

Guidelines

Guidelines on the supervision of branches of third country- country insurance undertakings



European Insurance and
Occupational Pensions Authority

1/24

INTRODUCTION

1. In accordance with Article 16 of Regulation (EU) No 1094/2010¹ EIOPA has issued these Guidelines on the supervision of branches of third-country insurance undertakings.
2. These Guidelines relate to Articles 162 to 171 of Directive 2009/138/EC.²
3. The purpose of these Guidelines is to ensure a consistent, efficient and effective protection of policyholders within the European Union. In particular, the Guidelines aim to ensure, as a minimum, the same level of protection of policyholders of a branch of a third-country insurance undertaking (the 'branch') as that they enjoy when they are dealing with an insurance undertaking situated in the EU whether in its home Member State or through a branch under Directive 2009/138/EC.
4. These Guidelines allow for alternatively proportionate supervision methods to protect policyholders of a branch in the context of valuation, own funds and submission of information under Directive 2009/138/EC and Commission Delegated Regulation (EU) 2015/35³ (Delegated Regulation (EU) 2015/35).
5. In accordance with Article 162 of Directive 2009/138/EC, the scope of these Guidelines covers only branches of third-country insurance undertakings, which carry out direct life and non-life insurance business.
6. The scope of these Guidelines equally covers branches, which are subject to either equivalent or non-equivalent supervision, as provided for under Directive 2009/138/EC. Notwithstanding this, supervisory authorities may have regard to specific equivalence decisions, which are relevant to assessing the solvency of the whole third-country insurance undertaking, including its branch.
7. The scope of these Guidelines does not cover third-country insurance undertakings taking on, or authorised to take on, only reinsurance business through an EU branch even if the third-country insurance undertaking carries out direct insurance business through its head-office or branches outside of the EU.
8. In accordance with Article 171 of Directive 2009/138/EC, the scope of these Guidelines covers only such provisions for branches which are not already governed by agreements with third countries.
9. For reporting in relation to a branch, these Guidelines refer to the templates and log files laid down in the Commission Implementing Regulation 2023/894⁴ (hereinafter the 'Implementing Technical Standard on the Templates for the Submission of Information').
10. Where the reporting templates on branches are different from the templates provided in the Implementing Technical Standard on the Templates for the Submission of Information, a specific

¹ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

² Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1).

³ Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1).

⁴ Commission Implementing Regulation (EU) 2023/894 of 4 April 2023 laying down implementing technical standards for the application of Directive 2009/138/EC of the European Parliament and the Council with regard to the templates for the submission by insurance and reinsurance undertakings to their supervisory authorities of information necessary for their supervision and repealing Implementing Regulation (EU) 2015/245 (OJ L 120, 05/05/2023, p. 1–1596).

template and respective instructions file are referred to in Technical Annexes III and IV to these Guidelines.

11. Unless otherwise indicated, all code references of templates and instructions refer to the templates or instructions with identical code references, as laid down in the Implementing Technical Standard on the Templates for the Submission of Information.
12. These Guidelines are addressed to the supervisory authorities under Directive 2009/138/EC.
13. The Guidelines on Reporting and Public Disclosure (EIOPA-BoS-15/109)⁵ issued by EIOPA are also applicable with respect to a branch as indicated in those Guidelines.
14. For the purpose of these Guidelines the following definitions apply:
 - a) “branch operations” means operations effected by a branch pursuant to its authorisation under Directive 2009/138/EC;
 - b) “branch assets” means assets of the third-country insurance undertaking which are attributed to branch operations, excluding any notional book amount owing from the undertaking’s non-branch operations to the undertaking’s branch operations and which are available upon the winding-up of the undertaking to pay the insurance liabilities of branch policyholders in accordance with Guideline 20;
 - c) “branch liabilities” means the branch insurance claims, branch preferential claims and claims secured on branch assets;
 - d) “branch own funds” means the sum of branch basic own funds and branch ancillary own funds.
 - e) “branch basic own funds” means the excess of branch assets over branch liabilities;
 - f) “branch ancillary own funds” means items, which can be called up within winding-up proceedings with regard to the third-country insurance undertaking to pay the insurance liabilities vis-a-vis branch policyholders in accordance with Guideline 20 and which meet the requirements of Articles 89 and 90 of Directive 2009/138/EC;
 - g) “branch balance sheet” means a balance sheet showing branch assets and branch liabilities complying with the recognition and valuation principles under Article 75 of Directive 2009/138/EC.
 - h) “branch SCR” means the Solvency Capital Requirement (SCR) based on the branch balance sheet and the volume measures as specified in Directive 2009/138/EC which relate to the branch balance sheet;
 - i) “branch MCR” means the Minimum Capital Requirement (MCR) which is based on the branch balance sheet and the volume measures as specified in Directive 2009/138/EC which relate to the branch balance sheet;
 - j) “branch policyholder” means a policyholder whose policy is effected by the branch. This definition includes, but is not limited to, policyholders and beneficiaries who have branch insurance claims;
 - k) “insurance claim” means claims of branch policyholders within the meaning of Article 268(g) of Directive 2009/138/EC;
 - l) “location of the insurance claim” means the location of either the beneficiary (including policyholders), the insured risk or the contract signed with the third-country insurance undertaking

⁵ Available at EIOPA’s website: Guidelines on reporting and public disclosure - European Insurance and Occupational Pensions Authority.

