



**PARLIAMENT  
OF THE CZECH REPUBLIC**  
Chamber of Deputies  
*Jan Bauer*  
Chairman  
Committee for European Affairs

Prague, 16<sup>th</sup> October 2012

Dear Mr. President,

I would like to inform you about the opinion of the Committee for European Affairs of the Chamber of Deputies of the Parliament of the Czech Republic on the Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC and 2011/35/EC and Regulation (EU) No 1093/2010 /Council No. 11066/12, COM(2012) 280/.

The respective document was included in the agenda of the 34<sup>th</sup> session of the Committee for European Affairs and was scrutinized on 4<sup>th</sup> October 2012. According to the Rules of Procedure of the Chamber of Deputies a Deputy Minister of Finance was present at the session to introduce the preliminary government's framework position.

After the hearing of the rapporteur's report and after the discussion the Committee has adopted the resolution No. 241 which is enclosed to this letter. According to this resolution the Committee e.g. does not agree with the proposed delegation of significant powers from the national supervisory authorities to the authorities of other Member States or the European Union (particularly to the European Banking Authority). In this regard, the does not consider appropriate the separating of resolution powers from the authorities directly responsible for the supervision of financial institutions.

Yours sincerely

Enclosure

**Mr. José Manuel Barroso**  
President of the European Commission

**Brussels**

**PARLIAMENT OF THE CZECH REPUBLIC**  
**Chamber of Deputies**  
**Committee for European Affairs**

Resolution No. 241

34<sup>th</sup> session on 4<sup>th</sup> October 2012

**Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC and 2011/35/EC and Regulation (EU) No 1093/2010 /Council No. 11066/12, COM(2012) 280/**

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**Content of the Resolution:**

The Committee for European Affairs:

1. supports the Commission's efforts to create a common European legal framework aimed at the resolution of serious economic problems of some systemically important credit institutions operating in more than one Member State;
2. takes the view that the harmonisation of rules for the crisis management of financial institutions should be primarily focused on the coordination of activities and facilitation of cooperation between the competent national supervisory authorities, both in preparation for crisis situations and in their resolution. In this regard, the Committee appreciates the Commission's effort to create a minimum set of tools and powers which will be available to these supervisory authorities;
3. nevertheless, is of the opinion that the proposal for a directive exceeds, in several aspects, the permissible limits of the principles of subsidiarity and proportionality;
4. does not agree with the proposed delegation of significant powers from the national supervisory authorities to the authorities of other Member States or of the European Union (particularly to the European Banking Authority). In this regard, the Committee does not consider appropriate the separating resolution powers from the authorities directly responsible for the supervision of financial institutions;
5. rejects the proposed rules for the provision of financial support among members of financial groups, including the role of the European Banking Authority in approving this support. At the same time, the Committee points out that these measures may significantly threaten the financial stability of the Member States in which the subsidiary companies of foreign financial institutions reside and operate;
6. does not support the creation of the European system of financing arrangements including the mandatory use of the Deposit Guarantee Scheme funds and considers the proposed regulation as being too detailed and extensive. In this issue, the Committee prefers a higher level of discretion for Member States;
7. requests the Chairperson of the Chamber of Deputies to schedule a debate on the Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC and 2011/35/EC and Regulation (EU) No 1093/2010 for the nearest plenary session of the Chamber of Deputies according to

article 109a (3) of the Law No. 90/1995 Coll. of the Rules of Procedure of the Chamber of Deputies;

8. asks the government to keep the Committee informed about further discussions of this proposal;
9. authorizes the Committee Chairman to inform the European Commission about this resolution.

