

Question ID	2015_2099
Status	Final Q&A
Legal act	Directive 2014/59/EU (BRRD)
Topic	Resolution plans
Article	17
Paragraph	2
Subparagraph	-
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	Not applicable
Article/Paragraph	n.a.
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Disclose name of institution / entity	No
Type of submitter	Competent authority
Subject matter	Suspension of resolution plan updates
Question	How do Articles 15(3) and 17(2) of Directive 2014/59/EU (BRRD) interact with each other?
Background on the question	Article 17(2) of Directive 2014/59/EU (BRRD) provides that, if authorities assess that an institution or a group is not resolvable, “the requirement for resolution authorities to draw up resolution plans [...] shall be suspended”. However, under Article 15(3) BRRD the resolvability assessment should be carried out not only while drawing up a resolution plan, but also while updating it.
Final answer	The underlying rationale in both Articles 15(3) and 17(2) BRRD is the same, i.e. if impediments to resolvability are identified in the process of resolvability assessment for the purpose of drawing up or updating the resolution plan, the requirement (but not the prerogative) for the resolution authority to draw up or update the resolution plan is suspended, as per Article 17(2) BRRD, until measures to address impediments to resolvability are proposed by the institution and accepted or ordered by the resolution authority following the process as set out in Article 17(4) BRRD.

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Link	https://www.eba.europa.eu/single-rule-book-qa/-/qna/view/publicId/2015_2099

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