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Greek Credit Guarantee Scheme

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Abstract

Beginning in 2008, many Greek banks began to face liquidity strains and capital problems as a result of the global financial crisis. In October 2008, Eurozone leaders released a declaration requiring all participating nations to ensure adequate liquidity, facilitate ease of funding, and recapitalize banks. On November 7, 2008 the Greek Ministry of Economy and Finance submitted a draft law, Law 3723, to the European Commission to fulfill the above directives through the Bank of Greece (BOG). While Law 3723 consisted of three main "pillars," the focus for this case is pillar II, the credit guarantee scheme, otherwise known as the guarantee scheme. The guarantee scheme allowed eligible banks to guarantee their debt for a fee. All credit institutions (or branches of foreign banks) licensed by the BOG were eligible to participate in the scheme. Few banks participated in the scheme until the onset of the sovereign debt crisis in late 2009. Following this onset, Greek banks borrowed heavily pursuant to the guarantee scheme. All four systemically important Greek banks participated, along with other regional banks. Greece raised the guarantee scheme's commitment limit several times ultimately increasing it from €15 billion in 2008 to €93 billion in 2016. The number banks participating in the scheme decreased beginning in 2013. As of October 2018, the Greek credit guarantee scheme is still operational and has a current expiration date of November 30, 2018.

Keywords: Greece, financial crisis, credit guarantee, sovereign debt, European Commission

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Greek Credit Guarantee Scheme

At a Glance

Beginning in 2008, many Greek banks began to face liquidity strains and capital problems as a result of the global financial crisis. The failure and the near-failure of systemically important financial institutions in 2008 prompted many European officials to conclude that the Eurozone required a holistic plan to preserve financial stability.

In October 2008, Eurozone leaders convened for the first Eurozone summit. The summit released a declaration requiring all participating nations to ensure adequate liquidity, facilitate ease of funding, and recapitalize banks. On November 7, 2008 the Greek Ministry of Economy and Finance submitted a draft law, Law 3723, to the European Commission (EC) to fulfill the above directives through the Bank of Greece (BOG). The EC accepted the proposal less than two weeks later. While Law 3723 consisted of three main "pillars" including (I) a recapitalization program, (II) a credit guarantee program, and (III) a bond loan program, the focus for this case is pillar II, the credit guarantee scheme, otherwise known as the guarantee scheme.

Greece's credit guarantee scheme allowed eligible banks to guarantee their debt for a fee. All credit institutions (or branches of foreign banks) licensed by the BOG were eligible to participate. Eligible maturities were between three months and three years.

Summary of Key Terms	
Purpose: Liquidity enhancement for Greek institutions	
Announcement Date	October 24, 2008
Operational Date	November 19, 2008
Date of First Guaranteed Loan Issuance	By February 2009, two institutions and €1 billion
Issuance Window Expiration Date	May 19, 2009 (initial) Extended several times. November 30, 2018 (current)
Program Size	€15 billion (initial); €93 billion (current)
Usage	All four systemically important banks (Alpha Bank, Eurobank, Piraeus Bank, and the National Bank of Greece) as well as numerous regional banks. The peak was €65.1 billion in 2011–2012.
Outcomes	
Notable Features	

Few banks participated in the scheme until the onset of the sovereign debt crisis in late 2009. Ultimately, all four systemically important Greek banks participated, along with other regional banks. Greece raised the guarantee scheme's commitment limit several times from €15 billion in 2008 to €93 billion in 2016. Greek banks continued to borrow heavily via the guarantee scheme until the number of banks participating in the scheme began to decrease in 2013.

As of October 2018, the Greek credit guarantee scheme is still operational. The peak outstanding commitment utilized was €65.1 billion in late 2011 and early 2012. While this was the greatest amount committed in absolute terms, the €65.1 billion amounted to approximately 76.7% of the commitment. In the spring of 2010, the BOG consistently committed close to 100% of the total available funding of €15 billion.

