

Legal remedies

Any natural or legal person, including resolution authorities, may appeal in front of the Appeal Panel of the SRB against a decision of the Board referred to in Article 10(10), Article 11, Article 12(1), Articles 38 to 41, Article 65(3), Article 71 and Article 90(3) of Regulation (EU) 806/2014, which is addressed to that person, or which is of direct and individual concern to that person. The appeal, together with a statement of grounds, shall be filed in writing at the Appeal Panel at the address of the SRB within six weeks of the date of notification of the decision to the person concerned, or, in the absence of a notification, of the day on which the decision came to the knowledge of the person concerned (Article 85(3) of Regulation (EU) 806/2014).

Proceedings may be brought before the Court of Justice in accordance with Article 263 of the Treaty on the Functioning of the European Union (TFEU) contesting a decision taken by the Appeal Panel or, where there is no right of appeal to the Appeal Panel, by the SRB (Article 86(1) of Regulation (EU) 806/2014). The proceedings provided for in Article 263 TFEU shall be instituted within two months of the publication of the measure, or of its notification to the plaintiff, or, in the absence thereof, of the day on which it came to the knowledge of the latter, as the case may be (Article 263(6) TFEU). In the event that the Board has an obligation to act and fails to take a decision, proceedings for failure to act may be brought before the Court of Justice in accordance with Article 265 TFEU (Article 86(3) of Regulation (EU) 806/2014).

The European Ombudsman is empowered to receive complaints from any citizen of the Union or any natural or legal person residing or having its registered office in a Member State concerning instances of maladministration in the activities of the Union institutions, bodies, offices or agencies, with the exception of the Court of Justice of the European Union acting in its judicial role (Article 228 TFEU).