

IA|BE Regulatory Watch 4 15 November 2019

We hereby present you a new issue of the IA|BE Regulatory Watch. Through this publication we want to inform you of changes and updates in the regulatory framework that could impact your day-to-day work.

As we operate in a heavily regulated industry, we can't claim to be complete. Our main aim is to make you aware of the changes and to trigger your attention.

We distinguish 3 categories: regulatory items from Belgian (BE), European (EUR) and International (INT) instances.

The IA|BE Regulatory Watch is based on publicly available information.

RECENT UPDATES

EUR - EIOPA Open consultations d.d. 14 November 2019:

- Consultation Paper on the Opinion on the 2020 review of Solvency II; deadline 15 2020. IA|BE WG Solvency II in charge of reacting, through AAE.
- Consultation concerning amendments to the PRIIPs KID; deadline; 13 January 2020.

EUR 2019 1108: EIOPA publishes:

- Answers to (EUR) No 2009 – 138 Solvency II Directive (Insurance and Reinsurance)
 - [https://eiopa.europa.eu/Pages/News/Answers-to-\(EU\)-No-2009-138-Solvency-II-Directive1119.aspx](https://eiopa.europa.eu/Pages/News/Answers-to-(EU)-No-2009-138-Solvency-II-Directive1119.aspx)
- Answers to (EU) No 2015-2452 procedures formats and templates of the solvency and financial condition report
 - [https://eiopa.europa.eu/Pages/News/Answers-to-\(EU\)-No-2015-2452-procedures-formats-and-templates-of-the-solvency-and-financial-cond1119.aspx](https://eiopa.europa.eu/Pages/News/Answers-to-(EU)-No-2015-2452-procedures-formats-and-templates-of-the-solvency-and-financial-cond1119.aspx)
- Answers to (EU) No 2015-2450 templates for the submission of information to the supervisory authorities
 - [https://eiopa.europa.eu/Pages/News/Answers-to-\(EU\)-No-2015-2450-templates-for-the-submission-of-information-to-the-sas1119.aspx](https://eiopa.europa.eu/Pages/News/Answers-to-(EU)-No-2015-2450-templates-for-the-submission-of-information-to-the-sas1119.aspx)
- Answers to (EU) No 2016-97 - Insurance Distribution Directive
 - [https://eiopa.europa.eu/Pages/News/Answers-to-\(EU\)-No-2016-97---Insurance-Distribution-Directive.aspx](https://eiopa.europa.eu/Pages/News/Answers-to-(EU)-No-2016-97---Insurance-Distribution-Directive.aspx)

EU 2019 1106: Insurance Europe publishes comments on sustainability taxonomy

- <https://www.insuranceeurope.eu/comments-sustainability-taxonomy-published>

- Reaction on the Proposal for a Regulation of the European Parliament and of the council on the establishment of a framework to facilitate sustainable investment
 - [http://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_eur_openne/com/2018/0353/COM_COM\(2018\)0353_EN.pdf](http://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_eur_openne/com/2018/0353/COM_COM(2018)0353_EN.pdf)

BE 2019 1025: NBB urges the financial sector to exercise more caution in granting risky mortgage loans

- <https://www.nbb.be/en/articles/national-bank-urges-financial-sector-exercise-more-caution-granting-risky-mortgage-loans>
- NBB had already announced, on 5 September, that it intended to establish new prudential expectations for Belgian banks and insurance companies that grant mortgage credit.
- This initiative from the NBB, the authority in charge of macroprudential supervision of financial institutions in Belgium, follows on from an analysis it carried out that revealed a further increase in the vulnerability of the mortgage market in this country over the last few years and even in recent months.
- The European Systemic Risk Board (ESRB) reached the same conclusion in a recent report on Belgium. In this context, the NBB must take preventive action.
- The NBB can now reveal the precise content of these supervisory expectations, which come into force on 1 January 2020.

EUR 2019 1015: EIOPA launched a public consultation on an Opinion that sets out technical advice for the 2020 review of Solvency II.

