

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

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

Name of Company:	BIPAR – European Federation of Insurance Intermediaries	
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		
Introduction General Comment		
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Section I. General Comments		
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Section II. General Comments		
Chapter I General Comments		
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Chapter II General Comments		
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Chapter III General Comments		

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Chapter IV General Comments		
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Chapter V General Comments		
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Chapter VI General Comments		
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Chapter VII General Comments		
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Chapter VIII General Comments		
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Chapter IX General Comments	<p>BIPAR takes due note of the clarification in point 1.205 of the explanatory text, accompanying guideline 49, that insurance mediation activities are excluded from the scope of the outsourcing article 49.</p> <p>We understand that when an intermediary is given the authority to settle claims or underwrite business, the outsourcing requirements can be applied, be it in a proportionate way.</p>	

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	<p>When for example an intermediary has a very limited claims settlement mandate given by a large, multi-branch insurance company, this could be subject to less formalities than an intermediary who would have an important mandate by a niche insurer in a niche branch.</p> <p>From the same proportionality perspective that is embedded in the guidelines, we believe that if an intermediary can hand out a temporary cover note, this should not per se qualify as outsourcing.</p> <p>BIPAR is of the opinion that, in order not to be over prescriptive, the guidelines should remain as high level as possible and focus on the outcomes/desired results, rather than on the tools which can lead to the results.</p>	
1.88	See general comments above	
1.89	See general comments above	
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Section III. General Comments		
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Compliance and Reporting Rules General Comments		
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Impact Assessment – General Coments		
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