


# Chapter 1

## Commission Delegated Regulation (EU) 2016/1075



## Article 101 Finalisation of the assessment or the decision on the need for a group resolution scheme

(1) Upon expiry of the time limit for consultation, and without undue delay taking into account the time limit set out in Article 91 of Directive 2014/59/EU, where applicable, the group-level resolution authority shall finalise its assessment or decision on the need for a group resolution scheme.

The final assessment or decision shall also include an opinion on the need to mutualise national financing arrangements for the purposes of the financing plan in accordance with Article 107 of Directive 2014/59/EU and it shall take into account concerns and divergent views expressed during consultation with amendments as appropriate.

(2) The group-level resolution authority shall provide reasoning for the assessment or for the decision that a group resolution scheme is not needed only if material divergent views and concerns had been raised during consultation.

(3) The group-level resolution authority shall provide an explanation as to why the final assessment did not follow the advice of EBA, if EBA has been consulted.

(4) The group-level resolution authority shall, without undue delay, communicate its final assessment or decision to the members of the resolution college involved in the process.

(5) Where it considers that a group resolution scheme is needed, the group-level resolution authority may decide not to communicate its final assessment or decision as provided for in paragraph 4 and proceed to apply the procedure for preparing the group resolution scheme set out in Article 102.