(including whether the business was transacted through the branch or through the head- office of the third-country insurance undertaking);

m) “branch insurance claim” means insurance claim relating to branch policyholders;

n) “branch preferential claims” means any claim which upon a winding-up of the third-country insurance undertaking ranks in priority to branch insurance claims which are:

- claims of employees of branch operations arising from employment contracts and employment relations, claims by public bodies on taxes owed with respect to branch operations,
- claims by social security systems with regard to branch operations, or
- claims on branch assets subject to rights in rem;

o) “host supervisory authority” means the supervisory authority of the Member State where the branch is established and its operations occur.

p) “home supervisory authority” means the supervisory authority of the country, which has authorised the third-country insurance undertaking to take on insurance business and where the undertaking has its head office;

q) “reporting currency” is the currency of the country of the supervisory authority receiving the reporting information, unless otherwise allowed by this supervisory authority;

15. If not defined in these Guidelines, the terms have the meaning defined in the legal acts referred to in the introduction.

Authorisation of branch of a third-country insurance undertaking

Guideline 1 - Conditions for authorisation or continuing authorisation

16. When authorising or continuing authorisation of a branch, host supervisory authorities should be satisfied that the relevant third-country insurance undertaking has an adequate solvency margin and commits to provide any information which the host supervisory authority may need for supervisory purposes and which demonstrates that the undertaking as a whole has an adequate solvency margin under the home jurisdiction rules and that the home supervisory authority confirms that those rules are met.
17. Host supervisory authorities should assess the adequacy of the solvency margin of the undertaking as a whole on the basis of the prudential requirements of the home supervisory authority, including seeking additional information where needed.

Guideline 2 - Scheme of operations and solvency margin

18. The host supervisory authority should ensure that the third-country insurance undertaking includes in the scheme of operations of its branch an analysis of the differences between the home country solvency rules and the rules of Directive 2009/138/EC, including an explanation on the reasons that justify such differences.

Guideline 3 - Distribution of branch assets

19. When determining whether a third-country insurance undertaking has an adequate solvency margin, the host supervisory authority should consider:
- a) the branch assets remaining after paying the insurance claims of branch policyholders which would be distributed to other claims of branch policyholders; and

b) the aggregate amount of claims which would rank in priority to, or equal with, claims of branch policyholders.

Guideline 4 - Analysis concerning the distribution of branch assets

20. For the purpose of Guideline 6, the host supervisory authority should procure an analysis concerning the legal and practical operation of the home jurisdiction bankruptcy regime; the priority given to policyholders of the branch and of other policyholders of the third-country insurance undertaking in winding-up proceedings; and how the assets of the third-country insurance undertaking are distributed to those policyholders.
21. The host supervisory authority should, to the extent to which applicable confidentiality requirements permit, make the procured analysis available to EIOPA. EIOPA may decide to make the analysis available to other supervisory authorities in accordance with its confidentiality regime and on a need-to-know basis.
22. Where the home jurisdiction bankruptcy regime does not provide for at least the same level of protection of policyholders in winding-up proceedings as under Directive 2009/138/EC, the host supervisory authority should procure from the relevant third-country insurance undertaking an analysis concerning the distribution of branch assets under: the home jurisdiction bankruptcy regime in relation to that undertaking; the regime of the Member State where the branch is authorised (where separate proceedings can be opened in respect of the branch); or the distribution circumstances where winding-up proceedings are initiated in both the home jurisdiction and the host Member State where the branch is established.
23. The host supervisory authority should ensure that all analyses are provided by persons suitably qualified to advise in respect of the laws and practices of the jurisdiction concerned.

Guideline 5 - Determination of branch liabilities

24. The host supervisory authority should ensure that branch insurance claims included in branch liabilities comprise technical provisions, as defined in Article 77 of Directive 2009/138/EC, associated with only those branch insurance claims.

Guideline 6 - Determination of branch assets

25. The host supervisory authority should ensure that the third-country insurance undertaking only includes in the branch balance sheet the assets that are available according to the criteria below:
 - a) assets which are distributed in accordance with Article 275(1)(a) or (b) of Directive 2009/138/EC on a basis which does not differentiate between claims according to the location of the claim;
 - b) assets which are distributed to pay branch preferential claims and insurance claims of branch policyholders in priority to all other claims.
26. The host supervisory authority should ensure that in submitting information concerning the branch balance sheet, own funds and branch SCR, the third-country insurance undertaking only includes assets which are available for distribution upon winding-up of the third-country insurance undertaking to pay the insurance claims of branch policyholders.

27. The host supervisory authority should ensure that in submitting the information on the branch balance sheet, the third-country insurance undertaking shows the available assets gross of branch preferential claims and any prior security interests and report the net amount of available branch assets and the deduction of branch preferential claims and prior security interests on the template S.02.03.07 specifying additional branch balance sheet information, as laid down in Annex III to these Guidelines.

Supervisory powers and communication with other supervisory authorities

Guideline 7 - Assessment of the branch financial position as part of the supervisory review process

28. When assessing the adequacy of the branch financial position as part of the supervisory review process, the host supervisory authority should consider the risk that branch policyholders' claims may be diluted by non-branch claims.

Guideline 8 – Notifying EIOPA of joint decisions in relation to Article 167 of Directive 2009/138/EC

29. Where a third-country insurance undertaking authorised in more than one Member State applies for the advantages set out Article 167 of Directive 2009/138/EC, the supervisory authority referred to in Article 167(2) of Directive 2009/138/EC should notify EIOPA of the decision taken under that article and whether it considers that the conditions in Guideline 1 are met.

Guideline 9 – Notification of the host supervisory authorities of branch locations

30. The host supervisory authority should ensure that a third-country insurance undertaking informs it on a continuous basis of the location of the branches which that undertaking has established or intends to establish in any other Member State.

