
69TH MANAGEMENT BOARD MEETING VIA VIDEOCONFERENCE

DATE: 8 JUNE 2023 10:00-12:20

LOCATION: VIDEOCONFERENCE

FINAL MINUTES

WELCOME AND INTRODUCTORY REMARKS BY THE ACTING CHAIRPERSON

1. The Chairperson welcomed the attendees to the 69th meeting of EIOPA's Management Board (MB).

AGENDA ITEM 1: ADOPTION OF THE AGENDA

DECISION

2. The MB adopted the agenda by consensus.

CONCLUSIONS AND ACTION POINTS

3. The Chairperson concluded that there is no MB Member that has an interest that could be considered prejudicial to their independence with regard to any item of the adopted agenda following declaration by all MB Members of absence of any such interests.

AGENDA ITEM 2: UPDATE BY THE CHAIRPERSON, EXECUTIVE DIRECTOR, AND THE EUROPEAN COMMISSION

UPDATES BY THE CHAIRPERSON

4. The Chairperson updated the MB Members on the following topics:

MEMBERSHIP UPDATES

5. Mr Alberto Corinti (Institute for the Supervision of Insurance - IVASS) was re-elected for a second mandate and Mr Ante Žigman (Croatian Financial Services Supervisory Authority - HANFA) was elected as MB Member starting his first mandate of two and a half years as of 3

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June 2023. Ms Zuzana Silberová (Czech National Bank - CNB) concluded her second mandate as MB Member and the Chairperson expressed appreciation for her work during the past five years.

6. Ms Flor Gabriel, Deputy Director of the International Affairs Directorate at the Autorité de contrôle prudentiel et de résolution - ACPR, was appointed Alternate to Mr Patrick Montagner for both MB and Board of Supervisors (BoS), replacing Mr Ludovic Lebrun.
7. Mr Valentin Ionescu, General Director of the Insurance and Reinsurance General Directorate at Autoritatea de Supraveghere Financiară - ASF, Romania, was appointed as Alternate to Mr Cristian Rosu in the BoS replacing Mr Daniel Armeanu.

EIOPA' STRATEGY DAY 2023

8. On 25 and 26 May, EIOPA held its annual Strategy Day. The event was hosted by the Swedish Financial Supervisory Authority - Finansinspektionen at their premises in Stockholm.

ONE-OFF SCENARIO ANALYSIS EXERCISE

9. Following a request by the European Commission, a one-off scenario a stress test exercise is conducted jointly by the European Supervisory Authorities (ESAs), the European Central bank (ECB) and the European Single Resolution Board (ESRB). The work is progressing well and BoS will be involved before approval by the ESRB. For more information on the exercise, please consult EIOPA website ([link](#)).

PUBLICATION OF JOINT DISCUSSION PAPER WITH ECB ON POLICY OPTIONS TO REDUCE THE CLIMATE INSURANCE PROTECTION GAP

10. On 24 April 2023, EIOPA and the European Central Bank (ECB) published a [joint discussion paper on policy options to reduce the climate insurance protection gap](#). The paper aims to foster the debate on how to tackle the climate insurance protection gap and it was discussed at a public workshop, with good feedback. Comments on all aspects of the discussion paper are expected by 15 June.

STAKEHOLDER GROUPS MEETINGS

11. The Insurance and Occupational Pensions Stakeholder Groups (IRSG) met on 13 April, while the Occupational Pensions Stakeholder Group (OPSG) on 30 May 2023. The IRSG members touched upon topics such as: i) demand side aspects of protection gap; ii) IRSG own initiative work on the Right to be forgotten iii) EIOPA Discussion paper (DP) on the Prudential Treatment of Sustainability Risks. The OPSG members discussed, among other, its advice to the EIOPA consultation on the IORP II review, and own initiative work on the gender pension gap.

UPDATE ON PROFESSIONAL SECRECY PROCESSES

12. The Members of the Management Board were informed on ongoing developments in line with EIOPA's Professional Secrecy Decision.

UPDATES BY THE EXECUTIVE DIRECTOR (ED)

13. The ED updated the MB Members on the following topics:

FINANCIAL SERVICES COMMITTEE

14. The Financial Services Committee (FSC) met on 20 April and 17 May 2023, discussing about topics which are relevant for the insurance and pensions sector (such as ESMA assessment of the use of artificial intelligence in securities markets, EBA diversity benchmarking exercise under the CRD, ESRB report on systemic cyber risk).

