AMENDMENTS

1 - 35

Draft report
Ryszard Czarnecki
(PE657.194v01-00)

2019 discharge: European Banking Authority (EBA)
(2020/2174(DEC))
Amendment 1
Joachim Kuhs, Gunnar Beck, Jean-François Jalkh

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Executive Director of the European Banking Authority discharge in respect of the implementation of the Authority’s budget for the financial year 2019; postpones its decision on granting the Executive Director of the European Banking Authority discharge in respect of the implementation of the Authority’s budget for the financial year 2019;

Amendment

1. Postpones its decision on granting the Executive Director of the European Banking Authority discharge in respect of the implementation of the Authority’s budget for the financial year 2019;

Or. en

Amendment 2
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Notes that the budget monitoring efforts during the financial year 2019 resulted in a budget implementation rate of 97,29 %, representing a decrease of 2,56 % compared to 2018; notes with concern that the rate of execution of payment appropriations was 85,88 %, representing a decrease of 2,35 % compared to the previous year;

Amendment

1. Notes with concern that the budget monitoring efforts during the financial year 2019 resulted in a budget implementation rate of 97,29 %, representing a decrease of 2,56 % compared to 2018; notes with concern that the rate of execution of payment appropriations was 85,88 %, representing a decrease of 2,35 % compared to the previous year;

Or. en

Amendment 3
Alin Mituţa, Olivier Chastel, Ramona Strugariu, Katalin Cseh, Pierre Karleskind, Martina Dlabajová
Motion for a resolution
Paragraph 3

3. Notes with concern the Court's observation that the amended 2019 budget and the 2020 budget of the Authority do not contain adequate information on the new host Member State’s contributions to the Authority's running costs; calls on the Authority to correct this omission or to communicate the reasons for this omission to the discharge authority;

Amendment

3. Notes with concern the Court's observation that the amended 2019 budget and the 2020 budget of the Authority do not contain adequate information on the new host Member State’s contributions to the Authority's running costs; calls on the Authority to correct this omission or to communicate the reasons for this omission to the discharge authority; calls on the Authority to present an overview of the contributions of the new host member state to the running costs;

Or. en

Amendment 4
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 3

3. Notes with concern the Court's observation that the amended 2019 budget and the 2020 budget of the Authority do not contain adequate information on the new host Member State’s contributions to the Authority's running costs; calls on the Authority to correct this omission or to communicate the reasons for this omission to the discharge authority;

Amendment

3. Notes with concern the Court's observation that the amended 2019 budget and the 2020 budget of the Authority do not contain adequate information on the new host Member State’s contributions to the Authority's running costs; calls on the Authority to correct this omission or to communicate the reasons for this omission to the discharge authority; calls on the Authority to present an overview of the contributions of the new host member state to the running costs; calls on the Authority to diligently communicate the reasons for this omission to the discharge authority;

Or. en

Amendment 5
Joachim Kuhs, Gunnar Beck, Jean-François Jalkh

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Calls on the Authority to verify the declarations of compliance with French social and labour law made by contractors in accordance with the Financial Regulation applicable to the general budget of the Union, and to publish these declarations on its website;

Or. en

Amendment 6
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Notes that the Authority uses certain measures as key performance indicators to assess the added value provided by its activities and also uses other measures to improve its budget management, such as percentage of completed yearly assessments of colleges, feedback on training from seminar participants and budget execution;

welcomes the fact that the Authority’s KPIs measure entire scope of its activity and that they are adapted to following performance of the annual and multi-annual objectives;

Or. en

Amendment 7
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 5
Motion for a resolution

5. Notes that the administrative staff of the Authority, of the European Securities and Markets Authority and of the European Insurance and Occupational Pensions Authority hold regular meetings to discuss matters of shared interest that have resulted in sharing of practices and templates, with resultant efficiency gains;

Amendment

5. Notes that the administrative staff of the Authority, of the European Securities and Markets Authority and of the European Insurance and Occupational Pensions Authority hold regular meetings to discuss matters of shared interest that have resulted in sharing of practices and templates, with resultant efficiency gains; calls on the Authority to maintain this scheme and continue efforts to enhance good practices and cooperation among decentralised agencies;

Or. en

Amendment 8
Lefteris Christoforou, Tomáš Zdechovský

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Notes that the administrative staff of the Authority, of the European Securities and Markets Authority and of the European Insurance and Occupational Pensions Authority hold regular meetings to discuss matters of shared interest that have resulted in sharing of practices and templates, with resultant efficiency gains;