Guideline 10 – Single balance sheet under Article 167 of Directive 2009/138/EC

31. Where the advantages set out in Article 167(1) of Directive 2009/138/EC are granted, the host supervisory authority who is to supervise all branches established within the Union should ensure that a single branch balance sheet is drawn up by the third-country insurance undertaking in relation to all branch operations pursued within the Union and which may, at the undertaking's discretion, eliminate any intra-branch transactions.

Guideline 11 – Withdrawal of advantages

32. Host supervisory authorities, which withdraw the advantages granted under Article 167(1) of Directive 2009/138/EC, should promptly inform the supervisory authorities of the other Member States in which the third- country insurance undertaking operates, of the withdrawal of the advantages.

Guideline 12 - Supervisory review process

33. The host supervisory authority should ensure that branch operations are subject to review and evaluation as part of the supervisory review process laid down in Article 36 of Directive 2009/138/EC.

Guideline 13 – Cooperation and communication between supervisory authorities under the supervisory review process

34. Where host supervisory authorities have granted the advantages referred to in Article 167(1) of Directive 2009/138/EC, they should establish a communication process in line with the one described in the Guidelines on Supervisory Review Process (EIOPA-BoS-14/179)⁶.
35. Where the third-country insurance undertaking has branches authorised in more than one Member State but has not applied for any of the advantages under Article 167(1) of Directive 2009/138/EC, the concerned supervisory authorities should agree how to cooperate and exchange information in line with the Guidelines on Supervisory Review Process (EIOPA-BoS-14/179).

Guideline 14 - Communication with other supervisory authorities

36. Where a host supervisory authority becomes aware of information that may undermine the position of branch insurance creditors or the availability of branch own funds, it should communicate that information to any other host supervisory authority where the third-country insurance undertaking has received authorisation to establish a branch and to EIOPA.
37. The host supervisory authority should consider if there are other relevant supervisory authorities with whom it should communicate, such as supervisory authorities of related insurance undertakings or branches of other members of the group to which the third-country insurance undertaking belongs.

Financial soundness of the branch

Guideline 15 - Branch accounting

38. The host supervisory authority should ensure that a third-country insurance undertaking establishes, maintains and documents the administrative and accounting procedures related to the operations of its branches in the Member States in which the branches operate.
39. The host supervisory authority should ensure that a third-country insurance undertaking keeps records: identifying the location of all branch assets; and providing sufficient information enabling any person charged with the winding-up of that undertaking to take control of those assets.
40. The host supervisory authority should ensure that a third-country insurance undertaking produces and keeps management accounts relating to the whole balance sheet of the branch – including available and non-available assets and all liabilities relating to branch operations.

⁶ Available at EIOPA's website: [Guidelines on supervisory review process - European Insurance and Occupational Pensions Authority](#).

Guideline 16 - Location of branch assets

41. The host supervisory authority should ensure that the third-country insurance undertaking informs the host supervisory authority immediately if one of the conditions in Article 166(4) of Directive 2009/138/EC are no longer complied with.

Guideline 17 - Quality requirements for the security deposits under Article 162(2)(e) of Directive 2009/138/EC

42. The host supervisory authority should ensure that deposits lodged as security by a third-country insurance undertaking are of low volatility under all market conditions having impact on the value of that deposit and thereby on the deposit's appropriateness as a security.
43. The host supervisory authority should ensure that a third-country insurance undertaking may only lodge a deposit with a credit institution authorised in the Union which has acknowledged that it has no rights of set-off or will not exercise any rights of set-off of any claims it may have against that undertaking against the deposit if the insurance undertaking fails or is subject to winding up proceedings.

Guideline 18 - Assessment of the quality of a security deposit under Article 162(2)(e) of Directive 2009/138/EC

44. The host supervisory authority should ensure that a third-country insurance undertaking provides sufficient information to it so that it can assess the quality of the assets and determine if that undertaking needs to make changes to the deposit to ensure its ongoing appropriateness as security.

Guideline 19 - Branch own funds

45. The host supervisory authority should ensure that the third-country insurance undertaking calculates its branch own funds, taking into account only assets which are available for distribution upon a winding-up of the undertaking to pay the insurance claims of branch policyholders and branch preferential claims. Such assets should only be treated as available if they would be distributed:
 - a) in accordance with the provisions of Article 275(1)(a) or (b) of Directive 2009/138/EC and in a manner which does not differentiate between claims according to the location of the claim; or
 - b) to pay branch preferential claims and the insurance claims of branch policyholders in priority to all other claims.

Guideline 20 - Assessment of available branch assets

46. The host supervisory authority should ensure that the third-country insurance undertaking provides it with sufficient information allowing the host supervisory authority to assess all of the following:
 - a) the steps which a liquidator needs to take to assume control of, and collect in the branch assets, and whether such steps would be effective where competing claims in relation to those assets are exercised by other creditors or another liquidator administering winding-up proceedings with regard to the third-country insurance undertaking;

