event that your bank fails, the FGDR pays compensation for your bank deposits, i.e. all amounts deposited in your current accounts, passbook accounts and savings plans, in less than 7 working days.

The correspondence sent by the FGDR consists of one or two compensation letters and an information notice. Each letter contains a summary of your compensation, a detailed statement of the accounts and, where applicable, a cheque or bank transfer notice. We encourage you to read all these documents carefully and keep them indefinitely.

CONTACT

- > FGDR website and “Secure Compensation Area”: <https://www.garantiedesdepots.fr>
- > Confirmation of contact information
- > Choice of payment method: bank transfer or cheque
- > Compensation monitoring
- > Secure messaging with the FGDR
- > Call centre: **+33 (0)9 77 420 421**
(standard rate number, price of a local call)

1/ CIRCUMSTANCES THAT TRIGGER COMPENSATION BY THE FGDR

When your assets have become “unavailable”, the FGDR intervenes at the request of the Prudential Supervision and Resolution Authority (ACPR). From the day on which the institution is declared as having failed, your compensation is initiated automatically, without any prior action on your part.

Compensation procedure:

- > **Please ensure as quickly as possible** that you have a new account available at another bank where you can receive your compensation and transfer your regular transactions and services.
- > **Within not more than 7 working days** after the bank is declared as having failed, the FGDR will open a “**Secure Compensation Area**” (SCA) on its institutional website www.garantiedesdepots.fr where you can receive your compensation. The FGDR sends a text message or email to all customers who have provided the bank with their contact information. After an authentication and identification phase, the customer is asked to choose the desired payment method. If a bank transfer is chosen, the customer must enter the new bank account details.
- > Customers who have not chosen a payment method in the Secure Compensation Area within 20 working days of the date on which this area is opened and customers who can be identified only by their postal address (email or mobile phone number not entered) are automatically compensated by cheque.

FGDR COMPENSATION LETTER

Available for download in the Secure Compensation Area at www.garantiedesdepots.fr or by postal mail with acknowledgement of receipt



Current accounts, passbook accounts and savings plans

Livret type ‘A’ savings account, LDDS and LEP guaranteed by the French government

Information Notice



QUESTIONS

About your accounts and final bank account statement

- > contact your failed bank.

About your compensation by the FGDR

- > Website and Secure Compensation Area: <https://www.garantiedesdepots.fr>

2/ PEOPLE AND PRODUCTS COVERED AND NOT COVERED

French government guarantee

The French government guarantee covers all holders of Livret type ‘A’ and Livret type ‘Bleu’ savings accounts, LDDS and LEP accounts for the full amount up to a maximum of €100,000 per customer, per bank. The €100,000 coverage level also applies to entities authorised by law to hold Livret type ‘A’ savings accounts in amounts higher than this usual ceiling. The FGDR compensates customers on behalf of the French government through a payment separate from the compensation paid for accounts covered by the deposit guarantee scheme.

Deposit guarantee scheme

The deposit guarantee scheme covers all private individuals and legal entities for the full amount of their other deposits up to €100,000 per customer, per institution:

- > private individuals who are adults or minors, under guardianship or judicial protection, or represented by a third party;
- > companies (limited companies (SA), limited liability companies (SARL), one-person limited liability companies (EURL), limited liability individual business owners (EIRL), etc.), associations and other types of professional groups.

However, the French government, central administrations and organisations in the financial sector are not eligible for the deposit guarantee scheme, particularly banks and credit institutions, investment firms and mutual funds, pension institutions, pension funds and other financial institutions and insurance companies, with the exception, in certain cases, of funds held on behalf of third parties.

