

Call for expression of interest regarding the setting up of the EBA's Banking Stakeholder Group

Introduction

1. In accordance with Article 37 of Regulation (EU) No 1093/2010¹ establishing the European Banking Authority (EBA) (hereinafter referred to as the "Regulation" and the "Authority" respectively), the Authority is required to establish the Banking Stakeholder Group (hereinafter referred to as "the Group") in compliance with requirements stipulated by Article 37 (2) of the Regulation. Article 37 of the EBA Regulation was amended. The amendment entered into force on 1 January 2020. The changes, which relate to the composition, length of mandate, and scope of activities of the Stakeholders Groups, require EBA to revise its selection procedure and launch a call for expression of interest regarding the setting up of a stakeholder group in compliance with the amended EBA Regulation.
2. Members of the Group shall be composed of 30 members. Those members shall comprise of:
 - (i) 13 members representing, in balanced proportions, financial institutions operating in the Union of whom three shall represent cooperative and savings banks;
 - (ii) 13 members representing employees' representatives of financial institutions operating in the Union, consumers, users of banking services and representatives of SME's; and
 - (iii) Four members who are independent top-ranking academics.
3. This Call for expression of interest setting up the Banking Stakeholder Group is open to candidates representing stakeholders across the European Union².

1. The Authority

4. The Authority is an independent EU Authority established on 1 January 2011 by Regulation (EC) No. 1093/2010 of the European Parliament and of the Council of 24 November 2010.
5. The Authority is located in Paris, France.

European Banking Authority
Postal address:

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02010R1093-20140819&from=EN>

² Including non EU Member States of the European Economic Area (Iceland, Liechtenstein and Norway), observers of EBA's Board of Supervisors.

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2. Type: Call for expression of interest

6. Persons wishing to apply for inclusion in the Group as stakeholders representing all the categories mentioned above are invited to do so in accordance with the provisions of this call.
7. The Authority will draw up a list of candidates who meet the criteria set out in section 6 (“Criteria for inclusion in the list”) below. Once the list is constituted, the Authority will select the required number of applicants to become members of the Group. A final decision will be taken by the Board of Supervisors of the Authority who shall appoint the members of the Group following an open and transparent selection procedure. This decision will officially enter into force immediately afterwards. In making its decision, the Board of Supervisors shall, to the extent possible, ensure an appropriate reflection of diversity of the banking sector, geographical and gender balance and representation of stakeholders across the Union.

3. Description of tasks

8. According to Article 37 of the Regulation, the main tasks of the Group are:
 - ▶ to advise the Authority on actions taken in accordance with Articles 10 to 15 of the Regulation concerning regulatory technical standards and implementing technical standards;
 - ▶ to advise the Authority on actions taken in accordance with Article 16 of the Regulation concerning guidelines and recommendations, to the extent that these do not concern individual financial institutions;
 - ▶ to advise the Authority in assessing the potential impact of the proposed draft regulatory and implementing technical standards, guidelines and recommendations, to the extent that these do not concern individual financial institutions.
9. According to Article 37(5) of the Regulation, the Group may submit to the Authority advice on any issue related to the tasks of the Authority with particular focus on the areas listed above and on the following ones, thus:
 - ▶ requesting³, as appropriate, the Authority to investigate the alleged breach or non-application of Union law;
 - ▶ contributing to the Authority’s efforts to establish a European common supervisory culture and consistent supervisory practices;

³ Article 17(2) of the EBA Regulation.



- ▶ advising the Authority on its peer review activity;
- ▶ contributing to the Authority's assessment of market developments.

10. The Authority will therefore be seeking to include stakeholders representing in balanced proportions, financial institutions operating in the Union, representing the diverse models and sizes of financial institutions and businesses, including, as appropriate institutional investors and other financial institutions and businesses which themselves use financial services; small and medium-sized enterprises (SMEs); trade unions; academics whose research and expertise cover varying areas including law, financial market, economics ; consumers; and other retail users of banking services.

11. Members of the Group are bound by confidentiality requirements in relation to all non-public information they are provided with while performing their tasks.

12. The Authority shall ensure adequate secretarial support for the Group and shall make public the advice of the Group, the separate advice of its members, and the results of its consultations, as well as information on how advice and results of consultations have been taken into account.

