P7\_TA(2013)0114

Credit institutions and prudential supervision \*\*\*I

Committee on Economic and Monetary Affairs

PE478.507

European Parliament legislative resolution of 16 April 2013 on the proposal for a directive of the European Parliament and of the Council on the access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and amending Directive 2002/87/EC of the European Parliament and of the Council on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate (COM(2011)0453 – C7-0210/2011 – 2011/0203(COD))

(Ordinary legislative procedure: first reading)

*The European Parliament*,

– having regard to the Commission proposal to Parliament and the Council (COM(2011)0453),

– having regard to Article 294(2) and Article 53(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7‑0210/2011),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Romanian Chamber of Deputies and the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,

– having regard to the opinion of the European Central Bank of 25 January 2012[[1]](#footnote-1),

– having regard to the undertaking given by the Council representative by letter of 27 March 2013 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

– having regard to Rule 55 of its Rules of Procedure,

– having regard to the report of the Committee on Economic and Monetary Affairs (A7-0170/2012),

1. Adopts its position at first reading hereinafter set out;

2. Approves the statement by Parliament annexed to this resolution;

3. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P7\_TC1-COD(2011)0203**

**Position of the European Parliament adopted at first reading on 16 April 2013 with a view to the adoption of Directive 2013/.../EU of the European Parliament and of the Council on the access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive 2013/36/EU.)*

**ANNEX TO THE LEGISLATIVE RESOLUTION**

**Statement by the European Parliament**

It is hereby declared that the agreement reached between the European Parliament and the Council concerning the new Capital Requirements Directive that would grant the rights to the Commission, upon a request from EBA in view of the application of Regulation (EU) No 1095/2010 or on its own initiative, to require Member States to provide more detailed information regarding the transposition and implementation of their national provisions and this Directive, shall not constitute a precedent for negotiations on legislative acts in other policy areas.

This specific solution is required due to particular circumstances relating to the European Supervisory Architecture. The issue of explanatory documents shall, as a general rule, continue to be handled in line with the Joint Political Declaration of 27 October 2011 of the European Parliament, the Council and the Commission.

1. OJ C 105, 11.4.2012, p. 1. [↑](#footnote-ref-1)