

Chapter 1

Commission Delegated Regulation (EU) 2016/1075



Article 38 Elements of independence

A legal or natural person may be appointed as a valuer. The valuer shall be deemed to be independent from any relevant public authority and the relevant entity where all the following conditions are met:

- (1) the valuer possesses the qualifications, experience, ability, knowledge and resources required and can carry out the valuation effectively without undue reliance on any relevant public authority or the relevant entity in accordance with Article 39;
- (2) the valuer is legally separated from the relevant public authorities and the relevant entity in accordance with Article 40;
- (3) the valuer has no material common or conflicting interest within the meaning of Article 41.