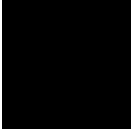


Chapter 1

Commission Delegated Regulation (EU) 2016/1075



Article 105 Preparation and communication of the joint decision on the group resolution scheme

(1) Upon expiry of the time limit for consultation, the group-level resolution authority shall prepare the draft joint decision on the group resolution scheme in accordance with Articles 91 and 92 of Directive 2014/59/EU and, as applicable, Article 107 thereof.

(2) For the draft joint decision, the group-level resolution authority shall consider and take into account all concerns and divergent views expressed during the consultation and it shall make amendments to the group resolution scheme as appropriate.

(3) The group-level resolution authority shall provide reasoning on:

(a) how it has handled the material divergent views and concerns expressed by the resolution authorities of the subsidiaries covered by the group resolution scheme for the purposes of the draft joint decision;

(b) why and to what extent the advice of the EBA was not followed in the group resolution scheme, if a consultation with the EBA has been held.

(4) The draft joint decision shall include the following elements:

(a) the names of the group-level resolution authority and the resolution authorities responsible for the subsidiaries covered by the group resolution scheme;

(b) the name of the Union parent undertaking and a list of all entities within the group to which the group resolution scheme relates to and applies;

(c) the references to the applicable Union and national law relating to the preparation, finalisation and application of the joint decision on the group resolution scheme;

(d) the date of the draft joint decision on the group resolution scheme;

(e) the final group resolution scheme, including any reasoning if needed in accordance with paragraph 3.

(5) The group-level resolution authority shall send the draft joint decision on the group resolution scheme without undue delay to the resolution authorities of the entities covered by the group resolution scheme setting a time limit for providing their agreement to the joint decision on the group resolution scheme.