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I. EUROPEAN UNION

European Central Bank. Application of minimum Reserve Requirements

[REGULATION \(EU\) 2021/378 OF THE EUROPEAN CENTRAL BANK of 22 January 2021 on the application of minimum reserve requirements \(recast\) \(ECB/2021/1\) OJ 3/3](#)

European Central Bank. Balance sheet items of Credit Institutions

[REGULATION \(EU\) 2021/379 OF THE EUROPEAN CENTRAL BANK of 22 January 2021 on the balance sheet items of credit institutions and of the monetary financial institutions sector \(recast\) \(ECB/2021/2\) OJ 3/3](#)

European central bank. Reporting of Funding Plans of Credit Institutions by National Competent Authorities to the ECB

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[authorities to the European Central Bank \(ECB/2021/7\) OJ 12/3](#)

European Central Bank. Annual Supervisory Fees

[Decision \(EU\) 2021/490 of the European Central Bank of 12 March 2021 on the total amount of annual supervisory fees for 2020 \(ECB/2021/8\) OJ 23/3](#)

European Central Bank. External Auditors Central Bank

Recall that in the February newsletter we cited the ECB's Recommendations on Deutsche Bundesbank's external auditor (ECB/2021/4) (2021/C 47/01), and on Eesti Pank external auditor (ECB/2021/5) (2021/C 47/02). OJ 10/02.

Now you can see the Council Decisions, of 22 March 2021, appointing the external auditors who were selected by the central banks, recommended by the Governing Council of the ECB to the European Council.

[COUNCIL DECISION \(EU\) 2021/510 of 22 March 2021 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Deutsche Bundesbank \(OJ 24/3\)](#)

[COUNCIL DECISION \(EU\) 2021/511 of 22 March 2021 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of Eesti Pank \(OJ 24/3\)](#)

Identification of Global Systemically Important Institutions

[COMMISSION DELEGATED REGULATION \(EU\) 2021/539 of 11 February 2021 amending Delegated Regulation \(EU\) No 1222/2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the](#)

Supervisory Reporting of Institutions

COMMISSION IMPLEMENTING REGULATION (EU) 2021/451 of 17 December 2020 laying down implementing technical standards for the application of Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to supervisory reporting of institutions and repealing Implementing Regulation (EU) No 680/2014

There are 1955 pages, most of them with attached forms.

Single Resolution Board. Contributions to its expenditures

COMMISSION DELEGATED REGULATION (EU) 2021/517 of 11 February 2021 amending Delegated Regulation (EU) 2017/2361 as regards the arrangements for the payment of contributions to the administrative expenditures of the Single Resolution Board

InvestEU Programme

REGULATION (EU) 2021/523 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017

Court Decisions

- Judgment of the Court (Third Chamber) of 13 January 2021 - European Commission v Republic of Slovenia (Case C-631/18) - Failure of a Member State to fulfil obligations – Article 258 TFEU – Market for financial instruments – Delegated Directive (EU) 2017/593 – Failure to transpose and/or to notify transposition measures (2021/C 72/03) OJ 1/3

The Court finds that the Republic of Slovenia has failed to fulfil its obligations.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62018CA0631>

- Judgment of the General Court (Tenth Chamber, Extended Composition) of 20 January 2021 - ABLV

Fund (SRF) – Setting of the 2015 and 2018 ex ante contributions – Rejection of the request for a recalculation and a reimbursement of contributions – Action for annulment – Challengeable act – Admissibility – Institution whose licence has been withdrawn – Article 70(4) of Regulation (EU) No 806/2014 – Concept of ‘change of status’ – Article 12(2) of Delegated Regulation (EU) 2015/63 (2021/C 72/29) OJ 1/3

The Court dismisses the appeal and orders the appellant to pay the costs.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62018TA0758>

