



EIOPA-BoS-12/010

EIOPA Board of Supervisors Meeting
2-3 February 2012
Approved Minutes

Chair: Gabriel Bernardino

Members and Observers:

Voting: AT: Peter Braumüller, BE: Michel Flamee, BG: Stefan Stoilkov (Acting Alternate), CY: Nicos Koullapis, CZ: Zuzana Silberová, DE: Gabriele Hahn, DK: Jan Parner (1st day only), Per Plougmand Bærtelsen (2nd day only), EE: Kaido Tropp, FI: Hely Salomaa, FR: Danièle Nouy, GR: Charalampos Vogiatzis, HU: Károly Szász, IE: Matthew Elderfield, IT: Fausto Parente (IGSC Chair), LV: Dina Mikelsona, LT: Mindaugas Salcius, LU: Victor Rod, MT: Marisa Attard, NL: Thijs van Woerden, PL: Damian Jaworski, PT: Mario Ribeiro, RO: Rodica Popescu, SK: Julia Cillikova, SI: Sergej Simoniti, ES: María Flavia Rodríguez-Ponga Salamanca, SE: Malin Björkmo, UK: Julian Adams

Non-voting: DE: Thomas Schmitz-Lippert (JCFC Chair), FR: Cyril Roux, HU: József Banyar, IS: Rúnar Guðmundsson, IT: Rafaella Capuano, LI: Alexander Imhof, LU: Claude Wirion, NO: Runa Saether (Acting Alternate), RO: Ion Giurescu, Adina Maria Dragomir, SI: Jurij Gorisek, ES: Luis Batista, UK: Bill Galvin (1st day only), COM: Karel Van Hulle, Nadia Calvino, EBA: Adam Farkas, ESMA: Verena Ross, ESRB: Francesco Mazzaferro

Experts:

AT: Gerlinde Taurer, CZ: Jan Bouska, DE: Petra Faber-Graw, IT: Lucilla Caterini, NO: Jan Hagen, PL: Katarzyna Malgorzata Chrzanowska, PT: Hugo Borginho, UK: Fiona Rogers

EIOPA Working Group Chairs:

Patrick Darlap (FSC Chair), Olaf Ermert (FinReq Chair), Paolo Cadoni (IntMod Chair), Ed Forshaw (ESC Chair), Pauline De Chatillon (CCPFI Chair)

EIOPA Staff:

Carlos Montalvo Rebueta (EIOPA Executive Director), Patrick Hoedjes (EIOPA Director of Operations), Daniela Rode (EIOPA Director of Regulation), Catherine Coucke, Sophia Milili-Makrydakis, Andrew Mawdsley, Jarl Kure, Sandra Desson, Manuela Zweimüller, Pamela Schuermans

1. Welcome and introductory remarks by the EIOPA Chair

The Chair welcomed the attendees to the meeting of Board of Supervisors and ascertained that the assembly had been duly called and was competent to pass resolutions.

2. Adoption of the Agenda

Conclusions and Action points:

- Draft Agenda (EIOPA-BoS-11/054) was adopted with one change of order (item on Internal Procedures discussed after item 8).

3. Update by Chair and COM

Conclusions and Action points:

No conclusion or action point was taken.

4. Colleges and Crisis Management Update

- 4.1. *Written Report on the functioning of Colleges and the accomplishment of the 2011 Action Plan and supporting Annex 2***
- 4.2. *Outcome survey timeline pre-application process of internal model approval (oral presentation)***
- 4.3. *EIOPA's list of groups for which a College of supervisors is in place (to be published)***

Conclusions and Action points:

- 4.1. *Written Report on the functioning of Colleges and the accomplishment of the 2011 Action Plan*
 - The Board of Supervisors adopted the report on the functioning of Colleges and the accomplishment of the 2011 Action Plan.
- 4.2. *Outcome survey timeline pre-application process of internal model approval (oral presentation)*
 - EIOPA Chair will liaise with the respective Board of Supervisors' Members with the aim to understand the reasons of any delay in the action related to the agreement of the joint internal model timetable.
- 4.3. *EIOPA's list of groups for which a College of supervisors is in place (to be published)*
 - The Board of Supervisors adopted the proposal to publish the updated list of groups for which a College of supervisors is in place in the public domain.

5. Internal Procedures

- 5.1. *Update on EIOPA procedures (presentation)***
- 5.2. *Guidelines and Recommendations Framework***
- 5.3. *Update on Quality Control Committee (presentation)***

Conclusions and Action points:

- 5.2. *Guidelines and Recommendations Framework*
 - ESMA, EBA and EIOPA will seek how to harmonise their rules/practices.
 - A revised version will be sent by EIOPA to the Board of Supervisors for a new round of comments followed by a written approval procedure.

6. Equivalence update

6.1. Work plan: 2012 SII Equivalence Transitionals

6.2. Mandate

6.3. Guernsey professional secrecy assessment

Conclusions and Action points:

6.1. Work plan: 2012 SII Equivalence Transitionals

- EIOPA will circulate an internal call for candidates for Transitional work on SII Equivalence.
- Equivalence Committee Chair is requested to provide regular updates at Board of Supervisors meetings with regard to the progress in delivering on the COM request.

6.2. Mandate

The Board of Supervisors adopted the revised Mandate of the Equivalence Committee.

