

Personal information

Irene Mecatti

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

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Citizenship: Italian

Education and academic titles

- Associate Professor of Business and Corporate Law: teaching Business and Corporate Law, Banking Law and Listed Companies and Markets Law
- Adjunct Professor of Business and Corporate Law and Banking Law – Law Department – Siena University (2006)
- Assistant Professor in Commercial Law (2005)
- Italian Lawyer/Barrister (2005)
- Phd in Banking and Financial Markets Law – Faculty of Economy – Siena – PhD thesis on European Deposit Protection Schemes (2005)
- Master of Laws (LLM) with merit – Faculty of Laws - University College London – United Kingdom (2003)
- Research fellowship Charles University – Faculty of Law – Prague (2005)
- Research Fellowship - University of Oxford – Faculty of Law (2001)
- Research assistant of Business and Corporate Law - Law Department – Siena University (2004)
- 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

Participations on editorial boards, research organisations and associations

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

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

Member of the National Association of Business and Corporate Law Professors (Orizzonti del diritto commerciale, ODC <https://www.orizzontideldirittocommerciale.it/>)

Academic member of the Phd in Markets Law (Phd Siena-Foggia)

Academic jury member, PhD dissertation, University of Luxemburg 22/2/2022

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

Curriculum Vitae

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

Participation in the scientific organizing committee of the international conference 'THE PROPOSAL FOR THE REFORM OF THE EUROPEAN BANKING CRISIS MANAGEMENT AND DEPOSIT GUARANTEE SCHEME' Madrid, 5-6 October 2023

Participation in the scientific organizing committee of the international conference LA LIQUIDACIÓN FORZOSA DE ENTIDADES DE CRÉDITO (The liquidation of credit institutions), Madrid, 5-6 June 2025

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)

Tutor in the Specialisation School for legal professions – Faculty of Law – University of Siena (2002)

Maternity leaves

May 2008-January 2009

May 2012- December 2013

Research project direction/ participation

2025 – participation (selected proposal) to the 2025 ECB Legal Research Program: topic *State aid and banks in distress (but not in resolution)*

2023-2025– local scientific coordinator of PRIN 2022 (Relevant National Interest Research Project, financed by the Italian Ministry of University and Research), *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.)*

2022 – participant of the SAFE research group based in Frankfurt, for the drafting of an opinion for the European Parliament on bail-in and retail challenges (https://safe-frankfurt.de/fileadmin/user_upload/editor_common/Policy_Center/SAFE_White_Paper_92.pdf)

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 – participant to the Jean Monnet project "European Legal Strategies for Payment System in the Open Banking Age" <https://elsoba.unisi.it/>

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

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

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

Participation in conferences

23/10/2025 – Rome (Università la Sapienza, Dipartimento di Giurisprudenza. Conference "Il mercato bancario europeo alla ricerca di nuovi equilibri (a dieci anni dalla scomparsa di Gustavo Minervini)". Speech "Il completamento dell'Unione Bancaria: verso la creazione di un 28th regime per le grandi banche cross-border?"

Curriculum Vitae

11/09/2025 – Venice – Conference “*Proportioning 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.)*”, speech “*The role of Deposit Guarantee Schemes*”

3/9/2025 – Frankfurt – ECB Legal Research program 2025 – Speech: “*Preventive interventions of Deposit guarantee schemes, State aid and burden-sharing: questo matrimonio non s’ha da fare (this wedding cannot go on)!*”

4/07/2025 – Complutense University of Madrid (Law Faculty), International Research Day. “*Current issues on banking crises*”. Speech “*Early intervention measures and shareholders’ rights*”

14/05/2025 Arezzo, event organised by the Bank of Italy ‘*Educazione finanziaria, tra protezione e inclusione*’, speech: ‘*La tutela del risparmio*’

13-14/02/25 Bologna, Alma Mater Studiorum University, *International Colloquium in memoriam of Luís Silva Morais. Capital Markets and Banking Unions, Law and the Courts. Challenges and Perspectives* - Discussant in the panel of the Young Research Group

