

**RESOLUTION ADOPTED BY THE SENATE STANDING COMMITTEE ON  
FINANCE AND TREASURY ON 11 APRIL 2019 ON EU PROPOSAL (COM (2018)  
135 FINAL) SUBJECT TO A REASONED OPINION ON SUBSIDIARITY**

(RAPPORTEUR: ALBERTO BAGNAI)

The Committee approved the following qualifications under article 144.6 of the Rules of Procedures:

first of all, it should be noted that financial stability, including non-performing loans (NPLs), cannot be considered separately from the broader challenge of macroeconomic stability. During negotiations, the Government should reaffirm the need to strengthen macroeconomic stabilization at EU level. The interplay of "convergence" and "stability" in new EU budget instruments can be misleading, in a context where financial rules are based on inertial indicators like "potential product", which persistently incorporates the effects of recessive shocks. If rules emphasize such hysteresis effect, there can be no actual macroeconomic convergence without an effective stabilization function, for only stabilization can prevent an asymmetric response to macroeconomic shocks from driving countries away from one another. With respect to the European banking system, this means that a comprehensive approach is essential in order to gain an overall view of all challenges, including simultaneous risk sharing and risk reduction measures, and equal consideration of market and credit risks.

The decision of the European Parliament and the European Commission to agree a proposal that only deals with the management of non-performing loans (authorised entities and supervision) does not seem to be as comprehensive as it should have been.

EU authorities should consider a third regulatory instrument envisaging a public entity to manage non-performing loans received from banks.

The Government is urged to assess whether conduct rules for loan servicers and measures to protect loan purchasers are appropriate. The aim is to strengthen the latter, e.g. by enabling a seller to re-purchase non-performing loans, provided that moral hazard is prevented.

The Government is also urged -- during negotiations and decision-making -- to assess the consequences of measures that might lead banks to dispose of NPLs more promptly, to the detriment of the protection of their relationship with creditors, according to a consolidated pattern whereby internal restructuring and management procedures have often turned out to be more effective in terms of debt-recovery and protection of the credit value.

The Government is urged to call on EU institutions to accurately evaluate the impact of this regulatory apparatus, including the dynamics of the real estate market.

Regarding domestic enforcement of this directive, given the sensitive political, economic and social nature of the measure, the Committee shall activate the special procedure under Article 38(1) of Law 24 December 2012, no. 234 "Regulation of Italy's participation in making and enforcing EU policies and legislation", whereby this measure shall be enforced through a dedicated piece of legislation, so as to complete the work done in the consideration stage and also in order to fully profit from the preparatory work for this resolution and for the resolution on regulation COM(2018)134 amending a previous regulation.