European Investment Bank (EIB): amendment of the Statute

2018/0811(CNS) - 15/10/2018 - Legislative proposal

PURPOSE: to amend the European Investment Bank's statute based on the special legislative procedure laid down in Article 308 TFEU.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: Article 308 of the Treaty on the Functioning of the European Union, pursuant to which the European Investment Bank may request the Council to amend the Statute by special legislative procedure.

The United Kingdom is expected to withdraw from the European Union as of 30 March 2019 in accordance with the provisions of Article 50 of the Treaty on European Union.

In accordance with Article 308 of the Treaty on the Functioning of the European Union, the members of the European Investment Bank are the Member States. The withdrawal of the United Kingdom from the European Union shall bring an end to the membership of the United Kingdom in the European Investment Bank, to its subscribed capital in the Bank, to its right to nominate members and alternate members of the Board of Directors, and to the term of office of the members and alternate members of the Board of Directors nominated by the United Kingdom.

The maintenance of the capital of the Bank requires an increase of the capital subscribed by the remaining Member States.

The function of the Board of Directors shall be strengthened, allowing the nomination of additional alternates, and better use shall be made of alternate Board members and non-voting experts to enhance their support to the decision-making process of the Board of Directors, in particular regarding the analysis of financing proposals.

The use of **qualified majority voting** in the Board of Directors and the Board of Governors shall be extended to crucial areas, namely the decision on the Bank's Operational Plan, the appointment of members of the Management Committee and the approval of the Rules of Procedure.

CONTENT: certain of these changes require amendments to the Statute of the European Investment Bank, therefore the board of governors of the EIB has decided to submit the following request to the Council in accordance with Article 308 of the Treaty on the Functioning of the European Union, to amend Protocol (No. 5) on the Statute of the European Investment Bank as follows, and to provide that the amendments take effect immediately on the withdrawal of the United Kingdom from the European Union.

Unless a decision to increase the capital of the Bank has been adopted with effect immediately on or before the withdrawal of the United Kingdom from the European Union, the first sentence shall be replaced by the following: '**the capital of the Bank shall be EUR 204 089 132 500'**.

The Board of Directors shall consist of twenty-eight directors and of alternate directors nominated.

The **alternate directors** shall be appointed by the Board of Governors for five years as shown below:

- two alternates nominated by Germany,
- two alternates nominated by France,
- two alternates nominated by Italy,
- two alternates nominated by common accord of Spain and Portugal,
- three alternates nominated by common accord of Belgium, Luxembourg and the Netherlands,
- four alternates nominated by common accord of Denmark, Greece, Ireland and Romania,
- six alternates nominated by common accord of Estonia, Latvia, Lithuania, Austria, Finland and Sweden,
- nine alternates nominated by common accord of Bulgaria, the Czech Republic, Croatia, Cyprus, Hungary, Malta, Poland, Slovenia and the Slovak Republic,
- one alternate nominated by the Commission.