

International Monetary Fund

[Cyprus](#) and the IMF

Cyprus: Letter of Intent, Memorandum of Economic and Financial Policies, and Technical Memorandum of Understanding

Press Release:

[IMF Completes
Second Review Under
Extended Fund
Facility Arrangement
for Cyprus and
Approves €83.5
Million Disbursement](#)
December 20, 2013

December 4, 2013

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1. Cyprus—Letter of Intent

Nicosia, December 4, 2013

Ms. Christine Lagarde:
Managing Director
International Monetary Fund
Washington DC

Dear Ms. Lagarde:

In the attached update of the Memoranda of Economic and Financial Policies (MEFP) of April 29 and August 29, 2013, we describe progress and policy steps towards meeting the objectives of the economic program of the Cypriot government, which is being supported by an arrangement under the Extended Fund Facility (EFF).

Our policy implementation under the program has remained on track:

- Fiscal performance through end-September continued to exceed expectations, while the decline in output has been somewhat less than anticipated. As a result, we have met all program performance criteria (PCs) with comfortable margins, due to revenue over-performance relative to projections and prudent budget execution.
- We are making substantial progress toward stabilizing our financial system. In particular:
 - Bank of Cyprus (BoC) has a new Board of Directors and Chief Executive Officer, and the Central Bank of Cyprus (CBC) has favorably assessed the bank's restructuring plan, in compliance with the program's structural benchmark.
 - The recapitalization of Hellenic Bank with private funds, including foreign investment, was completed ahead of schedule, thus satisfying two structural benchmarks for this and the next review.
 - A new Board of Directors has been elected at the Cooperative Central Bank (CCB) and, on the basis of a draft restructuring plan, we have started the consolidation of the sector by merging 38 cooperative credit institutions (CCIs) into 9 entities.
 - During August-October, we took additional steps to gradually ease payment restrictions in line with our published milestone-based roadmap, meeting the continuous

performance criteria on non-intensification of restrictions of payments and transfers for current international transactions or to introduce multiple currency practices.

- Finally, we have also met the end-September structural benchmark on revision of the anti-money laundering legal framework already in August and have met the requirements of the structural benchmark on the establishment of a central credit register on November 28.

We remain committed to preserve the sustainability of our public finances. To this end, for 2014 we target a somewhat more ambitious fiscal consolidation than assumed in our original program, on the basis of additional streamlining of public spending. The additional effort brings forward part of the adjustment envisaged for the coming years. As a prior action for this review, we will amend the 2014 budget in line with the program's revised targets. Fiscal policy will be complemented by reforms of revenue administration, public financial management, and the welfare system, the latter aiming to better protect vulnerable groups during the downturn.

We will continue to implement financial sector policies aiming to restore confidence in the banking sector. In particular, BoC and the cooperative credit sector will be restructured, while we will continue to strengthen the supervisory, regulatory, and private debt restructuring frameworks to address rising non-performing loans. Also as prior actions for completion of the second review: (i) the CBC will approve BoC's proposed set of quarterly targets for the next 12 months for key financial and operational indicators in critical areas and the terms of a quarterly report on progress relative to above-mentioned targets; and (ii) we will finalize an agreement between the Ministry of Finance and the CCB on the terms of the relationship framework defining the responsibilities and governance boundaries between bank owners and the bank.

Financing of our program remains adequate. The €2.5 billion Russian loan originally set to mature in 2016 was restructured in September at more favorable terms, relieving medium-term government financing needs. We are making efforts to secure additional financing and to reduce our public debt, including through privatization, the allocation of central bank profits, and a debt-to-asset swap.

Based on the above, we request the following:

- Completion of the second review under the EFF and the third purchase under this arrangement in the amount of SDR 74.25 million.
- Modification of the end-December PCs on: (i) the general government primary balance, (ii) the general government primary expenditure; (iii) the stock of general government debt; and (iv) the ceiling on the accumulation of general government guarantees, to reflect the stronger performance through end-September (Table 1).
- Establishment of new quantitative performance criteria for end-March 2014 (Table 1).

- Establishment of new structural benchmarks on the following (Table 3): (i) completion of an independent fair value assessment of the CCB's and CCI's assets aimed at quantifying the size of the government's stake in the sector and submission of the final restructuring plan of the CCI sector to the European Commission, by end-January 2014; (ii); transfer of voting rights of legacy Laiki's shares in BoC to an independent institution, by end-January 2014; (iii) establishment of an effective and adequately resourced AML/CFT supervisory unit by end-February 2014; (iv) completion by the CBC of an in-situ assessment of the degree of operational preparedness of the banks' loan workout units to implement their arrears management plans, by end-March 2014; and (v) approval by the Council of Ministers of the final design of the reformed social welfare system in line with the 2014 and medium term budget ceilings, by end-March 2014.

We are fully committed to the policies set forth in the attached MEFP, which we believe are adequate to achieve the objectives under the program. We stand ready to take any measures that may become appropriate for this purpose as circumstances change. We will consult with the Fund on the adoption of any such actions in advance of revisions to the policies contained in this letter and the MEFP, in accordance with the Fund's policies on such consultations.

Sincerely,

/s/

Minister of Finance

/s/

Governor of the Central Bank of Cyprus

Attachment 1. Cyprus—Memorandum of Economic and Financial Policies

A. Strategy, Recent Developments, and Outlook

- 1. The economic situation remains difficult, but the outturn so far has been better than anticipated.** Economic activity has fallen significantly in the first half of the year, given the severe shock to our banking sector. Our businesses and consumers are seeing their disposable income declining, and unemployment is rising toward unprecedentedly high levels. Nevertheless, the recession has been somewhat less pronounced than expected, and recent indicators point to gradually improving confidence. Indeed, retail sales, tourism arrivals, and professional services have proven to be relatively resilient. New foreign direct investment in our banking sector is also a positive sign. Still, the uncertainty surrounding the outlook remains high.
- 2. We have revised our macroeconomic framework to reflect a shallower but more protracted recession this year and next and a somewhat slower recovery thereafter.** In light of the outturn to date, real economic growth is projected at -7.7 percent in 2013, relative to an initial estimate of -8.7 percent. Looking forward, a significant though more gradual deleveraging process expected to take place through the banking sector, which together with the fiscal adjustment already underway, will pose a drag on growth. As a result, we expect growth of about -4.8 percent in 2014, and 0.9 percent in 2015. Other macroeconomic variables underlying our program remain broadly unchanged. As in the past, medium-term growth projections do not incorporate the potential upside from the exploitation of natural gas resources.
- 3. We remain committed to full and timely implementation of our adjustment program, so as to pave the way for the resumption of sustainable economic growth.** Our program's main objectives are to restore the health of the financial sector and put public finances on a sustainable path through fiscal consolidation and structural reforms. Building on important steps taken so far, the second review focuses on specific measures to restructure and repair the banking sector, which are key to set the conditions for an eventual resumption of credit and a gradual lifting of capital controls. In the fiscal area, the review concentrates on ensuring that the 2014 budget remains in line with the program targets, and on defining next steps in our structural reform agenda aimed at improving economic efficiency through privatization of state-owned enterprises, modernizing our revenue administration, and strengthening the social welfare safety net so as to provide adequate protection to those most vulnerable given the downturn.

B. Financial sector Policies

- 4. Stabilizing the financial sector remains our key priority.** To this end, we have made important strides since end July, when Bank of Cyprus (BoC) was fully recapitalized and exited the resolution process. First, after ensuring their fitness and probity, the Central Bank of Cyprus (CBC) cleared the appointment of BoC's new Board of Directors and its Chief Executive Officer. Second, the

CBC completed the assessment of BoC's restructuring plan. Third, the CBC also cleared the appointment of the Board of Directors of the Central Cooperative Bank (CCB), following a fit and proper test. Fourth, on the basis of the finalization of a draft restructuring plan for the sector, all credit cooperative institutions (CCIs) have agreed to voluntary mergers, and nine such mergers of 38 CCIs have already been completed. Fifth, Hellenic Bank has been successfully recapitalized from private sources. Sixth, the CBC completed the review of banks' practices regarding loan origination processes, asset impairment and provisioning, and the treatment of collateral in provisioning against best practices. Looking forward, we will build on these steps to ensure that our credit institutions can effectively support the economic recovery. In this regard, we commit to preserve the free functioning of markets in the determination of lending rates to ensure prudent allocation of credit.

Recapitalizing and restructuring financial institutions

5. We will take steps to ensure that BoC will adequately implement its restructuring plan.

The CBC has finalized the assessment of the plan, which aims at cleaning up the bank's balance sheet, returning the bank to profitability, maintaining adequate capitalization, and ensuring stable funding over the medium term. The plan is broadly consistent with the program assumptions and includes a strategy to deal with troubled borrowers through the creation of specialized units inside the bank. To enhance confidence, the CBC will instruct BoC to publish selected features of the restructuring plan before end-2013. On the basis of the plan, as a **prior action** for the review, the CBC will approve: (i) BoC's proposed set of quarterly targets for the next 12 months for key financial and operational indicators; and (ii) the terms of a quarterly report on progress relative to above-mentioned targets. This report will be submitted to the CBC and its main conclusions made public starting with end-March 2014. A CBC team has been appointed to closely monitor BoC's compliance with the targets, assess any deviations, and define remedial actions if warranted. The team will prepare a quarterly report on its main activities to be discussed by the CBC Board, starting with end-2013.

6. We will also strengthen the management of legacy Laiki's equity stake in BoC. Legacy Laiki is the single largest shareholder in BoC, with a shareholding of 18 percent of total shares. It remains under resolution, pending the planned sale of its foreign subsidiaries. By end-January 2014, the Resolution Authority will present a detailed roadmap for the full disposal of legacy Laiki's assets, while maximizing value for creditors. Pending disposal of legacy Laiki's shares in BoC, to ensure their adequate management, the Resolution Authority will instruct the Special Administrator to entrust (by end-January 2014) the voting rights of these shares to a well-recognized and independent consulting or auditing firm(s) or international institution(s) (**structural benchmark**).

7. Following the full recapitalization of Hellenic Bank (HB) with private funds, we will ensure that it prepares a business plan in line with the new economic conditions. On November 1, HB increased its share capital by the issuance of €100 million in shares to three private funds, including a foreign participant, which brought its capitalization level to 9.5 percent CT1. In addition, the bank secured the conversion of €255 million of junior bonds into CT1 eligible instruments, thus exceeding the capital requirements determined by the PIMCO due diligence exercise under the adverse scenario by about €60 million. To ensure that the bank can adapt to the

new circumstances, the CBC will require HB to submit by end-March 2014 a business plan through end-2015, including capital, and funding plans.

8. We are taking steps to complete the restructuring and recapitalization of the cooperative credit sector, while strengthening its governance structure. The Ministry of Finance has set up a specialized unit to manage the state's future stake in the sector. Already, nine mergers of 38 CCIs have been completed, and a draft restructuring plan for the sector has been finalized. Looking forward:

- As a **prior action**, the Ministry of Finance will agree with the CCB on the terms of the relationship framework that will define, on the basis of international best practices, the responsibilities and governance boundaries between the state as majority owner and the board and senior management of the bank, to ensure that the bank operates on a commercial basis without undue political interference.
- As an initial step toward decisively restructuring the sector, the CBC has required the new board of CCB to publish, by end-November 2013, a roadmap agreed with the CBC specifying key interim actions for the next three months, including: (i) the appointment of the new CEO, (ii) measures to bolster the independence and qualification of the CCI Boards, (iii) actions to retain customers, (iv) measures to impede further asset deterioration, and (v) measures to prepare the transfer of NPLs to specialized units within the sector.
- By end-January 2014, we will: (i) complete an independent fair value assessment of the CCB and CCIs' assets aimed at quantifying the size of the government's stake in the sector; and (ii) submit the final restructuring plan to the European Commission, reflecting the views of the new Board and top management (**structural benchmark**). The restructuring plan will contain quarterly financial and operational performance targets to be closely monitored by the new unit responsible for the supervision of the CCI sector at the CBC. Immediately following approval of the plan by the European Commission, we will inject €1.5 billion of state funds into the CCB. The CCB will recapitalize the CCIs as the 18 mergers are completed and their new Boards are appointed; the recapitalization process will be completed by end-March 2014 (existing **structural benchmark**). The 18 CCIs will be subject to independent external audits starting with 2013 accounts.

Private sector debt restructuring

9. We are making efforts to revamp the corporate and household debt restructuring framework to facilitate loan workouts and a cleanup of banks' balance sheets. We remain committed to support with adequate legislation the restructuring of troubled borrowers on the basis of international experience and best practices, so as to address the large private sector indebtedness and increasing non-performing loans. In this regard, we will strengthen our legal and institutional frameworks to facilitate voluntary workouts between banks and viable debtors in real need while minimizing incentives for non-cooperation and strategic loan defaults by borrowers. Our efforts are concentrated on four critical fronts:

- *Establishment of a framework to facilitate negotiations between borrowers and creditors.* The CBC has completed its first review of banks' compliance with the recently published Code of Conduct (CoC), which sets the framework for voluntary negotiations between banks and their borrowers. On this basis, the CBC provided recommendations for its full implementation by banks. By end-November, the CBC will publish supplementary information on the CoC to further enhance public awareness and facilitate its implementation. By end-May 2014 the CBC will complete a second round of inspections to verify banks' compliance with the CoC and impose sanctions as needed.
- *Adoption by banks of an effective arrears management strategy.* In late October 2013, the CBC completed its review and made recommendations for the banks' strategies to implement the new framework for arrears management providing for minimum standards and procedures to restructure problematic loans. By end-November 2013, the CBC will require banks to submit by end-January 2014 their revised strategies and a detailed implementation plan for arrears management approved by their boards (including pre-packaged programs, and general policies to deal with small and large troubled borrowers, respectively). Also by end-November 2013, the CBC will define the key performance indicators for progress on loan restructuring (e.g. number of loans restructured, cash collections, etc.) and instruct the banks to report quarterly on progress on these indicators beginning end-March 2014. Moreover, by end-March 2014, the CBC, with external technical support, will complete an *in-situ* assessment of the operational capacity of the banks' loan workout units to implement their plans (**structural benchmark**).
- *Review of corporate and personal insolvency framework.* With the help of technical assistance, by end-December 2013 we will carry out a review of the corporate and household debt-restructuring framework and prepare a report identifying impediments to implementation and measures to address them. As needed, by end-February 2014 we will submit legislation to parliament to implement these measures.
- *Creation of mediation services.* By end-January 2014, we will pass legislation to expand the role of the Financial Ombudsman to mediate debt-restructuring negotiations between banks and borrowers.

Ensuring adequate liquidity and normalizing financial flows

10. We remain committed to preserve sufficient banking system liquidity. The Central Bank of Cyprus will continue to monitor closely the liquidity situation of the banking system and stands ready to take appropriate measures to maintain sufficient liquidity in the system, following the procedures and rules of the Eurosystem. The government stands ready to consider the issuance of additional government funding guarantees up to € 2.9 billion - in line with state aid rules and in compliance with the provisions of our Public Debt Management Law - if there is a clear need to safeguard financial stability.

11. We remain fully committed to our published milestone-based roadmap aimed at gradually easing administrative measures and capital controls while safeguarding financial stability. Building on initial signs of improving confidence in the banking sector and concluding the first stage of the roadmap, during August-October 2013 we relaxed restrictions on wire transfers and opening of new accounts. Looking forward, to ensure that further relaxations remain consistent with financial stability, the Central Bank will fine-tune its technical impact assessment of relaxation measures on banks' liquidity and our methodologies to assess market confidence. On the latter, by end-December 2013, the Central Bank will appoint an independent specialized panel of experts to study current market conditions, including through well-targeted surveys and focus groups. The panel will be tasked with issuing a report (containing main recommendations, a communication strategy and an action plan) by end-January 2014, which will inform actions during the second stage of our roadmap.