- Judgment of the Court (Grand Chamber) of 26 January 2021 (Requests for a preliminary ruling from the Bundesverwaltungsgericht) - Johannes Dietrich (C-422/19) and Norbert Häring (C-423/19) v Hessischer Rundfunk (Joined Cases C-422/19 and C-423/19)- Reference for a preliminary ruling – Economic and monetary policy – Article 2(1) and Article 3(1)(c) TFEU – Monetary policy – Exclusive competence of the European Union – Article 128(1) TFEU – Protocol (No 4) on the Statute of the European System of Central Banks and of the European Central Bank – Article 16, first paragraph – Concept of ‘legal tender’ – Effects – Obligation to accept euro banknotes – Regulation (EC) No 974/98 – Whether possible for Member States to impose limitations on payments by means of banknotes and coins denominated in euro – Conditions – Regional legislation precluding the payment in cash of a radio and television licence fee to a regional public broadcasting body (2021/C 88/09) (OJ 15/3)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CA0422>

- Judgment of the General Court (Second Chamber, Extended Composition) of 27 January 2021 - ClientEarth v European Investment Bank (Case T-9/19) - Environment – Financing of a biomass power generation plant in Galicia – Resolution of the Board of Directors of the EIB approving the financing – Access to justice in environmental matters – Articles 9 and 10 of the Aarhus Convention – Articles 10 to 12 of Regulation (EC) No 1367/2006 – Request for an internal review – Refusal of the request as inadmissible – Action for annulment – Admissibility of a ground of defence – Obligation to state reasons – Concept of an act adopted under environmental law – Concept of an act having a legally binding and external effect (2021/C 88/34) (OJ 15/03)

The Court verdict is to annul “the decision of the European Investment Bank (EIB), communicated to ClientEarth by letter of 30 October 2018, rejecting as inadmissible the request for an internal review of the resolution of the EIB’s Board of Directors of 12 April 2018 approving the financing of a biomass power generation plant in Galicia (Spain) which ClientEarth had submitted on 9 August 2018, in application of Article 10 of Council Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies and Commission Decision 2008/50/EC of 13 December 2007 laying down detailed rules for the application of Regulation No 1367/2006 as regards requests for the internal review of

- Appeal brought on 3 December 2020 by Bankia S.A., Asociación Española de Banca, Unicaja Banco, SA, Liberbank, S.A., Banco de Sabadell, S.A., Banco Gallego S.A., Catalunya Banc, S.A., Banco de Santander, S.A., Santander Investment, S.A., Naviera Séneca, A.I.E. Caixabank, S.A., Industria de Diseño Textil, S.A., Naviera Nebulosa de Omega, A.I.E., Banco Mare Nostrum, S.A., Abanca Corporación Bancaria, S.A., Ibercaja Banco, S.A., Banco Grupo Cajatres, S.A.U., Naviera Bósforo, A.I.E., Joyería Tous, S.A., Corporación Alimentaria Guissona, S.A., Naviera Muriola, A.I.E., Poal Investments XXI, S.L., Poal Investments XXII, S.L., Naviera Cabo Vilaboa C-1658, A.I.E., Naviera Cabo Domaio, C-1659, A.I.E., Caamaño Sistemas Metálicos, S.L., Blumaq, S.A., Grupo Ibérica de Congelados, S.A., RNB, S.L., Inversiones Antaviana, S.L., Banco de Caja España de Inversiones, Salamanca y Soria, S.A.U., Banco de Albacete, S.A., Bodegas Muga, S.L., and Aluminios Cortizo, S.A.U. against the judgment of the General Court (Eighth Chamber, Extended Composition) delivered on 23 September 2020 in Joined Cases T-515/13 RENV and T-719/13 RENV, Kingdom of Spain and Others v Commission (Case C-662/20 P) (2021/C 110/15)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62020CN0662>

II. PUBLICATIONSS

Swiss cantonal banks

Thierry Tanquerel,

Honorary Professor University of Geneva

The Cassa Depositi e Prestiti, between public holding company, national promotion bank and industrial turnaround operator

Andrea Pisaneschi

University of Siena

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