Products covered and not covered by the deposit guarantee scheme

The deposit guarantee scheme covers all amounts deposited in savings and other bank accounts denominated in euros or in the currency of a government up to €100,000 per customer, per institution:

- > current accounts, demand or term accounts;
- > savings accounts and savings plans Compte Epargne Logement (CEL) savings accounts, Plan d'Epargne Logement (PEL) savings plan, Plan d'Epargne Populaire (PEP) savings plan, etc.;
- > Livrets Jeune savings accounts;
- > cash accounts associated with a securities account, an equity savings scheme (PEA), a pension savings scheme (PER), an employee savings scheme, or equivalent held at a banking institution member of the FGDR;
- > bank cheques issued and not cashed;
- > deposits provided as security to ensure the proper completion of an operation, for example repayment of a loan or completion of a securities transaction, only if such deposits are available to their owner, i.e. if the obligation undertaken by the owner is settled prior to the failure date of the bank and the bank has not yet returned such amount;
- > factoring net global balance.

Deposits and other products not covered by the deposit guarantee scheme are:

- > anonymous deposits, savings certificates or other anonymous instruments, electronic-based cash and payment cards;
- > deposits pledged or provided as security to ensure the proper completion of an operation, when the obligation undertaken by the owner has not been settled;
- > notes, coins and items entrusted to your bank's safety deposit department, which should be collected directly from that department;
- > assets in cryptocurrencies;
- > securities and other financial instruments (stocks, bonds, units of open-end investment companies or mutual funds, certificates of deposit and negotiable debt instruments) invested in an equity savings scheme (PEA) or securities account, which are covered, if necessary, by the FGDR's investor compensation scheme;
- > life insurance products taken out with an insurance company;
- > pension savings schemes (PER, PERP), PEPE, inter-company collective pension savings schemes (PERCO-I), company pension savings schemes (PERE), company savings schemes (PEE), inter-company savings schemes (PEI), etc. and other capitalisation policies taken out with an insurance company;
- > securities representing own funds of credit institutions (shares and investment certificates of mutual or cooperative groups);
- > deposits related to money laundering transactions.

The list of products covered and not covered by the FGDR can be downloaded at <https://www.garantiedesdepots.fr/en/document-database/introduction-document-database>.

3/ CALCULATION OF YOUR COMPENSATION

Basis of compensation

Compensation is calculated based on the balances shown on the final bank account statements as of the "failure date".

a/ After failure, the bank sends you a final bank account statement with the balance of each account calculated as of the failure date

- > These balances include:
 - all transactions completed since the previous bank account statement which are known to the bank and were able to be included up to the failure date (deposits, withdrawals, bank transfers, cheques, direct debits, bank card transactions);
 - credit interests, bank charges, dividends and miscellaneous fees, social contributions and tax charges calculated on income, based on the usual methods applied by the institution.
- > The balances on your final bank account statement are the same as those on your FGDR compensation statement. For questions about your bank account statement, please contact your former institution. For questions about your compensation, please contact the FGDR.

b/ The account balances form the basis of the compensation calculation and are sent by the bank to the FGDR

- > The FGDR pays the total amount of the passbook accounts guaranteed by the French government on the government's behalf (Livret type 'A' or Livret type 'Bleu' savings account, LDDS, LEP) up to €100,000 per customer.
- > The FGDR compensates separately the total credit balances of all the other bank accounts, passbook accounts and savings schemes covered by the deposit guarantee scheme:
 - only current or savings accounts with a positive (credit) balance are compensated. They are not offset by accounts with negative (debit) balances;
 - joint accounts (account opened in the name of "X or Y") are distributed equally among the co-holders, barring a contractual stipulation providing for another allocation key; the portion accruing to each person is added to his/her other accounts or deposits;
 - accounts in foreign currencies are converted into euros at the exchange rate on the unavailability date;
 - all the credit balances thus defined are then added up to determine the total compensation amount up to a maximum of €100,000.
- > There is no set-off between the compensation paid and any loans you may have obtained from your bank. These loans remain due. You must continue to make the payments on the dates specified in the contract, under the terms and conditions defined by the bank liquidator.

Additional compensation

a/ "Temporary High Balances" (THB) compensated with an increase in the ceiling

When the total of your deposits - excluding Livret type 'A' savings accounts, LDDS and LEP - exceeds €100,000, the portion above this ceiling is not compensated. However, you are entitled to additional compensation for amounts over €100,000 associated with "temporary high balances".