- The Opinion will respond to the [call for advice of the European Commission of 11 February 2019](#) on the 2020 review of Solvency II.
- The call for advice comprises 19 separate topics. Broadly speaking, these can be divided into three parts.
 - Firstly, the review of the long term guarantee measures. These measures were always foreseen as being reviewed in 2020, as specified in the Omnibus II Directive. A number of different options are being consulted on, notably on extrapolation and on the volatility adjustment.
 - Secondly, the potential introduction of new regulatory tools in the Solvency II Directive, notably on macro-prudential issues, recovery and resolution, and insurance guarantee schemes. These new regulatory tools are considered thoroughly in the consultation.
 - Thirdly, revisions to the existing Solvency II framework including in relation to freedom of services and establishment; reporting and disclosure; and the solvency capital requirement.
- IA|BE created the Working Group Solvency II to assist AAE in reviewing and commenting on the EIOPA opinion.
- EIOPA in turn will in due time react towards the European Commission.

BE 2019 1015: NBB releases draft circular on ORSA

- Only small number of suggested changes, mainly in the annex table on top 5 risks
- IA|BE created Task Force and communicated on 15 November 2019 opinion on this draft circular to NBB after IA|BE Board Approval

BE 2019 1010: NBB releases draft circular on Loss Absorbing Capacity of Deferred Taxes under Solvency II

- French version available at IA|BE; Dutch version not yet available
- Circular would take effect as of 1 January 2020
- IA|BE created Task Force and communicated on 8 November 2019 opinion on this draft circular to NBB after IA|BE Board Approval

CONTENT OF EARLIER EDITIONS OF THE REGULATORY WATCH

In this section, you will find the content of earlier editions of the IA|BE Regulatory Watch.

It also contains elements that were not yet included earlier but could be of use anyhow.

INT 2019 1010: IAA Resource and Environment Working Group Releases a Discussion Paper on Climate Change, Insurance and Vulnerable Populations.

- https://www.actuaries.org/IAA/Documents/Publications/News_Releases/2019/News_Release_Climate_Change_Vulnerable_Populations_EN.pdf

EUR 2019 0930 : EIOPA issues opinion on sustainability within Solvency II

- EIOPA reinforces its call for the stewardship role of (re)insurers in contributing to climate change adaptation and mitigation.
 - EIOPA found no current evidence to support a change in the calibration of capital requirements for “green” or “brown” assets
 - The impact of underwriting practices on the environment needs to be considered
 - Solvency II as a risk-based forward-looking framework is well equipped to accommodate sustainability risks and factors
 - Climate change increases uncertainty about the occurrence and impact of physical or transition risks and undertakings should not be complacent
 - The scenario analysis as part of undertakings’ risk management is key
- <https://eiopa.europa.eu/Publications/Press%20Releases/2019-09-30%20PressReleaseSustainabilityOpinion.pdf>

INT – 2019 0923 : IFRS 17: Global insurance associations call for delay of IFRS 17 so improvements can be made to standard

A wide group of international insurance associations — including Insurance Europe — has called on the International Accounting Standards Board (IASB) to make further improvements to International Financial Reporting Standards (IFRS) 17 – insurance contracts and to change the effective date to 1 January 2023.

While recognising that the IASB has made improvements in a number of areas, the associations warned that a number of significant issues have not been addressed and added that additional changes are still required to obtain a high-quality standard that can be implemented at a reasonable cost.

The associations called on the IASB to take the time necessary to make the changes needed to ensure a strong global commitment to the new standard. In addition, the significant implementation concerns that have been raised by the industry remain and must be taken into account. Therefore, they called for a delay to the global effective date of IFRS17 (and IFRS 9) for insurers until 1 January 2023 in order to ensure a successful implementation.

The associations are:

- Insurance Europe
- Canadian Life & Health Insurance Association
- Financial Service Council of New Zealand
- Insurance Bureau of Canada
- Insurance Council of New Zealand
- Insurance Council of Australia
- Korea Life Insurance Association
- National Association of Mutual Insurance Companies

<https://www.insuranceeurope.eu/sites/default/files/attachments/Global%20insurance%20industry%20letter%20on%20Exposure%20Draft%20%E2%80%93%20Amendments%20to%20IFRS%2017.pdf>

BE – 2019 0913: FSMA launches Consultation on the draft circular regarding regular reporting by the institutions for occupational retirement provision

- <https://www.fsma.be/nl/news/consultatie-over-de-ontwerp-circulaire-betreffende-de-regelmatige-rapportering-door-de>
- <https://www.fsma.be/fr/news/consultation-sur-un-projet-de-circulaire-relatif-au-reporting-regulier-par-les-institutions-de>
- After the consultation, the draft circular was apparently recalled by FSMA.

