

**Amendment 8****Luděk Niedermayer**

on behalf of the PPE Group

**Report****A9-0154/2024****Kira Marie Peter-Hansen**

Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency (COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

**Proposal for a directive****Recital 45***Text proposed by the Commission**Amendment*

(45) Directive 2014/49/EU allows Member States to recognise an IPS as a DGS if it fulfils the criteria laid down in Article 113(7) of Regulation (EU) No 575/2013 and complies with Directive 2014/49/EU. To take into account the specific business model of those IPSs, in particular the relevance of preventive measures at the core of their mandate, it is appropriate to provide for the possibility of Member States to ***allow IPSs to adapt to the new safeguards for the application of preventive measures within a 6-year period. This possibly longer compliance period takes into account the timeline for the build-up of a segregated fund for IPS purposes other than deposit insurance as agreed between the European Central Bank, the national competent authority and the relevant IPSs.***

(45) Directive 2014/49/EU allows Member States to recognise an IPS as a DGS if it fulfils the criteria laid down in Article 113(7) of Regulation (EU) No 575/2013 and complies with Directive 2014/49/EU. To take into account the specific business model of those IPSs, in particular the relevance of preventive measures at the core of their mandate ***and their proven functioning with positive effects on depositor confidence and financial stability***, it is appropriate to provide for the possibility of Member States to ***keep the respective provisions of Directive 2014/49/EU. The provisions of Directive 2014/49/EU must be interpreted in the light of the conditions set out in Article 113(7) of Regulation (EU) No 575/2013 in order to avoid that the requirements of Article 11 and Articles 11a through 11e of Directive 2014/49/EU contradict the conditions set out in Article 113(7) of Regulation (EU) No 575/2013.***

Or. en

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## **Amendment 9**

**Luděk Niedermayer**

on behalf of the PPE Group

## **Report**

**A9-0154/2024**

**Kira Marie Peter-Hansen**

Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency (COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

## **Proposal for a directive**

### **Article 1 – paragraph 1 – point 12**

Directive 2014/49/EU

Article 11, paragraph 3a new

*Text proposed by the Commission*

*Amendment*

***3 a. Member States may allow IPSs which are officially recognised as a DGS according to Article 4(2) to use available financial means for preventive measures for the benefit of a credit institution where:***

***(a) the resolution authority has not taken any resolution action under Article 32 of Directive 2014/59/EU;***

***(b) the DGS is a system certified according to Article 113(7) of Regulation (EU) No 575/2013;***

***(c) all of the conditions laid down in Article 11f are met.***

Or. en

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**Amendment 10**

**Luděk Niedermayer**

on behalf of the PPE Group

**Report**

**A9-0154/2024**

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Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency  
(COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12**

Directive 2014/49/EU

Article 11, paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

***5 a. This Article and Articles 11a through 11e of this Directive shall not apply if they result in a DGS being unable to comply in whole or in part with the requirements of Article 113(7) of Regulation (EU) No 575/2013 in cases where the DGS is subject to those requirements.***

Or. en

**Amendment 11****Luděk Niedermayer**

on behalf of the PPE Group

**Report****A9-0154/2024****Kira Marie Peter-Hansen**

Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency  
(COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

**Proposal for a directive****Article 1 – paragraph 1 – point 13 a (new)**

Directive 2014/49/EU

Article 11e a (new)

*Text proposed by the Commission**Amendment**(13 a) the following article is inserted:**'Article 11ea**1. By way of derogation from Articles 11a through 11e, IPSs officially recognised as DGSs according to Article 4(2) may use available financial means for the preventive measures referred to in Article 11(3a) provided that the following conditions are met:**(a) the credit institution requesting financing of the preventive measures shall be obliged to present in a reasonable period of time a plan to ensure or restore compliance of the credit institution with the supervisory requirements set out in Directive 2013/36/EU and Regulation (EU) No. 575/2013 in accordance with the conditions laid down in the statutory rules of the IPS as approved by the competent authority in accordance with Article 113(7) of Regulation (EU) No. 575/2013;**(b) the competent authority has been consulted by the IPS on the preventive measures and the conditions imposed on the supported credit institution;**(c) the use of preventive measures by the IPS is linked to conditions imposed on the supported credit institution, involving at*

*least more stringent risk monitoring of the credit institution and greater verification rights for the IPS;*

*(d) the use of preventive measures by the IPS is conditional on the credit institution's commitments to secure access to covered deposits;*

*(e) the ability of the affiliated credit institutions to pay the extraordinary contributions in accordance with Article 11(4) is confirmed; and*

*(f) the costs of the measures do not exceed the costs of fulfilling the IPS's statutory or contractual mandate which is recognised as fulfilling the criteria laid down in Article 113(7) of Regulation (EU) No. 575/2013.*

*2. Member States shall ensure that IPSs have monitoring systems and appropriate procedures in place for selecting and implementing preventive measures and monitoring affiliated risks.*

*3. Such preventive measures carried out by an IPS shall not lead to the determination that the credit institution is failing or is likely to fail within the meaning of Article 32(1) of Directive 2014/59/EU or Article 18(1) of Regulation (EU) 806/2014.;*

Or. en

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A9-0154/12

**Amendment 12**

**Luděk Niedermayer**

on behalf of the PPE Group

**Report**

**A9-0154/2024**

**Kira Marie Peter-Hansen**

Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency (COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

**Proposal for a directive**

**Article 1 – paragraph 1 – point 13**

Directive 2014/49/EU

Article 11e – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. Member States shall ensure that the amount used to finance the resolution of credit institutions, as referred to in Article 11(2), **for the preventive measures referred to in Article 11(3)**, or for the alternative measures referred to in Article 11(5), does not exceed the amount of covered deposits at the credit institution.

3. Member States shall ensure that the amount used to finance the resolution of credit institutions, as referred to in Article 11(2) or for the alternative measures referred to in Article 11(5), does not exceed the amount of covered deposits at the credit institution.

Or. en

**Amendment 13****Luděk Niedermayer**

on behalf of the PPE Group

**Report****A9-0154/2024****Kira Marie Peter-Hansen**

Amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency  
(COM(2023)0228 – C9-0133/2023 – 2023/0115(COD))

**Proposal for a directive****Article 2 – paragraph 2***Text proposed by the Commission*

2. By way of derogation from Article 11(3) of Directive 2014/49/EU, as amended by this Directive, and Articles 11a, 11b, 11c and 11e in relation to preventive measures, until [OP – please insert the date = **72** months after the date of entry into force of this Directive], Member States may allow IPS referred to in Article 1(1), point (c), to comply with the national provisions implementing Article 11(3) of Directive 2014/49/EU as applicable on [OP – please insert the date of entry into force of this Directive].

*Amendment*

2. By way of derogation from Article 11(3) of Directive 2014/49/EU, as amended by this Directive, and Articles 11a, 11b, 11c and 11e in relation to preventive measures, until [OP – please insert the date = **96** months after the date of entry into force of this Directive], Member States may allow IPS referred to in Article 1(1), point (c), to comply with the national provisions implementing Article 11(3) of Directive 2014/49/EU as applicable on [OP – please insert the date of entry into force of this Directive].

Or. en