24/01/2025 Pisa, Law Department – Conference: *Itinerari nel diritto commerciale contemporaneo (Tra storia e comparazione)*, speech “*Le concezioni dell’azienda tra 800 e 900*”

05/12/2024 – Florence, Law Department, Conference: *Diálogos Brazil-Italia: Reforma e tendências no direito societário e de mercado de capitais italiano*. Speech: ‘*Board of directors slate: the Italian recipe*’

14/11/2024 – Pisa, Department of Economy and Management, Conference *INSOLVENT COMPANIES AND RESCUE PROCEEDINGS: SHAREHOLDERS AND DIRECTORS BETWEEN ITALY AND UK*. Speech: ‘*Bank resolution and fundamental rights*’

17-18/10/2024 – Siena (Certosa di Pontignano), Law Department, International Workshop *Proportionality in Bank Crises: the Case of Retail Banks*. Speech ‘*Early intervention measures and proportionality*’

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*’

9-10/10/23 Lisbon, Conference “*Critical Challenges for the Financial Sector entering the Second Quarter of the 21 st Century*” – discussant in the Young Researchers EBI workshop - *Emerging trends in Financial legislation. New challenges, open questions*

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

4/11/22 Siena, Dipartimento di studi aziendali e giuridici, 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

15/9/2022 Lisbon, Conference: *The Future of the EU Financial System in a New Geo-Economic Context (CIFRS Annual International Conference)*. Speech ‘*Tackling and improving the European crisis management framework for smaller and medium-sized banks*’

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

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

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

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

14/2/2020 Università Roma 3: Italian Association of commercial Law Scholars (ODC, Orizzonti del diritto commerciale) – 11 National Conference. Speech *'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 The role of European Commission the managing of Banking Crisis*

17/9/2019 Siena, Law Department, International Conference: *Institutions for managing the crisis of the company, the bank and the State*. Speech *'State aids to banks in distress after Tercas judgement'*

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

4/2016 Florence, Court of Appeal: *Banks in default: the protection of small investors*, Conference *Banks in crisis and Investor protection* http://www.studiolegalepsp.it/wp-content/uploads/2016/08/DISSESTO_BANCARIO_E_TUTELA_DEI_RISPARMIATORI_-_FIRENZE_8-4-2016.pdf

3/2002 Siena, Law Department, Conference *'Il rischio di credito'*, speech *Gli aiuti di stato alle banche in crisi*

2/ 2001 -Perugia, Law Department, Seminar on the issue *"Corporate Governance in the Netherlands"*

Publications

1. *Bail-in and the Financing of Resolution within the SRM Framework*, forthcoming in European Banking Union, 3rd ed., OUP, edited by Danny Busch, Guido Ferrarini & Diane Fromage
2. *Burden-sharing and preventive interventions of Deposit Guarantee Schemes as State Aid: "questo matrimonio non s'ha da fare!" (this wedding must not take place!)*, forthcoming in *European Company and Financial Company Law Review* 2026
3. *Diritti dei soci delle banche e misure di intervento precoce*, in *Crisi e insolvenze tra imprenditori, imprese e società. In onore di Vittorio Santoro*, Pisa, 2025, 1169-1192
4. *Early Intervention Measures and Shareholders' Rights*, in *European Company and Financial Law Review*, 3/2025, 311-339
5. *La lista del consiglio di amministrazione*, in *RDS*, 2024, 553-606
6. *The crisis management of smaller banks: perspectives of reform*, in *European Company and Financial Law Review*, 2023, 660-691; EBI Working Paper Series No. 163 (<https://ebi-europa.eu/publication-working-paper-series-no-163/>)
7. 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. 135/2023, and in *Rivista italiana di diritto pubblico comunitario*, 2023, 92-118
8. *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
9. *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