EUR – 2019 0909: AAE publishes a review of EIOPA’s analysis of IFRS 17

- The review looked at a number of key areas covered in the EIOPA analysis, performing a detailed analysis of the requirements and definitions of Solvency II and IFRS 17 in order to validate the high level conclusions provided by EIOPA: (i) Definition of cash flows, (ii) Grouping and aggregation of contracts and contract boundaries, (iii) Determination of the appropriate discount rate, (iv) Risk adjustment and (v) Reinsurance.
- <https://actuary.eu/wp-content/uploads/2019/09/20190911-IFRS17-summary-FINAL.pdf>

EUR – 2019 0911: CRO Forum publishes “Managing Liquidity Risk: Industry Practices and recommendations for CROs”

- <https://www.thecroforum.org/2019/09/11/managing-liquidity-risk-industry-practices-and-recommendations-for-cros/>

BE – 2019 0905: NBB establishes new supervisory expectations for Belgian banks and insurance companies offering mortgage loans

- Over the next weeks, the NBB will consult Belgian banks and insurance companies on this initiative. This macroprudential measure is intended to be finalised in the coming weeks and should apply as from 2020 onwards.
- <https://www.nbb.be/en/articles/national-bank-establishes-new-supervisory-expectations-belgian-banks-and-insurance>

BE – 2019 0903: Communication NBB_2019_22: overview of periodical reports by insurance and reinsurance companies to NBB as of 2020

- [Detailed table of the requirements in annex of the communication](#)
- https://www.nbb.be/doc/cp/nl/2019/20190903_nbb_2019_22_ecorporate.pdf
- https://www.nbb.be/doc/cp/fr/2019/20190903_nbb_2019_22_ecorporate.pdf

BE – 2019 0902: FSMA publishes “Tweejaarlijks verslag betreffende de sectorale pensioenstelsels / Rapport Bisannuel relatif aux régimes de pension sectoriels”

- At year-end 2017, 50 sector pension funds managed a total of EUR 4.6 billion of reserves on behalf of 1.3 million employees
- <https://www.fsma.be/nl/news/tweejaarlijks-verslag-betreffende-de-sectorale-pensioenstelsels>
- <https://www.fsma.be/fr/news/rapport-bisannuel-relatif-aux-regimes-de-pension-sectoriels>

EUR – 2019 0902: AAE comments on EFRAG’s draft comment letter on the IASB’s ED/2019/4 amendments to IFRS 17

- <https://actuary.eu/wp-content/uploads/2019/09/20190902-EFRAG-response-final.pdf>

August 2019

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July 2019

EUR – 2019 0725 – EIOPA publishes Consultation Paper on Draft Opinion on the supervision of remuneration principles in the insurance and reinsurance sector (EIOPA – 19 / 299)

- End date 30 September 2019

BE – 2019 0720 – Chamber of Representatives – Draft Law - Proposal to allow to terminate an insurance agreement after the annual renewal date free of charge

- <https://www.dekamer.be/FLWB/PDF/55/0194/55K0194001.pdf>

INT – 2019 0717: IAA launches consultation on the Proposed Draft of International Standard of Actuarial Practise 4 on IFRS Insurance Contracts (ISAP4)

- This is the proposed final draft, after taking into account the comments received after the publication of the Second Exposure Draft distributed on 28 February 2019;
- Comments could be made by 16 August 2019
- Within IA|BE, this draft was transmitted to the Professional Committee and the WG IFRS 17 for information and comments
- Document was not made public, but only made available to Member Associations and commenters

EUR – 2019 0711: PensionsEurope reacts publicly on EIOPA's four opinions on the implementation of the IORP II Directive (as published on 10 July 2019)