Amendment

5. Notes that the administrative staff of the Authority, of the European Securities and Markets Authority and of the European Insurance and Occupational Pensions Authority hold regular meetings to discuss matters of shared interest that have resulted in sharing of practices and templates, with resultant efficiency gains; strongly encourages the Agency to actively seek further and broader cooperation with all Union agencies;

Or. en

Amendment 9
Alin Mituța, Olivier Chastel, Ramona Strugariu, Katalin Cseh, Pierre Karleskind, Martina Dlabajová

Motion for a resolution
Paragraph 5 a (new)
Amendment 10
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 7

5 a. **Calls on the Authority to continue to develop its synergies, increase cooperation and exchange of good practices with other European agencies with a view to improving efficiency (human resources, building management, IT services and security);**

Amendment 11
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 7 a (new)

7 a. **Acknowledges that the**
composition of the Board of Supervisors seems appropriate to deal with the Authority’s rulemaking responsibilities, but less so for their supervisory roles; recalls, in this context, the Authority’s new mandate in the fight against money laundering and terrorist financing; stresses further that the Authority should make full use of the powers granted to it under Chapter II of Regulation (EU) No 1093/2010 to ensure that all assignments and tasks are carried out properly and on time, and to ensure attainment of the tasks and objectives set out in that same Chapter, particularly with regard to consumer protection in the fast-growing area of digital finance, including neobanks;

Amendment 12
Lefteris Christoforou, Tomáš Zdechovský

Motion for a resolution
Paragraph 7 a (new)

7 a. Calls upon the Authority to improve and intensify its communication with the Member States; urges the Authority to improve and intensify its cooperation with the Member States and the Member States’ national banks and commercial banking bodies;

Amendment 13
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 8
8. **Notes** that the Authority delivered 19 out of 30 activities from its 2019 work programme; notes that the overview of policy achievements of the Authority regarding its 2019 work programme as presented in its annual activity report does not give a complete overview of the activities performed by the Authority, as the results of ongoing activities are not described; notes that, of the activities described in its annual activity report, 17 out of 21 activities reported were (partially) delivered and that the Authority carried out additional sub activities for nine activities, that seven sub activities were postponed, that five sub activities were delayed, that four sub activities were cancelled and that one is still pending;

8. **Regrets** that the Authority delivered 19 out of 30 activities from its 2019 work programme; notes that the overview of policy achievements of the Authority regarding its 2019 work programme as presented in its annual activity report does not give a complete overview of the activities performed by the Authority, as the results of ongoing activities are not described; notes with concern that, of the activities described in its annual activity report, 17 out of 21 activities reported were (partially) delivered and that the Authority carried out additional sub activities for nine activities, that seven sub activities were postponed, that five sub activities were delayed, that four sub activities were cancelled and that one is still pending; **calls on the Authority to evaluate the shortcomings and causes of weak performance and adopt measures aimed at improving an efficient delivery of the work programme objectives**;

**Amendment**

**Amendment 14**
Alin Mituța, Olivier Chastel, Ramona Strugariu, Katalin Cseh, Pierre Karleskind, Martina Dlabajová

**Motion for a resolution**
Paragraph 8 a (new)

8 a. **Stresses the importance to increase the digitalisation of the Authority in terms of internal operations and management procedures; stresses the need for the Authority to continue to be proactive in this regard in order to avoid a digital gap between the agencies at all costs; draws attention, however, to the need to take all the necessary security measures to avoid any risk to the online security of the information processed;**
Amendment 15
Younous Omarjee

Motion for a resolution
Paragraph 12

12. Notes that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 49% are female and 51% are male; notes that 83% of senior management is male and 17% is female;

Amendment

12. Notes that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 49% are female and 51% are male; notes that 83% of senior management is male and 17% is female; is concerned by the lack of gender balance at the senior management and board management level, while welcoming the perfect balance in the overall staff; invites the Authority to increase its effort to achieve a better gender balance at management level;

Amendment 16
Sándor Rónai, Isabel García Muñoz, Maria Grapini

Motion for a resolution
Paragraph 12

12. Notes that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 49% are female and 51% are male; notes that 83% of senior management is male and 17% is female;

Amendment

12. Notes with satisfaction that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 50% are female and 50% are male; notes with concern that 83% of senior management is male and 17% is female; asks the Authority to ensure gender balance at the senior management level in the future;
Amendment 17
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 49 % are female and 51 % are male; notes that 83 % of senior management is male and 17 % is female;

