

Question for written answer Z-073/2018
to the Chair of the Single Resolution Mechanism Board
Rule 131a
Jonás Fernández (S&D)

Subject: SRB's decision of dispensing Deloitte's ex-post definitive evaluation of Banco Popular

Article 36 paragraph 10 of Directive 2014/59/EU, clearly states that in the case where a valuation for the purposes of resolution does not comply with all the requirements laid down in Article 36, it is considered provisional until an ex-post definitive valuation is carried out. In the case of Banco Popular it is clear that the valuation provided by Deloitte that triggered resolution was a provisional one.

Mrs König's decision, as President of the SRB, to free Deloitte of the obligation to provide an ex-post definitive valuation clearly violates the legal provision set in Directive 2014/59/EU.

How does the SRB justify violating a legal provision of Directive 2014/59/EU? Is the SRB overstepping its mandate?

Does the SRB considered that this decision violates the right of creditor's to have a fair, transparent and definitive valuation to support their right of appeal?