

Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (Text with EEA relevance)

TITLE VII

PRUDENTIAL SUPERVISION

CHAPTER 2

Review Processes

Section III

Supervisory review and evaluation process

Article 99

Supervisory examination programme

1 The competent authorities shall, at least annually, adopt a supervisory examination programme for the institutions they supervise. Such programme shall take into account the supervisory review and evaluation process under Article 97. It shall contain the following:

- a an indication of how competent authorities intend to carry out their tasks and allocate their resources;
- b an identification of which institutions are intended to be subject to enhanced supervision and the measures taken for such supervision as set out in paragraph 3;
- c a plan for inspections at the premises used by an institution, including its branches and subsidiaries established in other Member States in accordance with Articles 52, 119 and 122.

2 Supervisory examination programmes shall include the following institutions:

- a institutions for which the results of the stress tests referred to in points (a) and (g) of Article 98(1) and Article 100, or the outcome of the supervisory review and evaluation process under Article 97, indicate significant risks to their ongoing financial soundness or indicate breaches of national provisions transposing this Directive and of Regulation (EU) No 575/2013;

[^{F1}(b)] ^{F1}

- c any other institution for which the competent authorities deem it to be necessary.

3 Where appropriate under Article 97 the following measures shall, in particular, be taken if necessary:

- a an increase in the number or frequency of on-site inspections of the institution;
- b a permanent presence of the competent authority at the institution;
- c additional or more frequent reporting by the institution;

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- d additional or more frequent review of the operational, strategic or business plans of the institution;
- e thematic examinations monitoring specific risks that are likely to materialise.

4 Adoption of a supervisory examination programme by the competent authority of the home Member State shall not prevent the competent authorities of the host Member State from carrying out, on a case-by-case basis, on-the-spot checks and inspections of the activities carried out by branches of institutions on their territory in accordance with Article 52(3).

Textual Amendments

- F1** Deleted by [Directive \(EU\) 2019/878 of the European Parliament and of the Council of 20 May 2019 amending Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures \(Text with EEA relevance\)](#).