Financial sector supervision and regulation

12. We are taking measures to strengthen banking supervision and regulation. To this end, following initial delays with finalizing legislation to establish a comprehensive credit register (end-September 2013 structural benchmark), legislation was passed by Parliament on November 28. Moreover, the CBC has issued guidelines on loan origination, requiring banks to base their loan decisions primarily on the borrowers' cash flow as a means of loan repayment as opposed to earlier asset-based lending practices. We will build on these actions as follows:

- By end-December 2013, we will issue guidelines on asset impairment and provisioning and the treatment of collateral in provisioning to bring our current accounting practices up to the most conservative international level. Also by then, the CBC will issue mandatory disclosure requirements to ensure that banks regularly communicate to markets progress in restructuring their loan portfolios and operations. Provisions on disclosure requirements will become effective for the publication of the 2013 financial statements. The CBC will require banks to submit by end-February 2014 an action plan to fully implement these guidelines in the preparation of their 2014 financial statements.
- By end-January 2014, the CBC will complete its annual supervisory program detailing its main objectives and activities for 2014, including a tentative timeframe to gradually resume regular on-site inspection of commercial and cooperative banks (which will also include review and implementation of provisioning requirements), staffing, cost and budget assigned to each activity, and main training programs. To ensure that the CBC can effectively carry out its supervisory tasks, we will clarify the allocation of tasks and responsibilities in the governance structure of the bank and will address staffing issues related to retention and recruitment. Also by end-January 2014, we will require banks to submit the 2014 work program of their internal audit departments to the CBC.
- We stand ready to submit to Parliament by end-June 2014 draft legislation to introduce early corrective measures to enhance supervisory powers to address capitalization issues. This will help the broader integration of our regulatory and supervisory measures with European initiatives, including the Single Supervisory Mechanism.

- By end-January 2014, we will also amend as necessary our resolution law and define procedures to ensure the effectiveness of the resolution authority.

13. We remain committed to strengthen the implementation of our AML/CFT framework.

Having recently amended our legal AML/CFT framework (end-September structural benchmark), commissioned an external audit of the implementation of AML measures by banks, and articulated an action plan to strengthen implementation, our efforts are concentrated in two areas:

- *Exchange of information:* To monitor progress in this area, following the September 2013 revision of the AML law, the Financial Intelligence Unit (FIU) will compile on a quarterly basis, statistics on financial information exchanged with other FIUs, both upon request and spontaneously, with a breakdown by country. Starting from the forthcoming 2012 annual report (which will be posted on the web), the FIU statistics will also include information on spontaneous exchanges of information broken down by country, in addition to the information already provided on exchanges upon request.
- *Follow-up on the AML audit findings:* The CBC has made progress with the follow-up on the auditor's findings regarding possible breaches of compliance with AML requirements by banks and will complete this work by end-January 2014.
- *AML supervision by CBC:* To address capacity constraints, the CBC will adopt a plan for 2014 aimed at strengthening the effectiveness and adequacy of resources of the AML/CFT supervisory function for financial institutions (end-February 2014 **structural benchmark**). Onsite supervision will be stepped-up over the program period to a level commensurate to the size, complexity, and risk profiles of the financial institutions operating in the system.

C. Fiscal Policy

14. We are committed to achieving our revised 2013 fiscal targets. We maintained a cumulative primary surplus of 0.7 percent of GDP by end-September 2013, due to better-than-expected revenue collections and prudent execution of discretionary spending. This allowed us to meet with ample margins our end-September primary balance and primary spending targets, which were exceeded by 3.2 and 1.7 percent of GDP, respectively. Of this, 0.9 percent of GDP was due to postponing from the third quarter to October the compensation of Laiki pension funds for resolution-related losses. In light of fiscal outturns to date, we have revised our end-year primary deficit target for the general government (cash terms) to 2.6 percent of GDP (relative to 3.3 percent of GDP at the time of the first review).

15. For 2014, we will target a primary deficit of 3.3 percent of GDP on a cash basis. This is better than envisaged under our original program by 1 percent of GDP, reflecting the net effect on revenues (0.7 percent of GDP) of a higher 2013 base which more than offsets the weaker growth in 2014, but also some limited additional measures (0.3 percent of GDP) which advance part of the consolidation we will need to carry out in the medium term. The measures include further rationalization of allowances and overtime of public employees, better targeting of the social pension by introducing income criteria, reducing exemptions on pension contributions of previously

exempted groups, and increasing the taxation of lottery winnings. Amendment of the 2014 draft budget incorporating a revised macroeconomic framework and our revised targets is a **prior action** for the completion of the second review. The budgetary impact associated with the eventual exploitation of hydrocarbon resources will be consistent with our program's medium-term fiscal and public debt targets. We will refrain from introducing any tax amnesties during the program period.

16. We will support credit to SMEs through the provision of government guarantees. To this effect, in 2014 the government will guarantee up to €115 million to banks for borrowing from the EIB for SME on-lending, to provide trade credits to small and medium enterprises (SMEs), and other ongoing projects. The end-December 2013 ceiling will be adjusted downwards to reflect the reduced probability of disbursement of the loan to EAC related to the Vassilikos power plant and updated guarantees for other projects. However, an adjustor of up to €130 million will be included in case the loan to EAC is actually disbursed. The debt ceilings for end-December 2013 and end-March 2014 will also be adjusted to accommodate the proceeds of the direct loans included in the 2014 budget to be spent in the course of 2014.

D. Structural Fiscal Reforms

17. We are committed to implement a comprehensive social welfare reform to protect vulnerable groups during the downturn. The new system, centered on a new Guaranteed Minimum Income (GMI) scheme, will ensure adequate and equitable protection of vulnerable groups while preserving work incentives. To this end, by end-November 2013 we will define the level of basic needs in order to achieve a decent standard of living and the composition of a minimum consumption basket. On this basis, by end-December 2013, we will complete the costing of the GMI to determine the benefit level and eligibility criteria and refine the means-testing mechanism. The GMI will be complemented by other well-targeted benefits, such as child or education benefits. The final design of the reformed social welfare system, including decisions on the type, level and eligibility criteria for GMI and any remaining benefits, consistent with the 2014 and medium-term budget ceilings, will be approved by the Council of Ministers by end-March 2014 (**structural benchmark**) after consultation with social partners. The reform will be implemented by end-June 2014 (existing **structural benchmark**).

18. We are taking steps toward the integration of the Inland Revenue Department and VAT services into a new function-based tax administration. On October 30, the Council of Ministers empowered the Ministry of Finance to initiate the revenue administration reform and established a governance structure—including a High-Level Steering Committee and an Executive Technical Committee—to oversee its implementation. Both the project manager and head of the integration reform project team have been appointed, as well as other members of the team, have been appointed, and work is underway. The reform implementation plan—now being drafted—will be approved by the government by end-December 2013, as planned. Also by end-December 2013, we will adopt short-term measures to establish a work program of joint audits to target high-risk taxpayers and large traders. In addition, legislative amendments will be passed, which aim at increasing the collection enforcement powers of the revenue administration and establishing full

self-assessments for all income taxpayers (existing **structural benchmark**). In this context, we will also take initial steps to identify compliance risks.

19. We are proceeding with reforms of public financial management. A Fiscal Responsibility and Budget Systems Law will be adopted by end-December 2013 (existing **structural benchmark**). Also by then, the amendment to the Public Debt Management Law will be approved, assigning responsibility for monitoring the stock of guarantees to the Public Debt Management Office. Finally, to improve fiscal monitoring and reporting, since September, the Treasury department has assumed responsibility for the monthly collection and reporting of key financial indicators for the general government, and a “Statement of state-owned enterprises (SOE) and semi-government entities” will be included as an appendix to the 2014 budget.

20. We remain committed to our privatization objectives. We are determined to make progress with the privatization process in order to reap the benefits of efficiency gains expected from private ownership and generate the targeted proceeds of €1.4 billion by end-2018. To this end, we are preparing a plan specifying the portfolio of state-owned assets eligible for privatization, an estimate of expected receipts, and the timetable for individual transactions, indicating required preparatory steps and the estimated duration of each stage. The plan will be adopted by the Council of Ministers in early December 2013. By end-January 2014, we will adopt the institutional and legal framework to govern the privatization process, providing, among others, for the establishment of a unit within the Ministry of Finance to implement the privatization plan.

E. Program Financing and Monitoring

21. In line with our program commitments, we continue to undertake measures to limit financing needs. We have restructured our bilateral loan with Russia providing for extended maturities and a lower interest rate. In addition, after finalizing its financial accounts by end-March 2014, the CBC Board will decide on the allocation of central bank profits of €0.4 billion (in line with CBC duties under the Treaties and the Statute) to be distributed to the government in 2014. Finally, an inventory of state assets has been completed, paving the way for a debt-to-asset swap to be decided by the CBC in accordance with its rules and the Treaty. This aims to reduce public debt by approximately €1 billion by end-June 2014.

22. Implementation of policies under our program will continue to be monitored through quarterly PCs and reviews. Our program includes continuous performance criteria, indicative targets, and structural benchmarks, which are defined in the attached Technical Memorandum of Understanding (TMU). As is standard in IMF arrangements, there is a continuous performance criterion on the non-accumulation of external payment arrears. We also include in our program a continuous performance criterion on non-intensification of restrictions of payments and transfers for current international transactions or to introduce multiple practices.

23. We authorize the IMF to publish the Letter of Intent and its attachments, and the related staff report.

Table 1. Cyprus: Quantitative Conditionality 1/
(Millions of euros)

	Performance criteria			Indicative targets		
	Sep-13		Dec-13	Mar-14	Jun-14	Sep-14
	Target	Actual				
Floor on the general government primary balance 2/	-402	110	-435	24	-224	-94
Ceiling on the general government primary expenditure 2/	5,065	4,784	7,205	1,530	3,204	4,804
Ceiling on the stock of general government debt	18,521	18,403	18,668	18,658	18,042	18,380
Ceiling on the accumulation of new general government guarantees 4/	145	-2.2	25	65	90	115
Ceiling on the accumulation of external arrears 3/ 4/	0	0	0	0	0	0
Ceiling on the accumulation of domestic arrears 4/	0	0	0	0	0	0
Ceiling on the accumulation of tax refund arrears by the general government 4/	10	-7	10	10	10	10

1/ As defined in the technical memorandum of understanding.

2/ Cumulative since January of the corresponding year.

3/ Continuous performance criterion.

4/ Cumulative since March 2013 for 2013 and since January 2014 for 2014.

Table 2. Cyprus: Conditionality for the Second Review

Measures	Timing	Status
Prior Actions		
Approval by the CBC of BoC's proposed set of quarterly targets for the next 12 months of key financial and operational indicators in critical areas and the terms of a quarterly report on progress relative to these targets	Before Board meeting	Met
Finalize an agreement between the Ministry of Finance and the CCB on the terms of the relationship framework defining, on the basis of international best practices, the responsibilities and governance boundaries between bank owners and the bank (MEFP ¶19)	Before Board meeting	Met
Submission to parliament of amendments to the 2014 budget in line with program's macroeconomic framework and revised targets	Before Board meeting	Met
Performance criterion		
There will be no measures to intensify restrictions on the making of payments and transfers for current international transactions or to introduce multiple currency practices	Continuous	Met
Structural benchmarks		
Adopt the legal framework for a central credit register	End-September 2013	Completed on November 28
Revise the anti-money laundering legal framework	End-September 2013	Met
CBC to instruct Hellenic Bank to launch an offer for private participation in the bank's capital	End-September 2013	Met
CBC to prepare an assessment of BoC's restructuring, business, funding and capital plans	End-October 2013	Met
Recapitalize Hellenic Bank in line with the capital needs identified by the PIMCO exercise 1/	End-December 2013	Met
1/ Required for the third review but completed ahead of time.		

Table 3. Cyprus: Existing and Proposed Conditionality

Measures	Timing
Proposed New Structural Benchmarks	
Resolution Authority to instruct the Special Administrator to entrust the voting rights of legacy Laiki equity stake in BoC to a well-recognized and independent consulting or auditing firm(s) or international institution(s)	End-January 2014
Completion of an independent fair value assessment of the CCB's and CCI's assets aimed at quantifying the size of the government's stake in the sector and submission of the final restructuring plan of the CCI sector to the European Commission	End-January 2014
Adoption by the CBC of a plan to strengthen the effectiveness and adequacy of resources allocated to the AML/CFT supervisory function (TMU ¶18)	End-February 2014
Completion by the CBC of an in-situ assessment of the degree of operational capacity of the banks' loan workout units to implement their arrears management plans	End-March 2014
Approval by the Council of Ministers of the final design of the reformed social welfare system, including decisions on the type, level and eligibility criteria for GMI and any remaining benefits, consistent with the 2014 and medium term budget ceilings	End-March 2014
Existing Structural Benchmarks	
Adoption of a law on fiscal responsibility and budget systems (TMU ¶16)	End-December 2013
Adoption of measures to fight tax evasion (TMU ¶17)	End-December 2013
Merger of the credit cooperative sector into a maximum of 18 institutions which will be recapitalized to fulfill the capital requirements under the law	End-March 2014
Implementation of a new social welfare system to improve the targeting of social assistance, consolidate welfare programs, and streamline administration costs	End-June 2014

Attachment 2. Cyprus—Technical Memorandum of Understanding

1. This Technical Memorandum of Understanding (TMU) sets out the understandings regarding the definitions of the indicators subject to quantitative targets (performance criteria and indicative targets), specified in the tables annexed to the Memorandum of Economic and Financial Policies (MEFP). It also describes the methods to be used in assessing the program performance and the information requirements to ensure adequate monitoring of the targets. We will consult with the Fund, European Commission and ECB on a timely basis before modifying measures contained in this letter, or adopting new measures that would deviate from the goals of the program, and provide the European Commission, ECB and the Fund with the necessary information for program monitoring.
2. For program purposes, all foreign currency-related assets, liabilities, and flows will be evaluated at “program exchange rates” as defined below, with the exception of the items affecting government fiscal balances, which will be measured at current exchange rates. The program exchange rates are those that prevailed on April 15. In particular, the exchange rates for the purposes of the program are set €1 = U.S. 1.308099 dollar, €1 = 129.0309 Japanese yen, €1.15222 = 1 SDR.
3. For reporting purposes, the Ministry of Finance (MOF) and the Central Bank of Cyprus (CBC) will employ the reporting standards and templates considered to be appropriate given the transmission of data covered by this TMU, unless otherwise stated or agreed with the EC, the ECB and the Fund.

A. Quantitative Performance Criteria and Indicative Targets

Floor on the General Government Primary Cash Balance (performance criterion)

4. For the purposes of the program, the general government includes the institutions listed under this category according to ESA 95 for Excessive Deficit Procedure (EDP) reporting purposes. In particular, the general government includes:
 - *The central government.* Includes the Constitutional Powers, the Constitutional Services, the Independent services, the Independent offices, the Ministries and the departments, services, and other bodies they supervise, 21 special purpose funds, and 14 semi government organizations.
 - *The local governments.* Comprise 39 municipalities, 356 village authorities, and all agencies and institutions attached thereto which are classified as local governments according to ESA 95.
 - *The social security funds.* These include the medical treatment scheme, the regular employees’ provident fund, the social insurance fund, the holiday fund, the redundancy fund, and the protection of the rights of employees’ fund.
 - *Any newly created institution defined as general government under ESA 95.* This includes any new budgetary institution, special fund, social security fund, semi-government

organization, municipality, village authority, and any other entity created during the program period to carry out operations of a fiscal nature. The government will inform the IMF, European Commission and ECB staff of the creation or any pending reclassification of any such new funds, programs, or entities immediately. The general government, as measured for purposes of the program monitoring, for a given year shall not include entities that are re-classified from outside general government into general government during that year.

5. The performance criteria are set on the general government cash primary balance (GGPCB), defined as the general government cash balance (GGCB) minus general government interest receipts plus general government interest payments. In turn, GGCB is defined as total revenue (tax revenue, social security contributions, grants and other revenue) minus total expenditure. The payment of called guarantees will be recorded as cash expenditures. Privatization receipts, as defined below, and the proceeds from the sale of land and buildings, will be excluded from revenue. The floor on the GGPCB in each year will be measured cumulatively from the start of that calendar year.

- Privatization receipts are those receipts associated with the disposal to private owners by a government unit of the controlling equity of a public corporation or quasi-corporation.
- The floor on the GGPCB will be adjusted downwards by the payments related to bank support, when carried out under the program's banking sector support and restructuring strategy. Transactions that may be excluded from the balance include loans to financial institutions and investments in equity of financial institutions (requited recapitalization); unrequited recapitalization and purchases of troubled assets. However, any financial operation by central government to support banks, including the issuance of guarantees or provision of liquidity, will be immediately reported to IMF, European Commission and ECB staff.

6. The floor on the GGPCB will be adjusted as follows:

- The end-December 2013 target will be adjusted downwards by the payments to compensate pension funds for the losses related to the resolution of Cyprus Popular Bank up to €163 million. Should these payments be partially or totally deferred to 2014, the adjustor will be applied to the end-March 2014 target for the remainder payments, up to a cumulative amount of €163 million.
- The 2014 targets will be adjusted downwards by the dividends received from the CBC and the semi-government organizations.

Ceiling on the General Government Primary Expenditure (performance criterion)

7. General government primary expenditure (GGPE) includes compensation of employees, goods and services, subsidies, social benefits, other recurrent expenditure, and capital expenditure.