- b) the speed and simplicity with which branch assets could be transferred outside the jurisdiction of the host supervisory authority and the EU prior to the commencement of winding-up proceedings;
- c) the degree to which the host supervisory authority could effectively prevent branch assets being transferred outside the EU prior to the commencement of any winding-up proceedings;
- d) the degree to which branch assets could be used to settle liabilities other than branch insurance claims prior to or in the event of the third-country insurance undertaking's winding-up;
- e) the manner in which the third-country insurance undertaking exercises control over branch operations and whether this control is exerted by persons responsible for the branch operations as distinct from persons responsible for the other operations of the undertaking;
- f) the risk that branch liabilities are not related to the claims of policyholders within the EU such that they function as a mechanism for improperly or otherwise transferring branch assets to any other creditor of the undertaking, any member of the same group, or any third-party to the detriment of policyholders within the EU;
- g) whether the contractual relationships between the third-country insurance undertaking and third parties enable the use of branch assets for purposes other than satisfying branch liabilities;
- h) the effects of specific legal requirements to use branch assets for purposes other than satisfying branch liabilities;
- i) whether failing to use branch assets for purposes other than satisfying branch liabilities might prejudice the reputation of the third-country insurance undertaking;
- j) whether there are any tax disadvantages or advantages for the third- country insurance undertaking arising upon the use of branch assets for purposes other than satisfying branch liabilities; and
- k) whether there are any exchange controls that may have an impact on the use of branch assets for purposes other than the satisfying branch liabilities.

Governance and risk management

Guideline 21 - General governance requirements

47. The host supervisory authority should ensure that the third-country insurance undertaking complies with the system of governance requirements under Articles 41 to 50 of Directive 2009/138/EC, including with the prudent person principle under Article 132 of Directive 2009/138/EC with regard to branch operations.

Guideline 22 - Language and reporting of governance policies

48. The host supervisory authority should ensure that the third-country insurance undertaking has written policies covering the governance arrangements to comply with Guideline 21, available in a language agreed by the host supervisory authority and include information in its regular supervisory reporting regarding how it satisfies those governance requirements.

Guideline 23 - Fit and proper requirements

49. The host supervisory authority should ensure that the requirements in Article 42 of Directive 2009/138/EC apply to:

- a) the general representative of the branch and;
- b) any persons who may influence branch operations.

Guideline 24 - Assessment of branch assets in the ORSA

50. The host supervisory authority should ensure that the third-country insurance undertaking, as part of its ORSA, assesses the permanent availability of the branch assets and addresses in its assessment:
- a) the risks to the effectiveness of arrangements to ensure that branch assets are paid only to branch insurance creditors and branch preferential creditors; and
 - b) the risks to the adequacy of branch assets to cover claims of such creditors by at least the amount of the branch SCR if subparagraph (a) of Guideline 19 is not met by the undertaking.

Disclosure

Guideline 25 - Public disclosure requirements in relation to branches

51. The host supervisory authority should ensure that the third-country insurance undertakings guarantee that branch policyholders can obtain any publicly disclosed information concerning the solvency and financial condition of the whole third-country insurance undertaking, if the rules and regulations of the third-country prescribe such disclosure.

Structure and form of the supervisory reporting

Guideline 26 - Elements of the regular supervisory reporting

52. The host supervisory authority should ensure that the third-country insurance undertaking submits to it the following information in respect of branch operations at predefined periods under Article 35(2)(a)(i) of Directive 2009/138/EC:
- a) a regular supervisory report comprising the information required under Article 35 of Directive 2009/138/EC and these Guidelines, in relation to branch operations, in narrative form and including quantitative data, where appropriate;
 - b) the ORSA supervisory report in respect of branch operations comprising the results of each regular ORSA performed by the undertaking in accordance with Article 45(6) of Directive 2009/138/EC and these Guidelines, and without delay following any significant change in its risk profile, in accordance with Article 45(5) of Directive 2009/138/EC;
 - c) completed annual and quarterly quantitative templates in respect of branch operations, as provided for in Guidelines 30, 31 and 32, specifying in greater detail and supplementing, where appropriate, the information presented in the regular supervisory report;
 - d) a copy of the supervisory reporting documentation of the whole third- country insurance undertaking;
 - e) a summary of any significant concerns which the home supervisory authority has raised with the third-country insurance undertaking, in the official language of the country where the branch is located.
53. The requirements set out in the first paragraph of this Guideline are without prejudice to the power of the host supervisory authority to require the third-country insurance undertaking to communicate on a regular basis any other information prepared under the responsibility of, or at

the request of, the administrative, management or supervisory body of these undertakings, in relation to branch operations.

54. The host supervisory authority should ensure that the regular supervisory report issued by the third-country insurance undertaking in respect of branch operations follows the structure set out in Annex XX.B of the Commission Delegated Regulation (EU) 2015/35⁷ and presents in a coherent and informative manner the information described in Technical Annex I to these Guidelines.

Guideline 27 - ORSA Supervisory Report

55. The host supervisory authority should ensure that the ORSA supervisory report issued by the third-country insurance undertaking in respect of branch operations covers:
- a) the qualitative and quantitative results of the ORSA and the conclusions drawn by the third-country insurance undertaking from those results;
 - b) the methods and main assumptions used in the ORSA;
 - c) information on the branch's overall solvency needs and a comparison between those solvency needs, the regulatory capital requirements and the branch's own funds;
 - d) qualitative information on the extent to which quantifiable risks of the branch are not reflected in the calculation of the branch SCR;
 - e) where significant deviations have been identified, the quantifiable risks of the branch not reflected in the branch SCR appropriately quantified.
56. The host supervisory authority should ensure that the ORSA supervisory report issued by the third-country insurance undertaking in respect of branch operations also covers any risks with regard to other operations of the third-country insurance undertaking which may have a material impact on the branch operations.

Guideline 28 - Materiality of information

57. The host supervisory authority should ensure that third-country insurance undertakings consider as material information, information which omission or misstatement could influence its decision-making or judgement.

