

Administrative sanction of 19 February 2024 for non-compliance with professional obligations related to prior notification of a qualifying holding in a credit institution

Administrative sanction imposed on

TALABOT INVESTMENTS LLP

Luxembourg, 5 April 2024

Administrative decision

On 19 February 2024 the CSSF imposed an administrative fine amounting to EUR 97 500 on the entity TALABOT INVESTMENTS LLP having its headquarters in London (United-Kingdom).

Legal framework/motivation

The administrative fine was imposed by the CSSF pursuant to Article 63-1 (1)(c) and Article 63-1 (2)(c) of the amended Law of 5 April 1993 on the financial sector (the "LFS"), for non-compliance with the notification requirements of Article 6 (5) of the LFS transposing Article 22 (1) of Directive 2013/36/EU of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions (the "CRD"), TALABOT INVESTMENTS LLP having acquired, in March 2021, a qualifying holding in a credit institution governed by Luxembourg law without obtaining prior authorisation from the European Central Bank.

This sanctioning procedure was led by the CSSF in accordance with Article 18 (5) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.

The professional obligations in relation to which the breaches were observed are set out in particular in the LFS, notably articles 1(25) and 6, and the joint guidelines for the prudential assessment of acquisitions of qualifying holdings in financial institutions (JC/GL/2016/01), as applicable at the time of the facts.

The administrative fine is imposed on the acquiring entity; the administrative breaches here observed do not interfere with the banking activities performed by the credit institution.

Legal bases for the publication

This publication is made pursuant to the provisions of Article 63-3 (1) of the LFS, the CSSF having considered that the present publication does not seriously jeopardise the financial markets or cause disproportionate harm to the parties involved.

Context and major cases of non-compliance with the professional obligations identified

The prior assessment of the proposed acquirers aiming at ensuring the sound and prudent management of the credit institutions in scope of the qualified acquisitions, this administrative fine follows the *ex-post* observation of the acquisition by TALABOT INVESTMENTS LLP of a qualifying holding in a credit institution governed by Luxembourg law without prior notification, as well as the numerous reminders that had to be sent to this acquirer so that their *ex-post* authorisation procedure is duly submitted.