

Defendant: European Central Bank (represented by: E. Koupepidou, E. Yoo and M. Puidokas, acting as Agents)

Intervening parties in support of the defendant: Council of the European Union (represented by: I. Gurov and J. Bauerschmidt, acting as Agents), European Commission (represented by: L. Armati, A. Steiblytė, K. P. Wojcik and A. Nijenhuis, acting as Agents)

Re:

Application based on Article 263 TFEU for annulment of Decision ECB-SSM-2018-ESSAB-4, SNC 2016-0026 of the ECB, of 14 March 2018, adopted pursuant to Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63), to the extent that, first, it imposed on the applicant an administrative pecuniary penalty of EUR 1 600 000 and, second, it decided to publish that penalty, without anonymising the name of the applicant, on the ECB's website.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders VQ to bear, in addition to its own costs, the costs incurred by the European Central Bank (ECB), including those relating to the proceedings for interim measures;
3. Orders the Council of the European Union and the European Commission to bear their own costs.

⁽¹⁾ OJ C 182, 28.5.2018.

Judgment of the General Court of 8 July 2020 — *Crédit agricole v ECB*

(Case T-576/18) ⁽¹⁾

(Economic and monetary policy — Prudential supervision of credit institutions — Article 18(1) of Regulation (EU) No 1024/2013 — Administrative pecuniary penalty imposed by the ECB on a credit institution — First subparagraph of Article 26(3) of Regulation (EU) No 575/2013 — Continued breach of capital requirements — Negligent breach — Retroactive application of less severe enforcement legislation — Absence — Rights of defence — Amount of the penalty — Obligation to state reasons)

(2020/C 313/34)

Language of the case: French

Parties

Applicant: *Crédit agricole SA* (Montrouge, France) (represented by: A. Champsaur and A. Delors, lawyers)

Defendant: European Central Bank (represented by: C. Hernández Sasetta, A. Pizzolla and D. Segoin, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Decision ECB/SSM/2018-FRCAG-75 of the ECB of 16 July 2018, taken pursuant to Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63) and imposing on the applicant an administrative pecuniary penalty of EUR 4 300 000 for continued breach of the capital requirements laid down in Article 26(3) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ 2013 L 176, p. 1, and corrigenda OJ 2013 L 208, p. 68, and OJ 2013 L 321, p. 6).

Operative part of the judgment

The Court:

1. Annuls Decision ECB/SSM/2018-FRCAG-75 of the European Central Bank (ECB) of 16 July 2018 in so far as it imposes on Crédit Agricole SA an administrative pecuniary penalty of EUR 4 300 000;
2. Dismisses the action as to the remainder;
3. Orders Crédit Agricole to bear its own costs;
4. Orders the ECB to bear its own costs.

(¹) OJ C 436, 3.12.2018.

Judgment of the General Court of 8 July 2020 — Crédit agricole Corporate and Investment Bank v ECB

(Case T-577/18) (¹)

(Economic and monetary policy — Prudential supervision of credit institutions — Article 18(1) of Regulation (EU) No 1024/2013 — Administrative pecuniary penalty imposed by the ECB on a credit institution — First subparagraph of Article 26(3) of Regulation (EU) No 575/2013 — Continued breach of capital requirements — Negligent breach — Rights of defence — Amount of the penalty — Obligation to state reasons)

(2020/C 313/35)

Language of the case: French

Parties

Applicant: Crédit agricole Corporate and Investment Bank (Montrouge, France) (represented by: A. Champsaur and A. Delors, lawyers)

Defendant: European Central Bank (represented by: C. Hernández Saseta, A. Pizzolla and D. Segoin, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Decision ECB/SSM/2018-FRCAG-76 of the ECB of 16 July 2018, taken pursuant to Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63) and imposing on the applicant an administrative pecuniary penalty of EUR 300 000 for continued breach of the capital requirements laid down in Article 26(3) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ 2013 L 176, p. 1, and corrigenda OJ 2013 L 208, p. 68, and OJ 2013 L 321, p. 6).

Operative part of the judgment

The Court:

1. Annuls Decision ECB/SSM/2018-FRCAG-76 of the European Central Bank (ECB) of 16 July 2018 in so far as it imposes on Crédit agricole Corporate and Investment Bank an administrative pecuniary penalty of EUR 300 000;