



**INTERNAL AUDIT REPORT  
REPORT PROVIDED FOR IN LAW 10/2014 OF 26 JUNE 2014 ON THE  
REGULATION, SUPERVISION AND SOLVENCY OF CREDIT  
INSTITUTIONS**

## 1. Introduction

Article 55 bis of Law 10/2014 of 26 June 2014 on the regulation, supervision and solvency of credit institutions (LOSS)<sup>1</sup> establishes that "the Banco de España shall prepare an annual report on its supervisory function, describing the supervisory actions undertaken and procedures followed, permitting information to be gained on the effectiveness and efficiency of these procedures and actions". It also provides that such annual report shall include a report by the internal control body on the conformity of the decisions taken by the governing bodies of the Banco de España with the procedural regulations applicable in each case. This annual report shall be approved by the Governing Council of the Banco de España and sent to the Spanish Parliament and Government.

The Banco de España's 2023 Annual Internal Audit Plan includes the drafting of the report provided for in the above-mentioned LOSS, so that it may be included in the Banco de España's Annual Report on its supervisory function, referred to above.

## 2. Purpose, scope and methodology of the report

This report falls within the bounds of the legal mandate contained in Article 55 bis 2 of the LOSS, which, as indicated above, defines the scope of the report, by reference to three basic elements:

- 1) The supervisory function of the Banco de España.
- 2) The decisions taken by the governing bodies in exercise of the supervisory function.
- 3) The conformity of the foregoing decisions with the procedural regulations applicable.

As regards the reporting period, the report refers to the decisions taken by the Executive Commission in 2023, or submitted to the Governing Council for approval, and the decisions adopted by delegation and notified to the Executive Commission in 2023. The subject matter of the report relates to the decisions taken, in the exercise of the supervisory function, by the Banco de España's governing bodies within the spheres of competence of the Directorate General Banking Supervision; the Directorate General Financial Stability, Regulation and Resolution; the Directorate General Operations, Markets and Payment Systems; the Directorate General Financial Conduct and Banknotes; and the General Secretariat.

Regarding applicable regulations, the supervisory powers and procedures set out in Law 13/1994 of 1 June 1994 on the Autonomy of the Banco de España and in the Internal Rules of the Banco de España were taken into account, together with those established by the Single Supervisory Mechanism regulations, primarily Council Regulation (EU) No 1024/2013 of 15 October 2013 and Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014.

On 2 November 2012, procedural rules were laid down on the reporting of matters to the Executive Commission applicable to all the Banco de España's Directorates General. These rules are complemented by other specific rules of certain Directorates General which were also approved by the Executive Commission of the Banco de España.

Likewise, by means of a Resolution of 10 December 2019, the Executive Commission approved the regime governing the delegation of powers, published in the Official State

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<sup>1</sup> With regard to the supervisory report on its actions and procedures, the obligation is provided for in the LOSS due to the double amendment introduced by Law 6/2023 of 17 March 2023 on Securities Markets and Investment Services. Until the previous supervisory report, the obligation of the Banco de España was set out in the Securities Market Law, consolidated by Royal Legislative Decree 4/2015 of 23 October 2015.

Gazette No. 311 of 27 December 2019,<sup>2</sup> and which provides for the delegation of signature and callback of delegated powers.

To review the decisions adopted by the Executive Commission and the decisions adopted by delegation, random sampling was performed by Directorate General.<sup>3</sup>

The work was conducted in accordance with the Internal Audit Manual, which includes the International Standards for the Professional Practice of Internal Auditing, approved by the Institute of Internal Auditors, including those relating to the Code of Ethics.

### 3. Opinion

In our opinion, the decisions adopted by the governing bodies of the Banco de España in 2023, in the exercise of its supervisory function, were taken by bodies with sufficient own or delegated powers in accordance with the Internal Rules of the Banco de España and with the provisions laid down by its Executive Commission, and conformed, in all material respects, with the applicable procedural rules existing in each case.

Madrid, 5 March 2024

Director of the Internal Audit Department

Luis E. Pardo Merino

GOVERNOR OF THE BANCO DE ESPAÑA

DEPUTY GOVERNOR OF THE BANCO DE ESPAÑA

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<sup>2</sup> In force since 28 December 2019. The Resolution of 10 December 2019 was subsequently amended by the agreements of 8 September 2020 (Official State Gazette No. 243 of 11 September 2020), 27 July 2021 (Official State Gazette No. 180 of 29 July 2021), 3 May 2022 (Official State Gazette No. 107 of 5 May 2022) and 8 November 2023 (Official State Gazette No. 275 of 17 November 2023) of the Executive Commission of the Banco de España.

<sup>3</sup> The random sampling was performed by establishing two groups for each Directorate General: one for resolutions adopted directly by the Executive Commission and another for decisions adopted by delegation of powers. Also, other decisions have been included in the sampling when, based on an audit criterion, they would be deemed appropriate to obtain an adequate opinion.