

Personal information

Irene Mecatti



Citizenship: Italian

📍 Via Mattioli n. 10, 53100 Siena (Law Department) (job address)

mail irene.mecatti@unisi.it

🌐 <https://docenti.unisi.it/it/mecatti>

Education and academic titles

- Adjunct Professor of Corporate and Banking Law – Law Department – Siena University
- Lecturer in Commercial Law (since 2005)
- Italian Lawyer/Barrister (since 2005)
- Research fellowship Charles University – Faculty of Law – Prague (2005)
- Phd in Banking and Financial Markets Law – Faculty of Economy – Siena – PhD thesis on European Deposit Protection Schemes (2004)
- Master of Laws (LLM) with merit – Faculty of Laws - University College London – United Kingdom (2003)
- Research Fellowship - University of Oxford – Faculty of Law (2001)
- Law degree University of Siena -Italy – Mark 110/110 *Summa cum laude* (1999)
- High School Diploma – Italian Literature and Philosophy – Liceo Classico “F. Petrarca” Arezzo (1993)

Personal skills

Italian: Mother tongue
Other language: English
understanding: C2
speaking: C2
writing: C2

Communication skills

Excellent verbal and written communication skills both in an office environment and with external stakeholders. Experienced at giving presentations and lectures to large audiences both in English and Italian

Work experiences

Academic member of the Phd in Legal Science (Phd Siena-Foggia)

Academic jury member, PhD dissertation of Ioannis Asimakopoulos (title “The

resolution of Retail Banks: Balancing Proportionality and Standardisation),
University of Luxemburg 22/2/2022

Member of the European Society for Banking and Financial Law
(<http://www.aedbf.eu>)

Spot Peer reviewer for the academic journal (class A) European Company
and Financial Law Review (since 2021)

Peer reviewer for the academic journal (class A) "Banca, borsa e tit. credito"
and "Rivista degli affari"

Member of the Editorial Board of the Academic Review "Ianus. Diritto e
finanza" (<https://www.rivistaianus.it/redazione.html>)

Academic Member of the Committee of the Italian Barrister Exam (2016-
2018)

Member of the Associated Research Group of the European Banking Institute
(<https://ebi-europa.eu/#>)

Teaching activities in the EBI Master in EU Banking and Regulation (LL.M.)" at
Frankfurt School of Finance & Management

Participation in and direction of research projects

2023 – Local scientific coordinator of the PRIN 2022 (Relevant National Interest
Research Project, financed by the Italian Ministry of University and Research),
research project *"Proportionating rules on bank crisis prevention and
management to the case of retail banks: an analysis on the European and
national legal framework
(Pro.Re.Ba.)"* (<https://research.unisi.it/2023/09/28/proreba/>)

2023: scientific co-organizer of the conference organized by the Universidad
Complutense de Madrid, 5-6 October 2023 " LA PROPUESTA DE REFORMA
DEL RÉGIMEN EUROPEO DE GESTIÓN DE CRISIS BANCARIAS Y GARANTÍA DE
DEPÓSITOS"

2021- 2023 – participant and then scientific coordinator of the project "State
aids to bank in crisis: outlook following the Tercas case" (financed by the
Bank of Italy)

2020 "European Legal Strategies for Payment System in the Open Banking
Age", Jean Monnet Action (<https://elsoba.unisi.it/>) - participant

PRIN 2010- 2011: La governance dei mercati nell'Unione Europea (*Markets
Governance within the European Union*)
<http://www.regolazioneideimercati.it/>

PRIN 2008: La crisi dei mercati finanziari: analisi e prospettive (*Financial
markets crisis: analysis and perspective*)

PRIN* 2006: Tutela dei consumatori e servizi di pagamento nel nuovo
quadro normativo comunitario (*Consumer protection and payment services*)

Presentations and participations
in conferences

14/2/2024, Frankfurt, EBI Global Academic Conference 2024 ““The Banking Union at Ten – European Banking and Capital Markets Law between 2014 and 2024”, speech “The crisis management of smaller banks”

9-10/10/2023: CIRFS, University of Lisbon, EBI, Conference "Critical Challenges for the Financial Sector entering the Second Quarter of the 21 st Century"

15/6/2023 Madrid (Universidad Complutense) conference “*Protección del inversor y gestión de crisis bancaria*”: speech “Cessione dell’azienda bancaria, burden-sharing e tutela degli investitori: il caso delle banche venete”, conference “*Protección del inversor y gestión de crisis bancaria*”

4/11/22: Chair Panel 1, event relating the presentation of the book “*Money Law, Capital, and the Changing Identity of the European Union*”. Hart Publishing, September 2022, Dipartimento di studi aziendali e giuridici, Siena University

