

## COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

Luxembourg, 12 March 2009



Ms Katalin Baranyi Mr Herman J. Berge 665, rue de Neudorf L-2220 Luxembourg

Our/Reference:

SG.09/829-NDE/MR/ LTG 1090

Your/Reference:

Dispatch:

mail

Contact person:

Direct dialing:

Natasha Deloge

(+352) 26 251 -1

Re: Your complaints against Danske Bank International SA

Dear Madam, dear Sir,

We are writing regarding the above mentioned matter. We have been informed by the substitute of the Public Prosecutor that none of your complaints could be qualified as a criminal offence and they can therefore not be prosecuted.

Considering that you are nevertheless maintaining your complaints against Danske Bank to our Commission, we reopened our file. At the occasion of a meeting with the bank we asked the bank to take up a position as regards your allegations.

It appears from the bank's position that you never signed a discretionary management agreement and that the disputed investments originate from your initiative and were carried out at your express order. The bank has documented all the investments and the withdrawals that you performed on your account which is, contrary to your allegations, not a savings account. The statements of account since the opening of the account were sent to you by the bank on 14 January 2009, together with a detailed response to all of your letters and summarise all the performed transactions.

We consider it rather implausible that you are not aware of the different contracts between you and the bank, notably the Multipurpose Line Agreement including Mortgage of 16 October 2006.

The bank further shows that the refusal to execute a transfer and the blocking of your Mastercards, as laid out in its telefax of 19 December 2008, are due to an insufficient amount of cover on your account and not to the closing of the account.

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On the basis of these explanations and after a further review of your file, we see no reasons justifying any further intervention by the CSSF on basis of article to article 58 of the Law of 5 April 1993 on the financial sector as amended and we hereby close our file.

Yours sincerely

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

Danièle BERNA-OST Secrétaire général Jean-Nicolas SCHAUS Directeur général