



EIOPA-16/037

28 January 2016

EIOPA Board of Supervisors Meeting

28-29 January 2016

Approved Deliberations and Conclusions

Chairman: Gabriel Bernardino

Members and Observers:

Voting: AT: Peter Braumüller, BE: Jean Hilgers, BG: Dimitar Dimitrov (PoA), CY: Nicos Koullapis, DE: Frank Grund, DK: Jan Parner, EE: Kilvar Kessler, ES: Pablo Muelas García, FI: Teija Korpiaho, FR: Sandrine Lemery, HR: Gordana Letica, GR: Ioanna Seliniotaki, HU: Koppany Nagy, IE: Sylvia Cronin (1st day only), IT: Alberto Corinti, LT: Mindaugas Salcius, LU: Claude Wirion, LV: Dina Mikelsons, MT: Marianne Scicluna, NL: Thijs van Woerden, PL: Damian Jaworski, PT: José Almaça, RO: Misu Negritoiu, SK: Julia Cillikova (1st day only), SI: Sergej Simoniti, SE: Asa Larson, UK: Sam Woods

Non-voting: BE: Dominik Smoniewski, Henk Becquaert, DE: Thomas Schmitz-Lippert, IS: Runar Gudmundsson, IE: Gerry Cross, IT: Fausto Parente, Raffaele Capuano, Ambrogio Rinaldi (2nd day only), LI: Alexander Imhof, NO: Emil Steffensen, PT: Mario Ribeiro, SI: Mojca Piscuric, UK: Lesley Titcomb, COM: Nathalie Berger, EBA: Cedric Coraillon-Parquet, ESMA: David Cliffe, ESRB: Alexandra de Jong

Experts:

AT: Gerlinde Taurer, CZ: Jaroslav Kovanda, DE: Maria Hüntelmann (1st day only), Petra Faber-Graw (2nd day only), ES: Maria Flavia Rodriguez-Ponga Salamanca, HU: Beatrix Denes, IT: Alessia Angelilli, LU: Marc Comes, NO: Lisbeth Strand, PL: Katarzyna Malgorzata Chrzanowska, RO: Raluca Tariuc, SK: Matus Medvek, UK: Alizeh Hussain-Robinson

EIOPA Working Group Chairs:

Edward Forshaw (Equivalence Committee Chair), Olaf Sleijpen (Occupational Pensions Committee Chair), Veronique Hijl (IGSRR Chair)

EIOPA Staff:

Carlos Montalvo Rebueta (EIOPA Executive Director), Manuela Zweimüller (EIOPA Head of Regulations), Patrick Hoedjes (EIOPA Head of Operations and Oversight), Susanne Rosenbaum, Catherine Coucke (Legal), Sophia Milili-Makrydakís, Danny Janssen (item 5), Inga Naumane (item 5), Phil Codrai (item 5), Katarzyna Wojtkiewicz (items 5, 6), Justin Wray (items 7, 8, 12, 14, 16, 17), Gabriele Arnoldi (items 7, 8), Giulia Conforti (item 7), Peter Kleisen (item 7), Carlos Guine (item 8), Philip Kitzmantel (item 9), Marjan Trobina (items 9, 10), Pamela Schuermans (items 12, 15, 16, 17), Dimitris Zafeiris (items 13, 18), Daniel Perez (item 13), Sandra Hack (item 14), Katja Wuertz (item 14), Dora Iltcheva (item 15), Camille Graciani (item 17), Juan Zschiesche (item 18)

**Welcome and introductory remarks by the
EIOPA Chairman**

Information

1. Adoption of the Agenda

Decision by SMV¹

Conclusions: BoS adopted the agenda.

