



RESOLUTION
**on the results of the pilot study on the Access of Supreme Audit
Institutions to the main financial supervisors in EU Member States**

CC-R-2012-03

The Contact Committee,

Recalling its decision at the 2011 EU Contact Committee meeting to establish the Working Group on Public Audit Deficits with as task to carry out a pilot study on the Access of Supreme Audit Institutions (SAIs) to the main financial supervisors (FSAs) in EU Member States (CC-R-2011-5);

Having noted the results of the pilot project of the Working Group on Public Audit Deficits, which show that

- 1) Seven of the participating fourteen SAIs have the mandate to audit the FSAs;
- 2) Six of the seven SAIs get actual access to bank files of the FSAs, but are restricted in their publishing policy by confidentiality clauses regarding certain information on banks.

Considering that Financial Supervision Authorities (FSA) are the central institutions to control and supervise banks and other financial institutions in the EU Member States and are crucial for prudential oversight and the maintenance of macroeconomic stability;

Considering too that the current financial crisis has demonstrated that not all FSAs have been able to successfully conduct their tasks;

Recalling the negotiations that are currently taking place within the EU on a new Capital Requirements Directive (CRD IV) in which banks, among other things, are required to hold more and better capital and which includes a new governance framework giving supervisors new powers to monitor banks more closely and take action through possible sanctions when they spot risks;

Noting that the CRD IV also proposes that Member States may authorise the disclosure of certain information related to the prudential supervision of institutions to the SAI in their country, but that this can only be done under the condition that these SAIs have a specific mandate defined by national law to investigate or scrutinize the actions of authorities responsible for the supervision of banks and other financial institutions;

Noting further that within the EU discussions are taking place about the future establishment of a European Banking Union, which with major involvement of the European Central Bank might lead to further complications for the possibility of SAIs to audit and report about FSAs. In this regard the European Court of Auditors' mandate to audit the operational efficiency of the management of the



ECB may need to be revised.

Decides to:

- 1) publish the results of this pilot project on the Contact Committee website;
- 2) mandate the Acting Chair of the Contact Committee to bring the results of the pilot project to the attention of European stakeholders, i.e. the European Parliament, the Council and the European Commission;
- 3) end the mandate of the Working Group on Public Audit Deficits by 31 December 2012, considering that its task has been fulfilled, and continue attention for audits of financial supervisors in the Fiscal Policy Audit Network of the Contact Committee;

Invites the participating EU SAIs to:

- 1) publish the results of this pilot project on their websites;
- 2) bring the results of this pilot project to the attention of the national stakeholders in their country with regard to financial supervision, i.e. national parliament, ministry of Finance and the main financial supervisor for prudential oversight;
- 3) indicate whether they would be interested in sharing knowledge and experience in the future, and to explore the possibilities of a parallel audit in this area;

Calls upon all EU SAIs to closely monitor – in accordance with their national audit remit – the developments regarding the Capital Requirements Directive IV and a possible Banking Union, and to examine the implications of these for SAIs, including the creation of new opportunities, with regard to their mandate to audit the functioning of the supervisory activities of FSAs, their access to the information at FSAs, and their reporting possibilities.

Decides to make this resolution available on the Contact Committee website

Estoril, 19 October 2012

SAI Rapporteur:

Algemene Rekenkamer (the Netherlands)