

**Question for written answer E-000971/2020
to the Commission**

Rule 138

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Subject: Application of State aid rules in the banking sector to protect savers

In recent days, the European Banking Authority has recommended that the Commission consider the implications of the recent judgment of the European Court of Justice in the Tercas case.

That bank was saved by means of EUR 300 million in support from the Italian Inter-Bank Deposit Protection Fund (FITD), a fund which was set up by Italian banks themselves.

According to the EBA, 'it is not entirely clear when the use of funds for failure prevention qualifies as extraordinary financial public support' in the light of the Guarantee Funds Directive.

The EBA underlines the existence of grey areas and a lack of clarity in the Commission's interpretation of state aid rules in the banking sector and specifically with regard to intervention by guarantee funds to assist distressed banks.

1. How does the Commission intend to respond to the EBA's opinion, inter alia in order to avoid opacity and distortions that may harm banking operators and the Italian and European economic system?
2. What action does the Commission intend to take in order to have clearer rules in this area which avoid uncertainty, the exercise of discretion and unequal treatment of banks in different Member States?