

GUIDELINES

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Guidelines to specify how information should be provided in summary or collective form for the purposes of Article 66(2), point (b), of Directive (EU) 2025/1

EIOPA-BoS-26-269
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GUIDELINES TO SPECIFY HOW INFORMATION SHOULD BE PROVIDED IN SUMMARY OR COLLECTIVE FORM FOR THE PURPOSES OF ARTICLE 66(2), POINT (B), OF DIRECTIVE (EU) 2025/1

INTRODUCTION

1. In accordance with Article 16 of Regulation (EU) 1094/2010¹ and with Article 66(7) of Directive (EU) 2025/1², EIOPA issues these Guidelines to specify how information should be provided in summary or collective form.
2. These Guidelines apply in relation to the disclosure of confidential information in summary or collective form for the purposes of Article 66(2), point (b), of Directive (EU) 2025/1 by the persons, authorities and bodies defined in Article 66(1) of that Directive.
3. These Guidelines have been developed in line with EIOPA's views for better regulation and supervision³, thereby enhancing supervisory convergence through simpler, more efficient frameworks.
4. These Guidelines are addressed to supervisory authorities and resolution authorities defined in point (i) of Article 4(2) of the EIOPA Regulation as competent authorities and to financial institutions as defined in Article 4(1) of the EIOPA Regulation, insofar these are mentioned under Article 66(1) of Directive (EU) 2025/1.
5. The Guidelines apply from 30 January 2027.
6. If not defined in these Guidelines, the terms have the meaning defined in the legal acts referred to in the introduction.

Provision of information in summary or collective form

7. For the purposes of disclosing information in summary or collective form according to Article 66(2) point (b), of Directive (EU) 2025/1, in such a way that individual entities as referred to in point (a) to (e) of Article 1(1) of that Directive cannot be identified, the information should be provided either by means of a brief statement or on an aggregate basis, in anonymised form.
8. All the following factors should be considered in order to ensure that the information in summary or collective form is disclosed in anonymised form.

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. 48-83.

² Directive (EU) 2025/1 of the European Parliament and of the Council of 27 November 2024 establishing a framework for the recovery and resolution of insurance and reinsurance undertakings and amending Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 and Regulations (EU) No 1094/2010, (EU) No 648/2012, (EU) No 806/2014 and (EU) 2017/1129 (OJ L, 2025/1, 8.1.2025).

³ Bolder, Simpler, Faster: EIOPA's views for better regulation and supervision (EIOPA-BoS-25/118), 8 April 2025.

9. Number of entities: if the confidential information relates to fewer than three individual entities, disclosure should be avoided, unless the specific patterns and the context of disclosure, as specified below, create a risk of those individual entities being identified.

10. Specific patterns: any reference to specific characteristics, distinctive features, names or to numerical, qualitative or other distinctive data as well as information regarding scope and geographical position, which could allow for the identification of the individual entities, should be avoided.

11. Context of disclosure: disclosure of confidential information should be avoided when a set of circumstances, such as the means of the disclosure, the number and the characteristics of the addressees, the timing of the disclosure, and any other distinctive circumstance creates a risk of the individual entities being identified.

COMPLIANCE AND REPORTING RULES

12. This document contains Guidelines issued under Article 16 of the EIOPA Regulation. In accordance with Article 16(3) of the EIOPA Regulation, competent authorities and financial institutions are required to make every effort to comply with guidelines and recommendations.

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

14. 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.

15. 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

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