

INTERNATIONAL CONFERENCE

on the

EUROPEAN FINANCIAL REGULATION

- Levelling the Cross-Sectoral Playing Field -

An event jointly organised by

**KU Leuven and
Jan Ronse Institute for Company and Financial Law
and with the support of EBI European Banking Institute**

17 January 2020

*Auditorium Provinciehuis
Provincieplein 1
BE-3010 Leuven*

- 08.30 **REGISTRATION AND COFFEE**
- 09.00 **Welcome**
30 years Jan Ronse Institute: **Koen Geens**
- 09.10 **Introduction**
Levelling the cross-sectoral playing field: **Veerle Colaert** and **Danny Busch**
- 09.25 Objectives of financial regulation in the EU: **Eddy Wymeersch**
- 09.45 Functioning of the financial industry: **Monika Marcinkowska**
- 10.05 Regulating FinTech: **Eugenia Macchiavello**
- 10.30 **Break**
- 10.55 Corporate governance for financial institutions: **Marieke Wyckaert** and **Sofie Cools**
- 11.25 Remuneration policy provisions: **Guido Ferrarini**
- 11.45 Outsourcing: **Peter Laaper**
- 12.05 **Panel discussion and Q&A**
Jo Swyngedouw, Head of Financial Stability, AML Supervision and Prudential Policy, NBB
Philippe Lambrecht, Professor UCL, Member of the Belgian Corporate Governance Committee
Kristof Macours, Global Head of Group Dispute Resolution & Legal Risk Anticipation, BNPP
Blanaid Clarke, Professor Trinity College Dublin, Member of ESMA Stakeholder Group
- 12.50 **Lunch**
- 13.50 The scope of protection of financial regulation: **Marc-David Weinberger**
- 14.10 Duty of care in financial regulation: **Veerle Colaert**
- 14.30 Know-your-customer obligations: **Danny Busch**
- 14.50 Conflicts of interest and inducements: **Thomas Incalza**
- 15.10 **Break**
- 15.35 Institutional architecture of financial supervision: **David Ramos**
- 16.05 **Panel discussion and Q&A**
Veerle De Schryver, Director, Financial Services and Markets Authority, Belgium
Herman Cousy, Em. Professor, KU Leuven
Guillaume Prache, Managing Director, BETTER FINANCE
Patricia Goddet, Director FSI Governance, Regulatory & Risk within Deloitte Risk Advisory
- 16.50 **Conclusions**
Veerle Colaert and **Danny Busch**
- 17.00 **END OF CONFERENCE**

ABOUT THE JAN RONSE INSTITUTE

The Jan Ronse Institute for Company Law was established in 1988 in honour of Prof. Jan Ronse (†1988) – a pioneer in Belgian and Dutch company law. Prof. Koen Geens, its director since 1988, and his team put the Institute's research and teaching in company law firmly on the map. Prof. Sofie Cools took over from Koen Geens in 2019.

In view of the ever-increasing impact of finance on society and the exponential increase in financial regulation, Prof. Veerle Colaert and her team have developed the financial law research line since 2011 and in October 2013 the Institute was renamed **Jan Ronse Institute for Company and Financial Law**.

ABOUT THE SPEAKERS

Danny Busch is Professor of Financial Law and Founding Director of the Institute for Financial Law at Radboud University Nijmegen, and a Fellow of the Commercial Law Centre, University of Oxford.

Veerle Colaert is Professor of Financial Law at KU Leuven, Excellence Initiative Professor at Radboud University Nijmegen, and chair of the ESMA Stakeholder Group.

Sofie Cools is Professor of Company Law at KU Leuven.

Guido Ferrarini is Emeritus Professor of Business Law at the University of Genoa, Department of Law and Director of the Centre for Law and Finance, Genoa, and Visiting Professor at Radboud University Nijmegen.

Koen Geens is the Belgian Minister of Justice and Professor of Company Law at KU Leuven.

Thomas Incalza is Postdoctoral FWO Researcher and Visiting Professor of Business and Company Law at KU Leuven and UHasselt and practicing attorney with Quinz.

