



Brussels, 15<sup>th</sup> February 2023

**EACB comments on the EBA's draft Guidelines amending Guidelines EBA/GL/2022/01 to institutions and resolution authorities on resolvability testing**

The members of the EACB gladly take the opportunity to comment on EBA's public consultation on its draft Guidelines amending Guidelines EBA/GL/2022/01 on improving resolvability for institutions and resolution authorities under articles 15 and 16 of Directive 2014/59/EU (Resolvability Guidelines) to introduce a new section on resolvability testing.

Please see below our answers to some of the specific questions (outlined on p. 26 of the consultative document) on which this consultation seeks the feedback.

**Q2 - Do you have any comments on the list of questions to banks included in the self-assessment as set-out in para 124-125?**

The EACB members are of the view that banks should not be expected to assess the authorities' role in the execution of the strategy. If – with reference to the para. 125 (a) – banks are expected to give an assessment of the role of the resolution authority in the execution of the strategy, we would like to point out that the basis of this assessment needs elaboration since it is perceived to be a sensitive topic. In this regard, we are of the view that the EBA (in its role as an authority) should provide all banks with a template for the self-assessment to ensure clear guidance and a level playing field.

Regarding recovery planning, before the banks are expected to describe the resolution capabilities in relation to the recovery planning as outlined in para. 124 (e), the competence between the supervisory and the resolution authority should be clarified. In general, EACB would welcome a clarification of the change of competence in the transition from recovery to resolution.

**Q3 - Do you have any comments on the proposal to require authorities to communicate a multiannual testing programme?**

In our opinion, banks should maintain the right – and responsibility – to create their own testing programmes. In other words, there is no need for authorities to communicate detailed and rigid programmes to the banks.