"Temporary high balances" are amounts that were received **less than three months** prior to the failure date and result from the following events:

- > the sale of residential property belonging to you;
- > a lump-sum payment of compensation for harm sustained by you;
- > a lump-sum payment of a retirement benefit, an estate, a bequest or a donation;
- > a compensatory allowance or a settlement or contractual indemnity following the termination of an employment contract.

Additional compensation is limited to €500,000 per event related to the above cases, except for compensation for bodily injury, for which there is no coverage limit.

This right to additional compensation may be exercised by sending a letter by registered post with acknowledgment of receipt to the FGDR within not more than two months of receipt of the compensation letter by which the FGDR closes your compensation, along with supporting documents showing the origin and receipt of the amounts in question.

After its review, the FGDR will send you a response along with the payment of your additional compensation, where applicable, based on the usual methods (cheque or bank transfer).

The uncompensated amounts, i.e. above the regulatory compensation ceiling of €100,000 and, where applicable, the increased ceiling for "Temporary High Balances", represent a debt that you have against the liquidation of the bank. See 5/: Further action.

b/ Bank cheques issued and not cashed

The payer of a bank cheque issued by the failed bank, or the payee of this cheque where the cheque is valid and has not been cashed, must contact the FGDR, which will review the request based on the eligibility rules and the compensation ceiling of the payer or the payee.

4/ SPECIAL CASES

Certain cases call for a specific compensation calculation, while others require waiting until the end of a procedure or conducting special research with the institution or its customer. The FGDR compensates the portion of the accounts that can be compensated without waiting until the necessary research is completed. For the portion of the accounts requiring special research, the FGDR has 20 working days from the time it is in possession of the information needed to process the case.