Summary Evaluation

There are very few sources outside the Greek government that evaluate the efficacy of the three programs implemented under Law 3723, and even fewer that analyze the credit guarantee scheme in isolation. The Greek government has maintained that the credit guarantee scheme effectively provided the participating institutions with liquidity.

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I. Overview

Background

Throughout the early 2000s, most Greek banks could access inexpensive capital, which was facilitated by the Greek government's decision to switch to the Euro in 2001 (Nelson et al. 2011). Beginning in 2008, however, many Greek banks began to face liquidity strains and capital problems as a result of the global financial crisis. On September 15, 2008, Lehman Brothers filed for bankruptcy, accelerating market contractions and heightening uncertainty across European financial markets. Most governments across the Eurozone had responded to the crisis unilaterally prior to September 2008. However, the failure of Lehman Brothers and the near-failure of other systemically significant financial institutions in September prompted Eurozone officials to conclude that the Eurozone required a holistic plan to preserve financial stability (BOG MP 02/2009).

In October 2008, Eurozone leaders convened for the first-ever Eurozone summit. Greece, the other 14 countries in the European Monetary Union, and Great Britain attended (Altamonte et al. 2011). On October 12, the Eurozone summit released a declaration requiring all participating nations to adopt several key strategies:

- Ensure adequate liquidity
- Facilitate ease of funding
- Recapitalize deserving banks and provide them with additional capital resources
- Be flexible in applying accounting rules
- Increase cooperation among participating countries (Summit Declaration 10/12/2008)

Program Description

On November 7, 2008 the Greek Ministry of Economy and Finance submitted a draft law, Law 3723, to the European Commission (EC) to fulfill the above directives through the Bank of Greece (BOG), the Greek central bank (not to be confused with the National Bank of Greece, a leading Greek financial services company) (MEF Draft Law 11/07/2008). The EC accepted the proposal less than two weeks later.

Law 3723 consisted of three main "pillars:" (I) a recapitalization program, (II) a credit guarantee program, and (III) a program to issue Greek sovereign securities to Greek institutions, also known as the Greek Bond program. While a bank could draw from all three pillars, each pillar operated independently and required separate obligations and fees from participating banks. Under the recapitalization program, the BOG purchased preferred shares (tier I capital) from Greek banks using Greek sovereign bonds. Under the Greek Bond program, the BOG lent Greek institutions sovereign bonds with zero coupon rates. The sole purpose was to allow Greek institutions to use these bonds as collateral in transactions with the ECB or other banks (EC SA 11/19/2008). The focus for this case is pillar II, the credit guarantee program, otherwise known as "the guarantee program" (MEF Draft Law 11/07/2008).

All credit institutions (or branches of foreign banks) licensed by the BOG were eligible to participate in the guarantee scheme. Under the scheme, all senior debt was eligible; subordinated debt and interbank deposits were not eligible (EC SA 09/18/2009). The scheme guaranteed any debt from three months to three years. The BOG did not establish an explicit minimum or maximum limit for the amount of debt it would guarantee for an individual bank, so the maximum guarantee in theory was all of the remaining commitment. The BOG instead used a publically available rubric to determine the order of need from each credit institution (MEF Draft Law 11/07/2008).

Greece set the guarantee scheme's initial commitment limit at €15 billion. Based on the actions that Greece took during the crisis, Greece could change the limit in at least three ways: amending the law itself, passing a new law to alter the limit, or moving funds from pillar III to pillar II (and vice versa). This last option, which was stipulated in Law 3723 itself, did not require the EC's approval (Ibid).

The BOG required a semi-annual fee from participating institutions with the exception of the fee collected during the last period, which became due when the program expired. At the program's outset, Greece established the fee structure to mirror the minimum fee structure mandated by the EC (Ibid).