DIGITAL OPERATIONAL RESILIENCE ACT (DORA)

15. The preparatory work on the Digital Operational Resilience Act (DORA) is progressing well via the Joint Committee Sub Committee on Digital Operational Resilience (JC SC DOR). EIOPA staff involved in this project are not new staff members, but current staff members mobilised to work on DORA by de-prioritising their involvement in other tasks (i.e., supervisory convergence). This is due to the fact that for the preparatory work the ESAs were not granted additional resources.

ETHICS

16. The MB was informed about a decision issued by the EuO Decision on how the European Insurance and Occupational Pensions Authority (the EIOPA) handled a conflict of interest situation, link (<https://www.ombudsman.europa.eu/en/decision/en/170198>).

UPDATE BY THE EUROPEAN COMMISSION (COM)

17. The COM representative informed the MB Members on the following:

SOLVENCY II REVIEW PACKAGE

18. Negotiations continue in the European Parliament (EP), with more progress on the Insurance Recovery and Resolution Directive (IRRD) file. Negotiations are likely to conclude in autumn.

IMPLEMENTING TECHNICAL STANDARDS (ITS) ON SUPERVISORY REPORTING DISCLOSURE

19. On 5 May 2023, the Implementing Technical Standards (ITS) on reporting and disclosure was published on the Official Journal (OF) of the European Union. Moreover, on the reporting and disclosure, the President of COM, Ms Ursula von der Leyen announced the reduction of the administrative burden by 25%. Once COM finalises planning how to tackle this task, EIOPA is expected to get involved, potentially on data sharing.

RETAILS INVESTMENT STRATEGY (RIS)

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20. On 24 May 2023, COM published the final proposals on the Retail Investment Strategy (RIS). EIOPA will continue to play a major role in the implementation of the various workstreams of the RIS.
21. Roundtable discussions with the industry will be organised by COM to address, in particular, reduction of conflicts of interest and transparency.

RIGHT TO BE FORGOTTEN

22. COM finalised the tendering procedure and the contract was awarded. COM aims to put in place a code of conduct, expected to be delivered in Q1 2024, to support the access to financial services for former cancer patients. The contractor was tasked with the preparatory work and will soon reach out to EIOPA for input (and to the National Competent Authorities through the Working Groups at EIOPA). Work is expected to commence during the summer.

MOTOR INSURANCE DIRECTIVE

23. COM is currently working on the Implementing Act for the European claims history statement which is tentatively due by July this year. Member States (MS) must appoint insolvency bodies or proxies to negotiate the cross-border insolvency arrangements. Agreement needs to be reached by end of 2023. In case arrangements cannot be reached a delegated act will have to be adopted by COM.

OPEN FINANCE

24. COM proposal on open finance is scheduled for adoption by 28 June. The proposal is likely to entail new mandates for EIOPA.

SUSTAINABLE FINANCE PACKAGE:

25. The package is scheduled for adoption on 13 June 2023 and will cover the new taxonomy package - with criteria for all six environmental objectives, a legislative proposal for the Environmental, social, and corporate governance (ESG) rating providers; an overview of the usability work; a recommendation on transition finance.

DECISION

26. Not applicable.

CONCLUSIONS AND ACTION POINTS

27. Not applicable.

AGENDA ITEM 3: QCC QUALITY REVIEW 2023

28. The Chair of the Quality Control Committee (QCC) presented the draft report on the review of the 'Preparations of BoS meetings, meeting modalities (in person / hybrid) and the functioning of written procedures. The report's findings are based on a survey with the members of the Board.

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29. The overall outcome of the review is very positive, with few recommendations proposed to EIOPA to further improve the relevant processes.
30. The Members welcomed the draft report and provided comments, in particular in relation to the BoS written procedures (to consider ways to provide advance information for ensuring sufficient reflection and discussion), document management aspects (timeliness of uploading, integration of previous discussions in the documents, alignment with other ESAs) and Joint Committee information flows.
In relation to the balance between the in-person and remote BoS meetings, as the new rules for meeting formats were approved only in January this year, a pertinent evaluation of the practical functioning of those rules did not make the subject of this review. It could be assessed only in 2024, after gathering concrete experience from their implementation.
31. On the way forward, the current draft report will be uploaded for discussion at the upcoming BoS meeting. The comments made by MB and BoS Members will be reflected by the QCC in the final report which will be presented to the MB for approval via written procedure.
32. Finally, EIOPA will develop and implement a cost-effective action plan to address the recommendations.