Means of communication

Guideline 29 - Updates to reports

58. Where a significant development affects the information received from a third country insurance undertaking or upon request from the host supervisory authority due to material data quality issues identified, the host supervisory authority should ensure that the third country insurance undertaking submits to it an update of this information as soon as possible following the occurrence of the significant development. Such an update can take the form of amendments to the initial report.
59. The host supervisory authority should ensure that third-country insurance undertakings consider as a significant development any significant change to the winding-up regime applicable to the

⁷ Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1)

branch. Quantitative reporting requirements for third-country insurance undertakings in relation to branch operations.

Guideline 30 - Annual quantitative templates for third-country insurance undertakings in relation to branch operations

60. Unless otherwise decided in accordance with Guideline 33, the host supervisory authority should ensure that the third-country insurance undertakings annually submit to it the following structured information regarding branch operations, where applicable:
- a) template S.01.01.07 of Annex III to these Guidelines, specifying the content of the submission, following the instructions set out in S.01.01 of Annex IV to these Guidelines;
 - b) template S.01.02.07 of Annex III to these Guidelines, specifying basic information on the branch and the content of the reporting in general, following the instructions set out in S.01.02 Annex IV to these Guidelines;
 - c) template S.01.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying basic information on ring fenced funds and matching portfolios, following the instructions set out in S.01.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
 - d) template S.02.01.07 of Annex III to these Guidelines, specifying balance sheet information using both the valuation in accordance with Article 75 of the Directive 2009/138/EC and the valuation according to the branch management accounts value for the branch operations, following the instructions set out in S.02.01 of Annex IV to these Guidelines;
 - e) unless one single currency represents more than 80% of the total liabilities, template S.02.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on branch liabilities by currency, following the instructions set out in S.02.02 Annex II to the Implementing Technical;
 - f) template S.02.03.07 of Annex III to these Guidelines, specifying additional branch balance sheet information, following the instructions set out in S.02.03 Annex IV to these Guidelines;
 - g) where any of the following conditions apply, template S.03.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying general information on off balance sheet items, following the instructions set out in S.03.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information:
 - (a) the amount of any of the following values is higher than 3.5% of Total Assets:
 - Value of guarantee/collateral/contingent liabilities — Guarantees provided by the undertaking, including letters of credit (C0020/R0010) plus Value of guarantee/collateral/contingent liabilities — Total collateral pledged (C0020/R0300) plus Maximum value — Total Contingent liabilities (C0010/R0400); or - Value of guarantee/collateral/contingent liabilities — Guarantees received by the undertaking, including letters of credit (C0020/R0030) plus Value of guarantee/collateral/contingent liabilities — Total collateral held (C0020/R0200);
 - (b) the undertaking has provided or received any unlimited guarantee;
 - h) template S.05.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on premiums, claims, expenses following the valuation and recognition principles used in the branch management accounts value for the branch operations, following the instructions set out in S.05.01 of Annex II to the Implementing

Technical Standard on the Templates for the Submission of Information for each line of business as defined in Annex I to Delegated Regulation (EU) 2015/35;

i) template S.06.02.07 of Annex III to these Guidelines, providing an item- by item list of assets, following the instructions set out in S.06.02 of Annex IV to these Guidelines;

j) template S.06.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing information on the look-through of all collective investments held by the third-country branch, following the instructions set out in S.06.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

k) template S.06.04.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing information on the Sustainable investments and climate change-related risks to investments held by the third country branch, following the instructions set out in S.06.04 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

l) template S.07.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing an item- by- item list of structured products only when the amount of structured products is higher than 5%, measured as the assets classified as asset categories 5 (Structured notes) and 6 (Collateralised securities), as defined in Annex V to the Implementing Technical Standard on the Templates for the Submission of Information, divided by the sum of items C0010/R0070 and C0010/RC0220 of template S.02.01.01, following the instructions set out in S.07.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

m) template S.08.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing an item- by item list of open positions list of derivatives, following the instructions set out in S.08.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

n) template S.09.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on income, gains and losses in the period following the instructions set out in S.09.01 in of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

o) template S.10.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing an item- by-item list of securities lending and repurchase agreements data on and off balance sheet, only when the value of the underlying securities, on and off balance sheet, involved in lending or repurchase agreements, for contracts with maturity date falling after the reporting reference date represent more than 5% of the total investments as reported in items C0010/R0070 and C0010/R0220 of template S.02.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, following the instructions set out in S.10.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

p) Where the ratio of the value of assets held as collateral to total balance sheet as reported in items C0010/R0500 of template S.02.01.01 exceeds 10%, template S.11.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing an item by item list of assets held as collateral, consisting of all types of off balance sheet asset

categories held as collateral following the instructions set out in S.11.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information.