13. All opinions and advice of the Group shall be drafted in English, which is the working language of the Authority. Interested candidates should note that language interpretation will not be available in the Group's meetings.

4. Place of provision of services

14. The Group shall meet at least 4 times a year in its full composition⁴, and is invited to participate in a Joint meeting with the EBA's Board of Supervisors at least twice a year⁵. The Group is also expected to meet at the Authority's premises, currently located in Paris, France. The meetings will be organised in coordination with the Authority.

5. Compensation

15. Adequate compensation shall be provided to members of the Group representing the non-profit organisations, excluding industry representatives⁶.

16. This compensation shall take into account the members' preparatory and follow-up work and shall be at least equivalent to the reimbursement rates of officials pursuant to Title V, Chapter 1, Section 2 of the Staff Regulations of Officials of the European Union and the

⁴ Article 37(1) of the EBA Regulation.

⁵ Article 40(2) of the EBA Regulation.

⁶ Article 37(4) of the EBA Regulation.

Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68⁷ (the Staff regulations).

17. Travel and accommodation expenses, together with any allowances for attending meetings will be reimbursed in accordance with the reimbursement policy and procedures adopted by the Authority⁸.

6. Criteria for inclusion in the list

18. Members of the Group shall be selected according to their qualifications, skills, relevant knowledge and proven expertise in the area of financial services and taking account of the different nature of the stakeholders affected by the work of the Authority.

19. The Authority shall assess the eligibility of individual candidates against the following mandatory criteria:

- ▶ minimum 4 years of experience relevant to consumer protection in financial services;
- ▶ for other representatives, such as, SMEs, users of banking services and consumers, employees' representatives as well as academics, a minimum of 4 years of experience relevant to the financial services field shall be required;
- ▶ availability to participate in meetings at least 4 times a year and commitment to carry out significant work between meetings to prepare the output of the Group (opinions, position papers, reports etc.);
- ▶ sufficient English written and oral communication skills to enable the candidate to actively participate in the work of the Group.

20. Potential applicants should consider their capacity to take part in more than one of the Stakeholder Groups of the Authority, the European Securities and Markets Authority (ESMA) and the European Insurance and Occupational Pensions Authority (EIOPA) or similar bodies associated with the European Commission (such as the Financial Services User Group, FSUG).

21. Expressions of interest received from interested candidates who are relevant stakeholders should include documentation (see below) demonstrating that the candidate meets the above criteria.

7. Selection of applicants

22. Applications shall be accepted from individuals in their personal capacity including when they represent relevant organisations (EU or national consumer associations). In the event of a successful application, only that natural person who was originally selected by the Authority shall be admitted to the Group. Aside from cases clearly stipulated by the Authority, no

⁷ OJ L56,4.3.1968,p.1

⁸ EBA DC 157rev1 (Decision on Revised Reimbursement Policy)

substitution of natural persons shall be permitted throughout the full duration of the appointment, or during possible renewals. If a member of the Group does not personally attend three consecutive meetings of the Group, they shall be deemed to have resigned.

23. The selection of applicants to be included in the list of experts shall take place by end of May 2020. From this list of experts, the Board of Supervisors of the Authority shall select 30 members to serve for a period of four years.

24. Applicants who are initially not selected to become members of the Group could remain on a list of experts, with the possibility to be invited to become a member of the Group at a later stage during the term of the Group, were a vacancy on the Group to arise. Moreover, in assessing future members of the Group, the Board of Supervisors shall continue to ensure representation of stakeholders across the Union.

25. Applications must be submitted in accordance with the procedures set out below:

- ▶ Application form;
- ▶ Curriculum Vitae (CV); and
- ▶ Motivation Letter.

26. The application form can be downloaded through the following address <https://eba.europa.eu/about-us/organisation/banking-stakeholder-group/application-form> and should be accompanied by a CV. The model European CV (recommended) can be downloaded at the following address: <https://europass.cedefop.europa.eu/documents/curriculum-vitae>. Candidates are invited also to provide a letter of motivation clearly stating the reasons for the application as well as main expectations as to the candidate's future contribution to the work of the Group.