Amendment

12. Notes that the Authority reported that it employs staff of 28 nationalities, of whom the Authority reports that 49 % are female and 51 % are male; notes that 83 % of senior management is male and 17 % is female; calls on the Authority to undertake actions to reduce gender imbalance in senior management;

Or. en

Amendment 18
Alin Mițuța, Olivier Chastel, Ramona Strugariu, Katalin Cseh, Pierre Karleskind, Martina Dlabajová

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

12 a. Encourages the Authority to pursue the development of along term Human Resources policy framework which addresses the work-life balance, the lifelong guidance and career development, the gender balance, the teleworking, the geographical balance and the recruitment and integration of people with disabilities;

Amendment

12 a. Encourages the Authority to pursue the development of along term Human Resources policy framework which addresses the work-life balance, the lifelong guidance and career development, the gender balance, the teleworking, the geographical balance and the recruitment and integration of people with disabilities;

Or. en

Amendment 19
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Notes the observation of the Court that the Authority used a framework contract with an IT company for the provision of IT consultants and that the Authority issued work instructions to some of those IT consultants directly, potentially blurring the lines between the Authority’s staff and the consultants; notes the Authority’s reply that this resulted from the implementation of a new IT-service model and related framework contract and that the Authority is working to mature its management of the third party service integration; calls on the Authority to keep the discharge authority informed about this process of maturation and entrenchment of service-based consumption of IT services;

Amendment

14. Notes the observation of the Court that the Authority used a framework contract with an IT company for the provision of IT consultants and that the Authority issued work instructions to some of those IT consultants directly, potentially blurring the lines between the Authority’s staff and the consultants; emphasizes the risks brought by the use of external IT-consultants; urges the Authority to pay special attention to ensuring operations security and data protection; notes the Authority’s reply that this resulted from the implementation of a new IT-service model and related framework contract and that the Authority is working to mature its management of the third party service integration; calls on the Authority to keep the discharge authority informed about this process of maturation and entrenchment of service-based consumption of IT services;

Or. en

Amendment 20
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Notes the observation of the Court that the Authority runs legal and reputational risks by using an IT company not domiciled in the Authority’s host country to provide IT consultants working at the Authority’s premises that would qualify for posted worker status under the provisions of French law concerning the transposition of the Posting of Workers Directive\(^2\) and the Enforcement Directive\(^3\), and by not verifying the declaration of

Amendment

15. Notes with high concern the observation of the Court that the Authority runs legal and reputational risks by using an IT company not domiciled in the Authority’s host country to provide IT consultants working at the Authority’s premises that would qualify for posted worker status under the provisions of French law concerning the transposition of the Posting of Workers Directive\(^2\) and the Enforcement Directive\(^3\), and by not
compliance with Union and national law of the contractor;

verifying the declaration of compliance with Union and national law of the contractor;


Amendment 21
Lefteris Christoforou, Tomáš Zdechovský

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

15 a. Calls upon the Authority to focus on disseminating the results of its research to the general public;

Or. en

Amendment 22
Sándor Rónai, Isabel García Muñoz, Maria Grapini, Tsvetelina Penkova

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Notes with satisfaction that the
17. **Welcomes** the extension of the scope of conflicts of interest to non-staff beyond the board of supervisors and management board, to include the anti-money laundering standing committee, the resolution committee and independent panels, including panels investigating breaches of Union law;

17. **Notes** the extension of the scope of conflicts of interest to non-staff beyond the board of supervisors and management board, to include the anti-money laundering standing committee, the resolution committee and independent panels, including panels investigating breaches of Union law;

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**Amendment 23**
**Bas Eickhout**
on behalf of the Greens/EFA Group

**Motion for a resolution**
**Paragraph 17**

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**Amendment**

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**Amendment 24**
**Bas Eickhout**
on behalf of the Greens/EFA Group

**Motion for a resolution**
**Paragraph 17 a (new)**

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**Amendment**

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Amendment 25
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 17 b (new)

Amendment

17 b. Notes with concern that the annual declarations of interest published on the website are based on members’ of the management board self-assessment; calls on the Authority to evaluate independently potential existence of conflicts of interest;

Amendment

17 b. Notes with concern that the annual declarations of interest published on the website are based on members’ of the management board self-assessment; calls on the Authority to evaluate independently potential existence of conflicts of interest;