Peter Laaper is an Assistant Professor at Utrecht University, and is affiliated with the Dutch law firm Keijser Van der Velden.

Eugenia Macchiavello is Assistant Professor in Business and Banking Law at the University of Genoa and Senior Research Fellow at the Genoa Centre for Law and Finance.

Monika Marcinkowska is Professor of Banking and Director of the Institute of Finance at the Faculty of Economics and Sociology of the University of Łódź.

Marc-David Weinberger is Research Assistant at the Economic Law Unit of the Centre for Private Law at the Université libre de Bruxelles and practicing attorney with Meritius.

Marieke Wyckaert is Professor of Company Law at KU Leuven and practicing attorney with Eubelius.

Eddy Wymeersch is Em. Professor at Ghent University

The European Banking Institute

1. Overview

The European Banking Institute is an international center for banking studies resulting from the joint venture of the most highly regarded European academic institutions which have decided to share and coordinate their commitments and structure their research activities in order to provide the highest quality legal and economic studies in the fields of banking regulation and supervision in Europe.

The European Banking Institute's ambition is to become the point of reference for banking regulation research in Europe and an instrument to facilitate the interactions between academia, supervisors, regulators and industry. The close relationship with regulators, supervisors and the private sector is expected to guarantee an academic research production which is state of the art.

The European Banking Institute is strategically located in Frankfurt am Main (Germany) in order to benefit from the proximity to the European Central Bank, the biggest banking supervisor in Europe. The European Banking Institute is registered as a non-profit association "*Eingetragener Verein (e.V.)*" under German laws. The official language of the Institute is English and all its activities will be carried out in English.

2. The Institute

The European Banking Institute (hereafter also "**EBI**" or the "**Institute**") has been created to develop a pan-European research center for banking regulation and supervision which mirrors the pan-European character and the set-up of the SSM (hub and spokes model). EBI focuses on high-quality research into the legal and economic aspects of banking regulation and supervision. The Institute will focus its work in research projects in the field of law, economics and accounting. The Institute shall endeavor to provide academic input to banking regulators, supervisors and the private sector in Europe.

The purpose of the Institute is to conduct high quality research, to distribute knowledge and to promote the dialogue between scholars, regulators, industry representatives and advisors in relation to issues concerning the regulation and supervision of financial institutions and financial markets from a legal, economic and any other related viewpoint. EBI will thus collaborate mainly with European academic institutions and the relevant public and private sector institutions.

At a second stage, the EBI endeavors to develop a policy center with the target to establish a new truly pan-European think tank in the area of banking regulation, supervision and banking resolution and any related areas.

3. Membership

The Founding Members of the EBI are 24 European top-tier universities who have a research focus on banking regulation and supervision. They are the basis of the joint venture and are required, together with any members who will be accepted at a later stage, to contribute to the EBI by participating in research and policy projects. As of today, the Academic Members of the European Banking Institute are the following:

3.1 Academic Members

As of 1 June 2018, the Academic Members of the Institute are the following:

1. Universiteit van Amsterdam, Amsterdam, The Netherlands
2. University of Antwerp, Antwerp, Belgium
3. Πανεπιστήμιο Πειραιώς / University of Piraeus, Athens, Greece
4. Alma Mater Studiorum – Università di Bologna, Bologna, Italy
5. Universität Bonn, Bonn, Germany
6. Academia de Studii Economice din București (ASE), Bucharest, Romania
7. Universidad Complutense, Madrid, Spain
8. Trinity College, Dublin, Ireland
9. Goethe-Universität, Frankfurt, Germany
10. Universiteit Gent, Ghent, Belgium
11. University of Helsinki, Helsinki, Finland