Curriculum Vitae

10. Farina T., Krahn 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)
11. *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
12. *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, 217-257
13. *The role of Deposit Guarantee Schemes in preventing and managing banking crises: governance and least cost principle*, in *European Company and Financial Law Review*, 2020, 657-691
14. *Write-down and Conversion of Capital Instruments*, in *The Pelgrave Handbook of European Banking Union Law* a cura di M. Chiti, V. Santoro, 2019, (only par. 1, 6 e 7 e 5 together with Vittorio Santoro), 349-370
15. *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*, in *Banca, borsa e tit. cred.*, 2019, II, 784-801
16. *Gli aiuti di stato alle banche in crisi: note introduttive*, in *Studi senesi*, 2018/3, 416-424
17. *La responsabilità dell'ente ponte per le pretese risarcitorie degli azionisti di banche sottoposte a risoluzione*, in *Banca, borsa e tit. cred.*, 2018, 610-633
18. *Finanziamento soci e società sottocapitalizzata al momento della costituzione*, *Banca, borsa e tit. di credito* 2017, II, 516-534
19. *Il decreto salva risparmio*, in *Riv. dir. banc.* n. 8/2017, 20, 2017, 327-364
20. *Il diritto di rimborso nell'addebito diretto*, commento a due decisioni dell'ABF, in *Dir. banca*, 2016, I, 177-198
21. *Il decreto salva banche*, in *L'unione bancaria* a cura di V. Santoro-M. Chiti, Pacini 2016, 585-598
22. *La revocabilità del pagamento delle spese legali*, in *Il fallimento e le altre procedure concorsuali*, 2013, 469-480
23. *Mancata esecuzione del conferimento in natura e buona fede nell'esecuzione del contratto*, in *Banca, borsa e tit. credito*, 2013, II, 477- 486
24. *Efficacia del recesso del socio ed esercizio dei diritti sociali*, in *Società*, 2011, 1152-1164
25. *Abusiva attività di prestazione di servizi di pagamento*, in Mancini M., Rispoli Farina M., Santoro V., Sciarrone Alibrandi A., Troiano O., *La nuova disciplina dei servizi di pagamento*, Torino, Giappichelli, 2011, 603-610
26. *Commento all'art. 114-sexies*, in Mancini M., Rispoli Farina M., Santoro V., Sciarrone Alibrandi A., Troiano O., *La nuova disciplina dei servizi di pagamento*, Torino, Giappichelli, 2011, 403-416
27. *La disciplina delle crisi bancarie*, in F. Belli (a cura di), *Corso di legislazione bancaria*, tomo II, Pisa, Pacini Editore, 2010, 177-197
28. *Sub artt. 96-96 quater*, in Porzio M., Santoro V., Belli F., Losappio G., Rispoli Farina M., *Testo Unico Bancario*, Milano, Giuffrè, 2010, 760-788
29. *Payment Services Directive – Potential Implications of the New Category of Payment Service Providers in the United Kingdom*, in *Euredia*, 2009, 1955-1965
30. *Brevi note in tema di aiuti di stato alle imprese bancarie in crisi*, in *Il rischio di credito e le implicazioni di Basilea2*, Milano, 2004, 387-406
31. *Il futuro dei financial services in Europa: verso un European Single Regulator?*, in *Diritto Pubblico Comparato Europeo*, 2004, 1955-1965
32. *L'insolvenza del debitore civile in Spagna*, in *Analisi Giuridica dell'Economia*, 2/2004, 321-335
33. *L'insolvenza del debitore civile nel Regno Unito*, in *Analisi Giuridica dell'Economia*, 2/2004, 347-362
34. *L'opa Ina-Generali: il problema della passivity rule*, in *Dir. banca*, 2000, I, 246-282
35. *Le società di Factoring*, in *Le società finanziarie*, a cura di Vittorio Santoro, Milano, 2000, 571 ff.

Curriculum Vitae

36. *Azione di responsabilità: regime probatorio e determinazione del danno (Commento a Cass. 8 febbraio 2000, n. 1375)*, in *Diritto e pratica delle società*, n. 20, 2000, 37

Monograph

Il diritto di recesso da società a responsabilità limitata, Napoli, 2023

Edited by

Le crisi bancarie: problemi e prospettive, a cura di Irene Mecatti, Torino, 2023