Amendment 26
Joachim Kuhs, Gunnar Beck, Jean-François Jalkh, Matteo Adinolfi

Motion for a resolution
Paragraph 19

Amendment

19. Notes the inquiry of the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations;

Amendment

19. Recalls its resolution of 13 January 2020 on institutions and bodies of the EMU: preventing post-public employment conflicts of interest and the decision of the European Ombudsman in case 2168/2019/KR of 7 May 2020; strongly agrees with the Ombudsman that the Authority should have forbidden the job move and that the measures it put in place to prevent conflicts of interest are not sufficient to address the risks involved;

Or. en
Amendment 27
Younous Omarjee

Motion for a resolution
Paragraph 19

Amendment

19. Notes the inquiry of the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations;

19. Welcomes the inquiry of the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations; requests the Authority to report back to the Parliament on the measures to avoid the repetition of such a situation; invites the Agency to take seriously possible cases of revolving doors;

Or. en

Amendment 28
Alin Mituţa, Olivier Chastel, Ramona Strugariu, Katalin Cseh, Pierre Karleskind, Martina Diabajová

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Notes the inquiry of the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the
Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations;

Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations; *Underlines that post-public employment and ‘revolving door’ conflict-of-interest situations are a problem common to many bodies and agencies across the EU;*

Amendment 29
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 19

19. Notes the inquiry of the Ombudsman following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations;

Amendment

19. Notes *with concern* the inquiry of the Ombudsman *took place* following the Authority’s decision not to forbid its former executive director from taking up a role in a financial industry lobby and the inquiry’s conclusion that there was maladministration by the Authority in not immediately withdrawing its executive director’s access to confidential information; notes the recommendations made by the Ombudsman and the Authority’s reply that the new staff policy addresses the recommendations;

Amendment 30
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 19 a (new)

19 a. Recalls its resolution of 13 January 2020 on institutions and bodies
of the EMU: preventing post-public employment conflicts of interest; calls upon the Authority to ensure that its internal procedures for dealing with conflicts of interest are in line with the Ombudsman’s recommendations following her inquiry into the EBA Executive Director’s move to a finance lobby group, if they are not yet fully aligned; calls further upon the Authority to enforce its Ethics Guide so as to protect the integrity of the institution and establish fair and responsible practices;

Or. en

Amendment 31
Joachim Kuhs, Gunnar Beck, Jean-François Jalkh, Matteo Adinolfi

Motion for a resolution
Paragraph 19 a (new)

19 a. Welcomes the adoption by the Authority's Board of Supervisors of its Policy on Independence and Decision Making Processes for avoiding Conflicts of Interests; calls on the European Court of Auditors to specifically scrutinize in its future audits of the Authority (i) if senior staff members have taken up certain positions in the financial industry after their term in office, (ii) the timely manner in which access to confidential information for staff members is withdrawn, once it became known that they are moving to another job;

Or. en

Amendment 32
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Notes the adoption and implementation of a revised internal control framework by the Authority in January 2020; notes that no annual assessment of the internal control framework was performed in 2019; calls on the Authority to perform the annual assessment and to report to the discharge authority of its results in the framework of the annual discharge procedure;

Amendment

20. Notes the adoption and implementation of a revised internal control framework by the Authority in January 2020; deplores that no annual assessment of the internal control framework was performed in 2019; calls on the Authority to perform the annual assessment without any delay and to report to the discharge authority of its results in the framework of the annual discharge procedure;

Or. en

Amendment 33
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

20 a. Notes that after the completed relocation from London to Paris following the withdrawal of the United Kingdom from the European Union, a provision of 10,1 million euros is made for the lease of the EBA’s London office; suggests that an audit be conducted once all the costs and consequences of the move are clear in order to identify best practices and areas for improvement;

Amendment

20 a. Notes that after the completed relocation from London to Paris following the withdrawal of the United Kingdom from the European Union, a provision of 10,1 million euros is made for the lease of the EBA’s London office; suggests that an audit be conducted once all the costs and consequences of the move are clear in order to identify best practices and areas for improvement;

Or. en

Amendment 34
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 21
21. Welcomes the Authority’s commitment to register its office space under the Union’s eco-management and audit scheme; invites the Authority to strengthen its commitment to creating a sustainable work environment; encourages to closely follow EMAS guidelines;

Amendment 35
Sándor Rónai, Isabel García Muñoz, Maria Grapini, Tsvetelina Penkova

Motion for a resolution
Paragraph 21 a (new)

21 a. Welcomes the efforts made to increase the Authority’s cyber security and data protection, especially as regards the training campaign for the entire statutory staff;

Or. en