The fee was calculated on an annual basis and was contingent on three factors: the duration of the guaranteed securities, the existence of collateral on the guarantee, and the creditworthiness of the institution. The duration of securities were classified using two categories: three months to less than a year and one year to three years. Collateral was separated into two categories: extant and not extant. Per the initial guidelines of the law, the BOG accepted a range of loans as eligible collateral and could change the eligible collateral and adjust the haircuts used without requiring the passage of another law. Three general rules applied to all accepted collateral. First, the minimum issuance amount was €50,000. Second, participating institutions needed to alert the BOG and replace their existing collateral if the collateral provided faced an increased chance of default, the credit rating for the participating institution was downgraded, or the institution failed to comply with the eligibility criteria. Last, loans in a foreign currency would receive a 15% haircut (MEF Draft Law 11/07/2008).

The BOG established a procedural formula to determine an institution's creditworthiness. First, the formula could be determined respective institution had CDS. In this case, the fee would be the minimum amount between the median CDS spreads from the guaranteed bank and the median CDS spreads from a sample of EuroBanks with equal credit ratings. If the institution did not have CDS, the fee would be determined using median CDS spreads from a sample of EuroBanks with equal credit ratings to the guaranteed bank. If no credit rating existed, the fee would be calculated using the median CDS spreads from a sample of EuroBanks with the worst credit rating. The Greek Minister of Finance could adjust the aforementioned factors with the EC's approval (Ibid; EC SA 01/22/2013).

Based on the available sources and despite the existence of Greece's fee structure, it is difficult to determine the exact fee that Greece charged participating banks. In 2012, however, the EC required that the BOG submit an indicative fee for participating banks (EC

Communication 01/01/2012). Based on these reports, it appears that the BOG charged more than the minimum requirement stipulated by the EC and established in the above formula (EC SA).

Outcomes

Generally, the guarantee scheme can be understood in three stages: response to the financial crisis of 2008, response to the sovereign debt crisis, and aftermath of the sovereign debt crisis/wind down. The BOG initially used the guarantee to alleviate liquidity strains as a result of the financial crisis. Beginning in late 2009, however, Greek banks began using the guarantee scheme to counteract the adverse liquidity effects from Greece's sovereign debt crisis, which quickly escalated. CDS and interest rate on Greek sovereign debt rose. By early 2010, most observers concluded that Greece, along with Ireland and Portugal, had reached potentially unsustainable debt levels (Nelson et al. 2011).

On May 6, 2010, Greece passed Law 3845 which, among other stability measures, raised the limit of the guarantee scheme by €15 billion. Greece committed €123 million from the guarantee scheme to the bond scheme (pillar III), bringing the guarantee scheme's total limit to approximately €29.9 billion (the law was approved by the EC on May 12; EC SA 05/12/2010). Concurrent with Greece's initiatives to relieve severe liquidity strains and replenish rapidly diminishing capital, the EU and the IMF devised and implemented a joint €110 billion plan to combat accelerating levels of Greek public debt and to make the Greek economy more competitive (Rehn and Strauss-Khan PR 05/02/2010). The funds allocated in the plan were not used for the guarantee scheme (Boudghene et al. 2011).

In April 2010, the EC instituted a system-wide mandate for all countries under its jurisdiction with credit guarantee schemes that expired later than July 1, 2010. Greece, which had a guarantee scheme that expired after July, was subject to the mandate. The EC raised the minimum participation fees by 20, 30, or 40 basis points depending on the participant's credit rating. The EC also required participants with guaranteed debt over a certain threshold to submit a viability review. In addition these broader measures, the ECB indefinitely suspended the Eurosystem's quality credit threshold for debt under the Greek guarantee scheme and asserted that it would continue to accept these securities as eligible collateral (ECB Decision 05/06/2010).[2]

Greece quickly committed the additional €15 billion under Law 3845, and by June 2010 had again reach its commitment limit. On June 30, Greece increased the total guarantee limit by €25 billion, bringing the total limit to €54.9 billion (Boudghene et al. 2011).

