

### 3. What Role for the Court of Justice?

*Miro Prek*, Judge, General Court of the EU

### 4. What Role for National Courts?

*Olivier Voordeckers*, University of Luxembourg

12:20 Open discussion

12:40 Lunch break

### 14:00 Session V: Administrative and Criminal Enforcement: Enemies or Allies?

Chair: *Isabelle Riassetto*, University of Luxembourg

#### 1. Banking Supervision as a Tool to Detect Financial Crimes. The Case of Money Laundering

*Max Braun*, C  llule de renseignement financier,  
Luxembourg Prosecution Service

#### 2. Information and Evidence Sharing between Administrative and Criminal Authorities

*Michiel Luchtman*, Utrecht University

#### 3. Shifting Paradigms between Administrative and Criminal Sanctions: The Case of the SSM

*Raffaele D'Ambrosio*, Banca d'Italia

#### 4. Two Enforcement Systems and Two Sets of Procedural Safeguards?

*Giulia Lasagni*, University of Luxembourg

### 16:00 Concluding remarks

#### 1. The Road Ahead: Toward and Integrated Enforcement at European Level

*Silvia Allegrezza*, University of Luxembourg

16:30 Closing of the conference

#### Venue

Banque centrale du Luxembourg  
2 Boulevard Royal, Luxembourg  
Cit   judiciaire, B  timent Commun  
Plateau du Saint Esprit, Luxembourg

#### Language

English

#### Scientific Committee

Silvia Allegrezza  
Olivier Voordeckers

#### Funding Institution

Fonds National de la Recherche, Luxembourg

#### Information and Registration

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Limited number of available places.  
Attendance is free of charge  
but registration is required.

FACULTY OF LAW, ECONOMICS AND FINANCE



# CONFERENCE

## Toward an Integrated Enforcement of Banking Regulation: The Case of the Single Supervisory Mechanism

29 & 30 November 2018

**EBI** European  
Banking  
Institute

**Fonds National de la  
Recherche Luxembourg**

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# Programme

Thursday, 29 November 2018

## Opening Ceremony: Banque centrale du Luxembourg

12:00 Welcoming light lunch

### 12:15 Welcoming addresses:

*Gaston Reinesch*, Gouverneur de la Banque centrale du Luxembourg

*Francis Delaporte*, Président de la Cour administrative et Vice-président de la Cour constitutionnelle, Luxembourg

*Sonja Lohse*, SSM Enforcement Network, Finnish Financial Supervisory Authority

*Katalin Ligeti*, Dean of the Faculty of Law, Economics and Finance

*Enrico Leone*, Chancellor of the European Banking Institute

### 12:30 Introduction: The EUBAR Project

*Silvia Allegrezza*, University of Luxembourg, Principal Investigator of the EUBAR

### 12:45 Opening speech: Four Years of the SSM: Achievements and Challenges

*Petra Senkovic*, European Central Bank, Secretary to the Supervisory Board

## Cité judiciaire, Bâtiment Commun

### 14:15 Session I: Enforcing Banking Regulation in a Post-crisis Setting. What role for criminal law?

Chair: *André Prüm*, University of Luxembourg

#### 1. Choosing between Criminal and Administrative Enforcement. An Analysis from a Criminal Policy Perspective

*John Vervaele*, Utrecht University

#### 2. Is There a Need for Further Criminalization in order to Fight Illegal Financial and Banking Activities?

*Jonathan Foster*, UK Financial Conduct Authority, London

#### 3. Administrative Sanctions as "Quasi-criminal" Sanctions: What European Constitutional Framework?

*Paulo Pinto de Albuquerque*, European Court of Human Rights

#### 4. Ne Bis In Idem as a Regulatory Tool? Scope and Limits of the Ne Bis In Idem Principle in the Field of Financial Crimes

*Francesco Viganò*, Italian Constitutional Court, Bocconi University

15:30 Open discussion

15:45 Coffee break

### 16:00 Session II: Crisis-driven Reforms on Banking Supervision

Chair: *Pierre-Henri Conac*, University of Luxembourg

#### 1. Ethics and Banking. What Regulation?

*Sir William Blair*, Queen Mary University of London

#### 2. Prudential Banking Supervision in the EU: Principles, Rules, Treaty Limits

*Marco Lamandini*, University of Bologna

#### 3. Centralising Banking Supervision in the Eurozone: From Legal-risk to Conduct-risk Model

*Christos Hadjiemmanuil*, London School of Economics and University of Piraeus

#### 4. The Role of Law in Fostering Individual Accountability within Banks

*Blanaid Clarke*, Trinity College Dublin

18:00 Open discussion

18:30 End of the first day

Friday, 30 November 2018

## Cité judiciaire, Bâtiment Commun

### 9:00 Session III: Enforcement and Sanctions of Banking Regulation across the Atlantic

Chair: *Sonja Lohse*, Chair of the SSM Enforcement Network

#### 1. Enforcement and Sanctions in the American System of Banking Supervision

*Monica Freas*, Enforcement Director, Office of the Comptroller of the Currency, a bureau of the US Treasury

#### 2. Investigatory Powers, Decisional Powers and Procedural Safeguards in the SSM

*Jordi Viquer Pont*, Single Supervisory Mechanism

#### 3. Immunities, Confidentiality and Secrecy in Banking Investigations

*Carmen Hernández Saseta*, European Central Bank

#### 4. The Role of the NCAs in a Shared Enforcement Model

*Peter Jedlicka*, Financial Market Authority, Liechtenstein

10:45 Open discussion

11:00 Coffee break

### 11:20 Session IV: Judicial Review in the SSM. Internal and External Control on Investigative and Sanctioning Powers

Chair: *Marino Perassi*, Banca d'Italia

#### 1. Discretionary Powers and Judicial Control within the EU

*Joana Mendes*, University of Luxembourg

#### 2. Nature, Role and Powers of the SSM Administrative Board of Review

*Concetta Brescia Morra*, University of Roma Tre, SSM Administrative Board of Review