- Opinion of PensionsEurope that the opinions do not reflect the minimum-harmonization character of the Directive
- <https://www.pensionseurope.eu/system/files/Press%20release%20-%20EIOPA%20opinions%20on%20IORP%20II%20implementation%20-%202019-07-11.pdf>

EUR - 2019 0710: EIOPA issues opinions on governance and risk management of pension funds

- EIOPA sets out its supervisory expectations on the own-risk assessment of pension funds;
- EIOPA stresses the importance of forward-looking supervision of operational risks and supervisory oversight of outsourcing and cyber risks;
- EIOPA calls upon national supervisors to encourage pension funds to take a stewardship role alongside the management of their environmental, social and governance risks;
- EIOPA provides a common framework as a useful tool to assist pension funds in the conduct of their own-risk assessment.
- https://eiopa.europa.eu/Publications/Press%20Releases/2019-07-10%20PressRelease_IORPIIOpinions.pdf

BE - 2019 0709: FSMA launches Consultation on the draft circular on the prudential expectations of the FSMA regarding governance for the institutions for occupational retirement provision

- FSMA invites to give comments by 6 September 2019;
- <https://www.fsma.be/nl/lopende-consultaties>
- Broadly in line with the EIOPA recommendations
- Covered in the IA|BE WG Actuarial Function and Risk Management for Pension Institutions

BE – 2019 0709: Conseil Supérieur des Finances - Comité d'Etude sur le vieillissement / Hoge Raad van Financiën – Studiecommissie voor de Vergrijzing : publishes its Annual Report

- Document available on the Website of the Federal Planning Bureau
- Forward looking to 2070
- <https://www.plan.be/publications/publication-1915-fr-comite+d+etude+sur+le+vieillissement+rapport+annuel>
- <https://www.plan.be/publications/publication-1915-nl-studiecommissie+voor+de+vergrijzing+jaarlijks+verslag>

EUR - 2019 0709: ESAs publish recommendations on the supervision of retail financial services provided across borders

- The ESAs (the European Supervisory Authorities: EBA, EIOPA and ESMA) identified the main issues that national competent authorities (NCAs) face when supervising financial institutions that provide cross-border retail financial services within the EU and make recommendations to both NCAs and EU institutions on how to address them.
- In particular, the Report calls for more clarity on when activities carried out through digital means fall under passporting rules, and for considering the identified high-level principles on cooperation as the basis for any new legislation or possible amendment to current legislation.
- <https://eiopa.europa.eu/Publications/Press%20Releases/Press%20Release%20-%20JC%20Report%20on%20the%20supervision%20of%20retail%20financial%20services.pdf>

INT – 2019 0709: IAA Resource and Environment Working Group releases a discussion paper on flood risk

- This [paper](#) provides a description of flood risk and how it can be managed. It is intended to provide a fundamental background and encourage discussion on this important topic for use by actuaries, regulators, and public policy planners around the world.
- Aspects covered include: the entire flood risk management process, methods that can be used to assess, mitigate, and finance the risks involved, the role of insurance and governments, public policy implications, and the role of actuaries.

INT - 2019 0705: IASB posts to its website a webinar offering an overview over the exposure draft ED/2019/4 'Amendments to IFRS 17' published on 26 June 2019

- <https://www.iasplus.com/en/news/2019/07/webinar-ifs-17>

EUR - 2019 0704: EIOPA launches call for expression of interest to join Consultative Expert Group on digital ethics in insurance.

- <https://eiopa.europa.eu/Pages/News/EIOPA-calls-for-candidates-to-join-Consultative-Expert-Group-on-Digital-Ethics-in-insurance.aspx>
- IA|BE members informed; they are invited to react directly to EIOPA, or could go through AAE
- Deadline for application was 31 July 2019
- AAE presented 2 names to EIOPA

EUR - 2019 0703: AAE comments to the revised IFRS 17 Exposure Draft

- <https://actuary.eu/wp-content/uploads/2019/07/20190703-AAE-PR-revised-IFRS-17-ED-FINAL.pdf>

BE – 2019 0702 : NBB publishes its Expectations regarding the content of the statutory governing body's report on the assessment of the compliance function