15/9/2022 Lisbon CIFRS Annual International Conference, *The Future of the EU Financial System in a New Geo-Economic Context*: speech “Tackling and improving the European crisis management framework for smaller and medium-sized banks”, conference

30/6/2022 Siena, Chair of panel 2, Conference *State aid to banks in crisis: outlook following the Tercas case*”

10/9/2021 Siena: concluding remarks, conference on “*Bank Crisis Management and State aids: Towards a New Institutional Set-Up*”

23/1/2021 Siena: concluding remarks, conference on “*Payment systems, Digital transaction and Open Banking: the State of the Art*” (on line)

27/11/2020 Brussels (on line) Academic event organized by the SRB and the Florence School of Banking and Finance “*Bank Resolution in time of Covid-19*”, speech “Deposit Guarantee Schemes and bank crisis management: legal challenges arising from the actual EU legal framework– (<https://www.srb.europa.eu/en/content/srb-fbf-academic-event-bank-resolution-times-covid-19>)

14/2/2020 – Rome, Annual Conference of the Italian Association of commercial Law Scholars (ODC, Orizzonti del diritto commerciale) “The governance structure of Deposit Guarantee Schemes and its impact on the use of alternative interventions in banking crisis”

10/12/2018 – Siena, Law Department – Conference on *The future of the European Governance* – Law Department – Siena University”, speech “The role of EC in the managing of Banking Crisis”

Curriculum Vitae

17/9/2019 – – Siena, Law Department – International Conference on “*Institutions for managing the crisis of the company, the bank and the State*” – speech “State aids to banks in distress after the Tercas Judgement”

29/1/2018 Siena, Opening speech in the Conference “*State aids to banks in crisis*” – Law Department

4/2016 Florence (Court of Appeal) - “Banks in default: the protection of small investors”, Conference “*Banks in crisis and Investor protection*”

3/2002 – “State aid to credit institution in crisis”, conference “*The Credit Risk: The implications of Basilea*”, Economics Faculty – University of Siena

Publications

1. *Il recesso del socio da società a responsabilità limitata*, Napoli, 2023 (Monograph)
2. I. Mecatti (eds), *Crisi bancarie: problemi e prospettive*, Torino, 2023
3. *Crisi bancarie, aiuti di stato e sistemi di garanzia dei depositi: dal caso Tercas alla riforma delle regole*, in *Crisi bancarie: problemi e prospettive*, a cura di I. Mecatti, Torino, 2023, 91-111
4. *La gestione delle crisi delle banche minori: profili di riforma*, in *Forme di tutela nell'Unione Bancaria europea*, a cura di S. Antoniazzi, Napoli, 2023, 249-273
5. Mecatti I., Tröger T.H., *Who Should Hold Bail-Inable Debt and How can Regulators Police Holding Restrictions Effectively?*, SAFE Working Paper, No. 379/2023 (<https://blogs.law.ox.ac.uk/oblb/blog-post/2023/03/who-should-hold-bail-inable-debt-and-how-can-regulators-police-holding>) and EBI Working Paper Series No. 135, and in *Rivista italiana di diritto pubblico comunitario*, 2023, 92-118;
6. *The crisis management of smaller banks: perspectives of reform*, in *European Company and Financial Law Review*, 2023, 660-691
7. Farina T., Krahnen J. P., Mecatti I., Pelizzon L., Schlegel J., Tröger T.H., *Is there a ‘retail challenge’ to banks’ resolvability? What do we know about the holders of bail-inable securities in the Banking Union?*, SAFE White Paper No. 92, November 2022 (at https://safe-frankfurt.de/fileadmin/user_upload/editor_common/Policy_Center/SAFE_White_Paper_92.pdf)
8. *Deposit Guarantee Schemes and Bank Crisis Management: Legal Challenges Arising from the European Legal Framework*, in *Rivista italiana di diritto pubblico comunitario*, 2022, 753-755
9. *L’organizzazione dei sistemi di garanzia dei depositanti in funzione degli interventi alternativi per la prevenzione e la gestione della crisi delle banche*, in *Banca, impresa e società*, 2020, p. 217;
10. *The role of Deposit Guarantee Schemes in preventing and managing banking crises: governance and least cost principle*, in *European Company and Financial Law Review*, Volume 17 (2020): Issue 6, 657–691

