

**Comments Template on
Consultation Paper on on the Proposal for Guidelines
on the System of Governance**

**Deadline
19 June 2013
12:00 CET**

Name of Company:	French Federation of Insurance Companies (FFSA)	
Disclosure of comments:	Please indicate if your comments should be treated as confidential:	Public
<p>Please follow the following instructions for filling in the template:</p> <ul style="list-style-type: none"> ⇒ Do not change the numbering in the column "reference"; if you change numbering, your comment cannot be processed by our IT tool ⇒ Leave the last column <u>empty</u>. ⇒ Please fill in your comment in the relevant row. If you have <u>no comment</u> on a paragraph or a cell, keep the row <u>empty</u>. ⇒ Our IT tool does not allow processing of comments which do not refer to the specific numbers below. <p>Please send the completed template, in Word Format, to CP-13-008@eiopa.europa.eu. Our IT tool does not allow processing of any other formats.</p> <p>The numbering of the paragraphs refers to this Consultation Paper, the numbering of cells refers to the Technical Annexes II and III.</p>		
Reference	Comment	Resolution
General Comment	The main Comment concern the guideline 49 in the following point 1.89	
Introduction General Comment		
1.1		
1.2		

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
1.3		
1.4		
1.5		
1.6		
1.7		
1.8		
1.9		
1.10		
1.11		
1.12		
Section I. General Comments		
1.13		
1.14		
1.15		
Section II. General Comments		
Chapter I General Comments		
1.16		
1.17	In addition to insurance Europe comments , Interactions with administrative, management or supervisory bodies of “all entities” within the group would cause some implementing issues about organisation of group. The guideline should not duplicate the same tasks (and responsables)	

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
	in different entities of the group (parent company and subsidiaries).	
1.18		
1.19		
1.20		
1.21	In addition to Insurance Europe Comments, for proportionality reasons, the identity of the persons who effectively run the undertaking or are responsible for other key functions can be the same in different entities of the group.	
1.22		
1.23		
1.24		
1.25		
1.26		
1.27		
1.28		
1.29		
1.30		
Chapter II General Comments		
1.31		
1.32		
1.33	In addition to Insurance Europe Comments, Guidelines should not extend the scope and commitments of criminal sanctions set out by criminal national law.	

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
1.34		
1.35		
1.36		
Chapter III General Comments		
1.37		
1.38		
1.39		
1.40		
1.41		
1.42		
1.43		
1.44		
1.45		
1.46		
1.47		
1.48		
1.49		
1.50		
1.51		
Chapter IV General Comments		

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
1.52		
1.53		
1.54		
1.55		
1.56		
1.57		
1.58		
1.59		
1.60		
1.61		
1.62		
1.63		
Chapter V General Comments		
1.64		
1.65		
1.66		
Chapter VI General Comments		
1.67		
1.68		
1.69		

**Comments Template on
Consultation Paper on on the Proposal for Guidelines
on the System of Governance**

**Deadline
19 June 2013
12:00 CET**

Chapter VII General Comments		
1.70		
1.71		
1.72		
1.73		
1.74		
1.75		
1.76		
Chapter VIII General Comments		
1.77		
1.78		
1.79		
1.80		
1.81		
1.82		
1.83		
1.84		
1.85		
1.86		
1.87		

**Comments Template on
Consultation Paper on on the Proposal for Guidelines
on the System of Governance**

**Deadline
19 June 2013
12:00 CET**

Chapter IX General Comments		
1.88		
1.89	<p>In 1.205 of explanatory text, "activities of concluding and claim settlement" are not subject to outsourcing requirements.</p> <p>In guideline 49, underwriting and claim settlement by intermediary in the name of the insurance undertaking are subject to Solvency II and outsourcing requirements.</p> <p>So, there is a lack of clarity between paragraph 1.205 of explanatory text and guideline 49 regarding claim settlement and underwriting activities.</p> <p>It is not possible to "escape of outsourcing requirements when underwriting and claim settlement are carried out by intermediaries".</p>	
1.90		
1.91		
Section III. General Comments		
1.92		
1.93		
1.94		
1.95		
1.96		
1.97		

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
1.98		
1.99		
Compliance and Reporting Rules General Comments		
1.100		
1.101		
1.102		
1.103		
Impact Assessment – General Coments		
2.1		
2.2		
2.3		
2.4		
2.5		
2.6		
2.7		
2.8		
2.9		
2.10		
2.11		
2.12		
2.13		
2.14		

**Comments Template on
Consultation Paper on on the Proposal for Guidelines
on the System of Governance**

**Deadline
19 June 2013
12:00 CET**

2.15		
2.16		
2.17		
2.18		
2.19		
2.20		
2.21		
2.22		
2.23		
2.24		
2.25		
2.26		
2.27		
2.28		
2.29		
2.30		
2.31		
2.32		
2.33		
2.34		
2.35		
2.36		
2.37		
2.38		
2.39		
2.40		

**Comments Template on
Consultation Paper on on the Proposal for Guidelines
on the System of Governance**

**Deadline
19 June 2013
12:00 CET**

2.41		
2.42		
2.43		
2.44		
2.45		
2.46		
2.47		
2.48		
2.49		
2.50		
2.51		
2.52		
2.53		
2.54		
2.55		
2.56		
2.57		
2.58		
2.59		
2.60		
2.61		
2.62		
2.63		
2.64		
2.65		
2.66		

Comments Template on Consultation Paper on on the Proposal for Guidelines on the System of Governance		Deadline 19 June 2013 12:00 CET
2.67		
2.68		
2.69		
2.70		