



C/2024/1404

19.2.2024

**Appeal brought on 4 January 2024 by BNP Paribas Public Sector SA against the judgment of the General Court (Seventh Chamber) delivered on 25 October 2023 in Case T-688/21, BNP Paribas Public Sector SA v SRB**

**(Case C-4/24 P)**

(C/2024/1404)

*Language of the case: French*

**Parties**

*Appellant:* BNP Paribas Public Sector SA (represented by: A. Champsaur, A. Delors, lawyers)

*Other parties to the proceedings:* Single Resolution Board, French Republic, Fédération bancaire française

**Form of order sought**

The applicant claims that the Court should:

- set aside the judgment of the General Court of 25 October 2023, *BNP Paribas Public Sector SA v SRB* (T-688/21);
- grant the form of order sought by BNP Paribas Public Sector at first instance before the General Court regarding the irrevocable payment commitments which it had entered into with the SRB for the contribution periods from 2016 to 2021;
- order the SRB to pay all the costs.

**Grounds of appeal and main arguments**

In the first place, the General Court is alleged to have committed several errors of law.

First, the General Court erred in law in interpreting Article 7(3) of Implementing Regulation (EU) 2015/81 <sup>(1)</sup> in a manner inconsistent with the principles of interpretation of EU law.

Secondly, the General Court infringed Article 70(1) of Regulation (EU) No 806/2014, Article 7(2) and (3) of Implementing Regulation 2015/81 and the principle of equal treatment.

Thirdly, the General Court's reasoning, inasmuch as it is based on Articles 69(1) and 70(4) of Regulation No 806/2014, <sup>(2)</sup> has no legal basis.

Fourthly, the General Court misinterpreted and rendered ineffective Article 7(3) of Implementing Regulation 2015/81 and misinterpreted Article 7(2) thereof.

Fifthly, in the alternative, the General Court erred in law in giving precedence to the general provisions of Article 70(4) of Regulation No 806/2014 and of Article 7(1) of Implementing Regulation 2015/81 over the specific provisions applicable to irrevocable payment commitments laid down by Article 7(2) and (3) of Implementing Regulation 2015/81.

In the second place, the judgment under appeal is vitiated by a failure to state reasons and by contradictory reasoning.

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<sup>(1)</sup> Council Implementing Regulation of 19 December 2014 specifying uniform conditions of application of Regulation No 806/2014 with regard to contributions to the SRF (OJ 2015 L 15, p. 1).

<sup>(2)</sup> Regulation of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a SRM and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 225, p. 1).