



PRESS RELEASE

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Statement by the Banco de España

In recent days, various news items in the media have covered a number of issues relating to certain documentation produced by the Banco de España upon the request of the judicial authorities.

Some of these news items questioned why certain e-mails, submitted on 11 October at the request of Criminal Court No. 4 of the Spanish National High Court, were not included in the previous production in September, along with another batch of messages, which were sent, like the newly produced ones, in 2011.

The first batch of e-mails, submitted to the aforementioned Court on 2 September, included those detailing, in accordance with the request of the judicial authority, the agendas and conclusions of the ordinary and extraordinary meetings held between the BFA-Bankia Group monitoring team and its counterparts in this banking group during the course of 2011.

The e-mails sent on 11 October are, like those previously sent, informal communications between members of the team entrusted with the supervision of the BFA-Bankia group. However, they do not refer to the agendas or conclusions of meetings between the monitoring team and managers of the Bankia Group, which explains why they were not included in that first set of documents.

The disclosure of confidential information by the Banco de España to the judicial authorities in criminal proceedings always includes a reference to the Law establishing the duty of confidentiality, specifying those provisions that authorise and regulate such disclosure, which is always in line with the criteria specified in the request. As these submissions of documentation constitute exceptions to the legal duty of confidentiality to which the Banco de España is subject, the Law only authorises the data and documents that the judicial authority has requested to be produced, the Banco de España having no discretion, when searching for information, to apply criteria other than those specified in the relevant application.

Moreover, it should be noted that all submissions of documentation to courts and tribunals by the Banco de España are, without exception, accompanied by an official letter describing the information requested and that produced in response to the request received, with details of its content. The documents disclosed on 2 September were accompanied by the relevant letter and also, given the volume and complexity of the documentation, by a summary table for easier consultation. The e-mails produced in October were also accompanied by the relevant official letter.

In compliance with its duty to cooperate with the administration of justice, the Banco de España will continue to respond, as it always has done, with utmost rigour and diligence to every request for information that it may receive from the judicial authorities.

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