

## The CNMC declares the file on the granting of ICO COVID loans closed

- The CNMC has carried out multiple actions to clarify the facts.
- Of particular note were the requests for information to the Official Credit Institute (ICO in Spanish) and the Bank of Spain, both of which did not report any relevant incidents or specific actions within the scope of their powers.
- The Commission also requested information from the entities under investigation, consumer and user associations, SMEs and insurance companies.

**Madrid, 26 June 2023.-** The CNMC has decided to declare the absence of an infringement and to close the disciplinary proceedings against Caixabank, Bankia (now Caixabank), Banco Santander and Banco Sabadell for alleged acts of unfair competition committed in connection with the marketing of loans guaranteed by the ICO Covid line of guarantees to companies and the self-employed. ([S/0016/20 ICO COVID LOANS](#))

With the onset of the pandemic, the Spanish government approved the creation of a special line of guarantees to secure loans from financial institutions to SMEs in order to help solve the exceptional lack of liquidity resulting from the pandemic.

From April 2020, the CNMC began to receive complaints from SMEs in its [Covid mailbox](#) alleging that banks were taking advantage of these ICO-backed loans to demand additional products (mainly life insurance, but also other insurance and products) and to refinance pre-existing debts.

It then [launched an extensive investigation](#) analysing the practices described from the perspective of Article 3 of the Spanish Competition Act (Ley de Defensa de la Competencia).

During both the investigation and decision-making phases of the proceedings, numerous actions were carried out to clarify the facts, addressed to the undertakings under investigation and to organisations representing consumers and users, small and medium-sized enterprises, insurance companies, etc. Particularly noteworthy are the requests made by the CNMC to the Official Credit Institute (ICO) and the Bank of Spain, both of which did not report any relevant incidents or specific actions within the scope of their powers.

After a long period of investigation, the CNMC concluded that the elements necessary to prove an infringement of Art. 3 of the Spanish Competition Act had not been established.

The CNMC's decision includes a dissenting opinion.

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- [\(S/0016/20 ICO COVID LOANS\)](#)
- [The CNMC sets up a mailbox to receive information, complaints or queries related to COVID-19](#)
- [The CNMC initiates sanctioning proceedings against four banks for possible anti-competitive practices](#)