- The ceiling on the GGPE will be adjusted upwards by the payments related to bank support, when carried out under the program's banking sector support and restructuring

strategy. Transactions that may be excluded from the balance include loans to financial institutions and investments in equity of financial institutions (requited recapitalization); unrequited recapitalization and purchases of troubled assets. However, any financial operation by central government to support banks, including the issuance of guarantees or provision of liquidity, will be immediately reported to IMF, European Commission and ECB staff.

8. The ceiling on the GGPCB of end-December 2013 will be adjusted upwards by the payments to compensate pension funds for the losses related to the resolution of Cyprus Popular Bank up to €163 million. Should these payments be partially or totally deferred to 2014, the adjustor will be applied to the end-March 2014 target for the remainder payments, up to a cumulative amount of €163 million.

Ceiling on the stock of General Government Debt (performance criterion)

9. The general government debt constitutes total outstanding gross liabilities as defined by ESA95. This includes the debt of all institutions included in the general government as defined above and other ESA 95 adjustments. Debt will be measured at nominal value. The program exchange rate will apply to all non-euro denominated debt.

10. The ceiling on the general government debt will be adjusted:

- Upwards (downward) by the amount of any upward (downward) revision to the stock of end-March 2013 general government debt.
- Upwards, by debt arising from payments for bank restructuring carried out under the program's banking sector support and restructuring strategy. These payments may include loans to financial institutions and investments in equity of financial institutions (requited recapitalization); unrequited recapitalization and purchases of troubled assets. However, any financial operation by central government to support banks, including the issuance of guarantees or provision of liquidity, will be immediately reported to IMF, European Commission and ECB staff.
- Upwards by the amounts disbursed under the EIB loan to finance projects authorized in the 2014 budget under the National Strategic Reference Framework.

Ceiling on the Accumulation of new General Government Guarantees (performance criterion)

11. The ceiling on new general government sector guarantees shall include domestic and external guarantees granted during the test period, as well as guarantees for which the maturity is being extended beyond the initial contractual provisions. The ceiling shall exclude guarantees granted under a risk sharing instrument of the EU structural funds (see COM (2011) 655 final) that do not create contingent liabilities for the Cypriot State. Government entities outside of the general government (e.g. state owned enterprises) but within the non financial public sector are not permitted to grant guarantees. The stock of guarantees at end March 2013 was €3.1 billion.

12. The ceiling on the accumulation of new general government guarantees will be adjusted:

- Upwards for the issuance of government guaranteed bonds to be used in monetary policy operations to boost BoC's liquidity up to €2.9 billion.
- Upwards for the issuance of government guarantees for the EAC Vassilikos Power Plant Phase IV loan up to €130 million.

Ceiling on the Accumulation of External Arrears (continuous performance criterion)

13. External payment arrears are defined as payments on debt to non-residents contracted or guaranteed by the general government, which have not been made within seven days after falling due. The stock of external payment arrears as of end-March 2013 was €0.

Ceiling on the Accumulation of Domestic Arrears (performance criterion)

14. Domestic expenditure arrears are defined as unpaid invoices that have past the due date by 90 days. In case no due date is specified on the supplier contract, an unpaid commitment is considered to be in arrears 90 days after the initiation of the invoice. The stock of domestic expenditure arrears as of end March 2013 was €0 million.

Ceiling on the Accumulation of VAT Refund Arrears by the General Government (performance criterion)

15. VAT refund arrears consist of unpaid VAT refunds that have past the due date for payment established in the tax legislation and/or the corresponding regulations. The stock of VAT refund arrears as of end March 2013 was €140 million.

B. Monitoring of Structural Benchmarks

16. Adopt a law on fiscal responsibility and budget systems (end-December 2013).

Specification. The adopted legal framework will contain the following elements:

- It will provide a comprehensive coverage of the general government sector and the government's financial relationships with state enterprises and other public entities that are outside the boundary of the general government sector.
- It will incorporate provisions (i) on fiscal transparency and accountability requiring the government to articulate a comprehensive, legally based and independently monitored fiscal strategy consistent with EU requirements and (ii) for the development over time of a disciplined and policy-oriented approach to budget decision-making by reducing the number of appropriations, adopting a top-down approach to budget preparation that is closely linked to the process of fiscal policy-making, and providing more flexibility to ministries and semi-governmental organizations.

17. Adopt measures to fight tax evasion (end-December 2013)

Specification. The adopted measures will include the following:

- Develop a work program for conducting targeted joint audits through end-December 2014;
- Amend relevant legislation to establish self-assessment for all income taxpayers;
- Pass legislation to harmonize and increase collection enforcement powers of the revenue administration, including by providing the authority to seize assets, or prohibit the alienation or use of assets, including property and bank accounts, and turning the act and assistance of to tax evasion into a criminal offense.

18. The CBC to adopt a plan aimed at strengthening the effectiveness and adequacy of resources for the AML/CFT supervisory function for financial institutions (end-February 2014)

Specification. In order to address supervisory capacity issues, for the purposes of this structural benchmark:

- The authorities will develop, in consultation with Fund staff, a supervisory program for 2014, taking into account the risks faced by Cyprus that will include a combination of full AML/CFT inspections and thematic reviews focused on risks related to third party introducers, Politically-Exposed-Persons, and the laundering of the proceeds of tax evasion.
- In order to enable the AML/CFT supervision unit to implement its 2014 annual inspection program, adequate resources and staffing will be dedicated to perform all its supervisory tasks, including for off- and on-site activities. In this regard, by end-February, full-time resources will be allocated to complement the existing two full-time AML dedicated staff with a minimum of five additional experienced supervisors over the course of 2014.
- By end-February, tenders will be submitted to complement resources with external auditors with recognized supervisory experience, including for AML/CFT, to ensure that each onsite inspection visit can be supported by external support.

AML supervision's implementation:

- On a quarterly basis, in the context of the program review starting in the fourth quarter of 2013, the supervisory competent authorities will, on a confidential and anonymized basis grant Fund staff access to supervisory assessments and information about enforcement actions applied for non-compliance and/or violations of laws and regulations.
- With regard to the CBC, in line with the 2014 annual inspection program, onsite supervision missions will start in the first quarter and step-up during the year, as capacity builds and resources are expanded. The total number and quarterly profile of these inspections, as well as staffing objectives and levels will be subject to periodic review by the CBC and the Fund in light of experience.

Exchange of financial intelligence:

The Financial Intelligence Unit (FIU) will communicate to Fund staff, on a quarterly basis, detailed statistics on financial information exchanged with other FIUs, both upon request and spontaneously, with a breakdown by country

C. Reporting Requirements

19. Performance under the program will be monitored using data supplied to the IMF by the Ministry of Finance, Cystat, and the Central Bank of Cyprus. The authorities will transmit to the IMF staff any data revisions in a timely manner. Table 1 describes the supporting data needed for monitoring of the quantitative targets, the required frequency of the data, the institution/department responsible for providing the data, and the timing for provision of the data.

Table 1. Cyprus: Reporting Requirements

Information required	Data Frequency	Institution/Department responsible for providing information	Maximum time lag for submission after the end of the reporting period
Detailed execution of revenues, expenditure and financing provided in EDP reporting format	Monthly	MOF. Budget Department/Cystat Government Financial Statistics.	27 days after the end of the month, except end-December data which will be provided 30 days after the end of the month
Debt Issuance, Amortization, and interest cost details by type of debt instrument, maturity, currency, type of debt holder (resident, non-resident). Details on any financial balance sheet transactions	Monthly	MOF. Public Debt Management Unit.	27 days after the end of the month
Central Government Debt stock by type of debt instrument, maturity, currency, type of debt holder. Interest bill for each type of debt instrument on a monthly basis for the current year and the next year, and annual for each year thereafter until 2020	Monthly	MOF. Public Debt Management Unit.	27 days after the end of the month
Budgetary Central Government deposits in the Consolidated Fund and in the Banking System.	Monthly	MOF. Public Debt Management Unit.	5 days after the end of the month
Stock of expenditure and VAT refund arrears and their corresponding monthly flows (i.e. inflows, outflows) by type of expenditure.	Monthly	MOF. Customs & Excise Department, VAT Service	15 days after the end of the month
Stock of government guarantees and their monthly flows by institution.	Quarterly	MOF. Treasury Department.	27 days after the end of the month
Stock of external arrears	Monthly	MOF. Treasury Department.	15 days after the end of the month
Assets and liabilities of the central bank	Monthly	Central Bank of Cyprus	30 days after the end of the month
Assets and liabilities of the domestic operations of the banking system – aggregate monetary balance sheet of credit institutions by institutional category	Monthly	Central Bank of Cyprus	30 days after the end of the month
Assets and liabilities of the banking system (consolidated, including foreign operations), aggregate balance monetary balance sheet of credit institutions by institutional category	Quarterly	Central Bank of Cyprus	45 days after the end of the reporting period

Table 1. Cyprus: Reporting Requirements (Concluded)			
Individual operational balance sheet of the domestic operations of the largest banks and coops with detailed information on deposits (by maturity, currency, and type of depositor), central bank funding, interbank funding, debt securities, loans provided to the public and the private sector, 1/	Monthly	Central Bank of Cyprus	30 days after the end of the month
Details for the largest banks and coops on liquid assets (cash and securities), liquidity position (i.e. the pool of assets eligible for ELA but not already encumbered), other assets and liabilities 1/	Daily	Central Bank of Cyprus	Next working day
Deposits by institution, currency, and residency and end-of-day liquidity buffers	Daily	Central Bank of Cyprus	Next working day
Financial soundness indicators—core set, deposits, NPLs, capital adequacy ratios	Quarterly	Central Bank of Cyprus	60 days after the end of the month

1/ Reporting requirements for cooperative banks will be revisited after the CBC becomes their supervisor.

2. Cyprus—Memorandum of Understanding on Specific Economic Policy Conditionality (European Commission)

The economic adjustment programme will address short- and medium-term financial, fiscal and structural challenges facing Cyprus. The key programme objectives are:

- to restore the soundness of the Cypriot banking sector and rebuild depositors' and market confidence by thoroughly restructuring and downsizing financial institutions and strengthening supervision;
- to continue the on-going process of fiscal consolidation in order to correct the excessive general government deficit by 2016, in particular through measures to reduce current primary expenditure, and maintain fiscal consolidation in the medium-term, in particular through measures to increase the efficiency of public spending within a medium-term budgetary framework, enhance revenue collection and improve the functioning of the public sector; and
- to implement structural reforms to support competitiveness and sustainable and balanced growth, allowing for the unwinding of macroeconomic imbalances, in particular by reforming the wage indexation system and removing obstacles to the smooth functioning of services markets.

FINANCIAL SECTOR REFORM

Key Objectives

The banking sector has been severely affected by the broader European economic and sovereign crisis, in particular through its exposure to Greece. However, many of the sector's problems are home-grown and relate to overexpansion in the property market as a consequence of the poor risk management practices of banks. Furthermore, the financial sector was vulnerable because of its size relative to that of the domestic economy. The handling of problems in the sector has been complicated by the sensitivity of collateral valuations to property prices, and banks have used certain gaps in the supervisory framework to delay the recognition of loan losses, thus leading to significant under-provisioning. The banking sector would benefit from a considerable restructuring in order to restore its solvency and viability, reinforce its resilience and regain public confidence.

Progress since July

Work continued to address the challenges, in particular the downsizing and the restructuring of the banking sector, as well as the related regulatory reforms. First, BoC's new Board of Directors was elected by the AGM that took place on 10 September 2013 and on 22 October the BoD appointed a new CEO. Second, the authorities have started implementing the strategy to restructure the cooperative credit institutions and first mergers have been completed according to the agreed timetable. Third, Hellenic Bank attracted significant private capital, including from foreign investors, and raised the required capital. Fourth, the gradual relaxation of the administrative restrictions and the capital controls continued in line with the milestones-based approach presented by the authorities on 8 August.

Considerable progress has also been achieved with respect to the supervisory and regulatory reforms. The working plan for the integration of the supervision of the cooperative credit institutions into the CBC was finalised. The CBC issued a Directive on arrears management and a Code of Conduct for dealing with troubled borrowers. The legislation for establishing a financial mediation service is being finalised. The review of banks' asset impairment, provisioning and accounting practices by the external consultant was finalised, and the Directive on the regulatory framework on loan origination was issued, though with a slight delay. The authorities have also finalised the legal framework for setting up a single credit register which has been submitted to the House of Representatives. Finally, an amendment to the Banking Law was passed on 5 September 2013, which limits and regulates bank lending to members of the Board of Directors. The amendments to anti-money laundering legislation have been enacted and the trust registers to improve the availability of information on beneficial ownership have been set up.

A. Regulation and supervision

Maintaining liquidity in the banking sector

1.1. The Cypriot authorities commit to continue implementing the roadmap for the gradual relaxation of restrictive measures which was published on 8 August 2013. This roadmap identifies a series of milestones for the gradual liberalisation of the restrictions also taking into account indicators of investor confidence in the banking system and financial stability indicators, including the liquidity situation of credit institutions. A number of restrictions have already been relaxed or lifted according to the roadmap. By **end-January 2014** the CBC will study current market conditions, including through well-targeted surveys and focus groups, in order to ensure that further relaxations during the second stage of the roadmap remain consistent with financial stability.

1.2. Furthermore, the CBC, in consultation with the ECB, will continue to closely monitor the liquidity situation of the banking sector. The CBC will stand ready to take appropriate measures to maintain sufficient liquidity in the system in line with Eurosystem rules. In this respect, the Cypriot authorities stand ready to consider to issue additional government guarantees in line with State aid rules, if and as needed to safeguard financial stability.

1.3. The authorities will request domestic banks relying on central bank funding or receiving State aid to submit medium-term funding and capital plans to the CBC at the end of each quarter. These plans will be transmitted to the ECB, the EC, the ESM and the IMF. The Cooperative Central Bank and the Bank of Cyprus will submit their first plans together with their final restructuring plans. The funding and capital plans should realistically reflect the anticipated deleveraging in the banking sector and reduction of borrowing from the central bank, while avoiding asset fire sales and a credit crunch. The reporting template and the macroeconomic scenario are provided by the CBC, in coordination with the ECB.

1.4. The lack of concentration limits in the liquidity framework for euro-denominated assets allowed a concentrated exposure of Cypriot banks to Greek sovereign debt. To avoid similar outcomes in the future, the CBC will update the liquidity requirements **by December 2014**, after consultation with the ECB, the EC and the IMF and informing the ESM.

Regulation and supervision of banks and cooperative credit institutions

1.5. Strong efforts should be made to maximise bank recovery rates for non-performing loans, while minimising the incentives for strategic defaults by borrowers. The administrative hurdles and the legislative framework currently constraining the seizure and sale of loan collateral will be amended such that the property pledged as collateral can be seized within a maximum time-span of 1.5 years from the initiation of legal or administrative proceedings. In the case of primary residences, this time-span could be extended to 2.5 years. Based on technical assistance, the necessary legislative changes will be submitted to the House of Representatives **by end-February 2014** and implemented **by end-2014**, macroeconomic conditions permitting. The authorities commit not to introduce any further impediments to the seizure of assets pledged as collateral.

1.6. A new definition of non-performing loans has entered into force on 1 July 2013. The time series for non-performing loans will be published **by end-December 2013**, including historical observations reaching as far back as possible.

1.7. The CBC will also create a central credit register listing all borrowers and beneficial owners, from both commercial banks and cooperative credit institutions, to enable these institutions to check new loan applications against the register. The credit register will identify the borrowers who are or were in arrears and will help monitor credit risk and large exposures. Following the establishment of the legal framework for the credit register **by mid-December 2013**, the central credit register will be operational **by end-September 2014**.

1.8. After analysis of the results from the due diligence exercise and taking into account best practices in the implementation of the International Financial Reporting Standards, the CBC reviewed its current regulatory framework with respect to loan origination processes, asset impairment and provisioning, and the treatment of collateral in provisioning. Taking into account the conclusions of this review, the CBC will introduce regulatory amendments, with a view to mitigating the impact of changes in collateral values on the value of impaired assets. The new prudential regulations will be finalised **by 31 December 2013** and will become effective for the publication of the 2013 financial statement concerning disclosure requirements. The CBC will require banks to submit **by end-February 2014** an action plan for the full implementation of these guidelines starting from their 2014 annual accounts.

1.9. The CBC will consider the need for introducing mandatory supervisory action based on capitalisation levels **by 30 June 2014**. The follow-up will take into account the related developments in the Single Supervisory Mechanism. If required, technical assistance will be requested by the CBC.

