



Bail-in: Decreto legislativo 6/11/2015, n. 180 (Italian Edition)

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Dal 1° gennaio è pienamente applicabile la Direttiva BRRD (Bank Recovery and Resolution Directive), recepita in Italia dai D.lgs. n. 180 e 181 del 16 novembre 2015. La normativa introduce nuove regole volte a prevenire e gestire le crisi di banche e imprese di investimento. Le nuove regole introducono una serie di misure che hanno lo scopo di rendere più difficile e raro il manifestarsi di nuove crisi e, al contempo, intendono gestire le eventuali crisi utilizzando risorse private - presenti all'interno della banca stessa - in modo da evitare che il costo dei salvataggi gravi sui contribuenti e sul deficit pubblico. Se, nonostante il rafforzamento dell'attività preventiva di vigilanza si dovesse manifestare la crisi di una banca, le Autorità di Risoluzione (in Italia, Banca d'Italia) potranno avviare la procedura di Risoluzione ed applicare una serie di misure, tra le quali il cosiddetto Bail-in. Con il Bail-in gli azionisti ed i creditori della banca possono essere chiamati a contribuire con i propri fondi all'assorbimento delle perdite, secondo una precisa gerarchia.

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