

**Question for written answer P-001467/2019
to the Commission**

Rule 130

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Subject: Request for reopening of the reimbursement procedure with reference to the illegitimate decision concerning the intervention by the 'Fondo Interbancario per la tutela dei depositi'

On 19 March 2019, the Court of Justice of the EU ruled that the intervention in support of Banca Tercas by the 'Fondo Interbancario per la tutela dei depositi' (Inter-bank Deposit Guarantee Fund) (FITD) was entirely compatible with internal market rules, whereas the Commission had wrongly decided that it constituted 'illegitimate State aid'.

The FITD is a consortium under private law formed by banks of the mutualist type, and the misapplication of the State aid rules made it necessary to adopt solutions far harsher to savers and creditors than the 'four banks' then subject to a bail-in (Etruria, CariChieti, CariFerrara and Marche).

1. Can the Commission clarify the consultation procedures which led it to decide that the intervention by the FITD constituted illegal State aid, and can it disclose any outside pressure that may have been brought to bear on it in this regard?
2. Why was a particular interpretation adopted without giving consideration to the provisions of Article 11(3) of the EU Directive on Deposit Guarantee Schemes (DGS), which expressly permits intervention to prevent credit institutions from going bankrupt?
3. How will the Commission take note of the illegitimacy of the decision, and how will it provide compensation for the damage caused to savers and the banks concerned?

Supporter¹

¹ This question is supported by a Member other than the author: Dario Tamburrano (EFDD).