SPECIAL CASES		REFERENCE ON THE COMPENSATION STATEMENT
"Hybrid" accounts		
Bank products that combine two products: a savings account guaranteed by the French government (Livret type 'A' or Livret type 'Bleu' savings account, LDDS, LEP) and a traditional current or savings account covered by the deposit guarantee scheme. The FGDR compensates the first account in full under the French government guarantee and adds the second account to the other deposits in order to calculate the compensation under the deposit guarantee scheme. Each account appears in the relevant compensation statement.		CH.1
Recipients of specific compensation		
Undivided co-ownership accounts		
An account opened in the name of "X and Y" is an undivided co-ownership account. The undivided co-ownership is treated as a separate person from its members. It is considered a separate customer and is compensated up to €100,000 separately from its members.		
Deceased customers, successoral undivided co-ownership		
So long as an inheritance has not been settled, the deceased customer is treated as a full holder and is covered by the deposit guarantee scheme on his/her own, independently of his/her heirs. For compensation, the FGDR contacts the notary responsible for the estate. If there is no designated notary, the FGDR may assign the procedure to its own notary.		B1.4
Accounts of an individual business owner with the status of EURL or EURL		
A limited liability individual business owner (EURL) and a one-person limited liability company (EURL) are treated as full holders, separate from the business entrepreneur. In this case, the business owner's business accounts and personal accounts are covered separately by the deposit guarantee scheme up to €100,000. If there is no EURL or EURL, the personal and business accounts are added together under the €100,000 ceiling.		
Divided accounts (beneficial interest, bare ownership)		
Ownership of these accounts has been divided between bare ownership and beneficial interest by a specific agreement. The beneficial owner (or the undivided co-ownership of the beneficial owners) receives the compensation and is responsible for repaying the bare owner. The beneficial owner's compensation is separate from the compensation for which he/she may also be eligible with respect to his/her other accounts.		SC3.5
Trusts		
The trust, along with its associated accounts, is treated as a person in its own right. It receives up to €100,000 in compensation under the deposit guarantee scheme, independently of the holder of the account(s) (the trustee), the settlor of the trust and his/her beneficiary.		SC3.7
Compensation put on hold		
Customers insufficiently identified		
When the customer's contact information is insufficient or the bank has lost track of the customer, the FGDR's compensation letter is returned as "undeliverable" or "not at this address". The FGDR then attempts to contact the depositor using the means at its disposal based on the file sent by the institution. Compensation is suspended until the holder can be identified or located.		B1.2 B1.3
Inactive accounts		
These are accounts for which there has been no transaction and whose holder has not been heard from for more than a year, or for more than five years for term accounts and passbook accounts. The FGDR attempts to contact the holder and, if it fails to do so, pays the compensation to the <i>Caisse des Dépôts et Consignations</i> (www.ciclade.fr) in the holder's name.		SC3.8
Persons prosecuted for money laundering or whose assets are frozen		
The compensation of deposits of persons prosecuted for reasons relating to money laundering and terrorist financing is suspended until the end of the proceedings against such persons. Compensation will be paid only if the accused person is not convicted. Compensation is also suspended in case of an asset freeze or embargo.		B1.6 C3.2
Accounts with multiple beneficiaries		
Accounts with "beneficiaries", business accounts with a special status, ring-fenced accounts, "omnibus" accounts		
These accounts are opened by a professional in his/her name in order to deposit funds belonging to other individuals who are the beneficiaries, for example an account opened by a property management company for the management of co-owned buildings, a lawyer's CARPA account or a ring-fenced account opened by an investment firm for its clients' cash funds. The beneficiaries are the recipients of the compensation, separately from the compensation for which they may also be eligible as direct customers and provided they have been identified or can be identified on the failure date. The FGDR calculates the compensation accruing to each beneficiary based on the information provided to it by the institution. It pays the full compensation to the account holder (or to the beneficiaries for an "omnibus" account), and the holder is responsible for distributing it among the beneficiaries. The beneficiaries are covered up to the €100,000 ceiling, and also have the right to additional compensation for Temporary High Balances. See 3/ Calculation of your compensation.		SC3.1 SC3.2 SC3.3 SC3.11
Deposits to which third parties hold rights		
Private individuals or legal entities subject to moratorium or insolvency proceedings, accounts managed by a nominee		
If a nominee has been appointed and has the power to manage the accounts in place of the depositor, the compensation is paid to the nominee. If the depositor has retained the right to manage his/her accounts, the compensation is paid to the depositor.		B1
Accounts subject to seizure, attachment or garnishment		
Prior to calculating the compensation, the accounts are debited for the amount of the seizures, attachments or garnishment. The FGDR compensates the depositor for the portion of his/her accounts that is available after this operation. Then, where applicable, the FGDR compensates the creditor in the amount of its claim up to the difference between €100,000 and the compensation already paid to the depositor.		SC3.6
Secured accounts (pledge, escrow)		
1 st case: Pledge and escrow in favour of the failed bank: no compensation paid by the FGDR; 2 nd case: Pledge in favour of third parties: compensation paid by the FGDR to the account holder; 3 rd case: Escrow in favour of a legal or judiciary third party: compensation paid by the FGDR to an account opened at another institution reproducing the escrow conditions.		SC3.9 B1.8

5/ FURTHER ACTION

How do I have my rights to the amounts not compensated by the FGDR recognised?

a/ You do not need to take any action for:

- > the portion of your accounts with a credit balance covered by the deposit guarantee scheme that exceeds the compensation ceiling of €100,000 or the increased ceiling in case of "Temporary High Balances"; These amounts represent a claim that you have against the liquidation of the bank and are shown in the compensation statement on the line *"Portion of the basis of compensation exceeding the compensation ceiling and not covered by the deposit guarantee scheme"*;
- > the portion of your current or savings accounts with a credit balance covered by the French government guarantee that exceeds the compensation ceiling of €100,000 and is therefore not compensated by the FGDR.

The FGDR declares these claims to the liquidator on your behalf; however, you should check that the amounts declared by the FGDR are correct and verify the existence of other claims that you may need to declare to the liquidator.

b/ You must submit a "claim declaration" to the liquidator to claim repayment in the following cases:

- > **you have deposits and products not covered by the deposit guarantee scheme.** For example, these may include the own funds of the failed bank or deposits that were provided as security and remain unavailable. The list of your accounts not covered is shown in the compensation statement on the line *"Summary of accounts and deposits not covered"*; you should check that the amount on this line is correct and verify the existence of other claims that you may need to declare to the liquidator;
- > **you have deposits that are not shown in your compensation statement** as a result of ongoing transactions or in case of a dispute with the failed bank;
- > **you are not eligible** for the deposit guarantee scheme.

