

VĚRA JOUROVÁ
Member of the European Commission

02 AOUT 2018

Brussels,
SC/ps/A(18)3295583 – D(18)_____

Dear Honourable Member of the European Parliament,

I refer to your letter addressed to the Governor of the Bank of Portugal dated 20 June 2018 concerning the assessment of the suitability of Mr Carlos Silva, Chairman of the Management Board of Banco Privado Atlântico Europa (BPAE), which you kindly shared with me.

Under Article 91(8) of the Directive 2013/36/EU (Capital Requirements Directive), each member of the management body shall act with honesty and integrity. The European Banking Authority (EBA) was invited under Art 91(12) to issue guidelines on the notions of honesty and integrity. These were delivered on 26 September 2017 and entered into force on 30 June 2018 (EBA/GL/2017/12). In its Guidelines, the EBA clarifies that a member of the management body should be deemed to be of good repute and of honesty and integrity if there are no objective and demonstrable grounds to suggest otherwise. Ongoing prosecutions for a criminal offence should be at least considered in the assessment, without prejudice to the assumption of innocence.

I am not privy to your previous correspondence with the Governor and thus I cannot assess the details of the case. However, I would like to stress that the specific assessment of the suitability of the individual nominees to the position of Chairman of Management Board rests entirely with the appropriate competent authorities.

Yours sincerely,



Věra Jourová

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