q) template S.12.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information specifying information on life and health SLT technical provisions, by lines of business as defined in Annex I of Delegated Regulation (EU) 2015/35, following the instructions set out in S.12.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

r) template S.12.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on life and health SLT technical provisions by country, where the life and health SLT technical provisions regarding the country where the branch is established does not represent 100% of the sum of the technical provisions calculated as a whole and gross best estimate, following the instructions set out in S.12.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

s) unless the branch uses simplifications for the calculation of technical provisions, for which an estimate of the expected future cash-flows arising from the contracts are not calculated, template S.13.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, regarding projection of best estimate future cash flows of the life business, following the 19/36 instructions set out in S.13.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

t) template S.14.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, regarding life obligations analysis, including life insurance contracts and annuities stemming from non-life contracts, by product and by homogeneous risk group issued by the branch, following the instructions set out in S.14.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

u) template S.14.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life obligations analysis, by line of business and specific product categories issued by the undertaking, following the instructions set out in S.14.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

v) template S.14.03 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on cyber underwriting risk, following instructions set out in section S.14.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information, where any of the following conditions apply:

i. sum of premiums earned for standalone cyber policies and policies with cyber as add-on coverage (where only the (estimated) premiums earned for cyber risk should be taken into account) is greater than 5% of the overall non-life business pursued by the undertaking or greater than 5 million €;

ii. number of policies that include cyber risk coverage (i.e. standalone cyber and/or cyber ad add-on policy) represent more than 3% of the total number of policies of the non-life business);

w) template S.16.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on annuities stemming from non-life insurance obligations issued by the branch under direct insurance business, following the instructions set out in S.16.01 of Annex II to the Implementing Technical Standard on the

Templates for the Submission of Information, regarding all lines of business originating annuities as defined in Annex I to Delegated Regulation (EU) 2015/35;

x) template S.17.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life technical provisions, following the instructions set out in S.17.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information, by lines of business as defined in Annex I to Delegated Regulation (EU) 2015/35;

y) template S.17.03.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life technical provisions referred to direct insurance business by country, where the non-life technical provisions regarding the country where the branch is established does not represent 100% of the sum of the technical provisions calculated as a whole and gross best estimate, following the instructions set out in section S.17.03 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

z) unless the undertaking uses simplifications for the calculation of technical provisions, for which an estimate of the expected future cash-flows arising from the contracts are not calculated, template S.18.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, regarding projection of future cash flows based on best estimate of the non-life business, for the lines of business representing a coverage of 90% of the sum of the technical provisions calculated as a whole and gross best estimate, following the instructions set out in S.18.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

aa) template S.19.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life insurance claims in the format of development triangles, following the instructions set out in S.19.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information, for the total of each non-life line of business as defined in Annex I to Delegated Regulation (EU) 2015/35 and additionally by currency, only when the following applies:

i. the total gross best estimate for one non-life line of business represents more than 10% of the total gross best estimate of the claims provision the information should be reported with the following split by currencies:

a) amounts for any currency that represents more than 25% of the gross best estimate of the claims provisions in the original currency from that non-life line of business; or

b) amounts for any currency that represents less than 25% of the gross best estimate of the claims provisions in the original currency from that non-life line of business but more than 5% of total gross best estimate of the claims provisions in the original currency.

bb) template S.20.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the development of the distribution of the claims incurred at the end of the financial year for material line of business representing a coverage of 90% of the non-life technical provisions, following the instructions set out in S.20.01 of Annex II to Implementing Technical Standard on the Templates for the Submission

of Information, for each line of business as defined in Annex I to Delegated Regulation (EU) 2015/35;

cc) template S.22.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the impact of the long-term guarantees and transitional measures, following the instructions set out in S.22.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

dd) template S.22.04.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the interest rate transitional, following the instructions set out in S.22.04 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

ee) template S.22.05.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the transitional on technical provisions following the instructions set out in S.22.05 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

ff) template S.22.07.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the calculated volatility adjustment and corresponding best estimates by country and currency following the instructions set out in S.22.07 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

gg) template S.23.01.07 of Annex III to these Guidelines, specifying information on own funds, following the instructions set out in S.23.01 of Annex IV to these Guidelines;

hh) template S.24.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on participations held by the branch and an overview of the calculation for the deduction from own funds related to participations in financial and credit institutions, following the instructions set out in S.24.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

ii) template S.25.01.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying the SCR for branches using the standard formula, following the instructions set out in S.25.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

jj) template S.25.05.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying the SCR for branches using an internal model, following the instructions set out in S.25.05 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

kk) template S.26.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on market risk, following the instructions set out in S.26.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considers the specifications described in paragraphs 61(a) to (c);

ll) template S.26.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on counterparty default risk, following the instructions set out in S.26.02 of Annex II to the Implementing Technical Standard

on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

mm) template S.26.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on life underwriting risk, following the instructions set out in S.26.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

nn) template S.26.04.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on health underwriting risk, following the instructions set out in S.26.04 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

oo) template S.26.05.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life underwriting risk, following the instructions set out in S.26.05 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

pp) template S.26.06.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on operational risk, following the instructions set out in S.26.06 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

qq) template S.26.07.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the simplifications used in the calculation of the SCR, following the instructions set out in S.26.07 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);

rr) template S.26.08.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying the Solvency Capital Requirement for undertakings using an internal model partial or full, following the instructions set out in S.26.08 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

ss) template S.26.09.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model market and credit risk for financial instruments, following the instructions set out in S.26.09 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

tt) template S.26.10.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information specifying information on internal model portfolio view details of credit event risk, following the instructions set out in S.26.10 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

uu) template S.26.11.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model details for financial instruments of credit risk, following the instructions set out in S.26.11 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