1.10. The CBC will issue **by end-November 2013** mandatory disclosure requirements to banks submitting restructuring plans. Starting with reference date **end-December 2013**, these banks will be required to publish quarterly reports describing the progress with the implementation of the restructuring plans. These reports will contain a set of key performance indicators to be developed by the CBC and communicated to the banks, in advance of the forthcoming quarterly report.

1.11. The CBC will integrate stress-testing into regular off-site bank supervision, taking into account the entry into force of CRD IV and CRR and the related developments and timelines in the Single Supervisory Mechanism.

1.12. Following the legal integration of the supervision of the cooperative credit institutions into the CBC, the operational integration will be completed **by end-March 2014** in line with the action plan of September 2013. This action plan includes steps to recruit experienced staff and to apply the CBC supervisory and regulatory model for the effective monitoring of the entire cooperative credit sector.

1.13. **By end-January 2014**, the CBC will complete its annual supervisory program detailing its main objectives and activities for 2014, including a tentative timeframe to gradually resume regular on-site inspection of commercial and cooperative banks (which will also include review and implementation of provisioning requirements), staffing, cost and budget assigned to each activity, and main training programs. The CBC will clarify the allocation of tasks and responsibilities in the governance structure of the CBC to effectively carry out the supervisory tasks of the central bank in line with SSM requirements. Also **by end-January 2014**, the CBC will require banks to submit the 2014 work program of their internal audit departments.

1.14. The accounts of cooperative credit institutions will be subject to an independent annual audit by an external, recognised and independent auditing firm. The CBC will have the right to overturn the selection of an auditor by any cooperative credit institution. The consolidated accounts of the cooperative credit institutions will be published beginning from 2013 annual accounts.

1.15. The CBC will have sufficient staff to carry out its functions in full independence as stipulated by the Treaties. Legal obstacles to the CBC's ability to retain and employ the necessary qualified staff should be removed, **prior to the granting of the third disbursement of financial assistance**.

1.16. The authorities will, in consultation with EC, ECB and IMF and informing the ESM, review the effectiveness of the Resolution Authority, including its composition and governance, with a view to adopting legislative and operational changes **by end-January 2014**.

Monitoring of corporate and household indebtedness

1.17. The Cypriot authorities will step up the monitoring of the indebtedness of the corporate and household sectors and prepare quarterly reports, including information on the distribution of assets and liabilities across households, and an assessment of debt-servicing capacity and refinancing activities. Data from surveys will be used until the credit register becomes fully operational. The Financial Stability Report, to be published on a yearly basis **as of December 2013**, will include an extended analysis on corporate and household indebtedness. The first quarterly monitoring report has been received in the beginning of July 2013 and its scope and content will be further enhanced.

1.18. Measures will be taken to deal with troubled borrowers following the implementation of the resolution and recapitalisation of banks. A framework for targeted private-sector-debt restructuring will be established to facilitate new lending, and diminish credit constraints. Ways will be explored to improve the funding constraints of SMEs.

- In line with the framework for the management of arrears, and in accordance with the strategies they are required to develop, banks will submit to the CBC their revised strategies (including pre-packaged programs, and general policies to deal with small and large troubled

borrowers, respectively) and plans for their internal implementation **by end-January 2014**. **By end-March 2014**, the CBC, with external technical support, will complete an assessment of the operational capacity of the banks' loan workout units to implement their plans. Banks will also be required to report quarterly on restructuring progress and management of NPLs, beginning **end-March 2014**, using specific performance indicators and targets (e.g. number of loans restructured, cash collections, etc.), which will be determined **by end-November 2013** by the CBC in consultation with EC, ECB and IMF and informing ESM.

- **By end-November 2013**, the CBC will publish supplementary information on the Code of Conduct (CoC) in order to further enhance public awareness and facilitate its implementation. **By end-May 2014** the CBC will complete a second round of inspections to verify banks' compliance with the CoC and impose sanctions as needed.
- Building on recent work to identify and address impediments for private debt restructuring, **by end-December 2013** the authorities will perform a legal review of the relevant legislation with technical assistance as needed. On this basis, legislation will be passed to expand the role of the Financial Ombudsman **by end-January 2014** to achieve fair debt restructuring, while ensuring adequate resources for the service given the expected case load.
- The Cypriot authorities, in view of financial stability considerations and on-going bank restructuring, commit not to introduce any new administrative measures which would interfere with the setting of bank lending rates. In particular no ceilings on bank lending rates would be introduced.
- The CBC will with assistance of an external expert review banks' arrears management policies and practices, taking into account international best practices. This review will be completed **by end-June 2014** and serve as a basis for further policy recommendations on the arrears management processes in credit institutions.

Increasing financial transparency

1.19. The anti-money laundering (AML) framework will be further strengthened in line with best practice. While Cyprus' AML regime received an overall positive evaluation in the 2011 MONEYVAL report, the April 2013 audit undertaken by MONEYVAL and an independent auditor identified specific shortcomings. The Cypriot authorities are committed to further enhancing the AML framework and to ensuring its implementation, under the timetable set out in the agreed AML Action Plan (see Annex 2) and in particular by taking the following measures:

- Strengthen preventive measures of obliged entities with regard to customer due diligence, use of introduced business and reporting of suspicious transactions (Action Plan – sections 1, 2 and 3).
- Ensure transparency and timely access to information on beneficial ownership of trusts (Action Plan – section 4). The programme partners take note of the Cypriot authorities' commitment to establish trust registers with the supervisory authorities (Action Plan – section 4.3.1)
- The supervisory competent authorities will review their off-site and on-site supervisory procedures and further implement a risk-based approach to AML supervision for financial

and non-financial (lawyers, accountants and TCSPs) institutions (Action Plan – sections 5 and 6).

- On a quarterly basis, in the context of the programme review starting **Q4 2013**, the supervisory competent authorities will, on a confidential basis, share anonymised information with the programme partners, by granting access to supervisory assessments and information about enforcement actions applied for non-compliance and/or violations of laws and regulations.

To address concerns that Cypriot corporations and trusts might be misused, the Cypriot authorities have revised the legal framework so that adequate, accurate and timely information on the beneficial ownership of Cypriot legal persons and arrangements can be provided to foreign counterparts related to money laundering and tax matters. **Prior to the granting of the third disbursement of financial assistance**, the authorities will ensure that directives and circulars issued by supervisory authorities (CBC, CySEC, Cyprus Bar Association, and Institute of Certified Public Accountants of Cyprus) are in line with relevant legislation and international standards. To this end, the authorities **by 20 November** provide an analysis of the adequacy of relevant CBC directives for review by the programme partners.

The Cypriot authorities commit to maintain efforts to ensure that the widest possible exchange of information with other FIUs is achieved, either spontaneously or in response to requests. The Cypriot FIU has taken the initiative to provide the programme partners with a breakdown of requests made and received and spontaneous disseminations on a quarterly basis (within 14 days of the end of the quarter), starting with Q4 2013, and publish this information on the FIU website on an annual basis.

B. Recapitalisation and restructuring

Restoring adequate capital buffers

1.20. The CBC will increase the minimum Core Tier 1 capital ratio from the present level of 8% to 9% **by end-December 2013**. By the same date, the CBC will assess the impact of the entry into force of the Common Equity Tier 1 capital definition laid down in the CRDIV and CRR. On the basis of that assessment the CBC will define, by **end-February 2014** and in consultation with the EC, ECB, IMF and informing ESM, the minimum capital requirements taking into account the parameters of the balance sheet assessment and the stress test of the Single Supervisory Mechanism. In no circumstances will this revision lead to a decrease in the minimum amount of capital held by the banks. In the interim period until the revised requirements enter into force, the CBC will prohibit any release of capital by the banks which were found in the PIMCO exercise to face a capital shortfall.

Management of legacy Laiki

1.21. By **end-January 2014**, the Resolution Authority will present a detailed roadmap for the full disposal of legacy Laiki's assets, while maximizing the value for the creditors. Pending disposal of legacy Laiki's shares in BoC and to ensure their adequate management, the Resolution Authority will instruct the Special Administrator to entrust **by end-January 2014**, the voting rights of these shares to a well-recognised and independent consulting or auditing firm(s) or an international institution(s).

Restructuring of Bank of Cyprus

1.22. The CBC will instruct BoC to publish selected features of its restructuring plan before end-2013. On the basis of the plan, **prior to the granting of the third disbursement of financial assistance**, the CBC will approve BoC's proposed set of quarterly targets for the next 12 months for key financial and operational indicators in critical areas and the terms of a quarterly report on progress relative to above-mentioned targets. This report will be submitted to the CBC **by end-March 2014**. A CBC team has been appointed to closely monitor BoC's compliance with the above-mentioned targets, assess any deviations, and define remedial actions if warranted. The report of the team on its main activities will be submitted quarterly to the CBC Board, starting with **end-2013**.

Restructuring and recapitalisation of Hellenic Bank

1.23. Following the successful recapitalisation of Hellenic Bank with privately raised funds, the CBC will require Hellenic Bank to submit **by end-March 2014** a business plan covering the period up to end-2015.

Restructuring and recapitalisation of cooperative credit institutions

1.24. The CBC assessed the capital needs of individual cooperative credit institutions, indicating a total capital shortfall of EUR 1.5 billion for which funds were deposited in a securities account with the CBC to boost confidence in the system. This ensures that there will be no contribution required from depositors to achieve the recapitalisation of the sector. Following a fair value assessment of the CCB and CCIs' assets and after the approval of the restructuring plan by the EC, these EUR 1.5 billion of state funds will be injected in the Cooperative Central Bank in exchange for common shares.

1.25. To this end the restructuring plan for the cooperative sector will be submitted to the EC **by end-January 2014**. The terms and remuneration of the public support will comply with the EU State aid rules with due consideration for financial stability. The cooperative credit institutions benefiting from capital injections will be subject to specific management rules and restrictions, and to a restructuring process, which will be scrutinised by an external monitoring trustee.

1.26. In line with the strategy for the restructuring and recapitalising of the sector that was published in July 2013, the individual cooperative credit institutions will be merged into a maximum of 18 entities **by end-March 2014**. These mergers are designed to achieve viability, efficiency and profitability. The cooperative credit institutions that subsequently become unviable will be required to merge with viable ones.

1.27. Upon completion of each legal merger of affiliated credit cooperative institutions, the Cooperative Central Bank will inject sufficient capital into them to take a 99% stake and ensure compliance with the 4% individual core Tier 1 ratio. These operations will be finalised by end-March 2014, with the view to speed up the appointment of the Board of Directors of each institution and the implementation of the new governance guidelines. At the consolidated level, the sector is still subject to the general minimum core tier 1 capital requirement of 9%.

1.28. Based on the new legal framework for the management of the stake of the State in the cooperative sector, a relationship framework between the State and the Central Cooperative Bank will be established, **prior to the granting of the third disbursement of financial assistance**, to ensure that the Central Cooperative Bank adopts sound policies and restructuring measures to

enhance the viability of the cooperative sector, but without interfering in commercial business decisions and undue political interference. Compliance with the relationship framework will be reviewed on a quarterly basis by the monitoring trustee, who will also report any breaches of the framework to the EC. The authorities will inform the ECB, the ESM, and the IMF of the conclusions of that report.

1.29. With the view to decisively restructure the sector, the CBC has required the new board of the CCB to publish, **by end-November 2013**, a roadmap agreed with the CBC specifying key interim actions for the next three months, including: (i) the appointment of the new CEO, (ii) measures to bolster the independence and qualification of CCI Boards, (iii) actions to retain customers, (iv) measures to impede further asset deterioration, and (v) measures to prepare the transfer of NPLs to specialized units within the sector.

1.30. As part of the implementation of the restructuring plan, the Cooperative Central Bank will leverage on external expertise, in particular in the areas of arrears management and corporate restructuring. In addition, it will ensure that the recruitment of executive and senior management of the CCB and CCIs take place in line with international best practices. The selection criteria will be established by the Cooperative Central Bank and consulted by the Ministry of Finance with the EC, ECB, ESM and IMF. Compliance with the requirements of this paragraph will be assessed in the quarterly progress reports of the Cooperative Central Bank on the implementation of the restructuring plan.

2. FISCAL POLICY

Key objectives

Putting public finances on a sustainable path is of overriding importance in order to stabilise the economy and to restore the confidence of companies, citizens and foreign investors in the longer-term economic prospects of Cyprus.

In this context, the objectives are: (1) to continue the on-going process of fiscal consolidation in order to achieve a 3% of GDP primary surplus in 2017, 4% of GDP in 2018 and maintain at least such a level thereafter; (2) to achieve the annual budgetary targets as set out in this Memorandum of Understanding (MoU) through high-quality permanent measures, and additional measures in the outer years, in particular to reduce the growth in expenditure on the public sector wage bill, social benefits and discretionary spending, while minimising the impact of consolidation on vulnerable groups; (3) to this end, to fully implement the fiscal consolidation measures for 2013, listed in Annex 1 and below; (4) to correct the excessive general government deficit by 2016; and (5) to maintain fiscal consolidation over the medium term, converging towards Cyprus' medium-term budgetary objective of a balanced budget in structural terms, by containing expenditure growth, improving the structure of taxation and undertaking fiscal-structural measures (see Section 3), including the implementation of a Medium-Term Budgetary Framework designed in accordance with EU specifications.

The Cypriot authorities adopted a number of fiscal measures for 2012-2014 as well as initial steps in relation to fiscal-structural reforms. The authorities commit to the full implementation of these measures (see Annex 1) and to regularly monitor the budgetary effect of the measures taken. Any deviation from the projected budgetary effect of the measures will be evaluated and addressed accordingly in the quarterly programme reviews, taking into account macroeconomic developments. In the event of underperformance of revenues or higher social spending needs, the government should stand ready to take additional measures to preserve the programme

objectives, including by reducing discretionary spending, taking into account adverse macroeconomic effects. Over the programme period, cash revenues above programme projections, including any windfall gains,¹ will be saved or used to reduce debt. To the extent that over-performance is deemed permanent, this can reduce the need for additional measures in the outer years. Measures, such as tax amnesties, that could have an adverse impact on tax compliance and foster tax fraud and evasion, thereby counteracting efforts in line with paragraph 3.7 of this Memorandum, will not be undertaken over the course of the programme period.

Sound fiscal policy and expenditure prioritisation should contribute to preserving the good implementation of Structural and other EU funds, in respect with the programme's budgetary targets. In the light of Cyprus' economic challenges, EU funds will be targeted to those areas that deliver the most important economic and social impact, in accordance with the priorities to be set in the relevant EU regulatory framework. In order to ensure the effective implementation of EU funds, the Government will ensure that the necessary national funds remain available to cover national contributions, including non-eligible expenditure, under the European Structural and Investment Funds (ERDF, ESF, Cohesion Fund, EAFRD and EFF/EMFF) in the framework of the 2007-2013 and 2014-20 programming periods, while taking into account available EIB funding. The authorities will ensure that the institutional capacity to implement current and future programmes is improved and the appropriate human resources of Managing Authorities and implementing bodies are available.

In accordance with Regulation 472/2013, Cyprus shall provide all the information that the programme partners consider to be necessary for the monitoring of the implementation of the economic adjustment programme. The Cypriot authorities will consult ex-ante with the European Commission, the ECB and the IMF on the adoption of policies that are not included in this Memorandum but that could have a material impact on the achievement of programme objectives.

Fiscal policy in 2013

2.1. The Cypriot authorities will achieve a budgetary outcome in line with the Council Recommendation of 16 May 2013, with a view to bringing an end to the situation of an excessive government deficit, taking into account the Commission's assessment of effective action of 6 September 2013. To this end, the Cypriot authorities will rigorously implement the 2013 Budget Law (as amended) and the agreed consolidation measures, amounting to at least EUR 351 million.

In line with State aid rules, the Government shall not implement any measures involving State aid towards Cyprus Airways until the approval of a restructuring plan by the European Commission.

Fiscal policy in 2014

Based on programme's current macroeconomic and fiscal projection and reflecting the draft 2014 Budget, the Cypriot authorities will achieve a deficit of the general government primary balance of EUR 483 million (3.1% of GDP) in 2014², respecting the EDP recommendation of a headline deficit of no more than 8.4% in 2014. To this end, Cyprus will fully implement permanent measures for 2014, amounting to at least EUR 270 million in 2014 (Annex 1). The total amount of

¹ Windfall gains associated with hydrocarbons shall mean only the blocks' licencing fees or related signature bonuses for exploration thereof. It is noted that any streams of revenues associated with hydrocarbon exploitation are dealt with under section 5.6, second bullet-point, indent 3

² The ESA95 budgetary targets are not comparable to, but remain consistent with the respective cash-based budgetary target set in the context of the economic adjustment programme.

fiscal policy measures to underpin the 2014 budgetary targets, will be included in the 2014 Budget Law.