Action points: Not applicable	
2. Update by Chairman, Executive Director and COM	Information
Conclusions: Not applicable	
Action points: Not applicable	
3. Elections:	
3.1. Election Alternate Chair of EIOPA	Decision by SMV¹
3.2. Election of Executive Director	Closed session
	Decision by SMV¹
<u>3.1. Election Alternate Chair of EIOPA</u>	
Conclusions:	
<ul style="list-style-type: none"> Peter Braumueller (FMA, AT) was elected as EIOPA's Alternate Chair for a period of five years. 	
Action points:	
<ul style="list-style-type: none"> Not applicable 	
<u>3.2. Election of Executive Director</u>	
Conclusions:	
<ul style="list-style-type: none"> Fausto Parente (IT) was elected as EIOPA's Executive Director subject to the confirmation by the European Parliament. 	
Action points:	
<ul style="list-style-type: none"> Not applicable 	
4. Reclassification of Chair	Closed session
	Decision by SMV¹
Conclusions:	
<ul style="list-style-type: none"> Not applicable / Confidential exchange of information 	
Action points:	
<ul style="list-style-type: none"> Not applicable / Confidential exchange of information 	
5. Budget and Work Programme:	
5.1. 2015 Budget: Report on budget execution	Information
5.2. 2016 Budget: Presentation of budget breakdown	Information
5.3. Single programming document 2017 - 2019	
5.3.1. EIOPA Budget 2017 draft estimate of revenue and expenditure	Decision by QMV²
5.3.2. EIOPA draft working programme 2017	Decision by SMV¹

5.3.3. Draft MAWP 2017-2019

Decision by SMV¹

5.1. 2015 Budget: Report on budget execution

Conclusions:

- Not applicable

Action points:

- Not applicable

5.2. 2016 Budget: Presentation of budget breakdown

Conclusions:

- Not applicable

Action points:

- Not applicable

5.3. Single programming document 2017 – 2019

Conclusions:

- BoS adopted the EIOPA Draft Budget 2017 from the "European Insurance and Occupational Pensions Authority Draft Single Programming Document 2017-2019", (EIOPA-BoS-16/23, 28 January 2016);
- BoS adopted the EIOPA draft working programme 2017 and Draft MAWP 2017-2019 from the "European Insurance and Occupational Pensions Authority Draft Single Programming Document 2017-2019", (EIOPA-BoS-16/23, 28 January 2016).

Action points:

- EIOPA Draft Budget 2017 from the "European Insurance and Occupational Pensions Authority Draft Single Programming Document 2017-2019", (EIOPA-BoS-16/23, 28 January 2016): EIOPA will present the budget as separate document next time and will provide more background information for items that increase with more than 10%.
- EIOPA draft working programme 2017 and Draft MAWP 2017-2019 from the "European Insurance and Occupational Pensions Authority Draft Single Programming Document 2017-2019", (EIOPA-BoS-16/23, 28 January 2016): EIOPA to make amendments agreed to during BoS;
- EIOPA to submit the "European Insurance and Occupational Pensions Authority Draft Single Programming Document 2017-2019", (EIOPA-BoS-16/23, 28 January 2016) to EU Institutions.

6. QCC annual report

Information

Conclusions:

- The Board of Supervisors recognised the important tasks achieved by the QCC in 2015. It welcomed the QCC mandate 2016. The BoS stressed the importance of an independent quality control of EIOPA's internal procedures and recommended this enterprise to EU institutions and other agencies.

Action points:

- Not applicable

7. Stakeholder Group selection; approval of the list of candidates	
7.1. IRSG	Decision by SMV¹
7.2. OPSG	Decision by SMV¹
<u>7.1. IRSG and 7.2. OPSG</u>	
Conclusions: <ul style="list-style-type: none"> BoS adopted the MB’s proposals “IRSG Selection Panel Meeting Memo”, (EIOPA-BoS-16-021A, 18 January 2016), for the composition of the IRSG. BoS adopted the MB’s proposals “OPSG Selection Panel Meeting Memo”, (EIOPA-BoS-16-022, 18 January 2016), for the composition of the OPSG. Action points: <ul style="list-style-type: none"> EIOPA to contact selected candidates to get their confirmation of acceptance. 	
8. International Capital Standards – strategic discussion	Decision by SMV¹
Conclusions: <ul style="list-style-type: none"> BoS adopted the “International Capital Standards Strategic Discussion on Implementation”, (EIOPA-BoS-16/019, 15 January 2016). Action points: <ul style="list-style-type: none"> The agreed strategy should be the basis for the EU-IAIS members’ positions in the upcoming IAIS discussions. 	
9. IT:	
9.1. Update on IT Programme	Information
9.2. Governance on taxonomy releases and reporting data management	Decision by SMV¹
<u>9.1. Update on IT Programme</u>	
Conclusions: <ul style="list-style-type: none"> The BoS took note of the progress report. Action points: <ul style="list-style-type: none"> EIOPA to continue to provide regular reports to the BoS. 	
<u>9.2. Governance on taxonomy releases and reporting data management</u>	
Conclusions: <ul style="list-style-type: none"> The BoS approved the “Governance on taxonomy releases and reporting data management”, (EIOPA-BoS-16-031, 19 January 2016) with a vote for option 4 as described in the document. Action points: <ul style="list-style-type: none"> EIOPA to finalise the document in the ITDC with a view to its public disclosure to inform all stakeholders on the main timelines and milestones in the process of updates to the reporting taxonomy. 	