- vv) template S.26.12.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model for non-financial instruments of credit risk, following the instructions set out in S.26.12 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
- ww) template S.26.13.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model non-life and health NSLT underwriting risk, following the instructions set out in S.26.13 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
- xx) template S.26.14.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model life and health underwriting risk, following the instructions set out in S.26.14 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
- yy) template S.26.15.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model operational risk, following the instructions set out in S.26.15 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
- zz) template S.26.16.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model changes, following the instructions set out in S.26.16 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information.
- aaa) template S.27.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life catastrophe risk, following the instructions set out in S.27.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 61(a) to (c);
- bbb) template S.28.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying the MCR for branches engaged in only life or non-life insurance or reinsurance activity, following the instructions set out in S.28.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
- ccc) template S.28.02.01 of Annex I, specifying the MCR for branches engaged in both life and non-life insurance activity, following the instructions set out in S.28.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
- ddd) template S.30.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the outgoing reinsurance program in the next reporting year covering prospective information on reinsurance treaties whose period of validity includes or overlaps the next reporting year, following the instructions set out in S.30.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
- eee) template S.30.04.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the outgoing reinsurance program in the next reporting year, covering prospective information on reinsurance treaties whose period of validity of includes or overlaps the next reporting year, following the

instructions set out in S.30.04 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

fff) template S.31.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the share of reinsurers data, following the instructions set out in S.31.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;

ggg) template S.31.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on special purpose vehicles from the perspective of the insurance or reinsurance undertaking transferring risk(s) to the special purpose vehicles, following the instructions set out in S.31.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information.

61. The host supervisory authority should ensure that when the third-country insurance undertaking submits the information regarding branch operations referred to in paragraphs 60 (ii) to (zz), the following specifications are applied:
 - a) In case of existence of ring-fenced funds or matching adjustment portfolios information referred in those paragraphs should not be reported for the branch as a whole;
 - b) where a partial internal model is used the information referred in those paragraphs should only be reported in relation to the risks covered by the standard formula, unless otherwise decided on the basis of Guideline 34;
 - c) where a full internal model is used the information referred in those paragraphs should not be reported.
62. The host supervisory authority should ensure that when the third-country insurance undertaking submits the information required under this Guideline, the undertaking uses *mutatis mutandis* the templates and instructions laid down in the Implementing Technical Standard on the Templates for the Submission of Information unless a specific paragraph or sub-paragraph of this Guideline refers to the branch specific templates and instructions set out in Annexes III and IV to these Guidelines.

Guideline 31 - Quarterly templates for third-country insurance undertakings

63. Unless otherwise decided in accordance with Guideline 33, the host supervisory authority should ensure that the third-country insurance undertaking submits to it on a quarterly basis the following structured information regarding branch operations, where applicable:
 - a) template S.01.01.08 of Annex III to these Guidelines, specifying the content of the submission detailing the information submitted at each reporting submission date, following the instructions set out in S.01.01 of Annex IV to these Guidelines;
 - b) template S.01.02.07 of Annex III to these Guidelines, specifying basic information detailing information on the undertaking and the content of the reporting in general, following the instructions set out in S.01.02 of Annex IV to these Guidelines;
 - c) template S.02.01.08 of Annex III to these Guidelines, specifying balance sheet information using the valuation of assets and liabilities in accordance with Article 75 of Directive 2009/138/EC, following the instructions set out in S.02.01 of Annex IV to these Guidelines;

- d) template S.05.01.02 of Annex I, specifying information on premiums, claims, expenses, using the valuation and recognition principles used in the branch management accounts for the branch operations, regarding each line of business as defined in Annex I to Delegated Regulation (EU) 2015/35, following the instructions set out S.05.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
 - e) template S.06.02.07 of Annex III to these Guidelines, specifying item-by-item list of assets, following the instructions set out in S.06.02 of Annex IV to these Guidelines;
 - f) template S.06.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the look-through of all collective investments undertakings held, following the instructions set out in S.06.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information, only when the ratio of collective investments undertakings held by the branch of the third-country insurance undertaking to total investments is higher than 30%. This ratio is measured as item C0010/R0180 of template S.02.01.02, plus collective investments undertakings included in item C0010/R0220 of template S.02.01.02, plus collective investments undertakings included in item C0010/R0090 of template S.02.01.02, divided by the sum of items C0010/R0070 and C0010/RC0220 of template S.02.01.02;
 - g) template S.08.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, providing an item-by-item list of open positions of derivatives, following the instructions set out in S.08.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
 - h) template S.12.01.02 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on life and health SLT technical provisions, following the instructions set out in S.12.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;
 - i) template S.17.01.02 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life technical provisions, following the instructions in S.17.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information, for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;
 - j) template S.23.01.08 of Annex III to these Guidelines, specifying information on own funds, following the instructions in S.23.01 of Annex IV to these Guidelines.
64. The host supervisory authority should ensure that when the third-country insurance undertaking submits the information required under this Guidelines, the undertaking uses mutatis mutandis the templates and instructions laid down in the Implementing Technical Standard on the Templates for the Submission of Information unless a specific paragraph or sub-paragraph of this Guidelines refers to branch specific templates and instructions set out in Annexes III and IV to these Guidelines.

Guideline 32 - Annual quantitative templates for third-country insurance undertakings - ring-fenced funds

65. Unless otherwise decided in accordance with Guideline 33, the host supervisory authority should ensure that the third-country insurance undertaking, annually submits to it, in respect of its branch operations, the following structured information in relation to material ring fenced funds, material matching portfolios and remaining part, where applicable:
- a) template SR.01.01.07 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying the content of the submission detailing the information submitted, following the instructions set out in S.01.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
 - b) template SR.12.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying the information on life and health SLT technical provisions, following the instructions set out in S.12.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information, for each line of business as defined in Annex I to Delegated Regulation (EU) 2015/35;
 - c) template SR.17.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying the information on non-life technical provisions, following the instructions set out in S.17.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information, for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;
 - d) template SR.25.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying the SCR for branches using the standard formula, following the instructions set out in SR.25.01 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
 - da) template SR.25.05.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying the SCR for branches using an internal model, following the instructions set out in SR.25.05 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;
 - e) template SR.26.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on market risk, following the instructions set out in S.26.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;
 - f) template SR.26.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on counterparty default risk, following the instructions set out in S.26.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;
 - g) template SR.26.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on life underwriting risk, following the instructions set out in S.26.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;
 - h) template SR.26.04.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on health underwriting risk, following the