Notably, the authorities will take the following permanent additional measures, amounting to approximately $\frac{1}{3}\%$ of GDP, as proposed by the Government in the draft 2014 Budget Law, with a view to advance part of the future consolidation effort:

- ensure additional expenditure savings by a further reduction of public sector allowances and streamlining of overtime compensation, including by revising the formula for calculating overtime compensation on weekdays and in weekends for state officers and apply the revision pro rata in the case of hourly paid employees.;
- a further targeting of social pensions;
- an abolition of income tax exemption for certain pension schemes;
- a reduction in the tax-free threshold for lottery gains;
- an introduction of a contribution of 3% on salaries of casual employees servicing on a contract basis, who receive gratuity, including volunteers of 5 years services and police constables.

Prior to the granting of the third disbursement of financial assistance, the Cypriot authorities will submit to the House of Representatives the necessary amendments to the 2014 draft Budget Law in order to align it with the revised macroeconomic and budgetary projections of the economic adjustment programme. Any amendments to the budget that could have a material impact on the achievement of the programme's objectives will be assessed and agreed with the programme partners.

The 2013-2015 expenditure ceilings will be updated for the period 2014-2016 and will accompany the 2014 Budget Law document (see also 5.6.3). The presentation of these ceilings will evolve into a full-fledged Fiscal Strategy Statement in line with the MTBF requirements contained in Directive 2011/85/EU. Any deviation from the budgetary objectives contained in the 2013-2015 framework will be properly documented and reasons for such deviations will be provided to the programme partners.

Fiscal policy in 2015-16

Based on the programme's updated budgetary projection, the Cypriot authorities will achieve a deficit of the general government primary balance of EUR 340 million (2.1% of GDP) in 2015 and a surplus of EUR 201 million (1.2% of GDP) in 2016, respecting the EDP recommendation of a headline deficit of no more than 6.3% in 2015 and 2.9% in 2016.

After review by and consultation with the programme partners the 2015 and 2016 Budget Laws will be adopted, respectively, **by December 2014** and **December 2015**.

The 2014-2016 expenditure ceilings will be updated for the period 2015-2017 and will accompany the 2015 Budget Law document (see also 5.6.3). Any deviation from the budgetary objectives contained in the 2014-2016 framework will be properly documented and reasons for such deviations will be provided to the programme partners. In **Q2-2016**, the Cypriot authorities will present the programme partners with a provisional list of measures to attain a primary surplus of 3% of GDP in 2017 and 4% of GDP in 2018. The measures required will be included in the draft 2017 Budget Law.

3. FISCAL-STRUCTURAL MEASURES

Key objectives

Cyprus enjoyed above euro-area average growth rates for more than a decade and in parallel expanded its public sector employment, support and services considerably. Looking ahead, if the public sector is to provide appropriate support for the sustainable and balanced growth of the Cypriot economy, fiscal-structural reform steps are needed to ensure the long-term sustainability of public finances, to provide the fiscal space necessary to support the diversification of the economy, and to alleviate the adverse impact on jobs and growth arising from Cyprus' exposure to external shocks. In this context, the objectives are: (1) to improve the efficiency of public spending and the budgetary process by means of an effective Medium-Term Budgetary Framework (MTBF) that is fully compliant with the Directive on requirements for budgetary frameworks and the Treaty on Stability, Coordination and Governance (TSCG); (2) implement further reforms of the pension system to address the high projected increase in pension spending; (3) take further steps to control the growth of health expenditure; (4) enhance tax revenues by improving tax compliance and collection; (5) undertake reforms of the public administration to improve its functioning and cost-effectiveness, notably by reviewing the size, employment conditions and functional organisation of public services; (6) undertake reforms of the overall benefit structure with the aim of producing an efficient use of resources and ensuring an appropriate balance between welfare assistance and incentives to take up work; and (7) elaborate a programme for improving the efficiency of state-owned and semi-public enterprises and initiate a privatisation programme.

Pension reform

3.1. While acknowledging that the Cypriot authorities have recently introduced substantial reforms (as noted in Annex 1), which, according to the results of the actuarial study which were peer reviewed in the Ageing Working Group of the Economic Policy Committee in September 2013, have adequately addressed the issue of the high projected increase in pension spending and secured the long-term financial viability of the pension system through 2060, it remains important to monitor the long term financial sustainability of the system and consider further reform steps, if needed.

The Cypriot authorities have implemented/agreed to implement the following measures:

- **prior to the granting of the third disbursement of financial assistance**, pass legislation to ensure that total annual public pension benefits do not exceed 50% of the highest pensionable salary of the official's career for Members of the House of Representatives; and
- ensure that all of the measures aimed at the GEPS will apply also to pension schemes in the broader public sector and to pension schemes for hourly-paid public employees **by Q4-2013**, to enter into force **on 1 January 2014**.

Health care reform

3.2. To strengthen the sustainability of the funding structure and the efficiency of public healthcare provision, the following measures will be adopted:

- a) preserve and implement all fiscal measures relating to compulsory health-care contribution for public servants and public servant pensioners to be reviewed **by Q2-2014** with the programme partners and all co-payments for using public health care services;

- b) restructure public hospitals according to the action plan as approved by the Council of Ministers at end-June 2013 and aim at full implementation **by Q2-2015**;
- c) taking into account the results of the updated actuarial study and after consultation with the programme partners, implement without further delay a National Health System (NHS), to be in place **by end-2015**, ensuring its financial sustainability while providing universal coverage and considering the possibility of implementation in stages **by end-2015**. To this end, the government will present its detailed plan by **January 2014**;
- d) secure adoption by the Council of Ministers of a binding set of contingency measures (e.g. revision of the basket of publicly reimbursable medical services and products, cuts in tariffs for medical products and providers of medical services, limits to the volume of reimbursable products and services) **by Q4-2014**, in order to ensure that the agreed budget limits of public health expenditure are not exceeded;
- e) to complete the IT-infrastructure necessary for implementing the NHS, explore all options for improving the IT-infrastructure via the most cost-effective web-based applications as an alternative to the currently-defined IT tender **by Q1-2014**;
- f) review income thresholds for free public health care in comparison to the eligibility criteria for social assistance, while ensuring that co-payments to public health care are set so as to protect individuals/households effectively from catastrophic health expenditures **by Q4-2013**;
- g) continue to publish clinical and prescription guidelines and to audit their implementation; continue to establish the system for health-technology assessment. Periodic reviews of the basket of publicly-reimbursable medical services will be conducted, based on objective, verifiable, criteria, including cost-effectiveness criteria (health technology assessment will contribute when feasible); prepare quarterly reports on the results of the respective workstreams;
- h) introduce a coherent regulatory framework for pricing and reimbursement of goods and services based on the actual level of costs incurred in accordance with Article 7 of Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011. An interim report will be ready **by Q4-2013**;
- i) continue to code inpatient cases by the system of diagnosis-related groups (DRGs) achieving full coding of all inpatient cases in public hospitals **by January 2014**; and,
- j) adjust back by half an hour the regular starting and ending working times in the Health Service (to 7:30/8:30 – 15:00/16:00) and further reduce overtime and related costs to the wage bill, by making working time more flexible so as to cover - as a minimum - service hours from 7:00 to 19:00 under regular working time (see 3.10.).

Following a review, in a second step, revise the regular working hours and stand-by shifts of healthcare staff, including rules to increase the mobility of staff; revise current regulations on overtime pay and fully implement existing laws on recording/monitoring overtime payments (see 3.10) **by Q1-2014**.

Furthermore, the Cypriot authorities will consider establishing a system of family doctors acting as gate-keepers for access to further levels of care.

Budgetary framework and public financial management

3.3. The Cypriot authorities will:

- provide for the establishment of a Fiscal Council with a statutory regime, functions, nomination procedures for its governing body and funding arrangements grounded in the high-level Fiscal Responsibility and Budget System Law (FRBSL), which will be adopted **by Q4-2013** (including an implementing text pertaining to Fiscal Council staff and a draft MoU on exchange of information between the Fiscal Council and the Ministry of Finance);
- Enact a FRBSL applicable to the entire general government sector. The umbrella law will encompass, inter alia, macro-fiscal policy-making, and budget formulation, approval and execution. It will take on-board and deepen existing provisions transposing Council Directive 2011/85/EU on requirements for budgetary frameworks, and implementing the Two-Pack EU Regulation 473/2013 and the Fiscal Compact of the Treaty on Stability, Coordination and Governance (TSCG) on the basis of the Common Principles for national fiscal correction mechanisms laid down in Commission Communication COM(2012)342, with implementing texts (on budget documentation and statistics) ensuring that adopted measures are fully effective **by Q4-2013**.

As regards expenditure controls in the state budget, which shall avert the risk of overspending against existing appropriations and/or accumulating arrears, the Cypriot authorities will:

- Remove the risk of overspending by making sure that spending commitments, as these will be defined in the FRBSL, of the central government are subject to pre-commitment validation **by Q4-2013**, and of the general government **by Q1-2014**. All outstanding commitments should be timely and properly recorded and reported in the accounting system.
- Improve the monitoring of government guarantees through a risk assessment analysis. To this end, amend the Public Debt Management Law, **by end-December 2013**, in order to ensure a proper risk assessment of the outstanding stock of government guarantees and ensure appropriate human resources to that end.

Public private partnerships (PPPs)

3.4. The Cypriot authorities will:

- update the inventory of PPPs, including contingent liabilities, **as of 1 January 2014**, and include it both in the annual budget law and in the annual financial report;
- put in place an adequate legal and institutional framework for public investment projects, including PPPs, to assess fiscal risks and to monitor their execution through: (i) establishing an effective gateway process that verifies the fiscal affordability of projects; (ii) adapting fiscal management laws to formalize the role of the Minister of Finance and his services (i.e. the Ministry, Planning Bureau and Treasury) in reviewing and approving public investment projects and in particular PPPs at critical points in the gateway process; and (iii) developing financial reporting and accounting rules that ensure timely and transparent communication of public investment project and PPP related obligations. The legal basis for managing public investment and specifically PPPs will be included in the FRBSL, which will enter into force **on 1 January 2014**; and

- commit not to enter into any new tendering process and not to sign any new PPP contract before the implementation of the legal and institutional PPP framework, excluding any project having reached commercial close by end-October 2012.

State-owned enterprises and privatisation

3.5. As regards extra-budgetary funds and entities, in particular the State-Owned Enterprises (SOEs) and other state-owned assets:

- **by Q4-2013**, the Council of Ministers will examine a list of SOEs to be restructured or liquidated;
- the Cypriot authorities will complete the full inventory of real estate and land assets **by Q4-2013**, specifying which ones are ready for privatisation; and
- submit to the House of Representatives a draft law to regulate the creation and the functioning of SOEs at the central and local levels and enhance the monitoring powers of the central administration, including reporting on SOEs in the context of the annual budgetary procedure **by Q4-2013**. No additional SOEs will be created until the legal framework has been adopted.

3.6. The Cypriot authorities will initiate a privatisation plan to help improving economic efficiency through enhanced competition and encouragement of capital inflows, and to help restoring debt sustainability:

- This plan will include the privatisation prospects of state-owned enterprises (SOEs) and semi-governmental organisations (SGOs), including, inter alia, CyTA (telecom), EAC (electricity), CPA (commercial activities of ports), as well as real estate/land assets and will be based on a prudent estimation of privatisation proceeds. For the privatisation of natural monopolies, an appropriate regulatory framework is a prerequisite. The provision of basic public goods and services by privatised industries will be fully safeguarded, in line with the national policy goals and in compliance with the EU Treaty and appropriate secondary legislation rules;
- The privatisation plan will be adopted by the Council of Ministers **prior to the granting of the third disbursement of financial assistance**, after consultation with programme partners, and will include asset-specific timelines and concrete intermediate steps;
- In parallel, the specific legal and institutional framework for the privatisation process will be implemented **by January 2014**, after consultation with programme partners; and
- The privatisation plan identified by the Government after consultation with the programme partners will raise at least EUR 1 billion **by the end of the programme period** and an additional EUR 400 million **by 2018 at the latest**.

Revenue administration, tax compliance, and international tax cooperation

3.7. The Cypriot authorities will reform the revenue administration with the objective to reinforce the efficiency and effectiveness of revenue collection capacity and the fight against tax fraud and evasion, with a view to increasing fiscal revenue. The reform will comprise of a

programme of short-term measures to enhance compliance, efficiency and effectiveness as well as a comprehensive long-term reform covering risk management and the establishment of a new integrated function-based tax administration structure, integrating the existing IRD and VAT services. The short-term programme will be implemented by Q4-2013 and include the following sets of measures:

Enact legislative changes to enhance tax collection and voluntary compliance by

- attributing personal responsibility for payment of company taxes to those, who -in the case of non-listed companies- truly and effectively control a company and to the responsible manager for fraudulent filing of company taxes;
- harmonising the legislation among tax types so that not paying taxes is a criminal offense regardless of the type of tax and ensure tax fraud is prosecuted as a criminal offense; and
- strengthening powers by the tax authorities to ensure payment of outstanding tax obligations, e.g. by having authority to seize corporate assets, prohibiting alienation or use of assets, including property and bank accounts, by the taxpayer.

Improve efficiency and effectiveness of the administration by,

- ensuring staff mobility between different tax administration entities in order to ensure appropriate staffing of entities with high revenue collection capacities;
- optimising the use of IT systems in the tax administration based on: (i) facilitating information exchange between tax administration entities and with other relevant authorities, taking into account legal provisions for data protection; and (ii) enhancing the use of e-filing of tax returns and e-payment (e.g. by allowing payment through bank transfers);
- enacting the necessary legislation to establish self-assessment for all income taxpayers by changing from a pre-assessment verification of income tax returns to post assessment audits selected on the basis of risk;
- deciding on a joint audit programme for large taxpayers, to be conducted **in 2014**;
- developing a joint work programme for conducting targeted audits and enhancing voluntary compliance of known high-risk groups; and
- conduct an independent formal review to recommend changes to legislation to determine the appropriate level of discretion available to the tax administration management and how it is exercised.

The long-term reform will include the following sets of measures:

- A comprehensive compliance strategy that will be put in place **by Q2-2015**. The strategy will be firmly based on analytical work on risk identification and analysis and on an evaluation of different risk treatment strategies. Work for the risk identification and analysis will begin **in Q4-2013**.
- The full integration of the two tax departments will be completed in several phases and will be accompanied by a set of flanking reform measures, such as the development of a

common tax procedure code. After having established the project management, which includes a high level steering committee, chaired by the Minister of Finance and an executive technical committee, chaired by the Permanent Secretary the authorities will,

1. develop a reform plan that reflects the recommendations of the TA received in February 2013 and further recommendations derived from future TA. The reform plan will be agreed with program partners and approved by the government **by Q4-2013**; and
2. reinforce the tax unit in the Ministry of Finance that is responsible for tax policy formulation and for monitoring the implementation of tax policy and the revenue performance (including by measuring the tax gap) **by Q2-2014**.

3.8. The Cypriot authorities will safeguard the timely and effective exchange of information in regard to tax matters, fully ensuring the applicability of laws and standards governing international exchange of tax information. In this respect, the Cypriot authorities will enhance the practice of timely delivery of relevant and accessible tax information to other EU Member States. The authorities will:

- fully transpose and implement Council Directive 2011/16/EU on administrative cooperation in the field of taxation³ and abide by Art 7 of the Directive and Art 10, 19 and 21 of Council Regulation 904/2010 on administrative cooperation and combating fraud in the field of value-added tax, which prescribe specific timeframes within which Member States shall provide information to each other;
- ensure the systematic follow-up and use of information received from other countries about savings income payments received by Cyprus resident individuals and savings income payments received by entities and legal arrangements such as trusts under Cyprus law, notably entities and legal arrangements the beneficial owners of which are resident in other EU Member States;
- improve capacity of the Inland Revenue Department to follow-up on tax information received from other countries, e.g. by permitting the department to access databases of other public entities in order to facilitate and expedite the identification of the taxpayer; and
- implement the recommendations put forward in the in-depth review of Cyprus' legal and regulatory framework under the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes and commit to address any shortcomings to be identified in the forthcoming evaluation of implementation issues.