Greek banks continued to borrow heavily via the guarantee scheme. In April 2011, Greece raised the limit of the guarantee scheme by €30 billion, bringing the total limit to €84.9 billion. That year, Greece faced a rapidly escalating crisis regarding its sovereign debt, as

[2] The ECB Governing Council oversees and applies the Eurosystem credit assessment framework (ECAF) to determine which types of collateral the ECB will accept. The ECAF evaluates the riskiness of collateral by drawing on evaluations of that collateral from four sources: credit assessment institutions, credit assessment systems from central banks, internal ratings systems used by counterparties, and rating tools from third parties. For more information see: https://www.ecb.europa.eu/paym/coll/risk/ecaf/html/index.en.html

credit ratings on Greek bonds crashed and CDS on Greek sovereign securities spiked (EC SA 04/11/2011).

In January 2012, the EC passed a prolongation communication for member states with recapitalization programs and guarantee schemes, which instituted a series of additional guidelines for banks under Greece's guarantee scheme. Among these guidelines were limits on amount of bonds with a maturities greater than one year. The communication also restricted the eligible debt to newly issued senior debt. The EC also required Greece to submit a reports on the fees, operations, and restructuring plans of the banks under the guarantee scheme. The communication removed Greece from the EC's list of marketable risk (EC Communication 01/01/2012).

In February 2012, the ECB retracted its temporary suspension of the Eurosystem's quality credit threshold for debt under the Greek guarantee scheme, effectively precluding many Greek banks from using these securities as eligible collateral with the ECB (02/27/2012).

On March 8, 2012, the EC reinstated the temporary suspension of the Eurosystem's quality credit threshold for debt under the Greek guarantee scheme, provided that the BOG include a clause to buy-back the banks' debt (EC SA 03/05/2012). The following day, Greece announced that it would restructure its sovereign debt, using private sector funding (03/09/2008). Later that month, CDS trading on Greek sovereign bonds was put on hold (FT 03/25/2012).

While Greece continued to face a sovereign debt crisis and austerity measures for many years, the structure of the guarantee scheme did not change substantially after 2012. In November 2014, the BOG transferred about €100 million from the Greek bond program (pillar III) to the guarantee scheme, bringing the total limit for the scheme to €85 billion. In February 2015, the ECB revoked its temporary suspension of the Eurosystem's quality credit threshold for debt under the Greek guarantee scheme (ECB Decision 02/10/2015). In December 2015, the BOG decided not to renew its €8 billion bond program (pillar III). Per Law 3723, the funds from the bond program would be transferred into the guarantee scheme. By 2016, the limit on the guarantee scheme had risen to €93 billion (EC SA 12/10/2015).

Banks utilized only 20% percent (€3 billion) of the available commitment during the first year of the guarantee scheme. The BOG attributed the lack of participation under the scheme to its high costs and to its understanding that capital markets seemed to be recovering well (BOG MP 10/2009). Ultimately, Alpha Bank, Eurobank, Piraeus Bank, and National Bank of Greece—often recognized as Greece's four systemically important banks—drew from the scheme, along with other regional banks (EC SA). While the sovereign debt crisis continued for years after 2012, total funds committed under the scheme decreased somewhat beginning near the end of 2012. As of November 2017, no bank had an outstanding debt covered by the guarantee scheme (EC SA 12/01/2017). See Figure 1 below:

Figure 1: Guarantee Scheme, Usage snapshots (in €B)

Date	Committed (amount outstanding)	Remaining	Total[1]	No. of Banks Participating
February 2009	2.0	13.0	15.0	2
September 2009	3.0	12.0	15.0	3
January 2010	2.5	12.5	15.0	2
March 2010	4.6	10.4	15.0	Unknown
May 2010	Amendment to raise limit by 15.0 Transfer of 0.1 to Greek Bond Program		29.9	
June 2010	27.0	2.9	29.9	Unknown
June 2010	Amendment to raise limit by 25.0		54.9	
November 2010	28.0	26.9	54.9	Unknown
April 2011	Amendment to raise limit by 30.0		84.9	
June 2011	54.9	30	84.9	Unknown
December 2011	65.1	19.8	84.9	Unknown
June 2012	65.1	19.8	84.9	Unknown
November 2012	51.4	33.5	84.9	Unknown
May 2013	49.0	35.9	84.9	6+
November 2013	49.0	35.9	84.9	6+
May 2014	46.3	38.6	84.9	4
November 2014	36.0	49	85.0	4
May 2015	50.4	34.6	85.0	4
November 2015	47.8	37.2	85.0	4
Spring 2016	Transfer of 8.0 from Greek Bond Program		93.0	
June 2016	16.2	76.8	93.0	4
December 2016	5.1	87.9	93.0	2
June 2017	3.1	89.9	93.0	2
November 2017	0.4	92.6	93.0	1