instructions set out in S.26.04 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;

i) template SR.26.05.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life underwriting risk, following the instructions set out in S.26.05 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;

j) template SR.26.06.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on operational risk, following the instructions set out in S.26.06 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;

k) template SR.26.07.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the simplifications used in the calculation of the SCR, following the instructions set out in S.26.07 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline;

l) template SR.26.08.01 of Annex I to Implementing Technical Standard on the Templates for the Submission of Information, specifying information on internal model: Solvency Capital Requirement - for undertakings using the standard formula and partial internal model, following the instructions set out in section S.26.08 of Annex II to Implementing Technical Standard on the Templates for the Submission of Information;

m) template SR.27.01.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on non-life catastrophe risk, following the instructions set out in S.27.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information and by considering the specifications described in paragraphs 66-67 of this Guideline.

66. The host supervisory authority should ensure that the third-country insurance undertaking, annually submits to it, in respect of its branch operations in relation to each material ring fenced funds and remaining part template SR.02.01.07 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying balance sheet information using both the valuation of assets and liabilities in accordance with Article 75 of Directive 2009/138/EC and the valuation according to branch management accounts, following the instructions set out in in S.02.01 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information.
67. Where a partial internal model is used, the host supervisory authority should ensure that the information defined in paragraphs 65(g)-(m) of this Guideline is only reported in relation to the standard formula, unless otherwise decided on the basis of Guideline 34.
68. Where a full internal model is used, the host supervisory authority should ensure that the information defined in paragraphs 65(g)-(m) is not reported.
69. Unless otherwise decided in accordance with Guideline 33, the host supervisory authority should ensure that the third-country insurance undertakings annually submit to it, in respect of branch

operations, in relation to each material matching portfolios the following information, where applicable:

- a) template SR.22.02.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the projection of future cash flows for the best estimate calculation by matching adjustment portfolio, following the instructions set out in S.22.02 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information;
- b) template SR.22.03.01 of Annex I to the Implementing Technical Standard on the Templates for the Submission of Information, specifying information on the matching portfolios by matching adjustment portfolio, following the instructions set out in S.22.03 of Annex II to the Implementing Technical Standard on the Templates for the Submission of Information.

Guideline 33 - Proportionality reporting

70. The host supervisory authority should consider limiting or to exempt a third-country insurance undertaking from any regular supervisory reporting requirement set out in Guideline 30, 31, or 32 where the submission of that information would be unduly burdensome in relation to the nature, scale and complexity of the risks inherent in the business of the branch.

Guideline 34 - Internal model

71. When the third country insurance undertaking is using an internal model for the calculation of the SCR in respect of its branch operations, the host supervisory authority should ensure that the notional SCR for each material ring fenced fund, material matching portfolio and the remaining part, is taken into account by the third country insurance undertaking when it submits the relevant information identified in templates S.25.05, as agreed with the respective national competent authority.

Guideline 35 - Data checks

72. The host supervisory authority should ensure that the third-country insurance undertaking complies with the validation rules, as published by EIOPA on its website when submitting information and data in relation to its branch operations.

Frequency and Deadlines

Guideline 36 – Reporting Deadlines and means of communication

73. The host supervisory authority should ensure that the third-country insurance undertaking complies with the reporting deadlines under Article 35b of Directive 2009/138/EC when it submits the relevant information.
74. The host supervisory authority should ensure that the third-country insurance undertaking submits to it the ORSA supervisory report in respect of its branch operations within 2 weeks after concluding the relevant own risk and solvency assessment.

75. The host supervisory authority should ensure that the third-country insurance undertaking complies with Article 313 of the Commission Delegated Regulation (EU) 2015/35 when submitting relevant information.

Guideline 37 - Supervisory authority's request for submission of the regular supervisory report

76. The host supervisory authority should decide, considering Article 35(5a) of Directive 2009/138/EC, on the frequency for the submission by the third-country insurance undertaking of its regular supervisory report in respect of branch operations.

Guideline 38 - Information on material changes

77. Where the host supervisory authority does not require, in accordance with Guideline 36 and 37, a regular supervisory report in respect of branch operations to be submitted in relation to a financial year, it should ensure that the third-country insurance undertaking nevertheless submits information on any material changes that occurred compared to the latest information submitted in respect of branch operations over the reporting period to the supervisory authority including, a concise explanation about the causes and effects of such changes. The submission of information on material changes shall not be considered a change in frequency of the regular supervisory report set out in Guideline 37.

Compliance and Reporting Rules

78. This document contains guidelines issued under Article 16 of Regulation (EU) No 1094/2010. In accordance with Article 16(3) of that Regulation, competent authorities and financial institutions are required to make every effort to comply with guidelines and recommendations.

79. Competent authorities that comply or intend to comply with these Guidelines should incorporate them into their regulatory or supervisory framework in an appropriate manner.

80. Competent authorities are to confirm to EIOPA whether they comply or intend to comply with these Guidelines, with reasons for non-compliance, within two months after the issuance of the translated versions.

81. In the absence of a response by this deadline, competent authorities will be considered as non-compliant to the reporting and reported as such.

Final provision on review

82. These Guidelines will be subject to a review by EIOPA.