In the context of an effective implementation of Council Directive 2003/48/EC on taxation of savings income in the form of interest payments (the EUSD), the Cypriot authorities will continue to provide to the EC all necessary and available information/statistics extracted from the data exchanged under the FISC153. In addition, on an annual basis and starting from the tax year ending **on 31 December 2013**, the Cypriot authorities will provide to the EC a breakdown of the information provided under the EUSD by sector of activity of the paying agents, including possible sanctions actually claimed of paying agents for their application of the EUSD. **In 2015**,

³ The Cypriot authorities have submitted Law N. 205(I)/2012 (enacted on 28 December 2012), transposing the Directive, to the European Commission.

the Cypriot authorities will provide to the European Commission a report on the results of audits conducted in 2014. The Cypriot authorities (CBC) will provide on an annual basis detailed sectoral deposit statistics with a breakdown of non-resident deposits by country.

Immovable property tax reform

The following measures will be taken to increase revenue and to improve the fairness of the tax burden by levying the recurrent property tax on current market values. An additional objective is to reduce overhead cost in tax base administration.

3.9. In view of this, the Cypriot authorities have agreed to:

- implement a property price index that establishes the average market valuation in 2013 by square meter of habitable surface and land plot, taking into account recommendations derived from technical assistance. This index shall be operational to provide imputed market valuations for each cadastral plot **by Q2-2014**, in time for the immovable property tax collection in 2014. The index shall vary according to location and zoning as well as other tangible building- and plot-related characteristics. Moreover, the authorities will implement a methodology for annual updates of such imputed market valuations;
- implement the recurrent immovable property tax based on such imputed market valuations **by Q3-2014**. The tax rates shall reflect the progressivity and revenue of the preceding property tax. For co-owned land plots, individual owners shall be taxed according to ownership proportions as provided in the cadastre;
- establish the legal basis for a mandatory annual adjustment of the property unit tax base by a competent authority **by Q3-2014**;

In addition, the recommendations of the following studies should be implemented at the latest **by 1 January 2015**:

- a study on refining the parameters of the imputed property market value index within the bounds of administrative and legal simplicity. In particular, the study shall assess the feasibility of a unit tax base for individual dwellings. Moreover, the study shall report on a mechanism to dampen cyclical variations in the index; and
- a study on the scope of consolidating the collection and administration of the municipal recurrent property tax and sewage tax. The study will also review existing exemptions and derogations from property taxation. It will also report on the scope of shifting revenues from transaction fees and taxes to recurrent taxation. The tender procedure and the assignment of the study to the successful bidder shall be concluded **by Q4-2013**.

Public administration reform

3.10. The public sector represents a large share of public expenditures in Cyprus. To ensure an efficient use of government resources, while delivering a quality service to the population, the Cypriot authorities will, **by December 2013**, adjust back by half an hour the regular starting and ending working times, to 7:30 - 8:30 and to 15:00 – 16:00 and further reduce overtime and related costs to the public sector wage bill, by making working time more flexible so as to cover -

as a minimum - service hours from 7:00 until 17:00 in the entire public sector and service hours from 7:00 to 19:00 for public sector services with extended operating hours (including, but not limited to, healthcare and security), under regular working time (see 3.2).

In addition, the Cypriot authorities are commissioning an independent external review of possible further reforms of the public administration. The review will include a horizontal and a sectoral element.

The horizontal element will be undertaken by the World Bank and the UK public administration and will include the review of:

- the appropriate system of remuneration and working conditions/conditions of employment in the public sector (e.g. annual vacation leave, sick leave, maternity leave, working time), in relation to the private sector and to other EU countries and based on best practices; and
- the introduction of a new performance based appraisal system in the public sector, for development and promotion purposes, linking performance with the remuneration system/increments.

The results of the horizontal review will be presented **by Q3-2014**. Based on the findings of this review, the Cypriot authorities will agree on a reform after consultation with the programme partners, submit it to the House of Representatives for approval and implement it **by Q4-2014**.

The sectoral element will cover:

- an examination of the role, the competences, the organisational structure and the size/staffing of relevant ministries, services and independent authorities;
- an examination of the possibility of abolishing or merging/consolidating non-profit organisations/companies and state-owned enterprises; and
- the re-organisation/re-structuring of local government,

and will comprise two batches:

- the first batch will be undertaken by the World Bank and the UK public administration and will cover the Ministries of Agriculture, Education and Health, as well as local government and the Department of Registrar of Companies and Official Receiver. The results of the first batch will be presented **by Q1-2014**. Based on the findings of this review, the Cypriot authorities will agree on a reform after consultation with programme partners, submit it to the House of Representatives for approval and implement it **by Q2-2014**.
- the second batch will cover all remaining Ministries (Labour and Social Insurance, Communications and Works, Energy, Commerce, Industry and Tourism, Interior, Defense, Justice and Public Order, Foreign Affairs), and the Ministry of Finance, including the Treasury and the Planning Bureau being covered under the PFM. It will also include all SOEs (subject to the decisions taken under the provision of 3.5 regarding privatisation, restructuring or liquidation). Finally, it will cover the President's Office and the Council of Ministers, as well as the Constitutional and Independent Services (see Annex 3 for a detailed list). The results of the second batch will be presented **by Q4-2015**. Based on the findings of this review, the Cypriot authorities will agree on a reform after consultation with the programme partners, submit it to the House of Representatives for approval and implement it **by Q1-2016**.

Welfare system

3.11. The existing welfare system in Cyprus encompasses a broad range of individual benefits provided by different Ministries and Departments. To ensure efficient use of public funds within the welfare system, while at the same time ensuring an appropriate balance between welfare benefits and incentives to take up work (as further specified in section 4.3 below), and enhancing the protection of vulnerable households, the Cypriot authorities will implement the reform plan of the welfare system, **as of 1 July 2014**.

The Cypriot authorities will ensure that the reform will be achieved through:

- consolidating the existing social benefits by streamlining, and, inter alia by merging some benefits and phasing out others, and integrating them under the Ministry of Labour and Social Insurance.
- improving the targeting of benefits; and
- providing work incentives to avoid welfare dependency.

To this end, the Cypriot authorities will take the following steps:

- on the basis of the level of the minimum consumption basket covering basic needs in order to achieve a decent standard of living, define the level, the composition and the eligibility criteria of the new guaranteed minimum income scheme (GMI) which will replace the existing public assistance scheme and estimate its overall costing **(Q4-2013)**;
- refine the means testing mechanism by introducing a common definition of income sources, financial assets and movable and immovable property, so as to ensure the consistency of eligibility criteria across different benefit schemes **(Q4-2013)**;
- adopt the final design of the reformed welfare system by the Council of Ministers **by Q1-2014** after consultation with social partners, followed by consultation and review by programme partners. The adopted reform would define all benefits, their respective level, and eligibility criteria, as well as the overall costing of the system;
- ensure that a comprehensive database and the necessary IT requirements are in place to support the administration of the reformed welfare system **(by May 2014)**; and
- transfer all the relevant competences and responsibilities related to the administration and provision of all social benefits to the Ministry of Labour and Social Insurance, which should be appropriately equipped in terms of financial and human resources, the latter being reassigned from other departments of the public administration **by April-2014**, except the benefits to be provided by the Ministry of Education and Culture (education benefits) and the Ministry of Interior (benefits to displaced people), (see 3.10).

The reformed welfare system must be consistent with the fiscal targets defined in this MoU. Draft legislation will be submitted for review to the programme partners before submission to the House of Representatives. The law will be adopted **by end-May 2014**.

4. LABOUR MARKET

Key objectives

While the Cypriot labour market was characterised by high employment rates and low unemployment in the years leading up to the crisis, the unwinding of unsustainable imbalances and worsening of macroeconomic conditions and prospects have resulted in rapidly rising unemployment and important labour market challenges over the medium-term. Labour market reforms can mitigate the impact of the crisis on employment, limit the occurrence of long-term and youth unemployment, facilitate occupational mobility and contribute to improving the future resilience of the Cypriot economy in the face of adverse economic shocks. In this context, the objectives are: (1) to implement a reform of the system of wage indexation commensurate with ensuring a sustainable improvement in the competitiveness of the economy and allowing wage formation to better reflect productivity developments; (2) to prepare and implement a comprehensive reform of public assistance in order to achieve an appropriate balance between public assistance and incentives to take up work, target income support to the most vulnerable, strengthen activation policies and contain the public finance impact of rising unemployment; and (3) to help attenuate adverse competitiveness and employment effects by linking any change in the minimum wage to economic conditions.

Cost of living adjustment (COLA) of wages and salaries

4.1. To ensure that wage growth better reflects developments in labour productivity and competitiveness, in both expansions and recessions, the Cypriot authorities are reforming the wage-setting framework for the public and private sector in such a way as to improve real wage adjustment. To this end, the effective application of the reform of the wage indexation system (COLA) applicable to the broader public sector, as determined in the budget of 2013 and embedded in the Medium-Term Budget, must be ensured. This reform acts on relevant elements of the indexation system, as follows:

- a lower frequency of adjustment, with the base period for calculating the indexation (COLA) being lengthened from the current period of six months to twelve months. Indexation would take place on 1st January each year;
- a mechanism for automatic suspension of application and derogation procedures during adverse economic conditions, such that if in the second and third quarters of a given year negative rates of growth of seasonally adjusted real GDP are registered, no indexation would be effected for the following year; and
- a move from full to partial indexation, with the rate of wage indexation being set at 50% of the rate of increase of the underlying price index over the previous year.

As foreseen in section I.2 (Annex 1) of this agreement, the suspension of wage indexation in the wider public sector will remain in place until the end of the programme.

A tripartite agreement will be pursued with social partners for the application of the reformed system in the private sector **by end-2013**. Furthermore, based on the current economic outlook, wage and salary indexation is foreseen not to be applied in the private sector until 2014.

Minimum wage

4.2. With a view to preventing possible adverse competitiveness and employment effects, the Cypriot authorities commit that, over the programme period, any change in the minimum wage covering specific professions and categories of workers should be in line with economic and labour market developments and will take place only after consultation with the programme partners.

Activating the unemployed and combating youth unemployment

4.3. The increase in unemployment underlines the need for an overall assessment of activation policies and available instruments for income support after the expiration of unemployment insurance benefits. The planned reform of public assistance should ensure that social assistance serves as a safety net to ensure a minimum income for those unable to support a basic standard of living, while safeguarding incentives to take up work, ensuring consistency with the reform of the welfare system as described in section 3.11.

4.4. In their assessment of current activation policies, the Cypriot authorities have identified a series of challenges pertaining to the system. These include: the difficulties faced by the Public Employment Services in serving an increased number of unemployed people; the lack of a coherent and homogeneous framework for the continuous monitoring and evaluation of the different schemes, which impedes the proper evaluation of the activation system as a whole; the need for increased coordination across different ministries and departments of the administration and the need to reduce fragmentation; and the absence of a data warehouse, which impedes an automatic and immediate processing and exchange of information.

Therefore, the Cypriot authorities will prepare detailed policy proposals to address the identified shortcomings and weaknesses, to be submitted to the programme partners by end-2013 for review and consultation. These will include:

- the development of a coherent methodology for the continuous monitoring and evaluation of activation programmes, to be applied consistently across the different schemes, thereby enabling the assessment of their performance and effectiveness;
- the development of the appropriate IT infrastructure so as to automatize better and more comprehensive collection (see 3.11), processing and exchange of data across the various schemes as well as with the administration of social welfare services;
- ensuring an effective integration of the different schemes by centralising the administration of all activation programmes and by enhancing the coordination across the different departments responsible for the various programmes;
- enhancing staff mobility to support the administrative capacity of the public employment services so as to enable them to better respond to the increased demand for their services; and
- reviewing and enhancing the cooperation between the public employment service and the benefit-paying institutions in the activation of the unemployed.

4.5. With one of the steepest increases in the youth unemployment rate in the EU and with the rapid rise of young people not in employment, education or training (NEETs), Cyprus needs to take swift action to create opportunities for young people and improve their employability prospects. To this end, the Cypriot authorities will present by Q4-2013 a draft action plan for the

implementation of measures envisaged for support under the Youth Employment Initiative, in line with the conclusions of the European Council of June 2013. The design, management and implementation of these measures targeted to youth shall be well integrated within the broader system of activation policies (section 4.3) and be coherent with the reform of the social welfare system (section 3.11) and the agreed budgetary targets.

5. Goods and services markets

Key objectives

Addressing issues of a structural nature is critical for rebalancing the Cypriot economy, restoring its growth potential and improving competitiveness. Removing unjustified obstacles in services markets can have a significant impact on growth, in particular for the services-intensive Cypriot economy. In addition, improving the quality and reducing the cost of regulated professional services can play an important role for the business environment and for Cyprus' competitive position. Since tourism is one of Cyprus' largest sectors and an important potential driver of future growth, a reinvigoration of the competitiveness of this sector is warranted. Improving the regulation of administration related to the real estate sector will contribute to the overall functioning of the housing market and help to foster foreign demand at a time when the prospects of this sector are affected by downside risks. Finally, the exploitation of the domestic offshore natural gas potential offers the medium- to long term prospect for reducing Cyprus' energy import dependency and the security and sustainability of energy supply. This would help to address Cyprus' sustained current account deficit and high public debt. However, these positive effects will accrue only after overcoming the challenges of financing and planning the infrastructure investments, designing efficient energy markets and an adequate regulatory regime.

Services directive: Sector-specific legislation

5.1. In accordance with EU law in general and Services Directive in particular, the Cypriot authorities will adopt the necessary amendments to the following sector-specific legislation: Construction services, Travel Agencies, Tourism services on beaches, Car rental services, **prior to the granting of the third disbursement of financial assistance**. The Cypriot authorities stand ready to adopt any further necessary amendments towards the full implementation of the Services Directive. Rules that refer to the calculation of fees for professional services (including those adopted by professional bodies) need to be assessed before adoption for compliance with internal market and competition principles, except as otherwise agreed with programme partners. To this end, the opinion of the Cypriot Commission for the Protection of the Competition (CPC) and of programme partners is required.

Reform of regulated professions

5.2. The Cypriot authorities will:

- complete the comprehensive review of the requirements affecting access and exercise of all regulated professions by Q4-2013. Following completion of the review, the requirements that are not justified or proportional will be eliminated by Q1-2014; and
- eliminate any existing total bans on the use of a form of commercial communication (advertising) in the veterinarians profession, as required by the Services Directive by November 2013.

Competition and sectoral regulatory authorities

5.3. The Cypriot authorities will strengthen the independence and the effectiveness of the Commission for the Protection of Competition (CPC) by:

- guaranteeing sufficient and stable financial means and qualified personnel to ensure its effective and sustained operation **by Q4-2013**;
- enhancing the effectiveness of competition law enforcement by adopting the necessary amendments to the legislation on mergers and antitrust, including the power to conduct sector enquiries **by Q4-2013**; and
- promoting a more active role of the CPC in the area of advocacy, with the objective of safeguarding and promoting competition **by Q4-2013**;

The Cypriot authorities will increase competition by ensuring that powers and independence of the National Regulatory Authorities (NRAs) remain effective, by enabling them to have the necessary resources in line with their duties and in accordance with the EU Regulatory Framework. Any necessary legislative amendments will be adopted **by Q4-2013**.

Housing market and immovable property regulation

5.4. Action is required to ensure property market clearing, efficient seizure of collateral, and restoring demand. A particular risk arises from legal disputes, which may be due to incomplete documentation of ownership and property rights and the slow pace of judicial procedures.

The Cypriot authorities will:

- implement guaranteed timeframes for the issuance of building certificates and title deeds **by Q1-2014**; ensure that the title deed issuance backlog drops to less than 2,000 cases of immovable property units with title deed issuance pending for more than one year **by Q4-2014** (backlog refers to (i) applications, (ii) units that are eligible for the "ex officio" issuance of title deeds, required certificates and permits); take action to accelerate the swift clearing of encumbrances on title deeds to be transferred to purchasers of immovable property **by Q4-2014**;

- every three months, publish quarterly progress reviews, including executive commentaries on developments related to the issuance of building and planning permits, certificates, title deeds, title deed transfers and related mortgage operations, starting end-July 2013;
- implement electronic access to the registries of title deeds, mortgages, sales contracts and cadastre for the monetary financial institutions and for all government services **by Q4-2014**. Any requirements on the proof of legal interest for access to these data by these bodies shall be abolished **prior to the granting of the third disbursement of financial assistance**;
- amend the procedure on the forced sale of mortgaged property (see 1.5) to allow for private auctions by amending the relevant legislation and rules in relation to the forced sales of mortgaged property either by adopting similar principles of the rules for immovable property recovery in bankruptcy regulations or by enacting new legislation **by Q4-2013**; and
- improve the pace of court case handling, in order to eliminate court backlogs **by Q1-2016** and provide for specialized judges **by Q4-2013**, with instructions for the expeditious processing of cases under commercial and immovable property laws.

