

**Action brought on 7 July 2021 — Dexia Crédit Local v SRB****(Case T-405/21)**

(2021/C 338/48)

*Language of the case: French***Parties**

*Applicant:* Dexia Crédit Local (Paris, France) (represented by: H. Gilliams and J.-M. Gollier, lawyers)

*Defendant:* Single Resolution Board

**Form of order sought**

The applicant claims that the Court should:

- annul the decision of the Single Resolution Board of 14 April 2021 on the calculation of the 2021 ex-ante contributions to the Single Resolution Fund, with reference SRB/ES/2021/22;
- order the Single Resolution Board to pay the costs of proceedings.

**Pleas in law and main arguments**

In support of the action, the applicant relies on six pleas in law.

1. First plea in law, alleging that the contested decision infringes Article 69 of Regulation No 806/2014 in so far as it sets the target level for 2021 at one-eighth of 1,35 % of covered deposits.
2. Second plea in law, alleging that Delegated Regulation 2015/63 is unlawful:
  - on the ground that it infringes the principle of proportionality in so far as the calculation of the ex-ante contributions to the SRF, first, is not consistent with the objectives pursued by Regulation No 806/2014, second, does not take into account the fact that the applicant is a credit institution in run-off management which is covered by a State guarantee and in respect of which the SRF will theoretically never be called upon and, third, makes its orderly resolution more expensive;
  - on the ground that it infringes the principle of equal treatment in so far as it treats institutions in run-off management under State guarantee and operative institutions in the same way.
3. Third plea in law, alleging, in the alternative, that the SRB infringed the principles of proportionality and equal treatment for the same reasons as those stated in the second plea in law, in so far as the SRB failed to respect those principles by applying to the applicant, without any adjustment, the provisions of Delegated Regulation 2015/63.
4. Fourth plea in law, alleging lack of transparency and failure to state reasons in so far as the information provided does not make it possible to exercise properly the rights of defence.
5. Fifth plea in law, alleging lack of legal basis for Articles 5, 69 and 70 of Regulation No 806/2014 in so far as they were adopted on the basis of Article 114 TFEU even though they do not concern approximation of laws.
6. Sixth plea in law, alleging lack of legal basis for Articles 5, 69 and 70 of Regulation No 806/2014 in so far as they were adopted on the basis of Article 114 TFEU despite the fact that they are fiscal provisions.