



Press release

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ECB consults on guide of how to assess buyers of qualifying stakes in banks

- ECB invites comments from banks, investors and other stakeholders involved in bank acquisitions
- Guide clarifies ECB supervisory practices for qualifying holding assessments
- Consultation period ends on 9 November 2022

The European Central Bank (ECB) is today launching a [public consultation](#) on its [draft Guide to qualifying holding procedures](#). The Guide aims to clarify how the ECB assesses applications to acquire qualifying holdings in banks.

A shareholder owning 10% or more of a given bank, or exercising significant influence over it, is said to hold a [“qualifying holding”](#). Prior ECB authorisation is needed to acquire a qualifying holding or to pass certain thresholds, for example 20%, 30% or 50% of a bank’s capital or voting rights. Qualifying holding acquisitions are typically triggered by mergers and acquisitions projects.

The ECB intends for the Guide to qualifying holding procedures to function as a user-friendly handbook. The Guide explains who is obliged to undergo qualifying holding assessments, the documentation required to apply and how the ECB assesses these transactions. It also provides information on complex acquisition structures, the application of the principle of proportionality and specific procedural elements.

The publication of the Guide has the purpose of increasing transparency towards market participants in explaining what the ECB’s supervisory practice is when assessing the acquisition of qualifying holdings. It builds on the applicable legal framework and on experience gained over the years in assessing this type of transactions.

This Guide will complement the ECB’s [Guide on the supervisory approach to consolidation in the banking sector](#), as the two guides have a complementary focus.

European Central Bank

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The consultation on the Guide on qualifying holding procedures starts today and ends on 9 November 2022. The ECB will publish the comments received along with a feedback statement and the final version of the guide.

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