

Radboud Business Law Talk 13 December 2019

Prof. Jens-Hinrich Binder

Almighty - but powerless? The role of the Resolution Authority and private law.

Professor Binder's presentation will discuss the role of the Resolution Authority in the European framework for the resolution of systemically relevant banks, established by the BRRD and the SRM Regulation. It will review, in particular, the authorities' powers to restructure the relevant banks' contractual relationships with counterparties (customers and/or other financial intermediaries). Building on recent research, the absence of powers to adequately address disputed claims will receive particular attention. The presentation will develop ideas put down in Prof. Binder's paper on *Bank Bail-In and Disputed Claims: Can It Cope? The Case for and against a Vis Attractiva Resolutionis* (January 30, 2019). European Banking Institute Working Paper Series 2019 – no. 32. Available at [SSRN](#) or [DOI](#).

Concise biography

Jens-Hinrich Binder has been Professor of Private Law, Commercial Law, Company and Securities Law at Eberhard Karls University Tübingen since 2013, having previously held a Chair in Private Law, Company and Banking Law at EBS Law School, Wiesbaden. He holds a PhD in law from Albert Ludwigs University Freiburg (2003), as well as an LL.M. in Banking and Finance Law (University of London / London School of Economics and Political Science, 2001). His main research areas are financial law and company law. He has lectured at numerous universities and other institutions in Germany and abroad, and has been visiting professor at Università Cattolica del Sacro Cuore, Milan (2019), the International Hellenic University, Thessaloniki (2019), and the East China University of Law and Politics, Shanghai (2017). He is a Fellow Academic Member of the European Banking Institute and a Fellow at the Institute of Finance and Financial Regulation, University of Piraeus, and has been consulted as an external adviser by national, European and international organisations. He is co-editor of *Zeitschrift für Bankrecht und Bankwirtschaft / Journal of Banking Law and Banking*, a leading German banking law review, and is a member of an advisory panel on financial law and regulation with the German Federal Ministry of Finance.