

3 the other compensation scheme agrees to the requested assignment.

(3) BaFin may also assign CRR credit institutions to another statutory compensation scheme if all CRR credit institutions that belong to a compensation scheme

1 have requested assignment to another compensation scheme and

2 the other compensation scheme agrees to the requested assignment.

(4) An application under subsection (2) or subsection (3) above shall be made at least six months before the intended change of compensation scheme.

(5) A CRR credit institution shall be exempt from assignment to a statutory compensation scheme if it belongs to an institutional protection scheme recognised in accordance with section 43.

#### Section 25

#### **Legal consequences of a change of statutory compensation scheme**

(1) During the application period in accordance with section 24 (4), a CRR credit institution shall continue to be required to pay contributions and make payments to its existing compensation scheme in accordance with sections 26 and 27 (1) numbers 1 and 2.

(2) If a CRR credit institution is assigned to another statutory compensation scheme on application, the statutory compensation scheme to which the CRR credit institution previously belonged shall transfer to the new compensation scheme the contributions and payments that were paid or made in the twelve months before the end of its assignment, with the exception of extraordinary contributions and extraordinary payments in accordance with section 27 (1) numbers 1 and 2.

(3) The CRR credit institution shall inform its depositors of the change within one month of the change of statutory compensation scheme.

#### Part 2

#### **Obligation to pay contributions; use of contributions and payments to cover the amount of funds required**

#### Section 26

#### **Obligation to pay annual contributions and make one-time payments**

(1) Until the target level of the statutory compensation scheme to which they are assigned is reached, CRR credit institutions shall make annual contributions to that statutory compensation scheme as at the end of each contribution assessment year (annual contributions). The annual contributions serve to raise the available financial means in accordance with section 19 (1) sentence 1 and to cover the administrative and other costs that are incurred by the statutory compensation scheme in the course of its activities. The annual contributions shall be calculated in accordance with section 19 (2) to (4), plus an appropriate flat-rate surcharge to cover the administrative and other costs. The compensation scheme may collect minimum contributions. The contribution assessment year runs from 1 October of one year to 30 September of the following year.

(2) In addition to the annual contribution, CRR credit institutions that were assigned to a statutory compensation scheme after 1 August 1998 are required to make a one-time payment calculated in accordance with section 19 (2) to (4).

#### Section 27

#### **Obligation to pay extraordinary contributions and make extraordinary payments**

(1) If the available financial means of a statutory compensation scheme are insufficient to compensate the depositors of a CRR credit institution assigned to the compensation scheme if a compensation event occurs, the CRR credit institutions assigned to this statutory compensation scheme shall be required

1 to pay extraordinary contributions as advance payments to cover the funds required in accordance with section 29 if a compensation event occurs or

2 to make extraordinary payments to repay loans to cover the funds required in accordance with