

# Single Resolution Board: Accountability arrangements (9th parliamentary term)

State of play - December 2020

*This document provides an overview of public hearings and exchange of views with the Chair of the Single Resolution Board (SRB) in the ECON Committee since July 2019. It also provides an overview of all external papers requested by the ECON Committee by a standing panel of banking experts. Lastly, the annex contains an overview of the respective legal bases for these hearings as part of the accountability framework of the SRB. For an overview of public hearings during the 8th parliamentary term, please see [here](#).*

## Overview of public hearings (since July 2019)

Date	Subject	EGOV Briefing	Transcript and/or video recording
27 October 2020	➤ Ordinary public hearing	<a href="#">Briefing</a>	<a href="#">Video recording</a> <a href="#">Transcript (EN)</a>
5 May 2020	➤ Ad-hoc exchange of views on the COVID-19 crisis	<a href="#">Briefing</a>	<a href="#">Video recording</a> <a href="#">Transcript (EN)</a>
3 December 2019	➤ Ordinary public hearing	<a href="#">Briefing</a>	<a href="#">Video recording</a>
22 July 2019	➤ Presentation of the SRB Annual Report	<a href="#">Briefing</a>	<a href="#">Video recording</a> <a href="#">Transcript (EN)</a>

## Overview of external expertise provided (since July 2019)

Date	Subject	Authors
December 2019	Impediments to the resolvability of banks - what is the status quo?	<ul style="list-style-type: none"> <li>➤ <a href="#">W.D. de Groen</a></li> <li>➤ <a href="#">A. Lehmann</a></li> </ul>



## ANNEX: Accountability arrangements regarding the SRB

### Accountability provisions

#### Regulation (EU) No 806/2014, Article 45 on Accountability

1. The Board shall be accountable to the European Parliament, the Council and the Commission for the implementation of this Regulation [...].
2. The Board shall submit an annual report to the European Parliament, the national parliaments of participating Member States [...].
3. The Chair shall present that report in public to the European Parliament [...].
4. At the request of the European Parliament, the Chair shall participate in a hearing by the competent committee of the European Parliament on the performance of the resolution tasks [...] at least annually.  
[...]
6. The Board shall reply orally or in writing to questions addressed to it by the European Parliament or by the Council [...].
7. Upon request, the Chair shall hold confidential oral discussions behind closed doors with the Chair and Vice-Chairs of the competent committee of the European Parliament where such discussions are required [...].

#### Interinstitutional Agreement between the EP and the SRB

##### **Part I (1) Reports**

The Board shall submit to Parliament every year a report (Annual Report) on the execution of the tasks conferred on it by the SRM Regulation. The Chair of the Board shall present the Annual Report to Parliament at a public hearing. [...]. The Annual Report shall include a detailed explanation of the following:

- i. execution of the tasks conferred on the Board by the SRM Regulation;
- ii. sharing of tasks with the national resolution authorities;
- iii. cooperation with other national or Union relevant authorities, as well as with any public financial assistance facility including the European Financial Stability Facility (EFSF) and the European Stability Mechanism (ESM) as provided for in Article 30(6) of the SRM Regulation;
- iv. cooperation with third countries, including recognition and assessment of third-country resolution proceedings;
- v. evolution of the Board's structure and staffing, including the number and the national composition of seconded national experts;
- vi. implementation of the Code of Conduct referred to in Section IV of this Agreement;
- vii. amounts of administrative contributions raised in accordance with Article 65 of the SRM Regulation;
- viii. implementation of the budget for resolution tasks; and
- ix. Application of the SRM Regulation provisions regarding the Fund, in particular as regards contributions, alternative funding means, access to financial facilities, investment strategy, and use of the Fund, provided for in Chapter 2 of Title V of the SRM Regulation.

The Board shall publish the Annual Report on its website

### **Part I (2) Ordinary public hearings, ad hoc exchanges of views and special confidential meetings**

At the request of Parliament's competent committee, the Chair of the Board shall participate in ordinary public hearings on the execution of the resolution tasks conferred on the Board by the SRM Regulation. Such hearings shall include a discussion on the Fund, in particular as regards contributions, alternative funding means, access to financial facilities, investment strategy and use of the Fund. [...]