12. Universiteit Leiden, Leiden, The Netherlands
13. KU Leuven Universtiy, The Netherlands
14. Universidade Católica Portuguesa, Lisbon, Portugal
15. Universidade de Lisboa, Lisbon, Portugal
16. Univerze v Ljubljani / University of Ljubljana, Ljubljana, Slovenia
17. Queen Mary University of London, London, United Kingdom
18. Université du Luxembourg, Luxembourg
19. Universidad Autónoma Madrid, Madrid, Spain
20. Johannes Gutenberg University Mainz (JGU), Mainz, Germany
21. University of Malta, Malta
22. Università Cattolica del Sacro Cuore, Milan, Italy
23. Πανεπιστήμιο Κύπρου / University of Cyprus, Nicosia, Cyprus
24. Radboud Universiteit, Nijmegen, The Netherlands
25. BI Norwegian Business School, Oslo, Norway
26. Université Panthéon - Sorbonne (Paris 1), Paris, France
27. Université Panthéon-Assas (Paris 2), Paris, France
28. Stockholms Universitet/University of Stockholm, Stockholm, Sweden
29. Tartu Ülikool / University of Tartu, Tartu, Estonia
30. Uniwersytet Wrocławski / University of Wrocław, Poland
31. Universität Zürich, Zurich, Switzerland

3.2 Supporting Members

European and national banking associations, law and accounting firms, banks and other financial institutions are being admitted as Supporting Members.

As of June 2018, the Supporting Members of the Institute are the following:

- Banking Sector
 1. European Banking Federation (EBF)
 2. European Savings and Retail Banking Group (ESBG)
 3. Association for Financial Markets in Europe (AFME)
 4. *Bundesverband deutscher Banken* / Association of German Banks (BDB)
 5. *Ελληνική Ένωση Τραπεζών* / Hellenic Bank Association (HBA)
 6. *Associazione Bancaria Italiana* / Italian Banking Association (ABI)
 7. *Asociația Română a Băncilor* / Romanian Banking Association (ARB)
 8. *Asociación Española de Banca* / Spanish Banking Association (AEB)
 9. *Nederlandse Vereniging van Banken* / Dutch Banking Association (NVB)
 10. *Fédération Nationale des Caisses d'Épargne* / French association of savings banks (FNCE)
 11. *Deutscher Sparkassen- und Giroverband* / German association of savings banks (DSGV)
 12. *Confederación Española de Cajas de Ahorro* / Spanish confederation of savings banks (CECA)
 13. *Sparbankernas Riksförbund* / Swedish association of savings banks
- Advisory Company
 1. Cleary Gottlieb

4. Working Programme

The EBI is currently engaging in scholarly research in the following areas:

- Enhancements of the Single Rule Book and issues concerning convergence of supervisory practice in the EU;
- Proportionality of banking supervision laws, the limitation of risk orientated approaches and interaction between ICAAP/ILAAP and the SREP process;
- The interaction between early intervention measures and resolution planning and the need for pairing the SSM and SRM objectives;

- Bank business models, structural separation of trading and banking activities and profitability objectives;
- Interaction between macro prudential and micro prudential supervision, discretion of EU authorities and issues concerning a European level playing field;
- The foundations of enhanced supervision of significant and systemically important institutions: accounting, auditing, capital adequacy, cross border risk management and resolvability;
- Alignment of bank supervision, recovery and resolution objectives with principles of common insolvency law;
- Legal systems governing banks and their openness to innovation including FinTech;
- Individual rights in the financial regulatory structure including judicial adjudication of matters concerning market supervision in the EU and an impact assessment of the establishment of a specialised EU court; and
- Corporate governance models and remuneration policies for banks and the implementation of the governance provisions in the CRD IV package.

The EBI will welcome research of high international visibility that also employs innovative methods.

The 2016/2018 Academic Programme also includes:

- a) organising two pan-European conference(s) on banking regulation and supervision every year in Frankfurt;
- b) organising several local conferences every year in collaboration with one or more Academic Members;
- c) organising regular seminars on current topics of banking regulation and supervision;
- d) publishing the *EBI Working Paper Series* which include a selection of the academic researches published by EBI Academic Members;
- e) developing a pan-European policy center.

5. Information

Additional information on the European Banking Institute, its members and governing bodies are available on www.ebi-europa.eu.