

<p>Licensing the activity of institutions for occupational retirement provision</p> <p>Prior to submission</p>	<p>Q&A</p> <ul style="list-style-type: none"> • Is it necessary to obtain a licence from the Magyar Nemzeti Bank for the foundation of an occupational retirement provision institution? <p><i>The foundation of occupational retirement provision institutions is not subject to the prior licence of the Magyar Nemzeti Bank (MNB).</i></p> • In what form may the occupational retirement provision institution be founded? <p><i>In the territory of Hungary occupational retirement provision institutions may be founded in the form of private limited company or as a Hungarian branch office of an occupational retirement provision institution registered in an EEA Member State. (Section 6 (1) of Act CXVII of 2007 on Occupational Retirement Pension and Institutions for Occupational Retirement Provision (Occupational Pension Act)</i></p> • Who may found an occupational retirement provision institution? <p><i>Occupational retirement provision institutions may be founded by:</i></p> <ul style="list-style-type: none"> a) <i>banks, insurance joint stock companies, investment firms or</i> b) <i>an employer or several employers together if they undertake to pay employer's contribution to their employees.</i> <p><i>Ownership interest (share) in an occupational retirement provision institution may only be obtained by entities authorised to found such institution. (Section 7 (1) and (3) of the Occupational Pension Act)</i></p> • What kind of activity may the occupational retirement provision institution perform? <p><i>The occupational retirement provision institution may only pursue occupational retirement provision activity. (Section 6 (3) of the Occupational Pension Act)</i></p>
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- **When may the occupational retirement provision institution commence its activity?**

The occupational retirement provision institution may commence its activity in possession of the MNB's final activity licence. (Section 9 (1) of the Occupational Pension Act)

- **Is it necessary to pay an administrative service fee for the procedure initiated for the issuance of the activity licence?**

Yes. The administrative service fee payable for the procedure aimed at the issuance of the activity licence for the occupational retirement provision institution amounts to HUF 700,000. The instrument confirming the payment of the administrative service fee must be submitted to the MNB as an annex to the activity licence application. (Section 13 (1) of MNB Decree 14/2015. (V. 13.) on the Administrative service fees of the Magyar Nemzeti Bank applied in certain licensing and registration procedures in the context of the supervision of the financial intermediary system and with respect to trustee enterprises)

- **When is the occupational retirement provision institution obliged to submit its activity licence application to the MNB?**

The occupational retirement provision institution is obliged to submit its activity licence application to the MNB within fifteen days from the day after receiving the instrument confirming the submission of the application for the registration of the company. (Section 9 (1) of the Occupational Pension Act)

- **What amount of minimum guarantee fund should be proved by the occupational retirement provision institution in the procedure initiated for the issuance of the activity licence?**

The occupational retirement provision institution shall attach to its activity licence application the proof of compliance with the minimum guarantee fund requirement.

	<p><i>The guarantee fund of the occupational retirement provision institution shall be one third of the solvency capital if the latter exceeds EUR 3 million. In other cases the guarantee fund of the occupational retirement provision institution shall be EUR 3 million. (Section 9 (3) g) and 41(1) of the Occupational Pension Act)</i></p> <ul style="list-style-type: none"> • What should the business plan of occupational retirement provision institution contain? <p><i>The occupational retirement provision institution shall submit to the MNB its initial business plan as an annex to the activity licence application.</i></p> <p><i>The initial business plan shall contain:</i></p> <ol style="list-style-type: none"> <i>a) the assets of the occupational retirement provision institution on the date of foundation broken down by items and value;</i> <i>b) forecast of costs and expenses, broken down by type and amount, for the period before the activity licence becomes definitive, and their proposed cover;</i> <i>c) the financial plan of the occupational retirement provision institution for the remaining period of the financial year and for the next three financial years.</i> <p><i>In addition to the foregoing, the initial business plan shall contain all data and conditions considered necessary by the Board of Directors of the occupational retirement provision institution – or prescribed by the Supervisory Authority – for performing the services undertaken in the statutes of the occupational retirement provision institution, for the long-term viability of the occupational retirement provision institution adjusted to the planned number of members and for the fulfilment of the obligations undertaken towards the members. (Section 9 (6)-(7) of the Occupational Pension Act)</i></p>
<p>Application and annexes</p>	<p>IMPORTANT NOTICE! Prior to submitting the application you are kindly advised to read the general Q&A on the MNB's website on the Licensing/General information tab.</p>

Application	<ul style="list-style-type: none"> • Is the occupational retirement provision institution subject to electronic administration? <p><i>Since 1 January 2018, the occupational retirement provision institution is subject to electronic administration in the administrative procedures conducted before the MNB.</i></p> <p><i>Enterprises subject to electronic administration in the administrative procedures before the MNB are obliged to use the electronic information system (ERA) provided by the MNB, which is available for use by the clients after registration.</i></p> • On which electronic form should the application for the licence to commence the activity of the occupational retirement provision institution be submitted to the MNB? <p><i>The application for the activity licence of the occupational retirement provision institution shall be submitted to the MNB in the ERA system on electronic form No. FNYE_1006 entitled “Application for licensing the commencement of the activity of the occupational retirement provision institution”.</i></p> • Is it possible to submit the documents necessary for the activity licence application in simple electronic copy during the electronic administration? <p><i>In accordance with Section 58 (11) of the MNB Act only original documents or authentic copies may be submitted in the licensing procedures.¹</i></p> <p>IMPORTANT NOTICE! For further information on the documents to be submitted together with the licence application see the licensing guide.</p>
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¹ <https://www.mnb.hu/letoltes/tajekoztatas-az-e-ugyintezesrol-az-mnb-elotti-engedelyezesi-eljarasokban-1.pdf>