10. Update on the GLEIF (presentation by Stephan Wolf, CEO of Global Legal Entity Identifier Foundation (GLEIF))	Information
<p>Conclusions:</p> <ul style="list-style-type: none"> • Not applicable <p>Action points:</p> <ul style="list-style-type: none"> • Not applicable 	
11. Closed session	
<p>Conclusions:</p> <ul style="list-style-type: none"> • Not applicable / Confidential exchange of information <p>Action points:</p> <ul style="list-style-type: none"> • Not applicable / Confidential exchange of information 	
12. Governance structure of EIOPA: Proposals for implementation	Decision by SMV¹
<p>Conclusions:</p> <ul style="list-style-type: none"> • BoS adopted the "EIOPA working group governance structure: Proposed way forward for two pilots - Insurance Policy Committee and Risk & Financial Stability Committee", (EIOPA-BoS-16/029, 18 January 2016) and the "Implementation plan for the pilot working group structure", (EIOPA-BoS-16/030, 19 January 2016) with some clarifications to be made. • A discussion will be held on the Q&A process and tools in the expert networks at the BoS of April. • In the meanwhile, the BoS acts as the steering body for supervisory issues. <p>Action points:</p> <ul style="list-style-type: none"> • EIOP to amend and circulate the revised "EIOPA working group governance structure: Proposed way forward for two pilots - Insurance Policy Committee and Risk & Financial Stability Committee", (EIOPA-BoS-16/029, 18 January 2016) and "Implementation plan for the pilot working group structure", (EIOPA-BoS-16/030, 19 January 2016). 	
13. Insurance ST 2016	Decision by SMV¹
<p>Conclusions:</p> <ul style="list-style-type: none"> • BoS adopted the "Roadmap for the EIOPA 2016 insurance stress test", (EIOPA-BoS-15/827, 11 January 2016); <p>Action points:</p> <ul style="list-style-type: none"> • EIOPA should publicly announce the scope and the timeline of the exercise as reflected in the roadmap; • FSC should finalise a proposal for the BoS on the stress test package, including the selection of the methodology (Cash Flow and/or additionally developed), according to the approved roadmap deadlines; 	

14. Consultation paper on Call for Advice on personal pensions	Decision by SMV¹
<p>Conclusions:</p> <ul style="list-style-type: none"> BoS Members agreed to the amendments and clarifications as discussed, and the drafting presented, during the meeting. BoS adopted the "Consultation paper on EIOPA's advice on the development of an EU Single Market for personal pension products (PPP)", (EIOPA-16-034, 29 January 2016). <p>Action points:</p> <ul style="list-style-type: none"> The "Consultation paper on EIOPA's advice on the development of an EU Single Market for personal pension products (PPP), EIOPA-16-034, 29 January 2016" will be sent to COM on 1st February 2016 and published for consultation. 	
15. Peer Reviews:	
15.1. Revised Methodology	Decision by SMV¹
15.2. Final Report on freedom to provide services	Decision by SMV¹
15.3. Project Plans for Peer Review Projects 2016	Decision by SMV¹
<p><u>15.1. Revised Methodology</u></p> <p>Conclusions:</p> <ul style="list-style-type: none"> The BoS adopted the "Decision of the European Insurance and Occupational Pensions Authority adopting the methodology for the conduct of peer reviews", (EIOPA-BoS-15-301, 22 December 2015). <p>Action points:</p> <ul style="list-style-type: none"> The Review Panel to apply the approved "Decision of the European Insurance and Occupational Pensions Authority adopting the methodology for the conduct of peer reviews", (EIOPA-BoS-15-301, 22 December 2015). 	
<p><u>15.2. Final Report on freedom to provide services</u></p> <p>Conclusions:</p> <ul style="list-style-type: none"> BoS adopted the "Peer Review on Freedom to Provide Services", (EIOPA-BoS-15-300, 14 January 2016). <p>Action points:</p> <ul style="list-style-type: none"> The RP to present to the BoS the outcomes for publication. 	
<p><u>15.3. Project Plans for Peer Review Projects 2016</u></p> <p>Conclusions:</p> <ul style="list-style-type: none"> BoS approved as peer review topics for 2016 the "Project Plan for Peer Review of IORPs with respect to the Prudent Person Rule" (EIOPA-15-RP-089, 13 January 2016), and the "Project Plan for Peer Review on application of proportionality for key functions" (EIOPA-RP-15/093, 13 January 2016). The topic regarding the application of proportionality on fit & proper requirements of AMSB members (EIOPA-RP-15/092, 13 January 2016) was suggested to be 	

considered in 2017.