[1] Total, not total outstanding. For an explanation of changes to the total commitment, see: Program Description.
Compiled by Daniel Thompson. Sources: State aid documents in Key Program Documents

Per the EC's Prolongation Communication, Greece was required to submit the fees it charged for participation in the guarantee scheme after 2011. Greece used market data on credit ratings and the EC's minimum formula to determine the fee. Beginning in 2012, CDS spreads were not used as both Greece and the EC felt that they were not indicative of the Greek firms' financial positions (EC Prolongation Communication 01/01/2012).

While the BOG indicated that it instituted the same guarantee fees as the EC's minimum guarantee fee guidelines, it seems unclear precisely what fees the BOG charged during the first several years of the guarantee scheme's operation (EC SA). In the fall of 2012, the BOG began reporting guarantee fees that it charged banks as the result of a directive from the

EC. These reports indicated that Greece charged 25 bps above the minimum required fee for loans with maturities from three months up to, but not including, one year.[3]

As of October 2018, the Greek credit guarantee scheme is still operational. The peak outstanding commitment utilized was €65.1 billion in late 2011 and early 2012. While this was the greatest amount committed in absolute terms, the €65.1 billion amounted to approximately 76.7% of the commitment. In the spring of 2010, the BOG consistently committed close to 100% of the total available funding of €15 billion (EC SA 05/12/2010; EC SA 06/30/2010).

II. Key Design Decisions

1. **The Guarantee Scheme was established as the second pillar to a three-part liquidity enhancement and recapitalization initiative.**

The Greek Parliament passed Law 3723 to comply with the Eurozone's October 2008 directive to enhance liquidity and recapitalize banks, which it submitted to the European Commission. Law 3723 consisted of three main "pillars:" (I) a recapitalization program, (II) a credit guarantee program, and (III) a program to issue Greek sovereign securities to Greek institutions (otherwise known as the Greek Bond program). While a bank could draw from all three pillars, each pillar operated independently and required separate obligations and fees from participating banks.

Under the recapitalization program, the BOG purchased preferred shares from Greek banks with Greek sovereign bonds. Under the bond program, the BOG lent Greek institutions sovereign bonds with zero coupon rates. While limits on pillars I and III also fluctuated through the crisis, they always remained substantially lower than the guarantee scheme's limit. Law 3723 also stipulated that funds could be transferred between pillars II and III. Greece used this stipulation twice over the course of the program. Pillars I and III officially ended on December 31, 2012 and December 31, 2016 respectively, while the guarantee scheme is still ongoing as of October 2018 (EC SA 07/12/2008; EC SA 12/19/2016).

2. **The Greek law 3723/2008 established the Guarantee Scheme.**

On November 7, 2008 the Greek Ministry of Economy and Finance submitted a draft law, Law 3723, to the European Commission (EC) to fulfill the above directives through the Bank of Greece (BOG). The EC accepted the proposal less than two weeks later. While Law 3723 consisted of three main "pillars" including (I) a recapitalization program, (II) a credit guarantee program, and (III) a bond loan program, the focus for this case is pillar II, the credit guarantee scheme.

3. **The creation of the credit guarantee scheme and any extensions or amendments to it were contingent on the EC's approval.**

[3] 25 bps calculated by 90 bps (BOG rate) less 65 bps (EC minimum) for collateralized debt and 115 bps (BOG rate) less 90 bps (EC minimum).

The European Commission approved the Guarantee Scheme on November 19, 2008. Any further prolongations or amendments would have to be authorized by the European Commission.