Tourism

5.5. Since tourism is one of Cyprus' largest economic sectors and a potential driver of future growth and employment, a reinvigoration of its competitiveness is necessary. To that end, the Cypriot authorities will:

- present a progress report on the implementation of the action plan twice per year (every March and September until the end of the programme), starting **in Q4-2013**, including an assessment of its implementation based on performance indicators.
- amend the current hotel and other relevant legislation (e.g. the immovable property law and town planning policies), in order to facilitate mixed-use developments, **by Q4-2013**;
- provide a report on the analysis and assessment of concrete needs based on the existing and the future air services agreements **by Q4-2013**. This report will provide the basis for an aeropolitical strategy leading to the adaptation of Cyprus' external aviation policy, taking into account the EU external aviation policy and the EU aviation agreements, while ensuring sufficient air connectivity. This strategy accompanied with a concrete action plan will be launched **by Q1-2014**. The implementation of the action plan will be reviewed annually by the Cypriot authorities, starting **in Q1-2015**.

Energy

5.6. The Cypriot authorities will:

- ensure, without delay, that the Third Energy Package is fully and correctly implemented particularly during and after the transformation of the sector; and provide clarity on the

intended use of the available 'isolated market' and 'emergent market' derogations and indicate their intended duration of the latter derogations;

- formulate a comprehensive strategy for the rearrangement of the Cypriot energy sector. This strategy constitutes a living document to be developed under the full authority of the Cypriot Government. It should include at least the following three key elements, which should be presented to the programme partners for consultation according to the timeline specified below:

1. a *roll-out plan* for the infrastructure required for the exploitation of natural gas, taking into account possible technical and commercial uncertainties and risks. The plan should cover: the required investments, associated costs, financing sources and methods, related ownership structure; related major planning risks and bottlenecks; and a projection of the revenue streams over time; and an appropriate sales framework for the off-shore gas supply (for both exports and domestic markets), aimed at maximising revenues; updated version **by Q4-2013**.

Prior to finalisation of the forthcoming energy sector Government Agreement (GA) and its supplementary agreements between the Republic of Cyprus and the Contracting Parties to a Production Sharing Contract, the Cypriot authorities will undertake a financial and budgetary impact analysis of the GA and its supplementary agreements. The impact assessment will evaluate in detail the potential financial and budgetary impact on the general government position of the various options for a LNG project development plan and financing arrangements, with a particular focus on budgetary commitments that may arise before or at the time of taking the final investment decision. The GA and its supplementary agreements shall be consistent with the fiscal targets until 2016 and thereafter, as defined in this MoU.

2. a *comprehensive outline of the regulatory regime (CERA) and market organisation* for the restructured energy sector and gas exports, with a view to introducing open, transparent, competitive energy markets, and taking explicitly into account the size of the Cypriot economy, the integration of Cyprus' energy system into regional markets, the principle of independent regulatory oversight, and the EU targets for energy efficiency, renewable energy and carbon emissions. Specifically, the outline should include the following elements: a description of the envisaged institutional framework (the various government and private actors with their respective functions); the type and scope of the regulatory instruments; the different forms of government ownership and involvement; the sequence and envisaged timing of the major actions and changes; the potential for setting-up wholesale markets for gas and electricity, of which the latter should be open to non-producing traders; the freedom for customers to make an effective choice of supplier; and full unbundling of gas suppliers and customers, in particular electricity companies; by **Q4 2013**, with a view to a final outline **by Q2 2014**; and
3. a plan to establish the institutional framework for the management of hydrocarbon resources, including a *resource fund*, which should receive and manage various types of public revenues from offshore gas exploitation and sales (direct revenues, fees, dividends etc). The preparatory phase should include the required legal steps and their adoption. In order to ensure transparency, accountability and effectiveness, the resource fund should benefit from a solid legal base and governance structure, drawing on internationally-recognized best practices. As a first step, clear rules

governing inflows and outflows should be established as part of Cyprus' budgetary framework, coupled with clear accounting rules regarding dividend and fees from government entities and stakes in the energy sector. These will be anchored in the FRBSL (see 3.3) which will be adopted **by Q4-2013**.

Since these three key elements are strongly interdependent, they need to be developed in parallel over time. In addition, the strategy should take into account the current uncertainty over the actual size of domestic, offshore, commercially-viable, natural gas fields and possible changes in international gas prices and demand. As regards the later, appropriate data should be firmly based on *alternative world energy scenarios* from an internationally-reputed organisation. The plan will be based on an appropriate level of technical assistance on technical aspects in this context.

6. TECHNICAL ASSISTANCE

6.1. Given the nature of the structural challenges Cyprus is facing, including a lack of specific skills in some areas and scarcity of resources, the Cypriot authorities will provide an updated request for technical assistance needs during the programme period, including the on-going technical assistance projects **by end-2013**. This request will identify and specify the areas of technical assistance or advisory services, which the Cypriot authorities consider essential for the implementation of the MoU and where they intend to seek such technical assistance services, in coordination with the programme partners. All technical assistance provided by the European Commission, other than technical assistance provided directly under the Structural and other EU funds, will be coordinated by the Support Group for Cyprus.

Annex 1**Budgetary measures adopted by Cyprus in or after December 2012****Fiscal measures with effect in 2012****Expenditure measures**

I.1 Implement a scaled reduction in emoluments of public and broader public sector pensioners and employees as follows: EUR 0-1000: 0%; EUR 1001-1500: 6.5%; EUR 1501-2000: 8.5%; EUR 2001-3000: 9.5%; EUR 3001-4000: 11.5%; above EUR 4001: 12.5%.

I.2 Extend the suspension of the practice of COLA for the public and broader public sector until the end of the programme (Q1-2016) (see 4.1).

I.3 Extend the freeze of increments and general wage increases in the public and broader public sector and temporary contribution in the public, broader public and private sectors on gross earnings and pensions by three additional years until 31 December 2016.

I.4 Reduce the number of public sector employees by at least four thousand five hundred over the period of 2012-16 by: i) freezing the hiring of new personnel on first entry posts in the broader public sector for three additional years until 31 December 2016; ii) implementing a policy of recruiting one person for every four retirees (horizontal); iii) introducing measures to increase the mobility of civil servants within and across line ministries (see 3.10); and iv) implementing a four-year plan aimed at the abolition of at least 1880 permanent posts (see I.16).

I.5 Freeze the hiring of new hourly paid employees and enforce immediate application of mobility within and across ministries and other government entities. In the case of health and security posts, recruitment of one person for every five retirees will be possible to meet urgent needs.

Revenue measures

I.6 Appropriate a one-off additional dividend income collected from semi-governmental organisations.

I.7 Increase the bank levy on deposits raised by banks and credit institutions in Cyprus from 0.095% to 0.11% with 25/60 of the revenue earmarked for a special account for a Financial Stability Fund.

I.8 Introduce a mechanism for a regular review of excise taxes to secure the real value of excise tax revenue. Such a mechanism should be non-recurring and should, by no means lead to an automatic indexation mechanism of excise taxes to price developments.

Fiscal measures with effect in 2013**Expenditure measures**

I.9 Ensure a reduction in total outlays for social transfers by at least EUR 113 million through: (a) the abolition of a number of redundant and overlapping schemes such as the mothers allowance, other family allowances and educational allowances; and (b) the abolition of

supplementary allowances under public assistance, the abolition of the special grant and the streamlining of the Easter allowance for pensioners.

I.10 Ensure a reduction of at least EUR 29 million in the total outlays of allowances for employees in the public and broader public sector by:

- i. taxing pensionable allowances provided to senior government officials and employees (secretarial services, representation, and hospitality allowances) in the public and broader public sector;
- ii. reducing the allowances provided to broader public sector employees and reducing all other allowances of broader public sector employees, government officials and hourly paid employees by 15%; and
- iii. reducing the daily overseas subsistence allowance for business trips by 15%. Ensure a further reduction the subsistence allowance of the current allowance when lunch/dinner is offered by 50% (20% - 45% of overseas subsistence allowance instead of 40% - 90% currently paid).

I.11 Reduce certain benefits and privileges for state officials and senior government officials, in particular by:

- i. suspending the right to travel first/business class by state officials, senior government officials and employees with the exception of transatlantic travel. The right to business class travel shall be maintained for the President of the Republic of Cyprus and the President of the House of Representatives;
- ii. abolishing the right to duty free vehicles for employed and retired senior public sector officials; and
- iii. extending the wage freeze and temporary contribution on gross earnings to cover all state officials and permanent secretaries (129 individuals) for 2013-2016, including members of the House of Representatives. Include pensionable and tax-free allowances of these individuals in the calculation of their taxable income. Introduce a contribution of 6.8% on the pensionable earnings of these individuals.

I.12 Implement the following measures regarding the Government Pension Scheme (GEPS):

- i. freeze public sector pensions;
- ii. increase the statutory retirement age by 2 years for the various categories of employees; increase the minimum age for entitlement to an unreduced pension (by 6 months per year) to be in line with the statutory retirement age; while preserving acquired rights, introduce an early retirement penalty of 0.5% per month of early retirement so as to make early retirement actuarially neutral;
- iii. reduce preferential treatment of specific groups of employees, like members of the army and police force, in the occupational pension plans, in particular concerning the contribution to the lump-sum benefits;
- iv. introduce a permanent contribution of 3% on pensionable earnings to Widows and Orphans Fund by state officials who are entitled to a pension and gratuity. Introduce a contribution of 6.8% on pensionable earnings by officials, who are entitled to a pension and gratuity but are not covered by the government's pension scheme or any other similar plan;

- v. amend Article 37 of the Pensions Law to abolish the provision according to which, in the case of death of an employee, if the deceased had a wife/husband at the time of his/her retirement and thereafter he/she remarried, his/her last wife/husband is considered a widow/widower. With the abolition of this provision, the second wife/husband will not be considered a widow/widower and thus she/he will not be entitled to pension;
 - vi. increase the contribution rate on the pensionable earnings of the members of the Tax Tribunal Council and the Tender Review Authority from 3.4% to 6.8%; and
 - vii. the contributions to the Widows and Orphans Fund will no longer be reimbursable.
 - viii. introduce an automatic adjustment of the statutory retirement age every 5 years in line with changes in life expectancy at the statutory retirement age, to be applied for the first time in 2018;
 - ix. introduce a change of indexation of all benefits from wages to prices; and
 - x. pension benefits will be calculated on a pro-rata basis taking into account life-time service as of January 2013 (in place since January 2013).
- I.13 Implement further reform steps under the General Social Insurance Scheme by:
- i. actuarially reducing pension entitlements from the General Social Insurance Scheme by 0.5% per month for retirements earlier than the statutory retirement age at the latest from January 2013, in line with the planned increase in the minimum age for entitlement to an unreduced pension to reach 65 (by 6 months per year), between 2013 and 2016;
 - ii. freezing pensions under the Social Security Fund for the period 2013-2016;
 - iii. abolishing the increase of pensions for a working dependent spouse under the General Social Insurance Scheme at the latest from January 2013 onwards.
 - iv. increase the minimum age for entitlement to an unreduced pension by 6 months per year to be brought in line with the statutory retirement age;
 - v. introduce an early retirement penalty of 0.5% per month of early retirement so as to make early retirement actuarially neutral;
 - vi. introduce an automatic adjustment of the statutory retirement age every 5 years in line with changes in life expectancy at the statutory retirement age, to be applied for the first time in 2018;
 - vii. gradually (1 year per year) extend the minimum contributory period in the system from the current 10 years to at least 15 years over the period 2013-17 (in place since December 2012); and
 - viii. ensure that pension entitlements that will accrue after 1 January 2013 are considered as personal income, thus becoming fully taxable also in the case in which they are received as a lump-sum payment. At the same time, employees will be granted the option of converting all or part of the lump-sum into an actuarially neutral annuity (in place since January 2013).
- I.14 Reduce transfers by EUR 25 million from central government to state-owned enterprises and semi-public institutions.
- I.15 Ensure a targeted reduction of budgetary appropriations for a series of semi-governmental organisations in the 2013 Budget Law, supported by well-defined activity-reducing measures.

I.16 Implement a four-year plan as prepared by the Public Administration and Personnel Department aimed at the abolition of at least 1880 permanent posts over the period 2013-2016.

The additional permanent expenditure measures for 2013, which were adopted by Cyprus **prior to the granting** of the first disbursement of financial assistance:

I.17 Introduce the following measures to control healthcare expenditure:

a. abolish the category of beneficiaries class "B" and all exemptions for access to free public health care based on all non-income related categories except for persons suffering from certain chronic diseases depending on illness severity. Introduce as a first step towards a system of universal coverage a compulsory health care contribution for public servants and public servant pensioners of 1.5% of gross salaries and pensions. The measure will be reviewed **by Q2-2014** with the programme partners. For families with three or more dependent children, the participation in this health care scheme will be voluntary;

b. increase fees for medical services for non-beneficiaries by 30% to reflect the associated costs of medical services and create a co-payment formula with zero or low admission fees for visiting general practitioners, and increase fees for using higher levels of care for all patients irrespective of age;

c. introduce effective financial disincentives for using emergency care services in non-urgent situations;

d. introduce financial disincentives (co-payment) to minimise the provision of medically unnecessary laboratory test and pharmaceuticals; and

e. adopt a new decision by the Council of Ministers concerning a restructuring plan for public hospitals, improving quality and optimising costs and redesigning the organisational structure of the hospital management, by putting into practice recommendations from the 2009 "Public Hospital Roadmap".

I.18 Reduce the expenditure on various housing schemes by at least EUR 36 million by consolidating and streamlining the schemes for the displaced and the Comprehensive Housing Scheme, discontinuing the special grant for acquiring a first residence and ceasing the provision of loans and loan guarantees related to house construction and acquisition under all government-administered housing schemes.

I.19 Further streamline the Easter allowance to pensioners by limiting the benefit to pensioners with a monthly per household income of at most EUR 500.

I.20 Implement a scaled reduction in emoluments of public and broader public sector pensioners and employees as follows: EUR 0-2.000: 0.8%; EUR 2.001-3.000: 1%; EUR 3.001-4.000: 1.5%; above EUR 4001: 2.0 %.

Revenue measures

I.21 Increase excise duties on tobacco products, in particular on fine-cut smoking tobacco, from EUR 60/kg to EUR 150/kg. Increase excise duties on cigarettes by EUR 0.20/per packet of 20 cigarettes.

I.22 Increase excise duties on beer by 25% from EUR 4.78 per hl to EUR 6.00 per hl per degree of pure alcohol of final product. Increase excise duties on ethyl alcohol from EUR 598.01 to EUR 956.82 per hl of pure alcohol.

I.23 Increase excise duties on energy, i.e., on oil products, by increasing tax rate on motor fuels (petrol and gasoil) by EUR 0.07.

I.24 Increase the standard VAT rate from 17% to 18%.

I.25 Introduce a tax of 20% on gains distributed to winners of betting by the Greek Organisation of Football Prognostics S.A. (OPAP) and the National Lottery for winnings of EUR 5,000 or more.

I.26 Abolish all exceptions currently in place for paying the annual company levy of EUR 350.

The additional permanent revenue measures for 2013, which were adopted by Cyprus **prior to the granting** of the first disbursement of financial assistance:

I.27 Ensure additional revenues from property taxation of at least EUR 75 million by: (i) updating the 1980 prices through application of the CPI index for the period 1980 to 2012; and/or (ii) amending tax rates and/or (iii) amending value bands.

I.28 Increase the statutory corporate income tax rate to 12.5%.

I.29 Increase the tax rate on interest income to 30%.

I.30 Increase the bank levy on deposits raised by banks and credit institutions in Cyprus from 0.11% to 0.15% with 25/60 of the revenue earmarked for a special account for a Financial Stability Fund.

I.31 Complete the increase in fees for public services by at least 17% of the current values

Fiscal measures with effect in 2014

Expenditure measures

I.32 Ensure a reduction in total outlays for social transfers by a at least EUR 28.5 million to be achieved through streamlining and better targeting of child benefits and educational grants, and abolition of social cohesion benefits provided by the welfare services.

I.33 Implement a further reduction in emoluments of public and broader public sector employees and pensioners by a flat rate reduction of 3% on all wages.

I.34 Introduce a fee on monthly transportation cards for the use of public transportation services by students and pensioners.