The Chair of the Board may be invited to additional ad hoc exchanges of views with Parliament's competent committee on issues within the Board's responsibility.

The principle of openness of Union institutions, bodies, offices and agencies provided for in Article 15(1) TFEU shall apply to the Board. Discussions in special confidential meetings shall comply with that principle, including by providing an explanation of relevant circumstances. [...]

Where necessary for the exercise of Parliament's powers under the TFEU and Union law, the Chair of Parliament's competent committee may request, in writing and giving reasons, special confidential meetings with the Chair of the Board. [...]

All participants in the special confidential meetings shall be subject to confidentiality requirements equivalent to those applying to the members of the Board and to its staff [...]

No minutes shall be taken, nor any other recording made, of the special confidential meetings. No statement shall be made for the press or any other media. Each participant in the special confidential meetings shall sign each time a solemn declaration not to divulge the content of those discussions to any third party [...]

The ordinary public hearings, ad hoc exchanges of views and the special confidential meetings may cover all aspects of the activity and functioning of the SRM covered by the SRM Regulation. [...]

### **Part I (3) Responding to questions**

The Board shall reply in writing to written questions put to it by Parliament. Those questions shall be forwarded to the Chair of the Board via the Chair of Parliament's competent committee. Questions shall be answered as promptly as possible, and in any event within five weeks of their transmission to the Board.

Both the Board and Parliament shall dedicate a specific section of their websites for the questions and answers referred to above.

## Appointment procedures

### Previous EP involvement in SRB appointment procedures

- 30/01/2020: [EP plenary vote](#) on approval of the Vice-Chair and Members of the Board
- 14/03/2019: [EP plenary vote](#) on approval of a Board Member
- 01/03/2018: [EP plenary vote](#) on approval of a Board Member
- 12/12/2017: [EP plenary vote](#) on renewal of the term of office of the Chair
- 16/12/2014: [EP plenary vote](#) on the approval of the Chair, Vice-Chair and Members of the Board

### [Regulation \(EU\) No 806/2014, Article 56 Appointment and tasks](#)

[...]

4. The Chair, the Vice-Chair and the members [of the SRM board] shall be chosen on the basis of an open selection procedure, which shall respect the principles of gender balance, experience and qualification. The Chair, the Vice-Chair and the members [...] shall be chosen on the basis of an open selection procedure, which shall respect the principles of gender balance, experience and qualification. The European Parliament and the Council shall be kept duly informed at every stage of that procedure in a timely manner. [...]
6. The Commission shall submit a proposal for the appointment of the Chair, the Vice-Chair and the members [of the SRM board] to the European Parliament for approval

### [Interinstitutional Agreement between the EP and the SRB](#)

#### Part II Selection Procedures

1. Information concerning stages of the selection procedure  
To the extent that the Board has been involved, it shall keep Parliament's competent committee duly and in a timely manner informed of all stages of the selection procedure [...]
2. Consultation of the Board during informal hearings and questions to shortlisted candidates  
When the Commission, having heard the Board, provides Parliament with a shortlist of candidates in accordance with Article 56(6) of the SRM Regulation, Parliament's competent committee may consult the Board concerning the shortlisted candidates, in the context of its in camera hearings of, and written questions submitted to, the shortlisted candidates.
3. Formal hearings of preferred candidates  
When the Commission submits to Parliament for approval its proposals for the Chair, the Vice-Chair or four further full-time members of the Board referred to in Article 43(1)(b) of the SRM Regulation, Parliament's competent committee may, in the context of a public hearing of each of the proposed Chair, Vice-Chair and members of the Board referred to in Article 43(1)(b) of the SRM Regulation, consult the Board on the proposed candidates.
4. Approval  
Parliament shall inform the Board of its decision concerning the approval of each candidate proposed by the Commission for Chair, Vice-Chair and four further full-time members of the Board referred to in Article 43(1)(b) of the SRM Regulation, including the outcome of a vote in Parliament's competent committee and in Parliament's plenary. Parliament shall, taking into account its calendar, aim to take that decision within six weeks of the date of receipt of the proposal from the Commission concerning the candidates.

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