Action points:

- The RP to launch the peer reviews as planned.

16. Solvency II:

16.1. SCR review and LTG report – initial discussion

Discussion

16.2. Impact of amendments of DA on reporting package

Decision by SMV¹

16.1. SCR review and LTG report – initial discussion

Conclusions:

- BoS Members agreed with the draft project descriptions. The project groups can start working on the basis of the draft project descriptions.

Action points:

- EIOPA to clarify in the SCR project description that the MCR is excluded from the scope.

16.2. Impact of amendments of DA on reporting package

Conclusions:

- BoS adopted the “Draft Consultation Paper on the proposal for amendments to Implementing Technical Standards on the templates for the submission of information to the supervisory authorities following the amended Commission Delegation Regulation(EU) 2015/35 and to EIOPA Guidelines on Reporting and disclosure”, (EIOPA-BoS-16/001, 19 January 2016). The consultation can be launched upon the publication of the revised Delegated Regulation, subject to the inclusion of a question to stakeholders on reporting of European Long-Term Investment Funds.

Action points:

- A BoS written procedure, will be launched, during February on the Annex I of the Consultation Paper with the list of minor drafting and typographical errors to be corrected;
- A BoS written procedure, will be launched, on the question on reporting of European Long-Term Investment Funds to be included in the Consultation Paper;
- Launch the public consultation upon the publication of the revised Delegated Regulation.

17. RFR phase III: Outline of the methodological work in 2016

Decision by SMV¹

Conclusions:

- BoS adopted, by simple majority voting, the “Risk-free interest rate term structure Phase III of the RFR project”, (EIOPA-BoS-16/007, 7 January 2016). The new governance structure gives the opportunity to new Members to join the project team.

Action points:

- EIOPA to add to the objectives of the project the assessment of the fundamental spread methodology.
- EIOPA to address procurement issues, departing from exceptional negotiating procedures and entering into ordinary procurement, even if this means change in providers and subsequent change on the underlying information needed for the calculation of the RFR.

18. Crisis Management and prevention

18.1. Operationalisation of EIOPA's Crisis Management Handbook **Decision by SMV¹**

18.2. Scope of the Extension of the recovery period **Decision by SMV¹**

18.3. Insurance near misses and failures' database process **Decision by SMV¹**

18.1. Operationalisation of EIOPA's Crisis Management Handbook

Conclusions:

- BoS adopted the "Operationalisation of EIOPA Crisis Management Handbook - Business Case", (EIOPA-BoS-16/010, 11 January 2016).

Action points:

- Not applicable

18.2. Scope of the Extension of the recovery period

Conclusions:

- BoS adopted the document "Extension of recovery period – Scope of Deliverable 1", (EIOPA-BoS-16/11, 11 January 2016).

Action points:

- EIOPA to consider the comments made in the design of the actual process.

18.3. Insurance near misses and failures' database process

Conclusions:

- BoS adopted the documents "Failures and near misses database - Reporting procedure", (EIOPA-BoS-16/015, 12 January 2016) and "Failures and near misses database - Conceptual approach" (EIOPA-BoS-14/260, 15 December 2014).

Action points:

- Not applicable

19. AOB

Information

Conclusions:

- BoS was informed about the obligation to set up the Advisory Committee on Conflict of Interests (ACCI) under the Decision of the Executive Director on EIOPA's Procedure on Independence and Decision Making Processes regarding Declarations of interests for staff and other contractual parties;
- The next BoS meeting has been scheduled to take place on 6-7 April 2016;

Action points:

- EIOPA's Ethics Officer to launch call for candidates for ACCI membership;
- BoS to appoint its member in the ACCI.

¹: Decision by simple majority (Article 44(1) 1st para. EIOPA Regulation)

²: Decision by qualified majority (Article 44(1) 2nd para. EIOPA Regulation)

Frankfurt am Main

[Signed]

Gabriel Bernardino

Chairperson of EIOPA