

8. Eighth plea in law, alleging an error in law. The applicants claim that the SRB, first, relies on a misinterpretation of the provisions allowing the use of IPCs in imposing an identical measure on all the institutions on the basis of an abstract analysis and, second, negates the effectiveness of those provisions in so far as the proportion of IPCs is consistently and without sufficient justification limited to the statutory minimum.

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- (<sup>1</sup>) Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 255, p. 1).
- (<sup>2</sup>) Council Implementing Regulation (EU) 2015/81 of 19 December 2014 specifying uniform conditions of application of Regulation No 806/2014 with regard to ex ante contributions to the Single Resolution Fund (OJ 2015 L 15, p. 1).
- (<sup>3</sup>) Commission Delegated Regulation (EU) 2015/63 of 21 October 2014 supplementing Directive 2014/59/EU with regard to ex ante contributions to resolution financing arrangements (OJ 2015 L 11, p. 44).

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**Action brought on 4 July 2022 — Confédération nationale du Crédit mutuel and Others v SRB**

**(Case T-392/22)**

(2022/C 311/24)

*Language of the case: French*

**Parties**

*Applicants:* Confédération nationale du Crédit Mutuel (Paris, France) and the 25 other applicants (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

*Defendant:* Single Resolution Board (SRB)

**Form of order sought**

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/2022/18 of 11 April 2022 on the calculation of 2022 ex-ante contributions to the SRF in so far as it concerns the applicants;
- pursuant to Article 277 TFEU, declare the following provisions of the SRM Regulation,<sup>(1)</sup> the Implementing Regulation<sup>(2)</sup> and the Delegated Regulation<sup>(3)</sup> inapplicable:
  - Articles 69(1), 69(2), 70(1) and 70(2)(a) and (b) of the SRM Regulation;
  - Articles 4(2), 5, 6, 7 and 20 of the Delegated Regulation, and Annex I thereto;
  - Article 4 of the Implementing Regulation;
- order the defendant to pay all the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on eight pleas in law which are, in essence, identical or similar to those raised in Case T-391/22, *Société générale and Others v SRB*.

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- (<sup>1</sup>) Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 255, p. 1).
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