



**EUROPEAN CENTRAL BANK**  
**BANKING SUPERVISION**

**Andrea ENRIA**

Chair of the Supervisory Board

*COURTESY TRANSLATION*

Mr Piernicola Pedicini  
Member of the European Parliament  
European Parliament  
60, rue Wiertz  
B-1047 Brussels

Frankfurt am Main, 19 February 2021

**Re: Your letter (QZ-004)**

Honourable Member of the European Parliament, dear Mr Pedicini,

Thank you for your letter on the suitability criteria established by Directive 2013/36/EU (“CRD IV”)<sup>1</sup>, transposed into Italian law, which was passed on to me by Ms Irene Tinagli, Chair of the Committee on Economic and Monetary Affairs, accompanied by a cover letter dated 19 January 2021.

With respect to the specific appointment referred to in your letter, please note that I cannot comment on the actions of individual credit institutions as the ECB is subject to professional secrecy requirements as outlined in CRD IV.

With respect to the legislative change referred to in your letter, please note that, pursuant to Article 4(1)(c) and the first sub-paragraph of Article 4(3) of Regulation (EU) No 1024/2013<sup>2</sup>, the ECB assesses appointees on the basis of the applicable national legislation transposing CRD IV. The requirements under Italian Decree No 169/2020 of 23 November 2020 apply exclusively to appointments occurring after 30 December 2020.<sup>3</sup> Therefore, this legislative change does not affect the assessment of appointments made before this date, which were carried out on the basis of the Italian legislation in force at the time.

Yours sincerely,

[signed]

Andrea Enria

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<sup>1</sup> Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (Text with EEA relevance) (OJ L 176, 27.6.2013, p. 338): <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013L0036-20201229>.

<sup>2</sup> 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 L 287, 29.10.2013, p. 63): <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1024>.

<sup>3</sup> Article 26 of the Decree. See also Article 2(7) of Legislative Decree 72/2015 concerning the transposition of CRD IV.