


Chapter 1

Commission Delegated Regulation (EU) 2016/1075



Article 80 Drafting the joint decision on measures to address substantive impediments to resolvability

(1) The group-level resolution authority shall, taking into account the outcome of the dialogue under Article 79(5) and (6), as appropriate, prepare a draft joint decision on measures to address or remove substantive impediments to resolvability.

(2) The draft joint decision shall set out all of the following items:

(a) the name of the Union parent undertaking and the group entities to which the joint decision relates and applies;

(b) the names of the group-level resolution authority and the resolution authorities of subsidiaries reaching the joint decision;

(c) the names of the relevant competent authorities and the names of the resolution authorities of significant branches that have been consulted on the resolvability of the group, on the measures to address or remove substantive impediments, and on the observations and alternative measures, if any, submitted by the Union parent undertaking;

(d) the names of the observers where those observers were involved in the joint decision process in accordance with the terms and conditions of observers' participation as noted in the written arrangements;

(e) the references to the applicable Union and national law relating to the preparation, finalisation and application of the joint decision;

(f) the date of the joint decision;

(g) the measures pursuant to Article 17(5) and (6) of 2014/59/EU decided by the group-level resolution authority and the resolution authorities of subsidiaries and the time period within which the respective group entities shall address these measures;

(h) where the measures proposed by the Union parent undertaking are not accepted or are partially accepted by the group-level resolution authority and the resolution authorities of subsidiaries, an explanation of how the measures proposed by the Union parent

undertaking are assessed as not fit to remove the substantive impediments to resolvability and how the measures referred to in point (g) would effectively reduce or remove the substantive impediments to resolvability;

(i) a summary of views expressed by the authorities consulted in the joint decision process;

(j) where the EBA has been consulted during the joint decision process, an explanation of any deviation from the advice of the EBA.