4. **The Guarantee Scheme was administered by the Bank of Greece and the Greek Ministry of Economy and Finance.**

5. **The overall budget of the guarantee scheme was increased from €15 billion in 2008 to €93 billion in 2016.**

Based on the BOG's actions over the course of the intervention, Greece could change the limit in at least three ways: amending the law itself, passing a new law to alter the limit, or moving funds from pillar III to pillar II (and vice versa). This last option, which was stipulated in Law 3723 itself, did not seem to require the EC's approval. Greece set the scheme's commitment limit at €15 billion, which it determined using forecasted estimates in November 2008 about the impact of the financial crisis on Greek Banks (EC SA 05/12/2010).

By spring 2010, Greece had virtually exhausted all of its commitment. In April 2010, Greece passed Law 3845 which, among other stability measures, raised the limit of the guarantee scheme by €15 billion. Greece committed €123 million from the guarantee scheme to the bond scheme (pillar III), bringing the guarantee scheme's total limit to approximately €29.9 billion (the law was approved by the EC on May 12; EC SA 05/12/2010).

Greece quickly committed the additional €15 billion under Law 3845, and by June 2010 had again reached its commitment limit. On June 30, Greece increased the total guarantee limit by €25 billion, bringing the total limit to €54.9 billion (Boudghene et al. 2011).

Greek banks continued to borrow heavily from the guarantee scheme. In April 2011, Greece raised the limit of the guarantee scheme by €30 billion, bringing the total limit to €84.9 billion.

In November 2014, the BOG transferred about €100 million from the Greek bond program (pillar III) to the guarantee scheme, bringing the total limit for the scheme to €85 billion. In December 2015, the BOG decided not to renew its €8 billion bond program (pillar III). Per Law 3723, the funds from the bond program would be transferred into the guarantee scheme. By 2016, the limit on the guarantee scheme had risen to €93 billion (EC SA 12/10/2015). As of October 2018, the funding limit for the guarantee scheme stands at €93 billion.

6. **All credit institutions (or branches of foreign banks) licensed by the BOG could participate in the guarantee scheme.**

All credit institutions (or branches of foreign banks) licensed by the BOG could participate in the guarantee scheme. There was no default or trigger that automatically enrolled any bank in the scheme. Instead the scheme was made available upon request.

7. **Per the initial guidelines of the law, the BOG accepted a range of loans as eligible collateral.**

Per the initial guidelines of the law, the BOG accepted a range of loans as eligible collateral. The BOG could change the eligible collateral and adjust the haircuts used without requiring the passage of another law. There were three general rules for all accepted collateral. First, the minimum issuance amount was €50,000. Second, participating institutions needed to alert the BOG and replace their existing collateral if the collateral provided faced an increased chance of default, the credit rating for the participating institution was downgraded, or the institution failed to comply with the eligibility criteria. Last, loans in a foreign currency would receive a 15% haircut (MEF Draft Law 11/07/2008). Below is a list of eligible collateral under the guarantee scheme:

- Any collateral that was eligible in the Eurosystem
- Greek sovereign securities denoted in a foreign currency
- Loans collateralized by residential mortgages
    a. Mortgages required to be in Greek territory
    b. Loan-to-value of less than 95%
    c. 20% haircut irrespective of residual maturity or interest rate
- Loans to shipping companies approved by the Bank of Greece
    a. 50% haircut
- Loans to companies that are guaranteed by the Greek government or an entity with a similar credit level
- Claims of companies and natural persons
    a. Serviced regularly
    b. No delinquencies
- Performing loans to private party
    a. Must be recognized by Greece
    b. Must be rated Moody's (acceptable range Aaa-Ba3), Standard and Poors (acceptable range AAA-BB), Fitch (acceptable range AAA-BB), ICAP group (Greek rating agency; acceptable range AA-C)
- Corporate loans
    a. Haircut contingent on credit rating or probability of default (see figure below) (MEF Draft Law 11/07/2008)