How do I submit my claim declaration to the liquidator?

- > **You must send your claim declaration to the liquidator** by registered post with acknowledgment of receipt. This document must describe your claim in detail and be sent together with all the supporting documents that you have for establishing your rights (bank account statements, contracts, etc.).
- > **The liquidator is appointed by the Commercial Court.** The contact information of the liquidator and the court and the date of liquidation are published on the FGDR's website in the *"News-Presse"* section.
- > **You must submit your claim declaration within two months** of the publication of the decision to initiate court-ordered liquidation proceedings in the Official Bulletin of Civil and Commercial Announcements (BODACC) and in a journal of legal notices.
- > **If you have not submitted your claim declaration within this time period and you can show that the late declaration is not of your own doing**, you may file an application for "relief from the effects of expiry" with the official receiver of the Commercial Court within **six months** of the date of publication in the BODACC of the decision to initiate liquidation proceedings.

How do I claim additional compensation for Temporary High Balances or dispute the FGDR's compensation decision?

The FGDR issues its compensation decision through the compensation letter (letter, compensation statement, information notice and payment, where applicable) received by registered post with acknowledgment of receipt or downloaded from the FGDR's Secure Compensation Area.

- a/ **You must submit an informal claim to the FGDR within two months** of the date of notice of receipt or the download date of the last letter received, by which the FGDR closes your compensation.

The "FGDR claim form" is available in the FGDR's Secure Compensation Area or on request by a letter sent to the FGDR by ordinary post. This form should be filled out and sent by registered post with acknowledgement of receipt to the FGDR, 65, rue de la Victoire, 75009 Paris (France), together with all the supporting documents that you have for establishing your rights (bank account statements, contracts, notarial acts, etc.).

- b/ **The FGDR's new decision regarding your informal claim** may then be disputed before the Paris Administrative Court - 7, rue de Jouy, 75181 Paris Cedex 04 (France) within **two months** of the date of the FGDR's second decision. For an appeal brought before the Administrative Court, representation by a lawyer is mandatory.



LEGAL REMINDERS

The FGDR intervenes at the request of the Prudential Supervision and Resolution Authority (ACPR) from the date on which the deposits at a bank are declared unavailable, i.e. when the deposits can no longer be returned to customers by the bank as a result of its weakened financial position. The bank's customers then lose access to their accounts or savings. In its decision, the ACPR establishes the unavailability date, which is the reference date for the institution's failure, the customer accounts statement and the calculation of the compensation. The FGDR covers customers of branches opened in a country of the European Economic Area and compensation is paid by the local deposit guarantee scheme acting on the FGDR's instructions.

The FGDR is subrogated to the customers' rights up to the amount of the payments made to them; it therefore has a claim against the liquidation equal to the amount of such payments, for which it may be reimbursed by the liquidator at the end of the proceedings.

The FGDR intervenes under the conditions set out in Articles L.312-4 et seq. of the French Monetary and Financial Code and in the amended decree of 27 October 2015 on the implementation of the deposit guarantee scheme. These regulatory texts can be downloaded at www.garantiedesdepots.fr in the *"Document Database"* section or at www.legifrance.fr. The information relating to the claim declaration is contained in Articles L. 622-24 et seq., R. 621 and R. 622 of the French Commercial Code and in Decree 85-1388 of 27 December 1985 on the recovery and court-ordered liquidation of companies.

The FGDR is the data controller for compensation. Pursuant to applicable laws and regulations, it uses the information concerning the customer identity, contact data and banking data provided to it by the failed bank. This information is used by the FGDR solely for the purpose of carrying out its mandate. For all or part of its mandate, the FGDR calls upon service providers that are located within the European Union and bound to the FGDR by a strict duty of confidentiality. The FGDR retains such data according to the applicable legal requirements. Depositors have a right to access their data and to correct it if it is incorrect. To exercise their rights, they must complete an "FGDR claim form" and send it, together with the requested supporting documents, at: FGDR - 65, rue de la Victoire 75009 Paris (France).