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**Complaint against a Competent Authority**

**concerning a breach or non-application of Union law**

**(Article 17, EBA Regulation***[[1]](#footnote-1)***)**

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| *1. Where a competent authority has not applied the acts referred to in Article 1(2) or has applied them in a way which appears to be a breach of Union law, including the regulatory technical standards and implementing technical standards established in accordance with Articles 10 to 15, in particular by failing to ensure that a financial institution satisfies the requirements laid down in those acts, the Authority shall act in accordance with the powers set out in paragraphs 2, 3 and 6 of this Article.* *2. Upon a request from one or more competent authorities, the European Parliament, the Council, the Commission or the relevant stakeholder group, or on its own initiative and after having informed the competent authority concerned, the Authority may investigate the alleged breach or non-application of Union law.**3. Without prejudice to the powers laid down in Article 35, the competent authority shall, without delay, provide the Authority with all information which the Authority considers necessary for its investigation.* |

To check the admissibility of your complaint, EBA invites you to send all relevant information regarding your complaint.

For your convenience, EBA established a list of useful information and/or documents. This is a non-exhaustive list, as other information/documents may be needed whilst analysing the merits of the complaint.

Please feel free to use this list, or any other format of your choice, for sending EBA’s complaint investigation team the information.

To: legal{at}eba.europa.eu

or

To: EBA - Complaint Investigation (Confidential)

 Floor 18 Tower 42
 25 Old Broad Street
 London EC2N 1HQ

United Kingdom

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| 1. First name and last name of the complainant
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| 1. Where appropriate, represented by
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|       |
| 1. Address or Registered Office[[2]](#footnote-2)
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|       |
| 1. Telephone/fax/e-mail address
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| 1. Competent Authority alleged by the complainant not to have [correctly] applied Union law (Name, address)
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| 1. As far as possible, specify the provisions of Union law (treaties, regulations, directives, decisions, etc.) which the complainant considers to have been infringed/not applied by the Competent Authority concerned.
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| 1. Fullest possible account of facts giving rise to the complaint.
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| 1. Approaches already made to the Competent Authority.

If possible, give the reference assigned to the complainant's approach by the Competent Authority and attach copies of correspondence.  |
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| 1. Details of any other approaches already made to:
2. Other Union bodies or authorities: e.g. European Commission, European Ombudsman
3. Administrative approaches: e.g. complaint to the relevant national administrative authorities- whether central, regional or local - and/or to a national or regional ombudsman
4. Recourse to national courts or other procedures: e.g. arbitration or conciliation. (State whether there has already been a decision or award and attach a copy if appropriate)

If possible, give the reference assigned to the complainant's approach by the body concerned, and attach copies of correspondence. |
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| 1. Specify any documents or evidence which may be submitted in support of the complaint, including the national measures concerned (attach copies)
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| 1. Confidentiality (tick one box):

"I authorise EBA to disclose my identity in its contacts with the authorities of the Member State against which the complaint is made.""I request EBA not to disclose my identity in its contacts with the authorities of the Member State against which the complaint is made."[[3]](#footnote-3) |
| 1. Place, date and signature of complainant/representative
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1. OJ L 331, 15.12.2010, p. 12. [↑](#footnote-ref-1)
2. Please inform the EBA of any change of address and of any event likely to affect the handling of your complaint. [↑](#footnote-ref-2)
3. Please note that the disclosure of your identity by the EBA may, in some cases, be indispensable to the handling of the complaint. Your approval will be requested in advance. [↑](#footnote-ref-3)