27. Applications must be submitted by no later than 23:59 GMT on ~~3 April 2020~~ 17 April 2020 (the date of receipt is taken as a proof) through the application for online <https://eba.europa.eu/about-us/organisation/banking-stakeholder-group/application-form>.

28. When submitting the application, candidates are requested to complete all requested information including as to any potential conflicts of interest that may be of relevance for the purpose of the selection. The application should be signed by the candidate himself/herself.

29. The Authority shall publish the details of the new members (i.e. full names and nationality) on its website as well as short biographies of the members.

8. Other information

30. Applicants shall be informed of the result of their application by end of June 2020. Unclear or incomplete applications shall not be considered.



31. Applicants are obliged to keep the Authority informed of any change in their situation or address, so that their application may be kept up to date.

32. The Authority shall ensure that candidates' personal data are processed as required by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to processing of personal data by the Community institutions and bodies and on the free movement of such data.

9. Date of publication of the call for expression of interest:

6 March 2020

Article 37 (of the EBA Regulation)

1. To help facilitate consultation with stakeholders in areas relevant to the tasks of the Authority, a Banking Stakeholder Group shall be established. The Banking Stakeholder Group shall be consulted on actions taken in accordance with Articles 10 to 15 concerning regulatory technical standards and implementing technical standards and, to the extent that these do not concern individual financial institutions, Article 16 concerning guidelines and recommendations. If actions must be taken urgently and consultation becomes impossible, the Banking Stakeholder Group shall be informed as soon as possible.
The Banking Stakeholder Group shall meet on its own initiative as necessary, and in any event at least four times a year.
2. The Banking Stakeholder Group shall be composed of 30 members. Those members shall comprise of:
 - (a) 13 members representing, in balanced proportions, financial institutions operating in the Union of whom three shall represent cooperative and savings banks;
 - (b) 13 members representing employees' representatives of financial institutions operating in the Union, consumers, users of banking services and representatives of SMEs; and
 - (c) four members who are independent top-ranking academics.
3. The members of the Banking Stakeholder Group shall be appointed by the Board of Supervisors following an open and transparent selection procedure. In making its decision, the Board of Supervisors shall, to the extent possible, ensure an appropriate reflection of diversity of the banking sector, geographical and gender balance and representation of stakeholders across the Union. Members of the Banking Stakeholder Group shall be selected according to their qualifications, skills, relevant knowledge and proven expertise.
 - 3a. Members of the Banking Stakeholder Group shall elect a Chair from among its members. The position of Chair shall be held for a period of two years.
The European Parliament may invite the Chair of the Banking Stakeholder Group to make a statement before it and answer any questions put by its members whenever so requested.
4. The Authority shall provide all necessary information subject to professional secrecy as set out in Article 70 of this Regulation and ensure adequate secretarial support for the Banking Stakeholder Group. Adequate compensation shall

be provided to members of the Banking Stakeholder Group representing non-profit organisations, excluding industry representatives. This compensation shall take into account the members' preparatory and follow-up work and shall be at least equivalent to the reimbursement rates of officials pursuant to Title V, Chapter 1, Section 2 of the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68⁹ (the Staff Regulations). The Banking Stakeholder Group may establish working groups on technical issues. Members of the Banking Stakeholder Group shall serve for a period of four years, following which a new selection procedure shall take place.

The members of the Banking Stakeholder Group may serve two successive terms.

5. The Banking Stakeholder Group may submit advice to the Authority on any issue related to the tasks of the Authority with particular focus on the tasks set out in Articles 10 to 16, 29, 30 and 32.

Where members of the Banking Stakeholder Group cannot agree on advice, one third of its members or the members representing one group of stakeholders shall be permitted to issue ■ separate advice.

The Banking Stakeholder Group, the Securities and Markets Stakeholder Group, the Insurance and Reinsurance Stakeholder Group, and the Occupational Pensions Stakeholder Group may issue a joint ■ advice on issues related to the work of the ESAs under Article 56 on joint positions and common acts.

4. The Banking Stakeholder Group shall adopt its rules of procedure by a majority of two-thirds of its members.
5. The Authority shall make public the advice of the Banking Stakeholder Group, the separate advice of its members, and the results of its consultations as well as information on how advice and results of consultations have been taken into account.

⁹ OJ L 56, 4.3.1968, p. 1.