Figure 2: Haircuts on Corporate loans

Remaining duration (in years)	Credit Rating			
	AAA - A- (*) Aaa – A3 (**) AA – A (***)	BBB (*) Baa1 – Baa3 (**) BB –B (***)	BB (*) Ba1 –Ba3 (**) C (***)	N/a
	Probability of default			
	(0.0%, 0.1%)	(0.1%, 0.6%)	(0.6%, 1.0%)	(1.0%, 2.5%)
	Corresponding haircuts			
0-1	10%	15%	20%	50%
1-3	15%	20%	25%	
3-5	20%	25%	30%	
5-7	25%	30%	35%	
7-10	30%	35%	45%	60%
>10	40%	45%	50 %	

Created by Daniel Thompson. Source: MEF Draft Law, Standard and Poor's/Fitch, Moody's, ICAP.

8. **The guarantee scheme accepted only new issuance of credit institutions' senior debt and explicitly excluded subordinated debt.**

9. **Eligible maturities were between three months and three years.**

To be eligible for the guarantee scheme, all maturities had to fall between three months and three years. Initially, neither the BOG nor the EC placed restrictions on two tranches of maturities—from three months up to, but not including, one year and from one year up to, and including, three years—that the program could guarantee. Beginning in 2013, however, the EC mandated that bonds with maturities between one and three years be limited to one-third of the guarantee scheme's total limit (EC SA 01/22/2013).

10. **The guarantee scheme seems to have accepted all currencies.**

It appears that Greece never established nor prohibited any currency from being used via the scheme.

11. **Individual caps for participating institutions were determined by BOG criteria.**

The BOG established an order of need to determine which banks would receive guarantees and how much of the overall budget they would receive. The order of need was based on a set of criteria below (MEF Draft Law 11/07/2008):

1) The bank's liquidity position and probability that its capital position would be affected (weighted 0,5 of the whole valuation)
2) Market share and importance to financial stability (0,3)
3) Residual maturity of the bank's liabilities from 11/7/2008 to 12/31/2009 (0,1)

4) The bank's involvement in loans to small and medium enterprises (0,1)

12. **Fees were charged based on maturity, collateral and creditworthiness of the institution.**

The initial fee structure developed by Greece was identical the minimum fee recommendation for guarantee schemes established by the ECB in October 20, 2008. The fee was adjustable at the Greek Minister of Finance's discretion, pending the approval of the European commission. Banks were required to pay the fee every six months, except for the last period, as the payment become due on the day that the guarantee scheme expired. See Figure 3 below:

Figure 3: Initial Fee Structure

	Collateralized	Uncollateralized
Maturity: from three months up to, but not including, one year		
	25 bp	50 bp
Maturity: from one year up to, and including, three years		
With CDS spreads	The minimum amount between the median CDS spreads from the guaranteed bank and the median CDS spreads from a sample[1] of EuroBanks with equal credit ratings + 25bps	The minimum amount between the median CDS spreads from the guaranteed bank and the median CDS spreads from a sample[1] of EuroBanks with equal credit ratings + 50bps
Without CDS spreads (Credit rating)	The median CDS spreads from a sample[1] of EuroBanks with equal credit ratings to the guaranteed bank + 25bps	The median CDS spreads from a sample[1] of EuroBanks with equal credit ratings to the guaranteed bank + 50 bps
Without credit rating	The median CDS spreads from a sample[1] of EuroBanks with the worst credit rating + 25bps	The median CDS spreads from a sample[1] of EuroBanks with the worst credit rating + 50bps

Created by Daniel Thompson
[1]Sample defined by the Eurosystem; CDS Spreads/Credit ratings
Source: MEF Draft Law 11/07/2008

In April 2010, the EC determined that the liquidity and stability risks from the 2008 crisis had subsided. It decided to raise the minimum participation fees on all existing credit guarantee schemes to reduce competition distortions in the market. The increased would be determined by the following guidelines:

- 20 basis points for banks with a credit rating of A+ or A8
- 30 basis points for banks with a credit rating of A-9
- 40 basis points banks with a credit rating below A-
    - Unrated banks would be treated as if they had a BBB rating

In enacting its decision, the EC also noted that the 2007-2008 CDS spreads used to determine participation fees no longer properly reflected many of the banks' credit ratings, as many of the participating institutions had been downgraded since 2008. The EC changed the spreads to those on July 1, 2010. Noting that the financial system still faced strains, the

EC felt that it could raise the additional fees without compromising the financial system even if the market suffered a downturn (EC Working Document 04/30/2010).

