

Il-Ministru għall-Finanzi, l-Onor Clyde Caruana jipproponi:

Wara li kkunsidra l-Artikolu 308 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea, li jistabbilixxi li l-Bank Ewropew tal-Investment (BEI) jista' jitlob lill-Kunsill biex jemenda l-Istatut bi proċedura legiżlattiva speċjali;

Wara li kkunsidra li l-Artikolu 16.5 tal-Istatut tal-BEI li jistabbilixxi limitu għall-attivitajiet ta' dejn iffirmit totali (Proporzjon ta' Ingranagg), limitu fuq attivitajiet ta' ekwità żborżata u allokazzjoni speċifika ta' riżerva għal attivitajiet speċjali;

Billi l-Bank Ewropew tal-Investment huwa sugġett għar-reviżjoni kkummissjonata mill-G20 tal-oqfsa tal-adeqwatezza tal-kapital (ir-Revizjoni CAF), tal-Banek Multilaterali tal-Iżvilupp;

Billi waħda mir-rakkomandazzjonijiet li tohròg mir-Revizjoni CAF kienet li l-Banek Multilaterali tal-Iżvilupp inehhu l-limiti ta' tislif statutorju mill-istatuti tagħhom;

Billi Banek Multilaterali tal-Iżvilupp ohrajn qed jieħdu azzjoni biex jemendaw l-istatut tagħhom fir-rigward tal-limiti ta' tislif statutorju, b'rispons għar-rakkomandazzjoni tar-Revizjoni CAF;

Billi r-rakkomandazzjoni tar-Revizjoni CAF dwar it-tnehhija ta' limiti ta' tislif fiss mill-istatuti tal-Banek Multilaterali tal-Iżvilupp titmexxa bil-pjan li l-korpi governattivi rilevanti tal-Banek Multilaterali tal-Iżvilupp jinghataw awtorità shiha fuq il-metrika tal-ġestjoni tar-riskju u l-metrika tal-ingranagg;

Billi hemm sejha unanima biex il-Grupp tal-BEI jkollu rwol ferm aktar importanti biex jagħlaq id-distakk tal-investment fl-Ewropa, biex tissaħħaħ il-produttività tal-Ewropa, il-koeżjoni soċjali u territorjali, l-azzjoni dwar il-klima, il-paċi, is-sigurtà u awtonomija strateġika miftuħa, biex jirrispondi għall-isfidi globali u jsaħħaħ leħnu fil-kuntest ġeopolitiku l-ġdid;

Billi l-Pjan Direzzjonali Strateġiku 2024-2027 tal-Grupp tal-BEI huwa maħsub biex tinghata attenzjoni għal din is-sejha billi l-Grupp tal-BEI jkun jista' jmexxi l-kapital tiegħu b'mod effiċjenti, filwaqt li fl-istess hin jissalvagwardja s-saħħa finanzjarja tiegħu u jippreserva protezzjoni adegwata tal-kapital;

Billi huwa mistenni li l-attivitajiet tal-Grupp tal-BEI taħt il-Pjan Direzzjonali Strateġiku 2024-2027 kienu se jkunu ristretti b'mod sever mill-Proporzjon ta' Ingranagg, li bħalissa jillimita d-daqs tal-espozizzjoni nominali globali tal-Grupp għal 250%, minghajr ma titqies il-kwalità tal-portafoll tal-Grupp tal-BEI, u lanqas it-titjib tal-kreditu bħall-garanziji mill-baġit tal-UE, u

b'mod speċjali jippenalizza l-investimenti tal-ekwità, bħal dawk tal-Fond Ewropew tal-Investment;

Billi huwa mixtieq li jiġi stabbilit kunsens fost l-azzjonisti tal-BEI qabel kwalunkwe aġġustament fil-Proporzjon ta' Ingranaġġ, biex għaldaqstant jiġġustifika r-rekwiżit għal approvazzjoni unanima tal-Proporzjon ta' Ingranaġġ mill-Bord tal-Gvernaturi;

