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From:	Presidency
To:	Working Party on Financial Services and the Banking Union (CMDI) Financial Services Attachés

Subject:	Working Party on Financial Services and the Banking Union Crisis Management and Deposit Insurance (CMDI) - 23 and 24 May 2024 - Agenda
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**Working Party on Financial Services and the Banking Union
Crisis Management and Deposit Insurance (CMDI)**

Agenda 23 May 2024 (13h.30 – 18h00) and 24 May 2024 (9h – 18h00)

1. Presidency's introductory remarks

2. Presentation by the Presidency on the core elements of the package

3. Tour de table on technical topics

- Definitions

- Article 2(1), point 28a, point (83d), point (83e) and point (93a) BRRD
- Article 3(1), point (24a), point (24d) and point (24e) SRMR
- Article 2(1), point (3), point (13), points (19) to (23) DGSD

+ Accompanying recitals

- Recovery planning & Early intervention

- Articles 5(2), (3), (4), 6(5) and 8(2) BRRD – (group) recovery planning
- Articles 27, 28, 29 and 30 BRRD and Articles 13(1), (2), (3), (4), (5), 13a, 13b SRMR – Early intervention measures/replacement of management/ temporary administrator

+ Accompanying recitals

- Resolution planning, Preparation for resolution, MREL technical

- Articles 10(1), 12(1), 13(1), (4) BRRD and Article 8(2), (10) SRMR – (group) resolution planning
- Articles 17(3a), (5) and 18(2), (4), (9) BRRD – Impediments to resolvability
- Article 10(4), (7), (9a), (10) SRMR – Resolvability assessment
- Articles 45(1), 45b, 45c(3), 45d, 45f, 45l(3) and 111 BRRD and Articles 12a(1), 12c (4), (5), (7), (8), (10), 12d, 12e(1); 12g(1), (4), 12k(5), (6) SRMR – MREL technical
- Article 30a BRRD and Article 13c(1), (2), (3), (4), (5), (6), (7), (8) SRMR – Preparation for resolution
- Article 127 BRRD – Amendment to Directive 2014/24/EU

+ Accompanying recitals

- Resolution conditions, tools & powers

- Articles 32a, 32b, 33 BRRD and Articles 16(2), 18(1a), (2), (3) SRMR – Resolution of central institutions with affiliates, institutions that are not subject to resolution action and parent undertakings

+ Accompanying recitals

- *Articles 16a(7) BRRD and Article 10a(1), (7) SRMR – Power to suspend certain distributions*
- *Article 33a BRRD and Article 18(11) SRMR – Power to suspend certain obligations*
- *Article 59 BRRD and 21(1), (2), (3), (9) SRMR – write down power*
- *Articles 63, 64 and 30a(5a) BRRD – general and ancillary powers (including relation with qualifying holding procedures and MAR)*
- *Article 71a BRRD - Contractual recognition of resolution stay powers*
- *Article 35 BRRD – special manager*
- + *DE presentation on qualifying holding procedures in resolution*
- + *Accompanying recitals*

- *Articles 37(6) BRRD and 22(5) SRMR – General principles of the resolution tools*
- *Articles 40(1), (2) and 42(5) BRRD – transfer tools (BI and AST)*
- *Article 47(1) BRRD – Treatment of shareholders*
- *Article 52 BRRD – Business reorganisation plan*
- *Article 55 BRRD – Contractual recognition of bail-in*
- + *Accompanying recitals*

- ***Resolution colleges, group resolution & branches***
 - *Article 88 BRRD – Resolution colleges*
 - *Articles 91 and 92 BRRD – Group resolution*
 - *Article 96 BRRD – Resolution of union branches*
- + *Accompanying recitals*

- ***Accounting provisions and contingent liabilities***
 - *Article 2(1) point (71), point (71aa) and Articles 36, 44(1), 46(2), 53, 63(1) BRRD*
 - *Article 3(1) point (49), point (49aa) and Articles 20 and 27(13) SRMR*
- + *Accompanying recitals: 23 to 25 BRRD and 28 to 30 SRMR*

- ***Confidentiality, information exchange, cooperation***
 - *Article 97 BRRD – cooperation with third countries*
 - *Article 98 BRRD – Exchange of confidential information*
 - *Article 84(6a) and 90(5) BRRD – information exchange with tax authorities*
 - *Article 30 SRMR – obligation to cooperate and information exchange*
 - *Articles 84a BRRD and 30a(1), (2), (3) SRMR – information held by centralised automated system*
 - *Article 128 BRRD – cooperation and information exchange among institutions and authorities*
 - *Article 34(1), (5), (6) SRMR – requests for information under the investigatory powers*
 - *Article 88(7) SRMR – professional secrecy and exchange of information*
- + *Accompanying recitals*

- ***Resolution financing arrangements / SRF***
 - *Article 102(3) BRRD and Article 69(4) SRMR – Target level*
 - *Article 104(1) BRRD and Article 71(1) SRMR – Contributions*
 - *Article 74 SRMR – Access*
- + *Accompanying recitals*

- ***SRMR Miscellaneous***

- Article 4(1a) SRMR – Close cooperation
- Article 5(1a) SRMR – Relation with IRRD
- Article 7(3) and (5) SRMR – Division of tasks
- Article 12(8) SRMR – Prior permission regime (decision making procedure)
- Article 19 SRMR – State aid & fund aid
- Article 31 SRMR – Cooperation within the SRM
- Article 32(1) SRMR Cooperation with non-participating member states
- Article 61 SRMR – Establishment of the budget
 - Article 85(3) SRMR – Appeal against Board decisions
- + Accompanying recitals

- **DGS Eligibility, coverage and repayment**
 - Article 5(1), (2) DGSD – Eligibility of deposits
 - Article 6(2), (2a) DGSD – Coverage level
 - Article 7(3), (5), (7) DGSD – Determination of the repayable amount
 - Article 7a DGSD – Burden of proof for deposit eligibility and entitlement
 - Article 8(3), (5), (8), (9), (10) and Article 8a DGSD – Repayment
 - Article 8b DGSD – Coverage of client funds deposits
 - Article 8c DGSD – Suspension of repayments in case of concerns about money laundering or terrorist financing
- + Accompanying recitals

- **DGS Cooperation and information**
 - Article 14(1), (2), (2a), (2b), (3), (3a) DGSD Cooperation within the Union
 - Article 15 and 15a DGSD – Branches
 - Article 16(1)-(4), (6)-(8) DGSD – Depositor information
 - Article 16a DGSD – Information exchange between credit institutions and DGS, and reporting by authorities
- + Accompanying recitals

- **DGS Miscellaneous topics**
 - Article 1 DGSD – Subject matter and scope
 - Article 4(4), (4a), (5), (6), (8) DGSD – membership and supervision
 - Article 10(2), (3), (4), (7), (7a), (10) DGSD – Financing of DGSs
 - Article 11d DGSD – Transparency of marketing process in alternative measures
- + Accompanying recitals

- **EBA mandates**
 - Articles 4(11), 11(3), 15(5), 37(11), 44a, 45c(4), 45j, 128b BRRD
 - Articles 4(13), 8(10), 8b(4), 10(3), (12)-(13), 14(9), 16(9), 16a(7) DGSD
- + Accompanying recitals

- **Transposition**
 - Article 2 BRRD Amending Directive
 - Article 2 SRMR Amending Regulation
 - Article 3 DGSD Amending Directive

4. AOB and conclusions

