

DECISION (EU) 2019/1377 OF THE EUROPEAN CENTRAL BANK**of 31 July 2019****nominating heads of work units to adopt delegated decisions on passporting, acquisition of qualifying holdings and withdrawal of authorisations of credit institutions (ECB/2019/26)**

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank and in particular Article 11.6 thereof,

Having regard to Decision (EU) 2017/933 of the European Central Bank of 16 November 2016 on a general framework for delegating decision-making powers for legal instruments related to supervisory tasks (ECB/2016/40) ⁽¹⁾, and in particular Articles 4 and 5 thereof,

Having regard to Decision (EU) 2019/1376 of the European Central Bank of 23 July 2019 on delegation of the power to adopt decisions on passporting, acquisition of qualifying holdings and withdrawal of authorisations of credit institutions (ECB/2019/23) ⁽²⁾, and in particular Article 3 thereof,

Having regard to Decision ECB/2004/2 of 19 February 2004 adopting the Rules of Procedure of the European Central Bank ⁽³⁾, and in particular Article 10 thereof,

Whereas:

- (1) To address the considerable number of decisions that the European Central Bank (ECB) is to adopt for the performance of its supervisory tasks, a procedure for the adoption of specific delegated decisions has been established.
- (2) A delegation decision is effective upon the adoption of a decision by the Executive Board nominating one or more heads of work units to take decisions on the basis of a delegation decision.
- (3) The importance of the delegation decision and the number of addressees to whom delegated decisions need to be sent should be taken into account by the Executive Board in nominating heads of work units.
- (4) The Chair of the Supervisory Board has been consulted on the heads of work units to whom the power to adopt decisions on passporting, acquisition of qualifying holdings and withdrawal of authorisations of credit institutions should be delegated,

HAS ADOPTED THIS DECISION:

*Article 1***Definitions**

For the purposes of this Decision, the definitions contained in Article 1 of Decision (EU) 2019/1376 (ECB/2019/23) shall apply.

⁽¹⁾ OJ L 141, 1.6.2017, p. 14.

⁽²⁾ See p. 1 of this Official Journal.

⁽³⁾ OJ L 80, 18.3.2004, p. 33.

*Article 2***Delegated qualifying holding decisions**

1. Delegated decisions pursuant to Articles 3 and 4 of Decision (EU) 2019/1376 (ECB/2019/23) that involve significant supervised entities as defined in point (16) of Article 2 of Regulation (EU) No 468/2014 of the European Central Bank (ECB/2014/17) ⁽¹⁾ shall be adopted by the Director General or the Deputy Director General of Directorate General Secretariat to the Supervisory Board, or in the event of their unavailability by the Head of the Authorisation Division, and one of the following heads of work units:

- (a) the Director General or a Deputy Director General of Directorate General Microprudential Supervision I, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision I;
- (b) the Director General or a Deputy Director General of Directorate General Microprudential Supervision II, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision II.

If a delegated decision pursuant to Articles 3 and 4 of Decision (EU) 2019/1376 (ECB/2019/23) involves more than one significant supervised entity, the relevant supervised entity shall be the supervised entity or group in which the qualifying holding is acquired.

2. Delegated decisions pursuant to Articles 3 and 4 of Decision (EU) 2019/1376 (ECB/2019/23) that do not involve significant supervised entities shall be adopted by the Director General or the Deputy Director General of Directorate General Microprudential Supervision III.

*Article 3***Delegated withdrawal decisions**

1. Delegated decisions pursuant to Articles 3 and 5 of Decision (EU) 2019/1376 (ECB/2019/23) in relation to significant supervised entities as defined in point (16) of Article 2 of Regulation (EU) No 468/2014 (ECB/2014/17) shall be adopted by the Director General or the Deputy Director General of Directorate General Secretariat to the Supervisory Board, or in the event of their unavailability by the Head of the Authorisation Division, and one of the following heads of work units:

- (a) the Director General or a Deputy Director General of Directorate General Microprudential Supervision I, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision I;
- (b) the Director General or a Deputy Director General of Directorate General Microprudential Supervision II, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision II.

2. Delegated decisions pursuant to Articles 3 and 5 of Decision (EU) 2019/1376 (ECB/2019/23) in relation to less significant supervised entities as defined in point (7) of Article 2 of Regulation (EU) No 468/2014 (ECB/2014/17) shall be adopted by the Director General or the Deputy Director General of Directorate General Microprudential Supervision III.

*Article 4***Delegated passporting decisions**

Delegated decisions pursuant to Articles 3 and 6 of Decision (EU) 2019/1376 (ECB/2019/23) shall be adopted by one of the following heads of work units:

- (a) the Director General or a Deputy Director General of Directorate General Microprudential Supervision I, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision I;
- (b) the Director General or a Deputy Director General of Directorate General Microprudential Supervision II, if supervision of the relevant supervised entity or group is carried out by Directorate General Microprudential Supervision II.

⁽¹⁾ Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) (OJ L 141, 14.5.2014, p. 1).

*Article 5***Entry into force**

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Frankfurt am Main, 31 July 2019.

The President of the ECB
Mario DRAGHI