13. **The EC required that certain banks participating in the scheme after July 1, 2010 submit a viability review.**

Greece's decision to institute a viability review stemmed from a EC mandate in the spring of 2010. Greece instituted verbatim the EC's mandate (Greece SA 06/30/2010). Prior to July 2010, banks under any scheme within the EC's jurisdiction were only required to submit viability reviews if the bank defaulted on a guarantee. By the spring of 2010, however, the EC expressed concern about the long-term viability of some of the participating banks. The EC's concern, along with the fact that the banks participating in EC-mandated capital injections or asset purchase programs had to submit restructuring plans, led the EC to mandate a viability review of every participating bank that exceeded a certain threshold after July 1, 2010 (EC Working Document 04/30/2010).

The threshold was set at both 5% of outstanding guaranteed liabilities out of total liabilities and at €500 million of guaranteed debt. Every bank above this threshold would have to submit a plan to its respective sovereign within three months of receiving a guarantee. The EC would use the viability review (which could also include a liquidity stress test) from each country to determine if the bank required a viability plan or a restructuring plan. The mandate did not apply to banks in restructuring or banks that had submitted plans prior to July 2010 (Ibid).

14. **The EC established reporting requirements for Greece in connection with the Guarantee Scheme.**

The EC's prolongation communication, passed in January 2012, required Greece to comply with addition measures related to increased communication with the EC. The communication required Greece to submit a reports on the fees, operations, and restructuring plans of each bank under the guarantee scheme. Greece was required to submit the reports within three months of issuing a guarantee (EC Communication 01/01/2012).

15. **Participating institutions had to commit to behavioral safeguards.**

In order to "help ensure that the participating institutions do not misuse the received State support to expand their activities," participating institutions would commit not to engage in aggressive advertising or to expand their activities for other purposes.

16. **There does not appear to have been any restrictions on executive compensation or dividend payments in regards to the guarantee scheme.**

17. **The credit guarantee scheme could be extended for a maximum of six months at a time, with unlimited extensions.**

The EC mandated that all credit guarantee programs be limited to six months, with unlimited extensions to the programs contingent on the EC's approval (Boudghene et al.

2011). As of October 2018, Greece has continually requested and received six-month extensions since the scheme's inception in November 2008.

III. Evaluation

There are very few sources outside the Greek government that evaluate the efficacy of the three programs implemented under law 3723, and even fewer that analyze the credit guarantee scheme in isolation. Athanasios Kouloridas argues that Law 3723 violates aspects of Greece's community law (particularly Law 1290/1920) and capital market law. Kouloridas centers his critique on the recapitalization program (pillar I) and does not offer much tangible evidence against the guarantee scheme (Kouloridas 2011).

The Greek government has maintained that its credit guarantee scheme provided banks with much-needed liquidity.

It is likely that the credit viability of the Greek sovereign impacted the efficacy of its credit guarantee scheme. Panetta et al. compare spreads among a series of large banks across Europe and the US that used credit guarantee schemes. They find that banks who participated in schemes with a weaker sovereign credit rating paid higher spreads relative to banks guaranteed by a sovereign with a higher credit rating, even if the latter bank had a slightly lower credit rating than the former bank (Panetta 07/2009). Indeed, reporting from some media outlets suggests that the creditworthiness of the Greek sovereign seems to have directly impacted the rating of debt covered by the Greek credit guarantee scheme (Reuters 09/06/2017).

IV. References

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V. Key Program Documents

Summary of Program

Implementation Documents

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