11. *Write-down and Conversion of Capital Instruments*, in *The Pelgrave Handobook of European Banking Union Law* a cura di M. Chiti, V. Santoro, 2019, p. 349 ss., (only par. 1, 6 e 7 e 5 together with Vittorio Santoro).
12. La responsabilità della banca cessionaria nell'ambito della l.c.a. delle banche venete, per le pretese risarcitorie degli azionisti e restitutorie dei creditori della banca cedente [*The liability of the acquiring bank for mis-selling claims of shareholders within the liquidation of the Veneto Banks*], in *Banca, borsa e tit. cred.*, 2019, II, 778
13. La responsabilità dell'ente ponte per le pretese risarcitorie degli azionisti di banche sottoposte a risoluzione [*The liability of the bridge bank for mis-selling claims of shareholders subject to resolution*], in *Banca, borsa e tit. cred.*, 2018, 570
14. Gli aiuti di stato alle banche in crisi: note introduttive [*State aids to banks in distress: preliminary remarks*], in *Studi senesi*, 2018/3, 112
15. Il decreto salva risparmio [*Salva Risparmio decree relating state aid to Mps bank*], in *Riv.dir.banc.*, 2017, diritto bancario.it, 20, 2017 (<http://www.dirittobancario.it/rivista/crisi-bancarie/il-decreto-salva-risparmio>)
16. Finanziamento soci e società sottocapitalizzata al momento della costituzione [*Shareholder financing and undercapitalized company*], in *Banca, borsa e tit. di credito* 2017, II, 516-534.
17. Il decreto salva banche [*Salva Banche decree relating the first application of banking resolution in Italy*], in "L'unione bancaria" a cura di V. Santoro-M. Chiti, Pacini 2016, 585
18. Il diritto di rimborso nell'addebito diretto, commento a due decisioni dell'ABF [*Direct debit and cancellation rights*], in *Dir. banca*, 2016, I, 163
19. La revocabilità del pagamento delle spese legali [*The set aside action of legal expenses*], in *Il fallimento e le altre procedure concorsuali*, 2013, 469
20. Mancata esecuzione del conferimento in natura e buona fede nell'esecuzione del contratto [*Unpaid capital contributions and good faith in contract execution*], in *Banca, borsa e tit. credito*, 2013, II, 477
21. Efficacia del recesso del socio ed esercizio dei diritti sociali [*Appraisal right and its effect on shareholder rights*], in *Società*, 2011, 1152
22. Abusiva attività di prestazione di servizi di pagamento [*Abusive activity of providing payment services*], in Mancini M., Rispoli Farina M., Santoro V., Sciarrone Alibrandi A., Troiano O., *La nuova disciplina dei servizi di pagamento*, 2011, Torino, Giappichelli, 603
23. Commento all'art. 114-sexies [*Commentary to article 114- sexies TUB, Payment Institutions*], in Mancini M., Rispoli Farina M., Santoro V., Sciarrone Alibrandi A., Troiano O., *La nuova disciplina dei servizi di pagamento*, Torino, Giappichelli, 2011, 403
24. Sub artt. 96-96 quater [*Commentary to articles 96-96-quater TUB - Italian Deposit Guarantee Schemes*], in Porzio M., Santoro V., Belli F., Losappio G., Rispoli Farina M., *Testo Unico Bancario*, Milano, Giuffrè, 2010,

25. *La disciplina delle crisi bancarie [Banking crisis management]*, in Benocci A. Mazzini F., *Corso di legislazione bancaria*, tomo II, Pisa, Pacini Editore, 2010, p. 177
26. *Payment Services Directive – Potential Implications of the New Category of Payment Service Providers in the United Kingdom*, in *Euredia*, 2009, 675
27. L'insolvenza del debitore civile in Spagna [*Bankruptcy in Spain*], in *AGE*, 2/2004, 321
28. L'insolvenza del debitore civile nel Regno Unito [*Bankruptcy in the United Kingdom*], in *AGE*, n. 2/2004, 347
29. Il futuro dei financial services in Europa: verso un European Single Regulator?
30. [*The future of Financial Services in Europe: towards a Single European Regulator?*], in *DPCE*, 2004, IV, 1955
31. L'opa Ina-Generali: il problema della passivity rule [*Ina-Generali Takeover: the passivity rule*], in *Dir. banca*, 2000, I, 245
32. Brevi note in tema di aiuti di stato alle imprese bancarie in crisi [*Short notes on state aids to banks in distress*], in *Il rischio di credito e le implicazioni di Basilea 2*, Atti del convegno Siena 8 e 9 marzo 2002, Milano, Giuffrè, 387
33. Le società di Factoring [*Factoring Companies*], in *Le società finanziarie*, a cura di Vittorio Santoro, Milano, 2000, 571
34. Azione di responsabilità: regime probatorio e determinazione del danno [*Liability action against company directors: evidences and damage*], in *Diritto e pratica delle società*, n. 20, 2000, 37