Billi l-Bord tal-Gvernaturi fil-21 ta' Ġunju 2024 unanimament iddeċieda li jżid il-limitu tal-Proporzjon ta' Ingranaġġ għal 290%, sabiex il-Grupp tal-BEI jkun jista' jibni fuq il-pożizzjoni tal-kapitali soda, il-ġestjoni tar-riskju u l-qafas ta' governanza robusti tiegħu u juża l-potenzjal shih tiegħu b'appoġġ għall-prijoritajiet tal-UE u jagħlaq id-distakk fl-investment, b'din iż-żieda tkun soġġetta għall-approvazzjoni, u d-dhul fis-sehħ, ta' din l-emenda proposta tal-paragrafu 5 tal-Artikolu 16 tal-Istatut tal-BEI mill-Kunsill;

Billi l-Bank Ewropew tal-Investment talab lill-Kunsill, skont il-proċedura stipulata fl-Artikolu 308 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea, biex jemenda l-Protokol (Nru 5) dwar l-Istatut tal-Bank Ewropew tal-Investment u dan jeħtieġ li jiġi rratifikat mill-partijiet kollha sabiex jiġi fis-sehħ;

Billi s-subartiklu (2) tal-artiklu 2 tal-Att dwar l-Unjoni Ewropea (Kapitolu 460 tal-Liġijiet ta' Malta), jipprovdi li din ir-risoluzzjoni għandha tiġi l-ewwel sottomessa għall-eżami mill-Kumitat Permanenti għall-Affarijiet Barranin u Ewropej (jew dak il-Kumitat Permanenti li minn żmien għal ieħor jissostitwixxi l-istess Kumitat);

Billi l-istess subartiklu (2) tal-artikolu 2 tal-Att dwar l-Unjoni Ewropea jipprovdi wkoll li l-Kumitat Permanenti għall-Affarijiet Barranin u Ewropej għandu jiltaqa' fi żmien hmistax-il jum minn meta tkun giet intavolata l-mozzjoni f'liema terminu għandu jsir rapport lill-istess Kamra dwar il-mozzjoni u d-diskussjoni dwarha f'dak il-Kumitat mill-President tiegħu, u l-Kamra għandha wara l-preżentazzjoni ta' dak ir-rapport tipproċedi għal dibattitu u votazzjoni dwar dik il-mozzjoni;

Għalhekk issa din il-Kamra tirrizolvi li tawtorizza lill-Gvern ta' Malta sabiex jirratifika t-test emendat tal-paragrafu 5 tal-Artikolu 16 tal-Istatut tal-BEI, li jinsab anness ma' din ir-risoluzzjoni.



Clyde Caruana  
Ministru għall-Finanzi

24 ta' Frar 2025

L-Artikolu 16(5), l-ewwel subparagrafu, tal-Istatut tal-Bank Ewropew tal-Investment għandu jiġi emendat skont kif ġej:

“L-ammont totali ta’ self u garanziji mogħtija mill-Bank m’għandux jaqbeż proporzjon massimu tal-kapital sottoskritt, tar-riżervi, tal-ammonti mhux allokatu u tal-eċċess fil-kont ta’ qligħ u t-telf tiegħu li jiġi stabbilit mill-Bord tal-Gvernaturi li jaġixxi b’mod unanimu. Dan l-ammont totali għandu jitnaqqas b’ammont daqs l-ammont sottoskritt, imħallas jew mhux, ta’ kull parteċipazzjoni fil-kapital mill-Bank.”

Il-kumpliment tas-subparagrafi tal-Artikolu 16(5) ma jinbidlux.