DECISION

33. Not applicable.

CONCLUSIONS AND ACTION POINTS

34. MB supported the draft report and provided suggestions for improvements and follow-up work.
35. QCC Chair to present the draft report for discussion at the BoS meeting on 28 June 2023 and consider the suggestions for follow up work.

AGENDA ITEM 4: BOS PREPARATION

4.1 OPEN INSURANCE USE CASE

36. EIOPA staff presented the use case and explained its purpose, which is to provide a concrete example and a technical discussion, and the next steps. It was highlighted that exploring the use case is not intended to imply any kind of policy commitment. The note is purely exploratory and intended to trigger debate through a public consultation.
37. Some Members highlighted that the publication of the report in parallel with the COM's open finance legislative proposal expected in June might raise questions on its purpose, thus further clarification on its purpose is needed in order to avoid potential misunderstanding from the market participants.
38. The Chairperson concluded that industry is already aware of the work on the use case, and that the main purpose of the document is to invite supervisors to build their views about such developments.

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DECISION

- 39. Not applicable.

CONCLUSIONS AND ACTION POINTS

- 40. MB supported the work on the use case and proposed to further clarify the purpose and timing of the publication of the use case.
- 41. EIOPA to prepare a cover note for the BoS discussion highlighting the aim of the use case and clarify the purpose of launching a public consultation after the publication of the COM proposal.

4.2 PRUDENTIAL TREATMENT OF SUSTAINABILITY RISKS

- 42. The Head of Policy Department presented the work on the prudential treatment of sustainability risks, with a particular focus on the findings and potential policy implications regarding equity and spread risk.
- 43. Members expressed overall support for the work done and on the continuation of the analysis. While several Members expressed support for the presented evidence and policy implications, some expressed concerns regarding the robustness of the data including in relation to the sample size and duration. Moreover, it was pointed out that the differences in approach compared to the EBA, working on a similar mandate, needs to be justified.

DECISION

- 44. Not applicable.

CONCLUSIONS AND ACTION POINTS

- 45. MB supported EIOPA's work on the topic, the recommended position in relation to underwriting, property, and social risks.
- 46. MB raised some points on the prudential treatment of equities and bonds, mainly related to the robustness of the data.
- 47. EIOPA to present the findings and the policy implications at the BoS meeting on 28 June 2023, for discussion including the points raised.

AGENDA ITEM 5: AOB

DECISION

- 48. Not applicable.

CONCLUSIONS AND ACTION POINTS

- 49. Not applicable.

ANNEX: LIST OF DECISIONS ADOPTED BY WRITTEN PROCEDURE FROM 13.03.2023 TO 08.06.2023

MB-2023-04

50. Decision adopting, by consensus, the Minutes of the 68th Management Board meeting which took place on 14 March 2023.

MB-2023-05

51. Decision adopting, by consensus, the Consolidated Annual Activity Report 2022 (CAAR 2022).

MB-2023-06

52. Decision adopting, by consensus, the Decision to re-appoint Michele Siri a member of the Board of Appeal (BoA) of the European Supervisory Authorities (ESAs) (EIOPA 2023-24).

Participants at the Management Board's meeting via videoconference

8 June 2023

Chairperson: Petra Hielkema

Vice-Chairperson: Peter Braumüller

<u>Country</u>	<u>Member/ Alternate</u>
Croatia	Ante Zigman /[-]
France	Patrick Montagner/[-]
Germany	Frank Grund /[-]
Italy	Alberto Corinti /[-]
Netherlands	Else BoS/[-]
Sweden	Åsa Larson /[-]

<u>Institution</u>	<u>Non-Voting Member/ Alternate</u>
European Commission	Larisa Dragomir

EIOPA Staff

Executive Director	Fausto Parente
Head of Corporate Affairs Department	Susanne Rosenbaum
Head of Corporate Support Department	Danny Janssen
Head of Consumer Protection Department	Valerie Mariatte-Wood
Head of Policy Department	Justin Wray
Head of Supervisory Processes Department	Ana Teresa Moutinho