I.35 Introduce as of the budget year 2014 structural reform measures in the educational system, notably, a reduction of the number of teachers seconded to the Ministry of Education and Culture, the removal of 1:1.5 teaching time ratio from evening schools of general and technical and vocational education, the elimination of teaching time concession to teachers for being placed in two or more educational districts, the elimination of mentoring components for pre-service and in-service training for newly appointed teachers and the reduction of the cost of afternoon and evening programmes.

Revenue measures

I.36 Extend the application of the temporary contribution on gross earnings and pensions of public and private sector employees up to 31 December 2016 as follows: EUR 0 – 1,500: 0%; EUR 1,501 – 2,500: 2.5%; EUR 2,501 – 3,500: 3.0%; and > EUR 3,501 - : 3.5%.

I.37 Increase the standard VAT rate from 18% in 2013 to 19% in 2014.

I.38 Increase the reduced VAT rate from 8% to 9%.

I.39 Increase excise duties on energy, i.e., on oil products, by increasing the tax rate on motor fuels (petrol and gasoil) by EUR 0.05.

I.40 Increase the contributions, as of 1.1.2014, of salaried employees and employers to the GSIS by an additional 1 percentage point on pensionable earnings, i.e. 0.5 of a percentage point from employees and 0.5 of a percentage point from employers and 1 percentage point in the case of self-employed persons.

I.41 A reform of the tax system for motor vehicles with effect from budget year 2014, based on environmentally-friendly principles, with a view to raising additional revenues in the medium-term, through the annual road tax, the registration fee and excise duties, including motor fuel duties. The reform will take into account the related study of the University of Cyprus.

Annex 2

The AML Action Plan by Cyprus on customer due diligence and entity transparency

	<i>Heading/Deficiency</i>	<i>Action</i>	<i>Timeline</i>
1	Customer Due Diligence		
1.1	Business profile		
	Business profiles not always properly established.	1.1.1 CBC to provide guidance to ensure that obliged entities engage in adequate training of all staff involved in establishing customer business relationships and opening accounts, so that business profiles are properly determined and assigned.	Q4 - 2013
1.2	Customer risk profile		
	Lack of understanding of cumulative risks in complex ownership structures / introduced business.	1.2.1 CBC to provide sufficient guidance to ensure that obliged entities have sound and effective risk management systems in place to identify and understand ML/TF risks within their customers, products and services, geographical locations/areas, and delivery channels. Risk management systems should include an overall policy for identifying and understanding, measuring, controlling, and monitoring ML/TF risks. The risk management policies, procedures and measures should be submitted to the board for approval on an annual basis, or as required by changes in the business model.	Q4 - 2013 Q1-2014
	New legislative measures.	1.2.2 CBC and other supervisory authorities to issue guidance to obliged entities in order to explain the new provisions on the introduction of tax crimes (including tax evasion) as predicate offences.	Q4 - 2013
	Particular issues relating to PEPs.	1.2.3 CBC to issue additional guidance to obliged entities to adequately identify and establish the source of wealth for PEPs or for customers that become PEPs after the business relationship has been accepted.	Q4 – 2013
1.3	Ongoing CDD		
	Higher risk customers/changes in risk not dealt with appropriately on an ongoing basis. Particular issues relating to PEPs.	1.3.1 CBC to issue additional guidance to ensure that financial institutions have sound and effective systems and measures in place to demonstrate enhanced ongoing monitoring for higher risk clients, including PEPs. 1.3.2. CBC to ensure that financial institutions have sound and effective systems and measures including updated CDD measures.	Q4-2013 Q2-2014

2	<u>Reliance/introduced business</u>		
	Use of introducers allowed by CY legislation and is widespread.	2.1 CBC to review, strengthen, and amend as needed the regulatory framework and the relevant requirements relating to the use of introducers/third parties to ensure compliance by obliged entities establishing business relationships and/or opening accounts through third parties.	Q4 – 2013
	Training/awareness in institutions.	2.2 CBC to reiterate and clarify the obligation under the CBC directive that obliged entities are required to establish adequate AML/CFT training programs for all staff responsible for establishing business relationships and/or opening customer accounts and updating customer information. CBC to ensure that training programs are implemented and include information on current ML and TF techniques, methods and trends, and clear explanations of all aspects of the AML/CFT laws, regulations. In particular, this should include requirements concerning CDD, suspicious transaction reporting and sanctions for non-compliance.	Ongoing
	Mechanisms for coordination with supervisors of introducers	2.3 CBC to establish co-operation mechanisms with CySEC, the Cyprus Bar Association and ICPAC (for accountants) for exchanging information and ensuring supervisory coordination.	Compliant
3	<u>Suspicious Transaction Reporting</u>		
	Changes in the legal framework.	3.1 MOKAS to reiterate and clarify through further training the requirements to report STRs, including the new duty to report issues relating to tax crimes as of December 2012, in coordination with relevant supervisory authorities.	Q1 - 2014
4	<u>Transparency of beneficial ownership</u>		
4.1	<u>Access to information</u>		
	Ensure that transparency and availability of beneficial ownership information is in line with international standards	4.1.1 Revision of Trust and Company Services Providers Law as appropriate and AML Law to ensure that adequate, accurate and timely information on the beneficial ownership of Cypriot legal persons and arrangements can be provided to the domestic competent authorities and their foreign counterparts; and revise the directives and circulars issued by supervisory authorities (CBC, CySEC, Cyprus Bar Association, ICPAC).	Partially Compliant CBC Directive

	and best practice.	4.1.2. In the case of nominees, either a) require nominee directors ¹ and nominee shareholders to disclose the identity of their nominator to the company and to the company register; or b) require that all nominee directors and nominee shareholders be authorised or otherwise regulated (i.e. as lawyers, accountants or TCSPs) and maintain information on the identity of their nominator, which is to be made available to the competent authorities upon request. A record of director's or shareholder's nominee status will be accessible through the registers under the TCSP Law, which list all regulated persons (i.e. lawyers, accountant and TCSPs).	prior action Compliant
4.2	Company Registry		
	Efficiency of Companies' Registrar as an important aid to CDD.	4.2.1 Carry out a third party review of the functioning of the Companies' Registrar and communicate results to the programme partners, and ensure the department of the registrar is appropriately resourced.	End 2013
4.3	Register of Trusts		
	Enhance the transparency of trusts in line with international standards and best practice.	4.3.1 CY to establish trust registries with the supervisory authorities for all express trusts established under CY law, where the name of the trust and the name and address of the trustee will be contained therein. The trust registers will be accessible by the supervisory authorities in order to facilitate them in their supervisory duties.	Compliant
5	<u>Supervision of financial institutions</u>		
5.1	Revise the AML/CFT supervisory structure within the CBC, ensuring it is adequately resourced	5.1.1 Revise and/or establish organisation structure and management within the CBC's Banking Supervision and Regulation Department (BSRD) to address AML/CFT matters, ² in order to conduct adequate, timely and proactive risk-based AML/CFT supervision.	Q4 – 2013

¹ Under Cyprus law, there is no legal concept of "nominee director", but it is used with reference to professionals who provide director services.

² in accordance with BCP 2 and FATF 26-27

		5.1.2 CBC to ensure adequate human resources and technical capacity to undertake effective AML/CFT supervision. The level of resources should be commensurate with the size, complexity, and risk profiles of the financial institutions operating in the system. ³ To meet this objective, if deemed necessary by the CBC, hire AML/CFT experts with the necessary professional skills and experience (e.g. foreign supervisors retired or on leave) – subject to necessary confidentiality restrictions. ⁴	– 31 January 2014
5.2	Develop risk-based supervisory tool(s) for offsite surveillance/monitoring activities prior to implementation	5.2.1 Design, develop, adopt and pilot, for a selected group of financial institutions, a risk assessment methodology and tool(s) that provides for: <ul style="list-style-type: none"> - a comprehensive analysis of inherent ML/TF risks within the following risk factors: customers, products & services, geographic locations/areas,⁵ and delivery channels; - an assessment of the internal control environment that should be in place to mitigate and/or control the inherent ML/TF risks, as identified and measured; - institutional risk profiles; - specific AML/CFT supervisory strategies (adapted to institutional risk profiles). 	Q4 - 2013
5.3	Develop risk-based supervisory tool(s) for onsite inspections prior to implementation	5.3.1 Design, develop, adopt and pilot, for a selected group of financial institutions, a methodology for onsite activities, including the necessary examination/verification procedures for onsite inspections. Examination procedures, should include, at a minimum: <ul style="list-style-type: none"> -Corporate Governance; -Risk Assessment Systems; -Policies & Procedures; -Compliance Function; -Internal & External Audit Functions; -Training Program. 	Q1 – 2014
5.4	Establish Formal AML/CFT Training Program	5.4.1 Establish a formal AML/CFT training program for CBC staff to ensure adequate implementation of the offsite and onsite tools. Develop and deliver customised AML/CFT training to supervisory staff in topics including, but not limited to: <ul style="list-style-type: none"> - newly developed offsite and onsite risk-based tools; 	Q2 – 2014

³ FATF Immediate Outcome (IO) 3

⁴ See BCP 2.6c

⁵ The off-site supervisory tool will include monthly reporting by obliged entities on the breakdown by country of origin of the main depositors and the main beneficiaries of loans (and of their beneficial owners).

		<ul style="list-style-type: none"> - customer acceptance policies; - customer due diligence (CDD); - monitoring of transactions; - identification and reporting of STR; - funds transfers; - correspondent banking; - recordkeeping; - compliance function; - internal controls; - audit functions; - corporate governance; - risk assessment systems 	
		5.4.2 Provide CBC supervisory staff with ongoing training to ensure adequate knowledge of risks and supervisory techniques.	Ongoing
5.5	Implement adequate supervision	5.5.1 CBC to establish corrective actions and follow-up on the cases revealed by Deloitte. Apply appropriate enforcement actions with regard to any breaches of compliance, and apply sanctions if applicable.	– Partially Compliant 31 January 2014
		5.5.2 On a quarterly basis, in the context of the programme review, starting Q4 2013 the CBC will on a confidential basis, share anonymised information with the programme partners, by granting access to supervisory assessments and information about enforcement actions applied for non-compliance and /or violations of laws and regulations.	Q4- 2013, ongoing
		Subsequent to the successful development of the tools stipulated under 5.2 and 5.3, the CBC will undertake the following: 5.5.3.1 Implement and adjust the new risk-based offsite analytical tool(s) using the results of the pilot reviews, and develop an onsite supervisory program for 2014. 5.5.3.2 Assign institutional ML/TF risk profiles to financial institutions reviewed under the pilot exercise. 5.5.3.3 Develop customised supervisory strategies for financial institutions reviewed under the pilot exercise. 5.5.3.4 Apply the risk-based off-site analytical tools, assign ML/TF risk profiles, and developed customised supervisory strategies to all financial institutions under its responsibility.	Q2 - 2014
		5.5.4.1 CBC to start implementing the new examination/verification procedures in line with the inspection program for 2014, and to adjust/fine-tune the procedures using the results of the pilot	Q2 - 2014

		inspections. 5.5.4.2 CBC to update the institutional risk profile and supervisory strategy based on the results of the pilot inspection.	
6.	<u>Supervision and monitoring of lawyers, accountants and TCSPs</u>		
6.1	Align resources with risks Establish an effective monitoring structure for AML/CFT matters	6.1.1 Ensure adequate human resources and technical capacity to undertake effective AML/CFT monitoring. The level of resources should be commensurate with the size, complexity, and risk profiles of each business and professional. To meet this objective, if deemed necessary by the supervisory authorities, hire AML/CFT experts with the necessary professional skills and experience (e.g. professionals having performed monitoring or supervision of these professions abroad) – subject to necessary confidentiality restrictions.	Q4 - 2013
6.2	Develop risk-based tool(s) for Offsite surveillance/monitoring activities prior to implementation	6.2.1 Design, develop, adopt, and pilot a risk assessment methodology and tool(s) that provides for: <ul style="list-style-type: none"> - a comprehensive analysis of inherent ML/TF risks within the following risk factors: customers, products & services, geographic locations/areas, and delivery channels; - an assessment of the internal control environment that should be in place to mitigate and/or control the inherent ML/TF risks, as identified and measured; - risk profiles; - specific AML/CFT monitoring strategies (adapted to institutional risk profiles). 	Q1-2014 (CBA and ICPAC) Q3-2014 (CySEC)
		6.2.2.1 Implement the new offsite analytical tool(s) through pilot reviews of a selected group of business and professionals. Adjust/fine-tune the offsite analytical tool(s) using the results of the pilot reviews. 6.2.2.2 Assign ML/TF risk profiles to businesses and professionals reviewed under the pilot exercise. 6.2.2.3 Apply the risk-based off-site analytical tools, assign ML/TF risk profiles, and developed customized supervisory strategies to all business and professions under monitoring.	Q2-2014 (CBA and ICPAC) Q3-2014 (CySEC)
6.3	Develop risk-based tool(s) for Onsite inspections prior to implementation	6.3.1 Design and develop a methodology for onsite activities, including the necessary examination/verification procedures for onsite inspections. Examination procedures, should include, at a minimum: <ul style="list-style-type: none"> - Risk Assessment Systems - Policies & Procedures - Compliance Function - Training Program 	Q2 – 2014 (CBA and ICPAC) Q3-2014 (CySEC)

6.4	Establish Formal AML/CFT Training Program	<p>6.4.1 Establish formal AML/CFT training program and develop and deliver customised AML/CFT training courses. Develop and deliver customised AML/CFT training to supervisory staff in topics including, but not limited to:</p> <ul style="list-style-type: none"> - newly developed offsite and onsite risk-based tools - customer acceptance policies - customer due diligence (CDD) - monitoring of transactions - identification and reporting of STR - recordkeeping - compliance function - risk assessment systems <p>etc.</p>	<p>Q2– 2014 (CBA and ICPAC)</p> <p>Q4-2014 (CySEC)</p>
6.5	Implement adequate supervision	<p>6.5.1. On a quarterly basis, in the context of the programme review, starting Q4-2013, the CySEC, CBA and ICPAC will, on a confidential basis, share anonymised information with the programme partners by granting access, to supervisory assessments and information about enforcement actions applied for non-compliance and /or violations of laws and regulations.</p>	Q4 – 2013, ongoing
		<p>Subsequent to the successful development of the tools stipulated under 6.2 and 6.3, the Supervisory authorities will undertake the following:</p> <p>6.5.2 Implement the new offsite analytical tool(s) through pilot reviews of a selected group of lawyers, accountants and TCSPs. Adjust/fine-tune the offsite analytical tool(s) using the results of the pilot reviews, and come-up with a supervisory program for 2014</p>	<p>Q3 – 2014 (CBA and ICPAC)</p> <p>Q4-2014 (CySEC)</p>
		<p>6.5.3 Implement the new examination/verification procedures through pilot onsite inspections of a selected group of lawyers, accountants and TCSPs. Adjust/fine-tune the procedures using the results of the pilot inspections.</p>	<p>Q3 – 2014 (CBA and ICPAC)</p> <p>Q4-2014 (CySEC)</p>

Annex 3

The Public Administration Review: Second Batch of Studies

The second batch of studies to be carried out in accordance to paragraph 3.10 will cover the following areas:

Ministries and the Departments/Services falling under each Ministry

- i. Ministry of Labour and Social Insurance
- ii. Ministry of Communications and Works
- iii. Ministry of Energy, Commerce, Industry and Tourism (excluding the Companies Registrar and Official Receiver, to be covered in the first batch of studies)
- iv. Ministry of Interior
- v. Ministry of Defense (excluding the National Guard and Cyprus Army)
- vi. Ministry of Justice and Public Order
- vii. Ministry of Foreign Affairs

Note: Ministry of Finance, including Treasury and Planning Bureau, will be reviewed under the PFM.

Constitutional Powers /Services

- i. President's Office and Council of Ministers
- ii. Law Office
- iii. Audit Office
- iv. Public Service Commission

Independent Services/Authorities

- i. Educational Service Commission
- ii. Internal Audit Service
- iii. Office of the Commissioner for Administration (Ombudsman)
- iv. Office for the Commissioner of Personal Character Data Protection
- v. Tender Review Body
- vi. Refugee's Review Body

Independent Services/Authorities to be excluded from the external review and justified in the Notes below

- i. Office for the Commissioner of State Aid Control ¹
- ii. Authority for the Supervision of Cooperative Societies ²
- iii. Competition Protection Commission³

¹ It functions according to *acquis communautaire* prescriptions and it employs only a limited number of people (4 persons).

² The relevant organisation is dealt within the context of the financial sector part of the MoU.

³ CPC is currently under review by PAPD and should be finalised by Q4 2013, as part of MoU paragraph 5.3. Once the review is finalised, programme partners will assess whether an independent review for the CPC will be needed.