Clyde Caruana  
Ministru għall-Finanzi

24 ta’ Frar 2025



Council of the  
European Union

Brussels, 11 September 2024  
(OR. en)

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**Interinstitutional File:  
2024/0803(CNS)**

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**ECOFIN 968**

**PROPOSAL**

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From:	B. BALKE, Secretary General, European Investment Bank J. M. FERNÁNDEZ MARTÍN, General Counsel, European Investment Bank
date of receipt:	28 August 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
Subject:	Amendment of the EIB's Statute - Request to launch the Article 308 procedure

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Delegations will find attached the European Investment Bank (EIB) request to launch the Article 308 of the TFEU procedure in order to amend the EIB's Statute.

HAVING REGARD TO Article 308 of the Treaty on the Functioning of the European Union, pursuant to which the European Investment Bank (EIB) may request the Council to amend the Statute by special legislative procedure,

HAVING REGARD TO Article 16.5 of the Statute of the EIB establishing a limit on the total signed debt operations (Gearing Ratio), a limit on disbursed equity operations and a specific allocation of reserve for special activities,

WHEREAS the European Investment Bank was subject to the G20 commissioned review of Multilateral Development Banks' capital adequacy frameworks (the CAF Review),

WHEREAS one of the recommendations stemming from the CAF Review was that Multilateral Development Banks remove statutory lending limits from their statutes,

WHEREAS other Multilateral Development Banks are taking action to amend their statutes in respect of statutory lending limits, in response to the CAF Review recommendation,

WHEREAS the CAF Review recommendation on removing fixed lending limits from the statutes of Multilateral Development Banks is carried by the intention to give Multilateral Development Banks' relevant governing bodies full authority over risk management metrics and leverage metrics,

WHEREAS there is a unanimous call for the EIB Group to play an even more important role to close Europe's investment gap, to strengthen Europe's productivity, social and territorial cohesion, climate action, peace, security and open strategic autonomy, to respond to global challenges and reinforce its voice in the new geopolitical context,

WHEREAS the EIB Group's 2024-2027 Strategic Roadmap is intended to heed this call by enabling the EIB Group to deploy its capital in an efficient manner, while at the same time safeguarding its financial strength and preserving adequate capital buffers,

WHEREAS it is expected that the EIB Group's activities under the 2024-2027 Strategic Roadmap would be severely constrained by the Gearing Ratio, which currently limits the size of the Group's overall nominal exposure to 250%, without accounting for the quality of the EIB Group's portfolio, nor credit enhancements such as guarantees from the EU budget, and especially penalises equity investments, such as those of the European Investment Fund,

WHEREAS the establishment of consensus amongst the shareholders of the EIB is desirable prior to any adjustments to the Gearing Ratio, thereby justifying the requirement of a unanimous approval of the Gearing Ratio by the Board of Governors,

WHEREAS the Board of Governors unanimously decided on 21 June 2024 to increase the Gearing Ratio limit to 290%, in order to enable the EIB Group to build on its strong capital position, robust risk management and governance framework and deploy its full potential in support of EU priorities and close the investment gap, this increase being subject to the approval, and entry into force, of the hereby proposed amendment of Article 16, paragraph 5, of the Statute of the EIB by the Council,

**THE BOARD OF GOVERNORS OF THE EUROPEAN INVESTMENT BANK HAS THEREFORE DECIDED TO SUBMIT THE FOLLOWING REQUEST TO THE COUNCIL IN ACCORDANCE WITH ARTICLE 308 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION:**

The European Investment Bank hereby requests the Council, in accordance with the procedure set out in 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.

Article 16, Paragraph 5, first sub-paragraph, shall be amended to read as follows:

'The aggregate amount outstanding at any time of loans and guarantees granted by the Bank shall not exceed a maximum ratio in respect of its subscribed capital, reserves, non-allocated provisions and profit and loss account surplus to be established by the Board of Governors acting unanimously. The latter aggregate amount shall be reduced by an amount equal to the amount subscribed (whether or not paid in) for any equity participation of the Bank.'

The remaining sub-paragraphs of Article 16, Paragraph 5, shall remain unchanged.

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