6.3. Guernsey professional secrecy assessment

The Board of Supervisors endorsed the draft Report and findings of the Equivalence Committee with regard to Equivalence of Guernsey professional secrecy assessment. Cooperation agreements with the Guernsey Financial Services Commission will be a matter of Member States' decision.

7. International Relations

7.1. Strategic orientation on International Relations

7.2. ComFrame Coordination (Proposal for IAIS - EIOPA Cooperation)

Conclusions and Action points:

7.1. Strategic orientation on International Relations

- The Board of Supervisors' Members are invited to provide written comments no later than cob **10.02.2012**. A revised version including comments made during the meeting as well as those received in written will be then submitted for Board of Supervisors approval via written procedure.

7.2. ComFrame Coordination (Proposal for IAIS - EIOPA Cooperation)

- The Board of Supervisors adopted the proposed Option for organising the IAIS-EIOPA cooperation. EIOPA is expected to build a network with Members at working level between people already involved in the IAIS Subcommittees to align the positions and ensure that, to the extent possible, representatives from COM in IAIS present a consistent view.
- The Board of Supervisors agreed that this working method will be reviewed in 1 year time (focus on: results and efficient usage of resource).

8. ITDC (IT and Data Committee)

8.0. Executive Summary

8.1. Cover Letter

- 8.2. Business Processes Map**
- 8.3. Business process diagrams and descriptions**
- 8.4. Functional and non-functional building blocks**
- 8.5. Functional requirements**
- 8.6. Non-functional requirements**
- 8.7. Conceptual data model**
- 8.8. IT building blocks**
- 8.9. Implementation Plan**
- 8.10. Publication of EIOPA Insurance Register**

Conclusions and Action points:

8.0 – 8.9

- The Board of Supervisors mandated ITDC to start the execution of EIOPA IT Implementation Plan based on the assumption that it will be possible for NSA's to transmit 1:1 all harmonised data
- The Board of Supervisors mandated ITDC to allocate further time and resources in analysing a subset of data that could fulfil EIOPA business needs, and to present the detailed analysis for Board of Supervisors' approval
- The Board of Supervisors mandated ITDC to include in the IT Implementation Plan execution clear governance rules assuring that the Board of Supervisors is the decision making body regarding data to be accessed by EIOPA
- The Board of Supervisors mandated ITDC to analyse national binding regulations referring to data protection which can impact members' decision on data transmission to EIOPA database

8.10

- The Board of Supervisors agreed on the publication of a full register, using harmonised names based on the home supervisor version where differences exist between the home and host versions (Solution 1), targeting with publication of the register by 31 March 2012.

9. Preliminary budget and work programme 2013

Conclusions and Action points:

- The Board of Supervisors adopted the budget execution 2011, and the proposal to allocate the non-spent budget for the payment of the second instalment of the Budget 2012.
- EIOPA will provide a clear rationale on those areas where there is significant increase of the budget, compared to 2012.
- The Board of Supervisors agreed that, starting January 2012, the cost incurred by participation of Members to seminars organised by EIOPA can be reimbursed to the upper limit of budget available, on the basis of a formal reasoned request.

10. Closed session

Conclusions and Action points:

No conclusion or action point was taken.

11. Solvency II

11.1. SII timeline

11.2. Update from Coordination Group

11.3. Countercyclical premium

11.4. Pre-application process for USP and approval process for ancillary own funds

11.5. Question and answer process on EIOPA website restricted area

11.6. EIOPA recommendation on the calibration of the MCR for the implementing measures

Conclusions and Action points:

MCR calibration

- The Board of Supervisors adopted the submission of the advice on MCR calibration to the COM as part of EIOPA's contribution to the implementing measures
- The Board of Supervisors mandated FinReq to investigate the functioning of the absolute minimum to the SCR
- The Board of Supervisors agreed to review the MCR calibrations once the final implementing measures are adopted

SII timeline

- The Board of Supervisors agreed to continue the support towards the entry into force of Solvency II Directive on 1st January 2014.
- EIOPA will explore the legal constraints to formally publicly consult on the standards before the entry into force of Omnibus II Directive (OMDII), including a legal opinion from the COM.
- The Board of Supervisors agreed on the need to minimise the legal risk and prevent the duplication of work.
- EIOPA will adjust the public message on the date of public consultation (from May) to Autumn 2012, subject to the current timetable for adoption of OMD II.
- The Board of Supervisors agreed to proceed with structured discussions at the March and June meetings and to approve the Standards and Guidelines at the September meeting.
- The Board of Supervisors agreed to structure discussions with IRSG on consolidated standards and guidelines from March 2012.

Pre-application process for USP and approval process for AOF

- The Board of Supervisors decided that NSAs should be ready to receive application packages for AOF and USP as from 1 July 2013.
- For AOF and USP, early dialogues with supervisors are encouraged, supported where useful by a Q&A procedure by EIOPA.
- The Board of Supervisors agreed to revisit the question of a pre-application process for USP later during 2012.

Q&A process for internal models

- The Board of Supervisors approved the proposal to set up a Q&A process for internal models.
- Extension of the process to other areas will be considered based on experience.

Counter-cyclical premium:

- EIOPA Chair shall include a timeslot in the agenda of the 13th February meeting or schedule a dedicated telco to discuss this issue.

12. AOB

12.1. Updates

Conclusions and Action points:

No conclusion or action point was taken.

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