

Declaration of Intention

Fields marked with * are mandatory.

Declaration of Intention (Conflict of Interest Policy EBA/DC/2020/308 of 22/01/2020)

* First name

Kristian

* Surname

Madsen

* Competent Authority / EU institution

Finanstilsynet

* Member State

If an EU institution, please mention N/A

Denmark

* Current EBA involvement and position

Please select all the options applicable to you

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> AMLSC alternate | <input type="checkbox"/> BoS alternate | <input type="checkbox"/> MB alternate | <input type="checkbox"/> ResCo non-voting member |
| <input type="checkbox"/> AMLSC non-voting member | <input type="checkbox"/> BoS non-voting member | <input type="checkbox"/> MB member | <input type="checkbox"/> ResCo observer |
| <input type="checkbox"/> AMLSC observer | <input type="checkbox"/> BoS observer | <input type="checkbox"/> MB observer | <input type="checkbox"/> ResCo voting member |
| <input type="checkbox"/> AMLSC voting member | <input checked="" type="checkbox"/> BoS voting member | <input type="checkbox"/> ResCo alternate | |

* I hereby agree and acknowledge as follows:

1. I am subject to the EBA Decision adopting Rules of Procedure on Professional Secrecy for Non-Staff, EBA DC 2017/199 of 11 September 2017.
2. "EBA Activities" includes, but is not limited to, activities related to my role and responsibilities at the EBA, including any attendance at any meeting whether or not with attendees who are not staff of the EBA, and the production or review of any documents.

3. "EBA Information" means all oral or written information, including facts, data and any other matters, of which I acquire knowledge, directly or indirectly, as a result of my EBA activities whether or not contained in a document of any kind (electronic or on paper or any other medium) that is proprietary to or possessed by the EBA and it has not been made legally public.

4. "Third party" means any legal or natural person other than the EBA, its staff and the parties of the ESFS (as defined in Article 2(2) of the EBA Regulation).

5. I will treat the EBA Information as information subjected to professional secrecy.

6. I will not disclose or permit any other person to disclose any EBA Information received whilst performing my EBA duties to any natural or legal person whatsoever without the EBA's prior consent, except in the following situations:

a) internally within the competent authorities on a need-to-know basis, taking the EBA's Information Classification Policy into account;

b) as stipulated in Article 70(1) and (2) of Regulation (EU) No 1093/2010:

- for the enforcement of acts referred to in Article 1(2) of Regulation (EU) 1093/2010 and in particular for legal procedures for the adoption of decisions,
- when it is necessary for the instruction of cases covered by criminal law.

c) when exchanging information with other national supervisory authorities, central banks, judicial authorities, national courts of auditors, and/or for parliamentary inquiries, in accordance with applicable legislation;

d) when exchanging with national governments, on a need to know basis, and only to the extent necessary for these to be able to perform their functions:

- summaries of the EBA's policy activities;
- information necessary for the determination of the annual budget of the NCA.

7. I shall not divulge any EBA Information containing information or data relating to individual financial institutions received whilst performing their duties to any person or authority whatsoever except in summary or aggregate form, such that individual financial institutions cannot be identified, and only under the exceptions referred to in paragraphs 6(1) and (2) above.

8. I shall, in the performance of my duties:

a) observe confidentiality concerning the EBA's activities insofar as they would not already be in the public domain; in particular take extra care in casual, social, professional or other contact with journalists, financial institutions, credit institutions and individuals operating in the financial markets;

b) be aware and observe the Information Classification Policy, according to which all information owned, used, created, acquired, held or maintained by the EBA is classified into one of the following confidentiality levels: 'PUBLIC', 'EBA REGULAR USE'; 'EBA RESTRICTED USE'; 'EBA CONFIDENTIAL USE';

c) in case of doubt, seek guidance from the EBA as to whether EBA Information may be disclosed;

d) inform the EBA should they become aware of any unauthorised disclosure of EBA Information.

9. If I am a member of the Board of Supervisors and/or the Management Board, as described in Article 1(2) of the EBA DC 2017/199, I shall, in the performance of my duties, ensure that:

a) my respective authority ensure a level of protection equivalent to that of the EBA's as regards EBA Information; and

b) the staff of my respective authority is made aware of and abide by the duty of professional secrecy towards the EBA, under Article 70(3) of Regulation (EU) No 1093/2010.

10. This undertaking shall not apply to any information that I can reasonably prove was known to me before the date of this undertaking or which becomes public knowledge otherwise than as a result of a breach of any of the above undertakings.

11. I acknowledge that improper disclosure of EBA Information may constitute serious misconduct and I may be subject to remedial measures and may be required to make good, in whole or in part, any damage suffered by the Union as a result of such disclosure.

12. I shall continue to be bound by the terms of my declaration after the end of my involvement in the EBA's activities.

13. I acknowledge that, where improper disclosure of information is a criminal offence, I may be prosecuted for such disclosure before a court with relevant jurisdiction, which may include a court of a Member State of the Union.

Yes

*** Date**

17/05/2023

*** Signature** (write your full name)

Kristian Vie Madsen

Background Documents

[EBA CoI Policy for Non-Staff](#)

[EBA RoP on Professional Secrecy](#)

Contact

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