

Annex 1: Increase of the bank tax

The current version of the bank tax law (see [Wet bankenbelasting](#) and the [explanatory memorandum](#) at its inception, both in Dutch) describes the percentages that are used to calculate the amount of bank tax in article 10:

Article 10

1. The tax is the sum of:

a. 0.044% on the part of the taxable amount obtained by multiplying the taxable amount by A/B, where A is the total amount of the debts on the balance sheet or consolidated balance sheet to be taken into account that have a term of less than one year and B the total amount of all debts on that balance sheet or consolidated balance sheet, and

b. 0.022% on the remaining part of the taxable amount.

2 If the variable remuneration of at least one director of the taxpayer for the financial year for which the balance sheet or consolidated balance sheet is drawn up amounts to more than 25% of his fixed remuneration, the tax percentages referred to in the first paragraph are multiplied by a factor of 1,1.

The bank tax structurally raises approximately € 470 million per year. The Dutch Second Chamber of Parliament voted in favour of a motion to increase the bank tax with € 150 million per year. In order to reach such an increase, the rates included in article 10, paragraph 1, sub a and b (as shown above) should be increased from 0.044% to 0.058% and from 0.022% to 0.029%.

The taxable amount is calculated based on articles 6 to 9.

Article 6

1. The tax is levied according to the taxable amount.

2. The taxable amount is the taxable sum referred to in Article 7, less the efficiency exemption referred to in Article 9.

Article 7

1. If there is a taxpayer as referred to in Article 3, the taxable sum is the balance sheet total of the balance sheet, less the liabilities of that balance sheet referred to in Article 8.

2. If there is a taxpayer as referred to in Article 4, the taxable sum is the consolidated balance sheet total of the consolidated balance sheet, less the liabilities referred to in Article 8 of that consolidated balance sheet.

3. If there is a taxpayer as referred to in Article 5, the taxable sum is the consolidated balance sheet total of the consolidated balance sheet of the consolidated annual accounts that should have been drawn up if Article 403 of Book 2 of the Civil Code would not have applied, reduced with the liabilities referred to in Article 8 of that consolidated balance sheet.

Article 8

The liabilities referred to in Article 7 are:

a. with regard to a taxpayer as referred to in Article 3(a), Article 4 or Article 5:

1°. the regulatory capital;

- 2°. the deposits, insofar as they are eligible for payment under a deposit guarantee scheme;
- 3°. the liabilities relating to the entity that carries out the business of insurer;
- b. with regard to a taxpayer as referred to in Article 3, parts b or c:
 - 1°. the liabilities that cannot be attributed to the branch office located in the Netherlands;
 - 2°. the qualifying capital attributable to the branch;
 - 3°. the deposits attributable to the branch, insofar as they are eligible for payment under a deposit guarantee scheme.

Article 9

1. The efficiency exemption amounts to € 23,500,000,000.
2. If the amount of the taxable sum referred to in Article 7 is less than € 23,500,000,000, the efficiency exemption is the amount of the taxable sum.

Below you will find an example of the calculations:

Amounts x 1.000		Calculations
Total balance		€ 200.000.000
Regulatory capital	10.000.000	
Deposits eligible for payment under a DGS	40.000.000	
Liabilities related to the entity that carries out the business of insurer	20.000.000	-
Taxable sum		130.000.000
Efficiency exemption		- 23.500.000
Taxable amount		106.500.000
Total debts with a term of less than 1 year, according to the balance sheet	45.000.000	
Total of all debts according to the balance sheet	180.000.000	
Bank tax share of short-term debt (106.500.000 x 45.000.000/180.000.000 x 0,00044)	11.715	
Bank tax share of long-term debt (106.500.000 x (180.000.000 - 45.000.000)/180.000.000 x 0,00022)	17.572	+
Total amount of bank tax		€ 32.215