- Scope: Credit institutions, stockbroking firms, insurance companies and reinsurance companies.
- This Communication outlines the Bank's expectations regarding the content of the statutory governing body's report on the assessment of the compliance function and provides a template to this effect to be used by the institutions in future.
- <https://www.nbb.be/en/articles/communication-nbb201915-expectations-regarding-content-statutory-governing-bodys-report-0>

EUR - 2019 0702: AAE publishes the 1st Exposure Draft of European Actuarial Note (EAN) on ESAP 3 (Actuarial practice in relation to the ORSA process under Solvency II) for formal consultation

- Draft not published on the AAE Website, but circulated by mail
- Comments to be submitted by 30 September 2019
- To be covered in the IA|BE Professional Committee

EUR - 2019 0701: EIOPA publishes its 2019 Financial Stability Report, outlining the key financial stability risks of the European insurance and pensions sector

- While overall the insurance sector remains adequately capitalized, profitability is under increased pressure in the current low yield environment;
- Risk of a prolonged low yield environment has again become more prominent and remains a key challenge for European insurers and pension funds;
- Valuations remain stretched across financial markets and a sudden reassessment of risk premia cannot be ruled out, which could be exacerbated during a period of economic slowdown amid growing trade tensions, political uncertainty and concerns over debt sustainability;
- Interconnectedness with banks and home-bias in investments remain high and could lead to spill overs to insurers;
- European insurers are also exposed to emerging cyber and climate-related risks.

- https://eiopa.europa.eu/Publications/Reports/EIOPA_FSR_June2019.pdf

June 2019

EUR – 2019 0628: AAE launches consultation on the Draft European Actuarial Note for the Actuarial function under IORP II.

- AAE opted for EAN and not for a model standard
- Questions put forward by AAE:
 1. Are there many defined benefit IORPs in your country (an estimate is sufficient) ?
 2. Do you have local actuarial standards or regulations for reports or calculations for the Actuarial Function for IORPs (This can include guidance that will be reviewed to reflect the actuarial function)? YES/NO
 3. Would an educational note be helpful if no local actuarial standards/regulations exist? YES / NO
 4. Would you prefer a model standard? YES / NO
 5. Do you have any comments on the draft educational note?
- Comments to AAE due by 30 September 2019
- Covered by IA|BE WG IORP II

BE - 2019 0627: NBB publishes non-official coordinated version of the law of 21 December 2012 taking into account the Royal Decree of 2 May 2019

- [Règlement de la Banque nationale de Belgique du 21 décembre 2012 concernant l'agrément des réviseurs et des sociétés de réviseurs](#)
- [Reglement van de Nationale Bank van België van 21 december 2012 betreffende de erkenning van revisoren en revisorenvennootschappen](#)

BE - 2019 0627: FSMA sets adequate regulatory framework for the combat against money laundering and terrorist financing

- In its circular FSMA_2019_12 ([French](#) - [Dutch](#)) the FSMA establishes measures for the application of the provisions regarding organization and internal control contained in the Law of 18 September 2017 on the prevention of money laundering and terrorist financing and on the restriction of the use of cash. The FSMA also clarifies its expectations regarding the application of those provisions by the entities concerned.

INT - 2019 0627: IAA Issues Statement on IFRS Insurance Contracts Amendments

- https://www.actuaries.org/IAA/Documents/Publications/News_Releases/2019/News_Release_IFRS17_Amendments_EN.pdf

EUR – 2019 0627: Recommendation of the European Systemic Risk Board on medium-term vulnerabilities in the residential real estate sector in Belgium (ESRB / 2019 / 4)

- https://www.esrb.europa.eu/pub/pdf/recommendations/esrb.recommendation190923_be_recommandation~2cb5134896.en.pdf

INT - 2019 0626: IASB publishes exposure draft ED/2019/4 'Amendments to IFRS 17'

- Deadline for comments 25 September 2019
- <https://www.ifrs.org/news-and-events/2019/06/iasb-consults-on-amendments-to-aid-implementation-of-ifrs-17/>

BE - 2019 0625: NBB devotes section of its website to anti-money laundering and counter-terrorist financing; online release of the English version

- <https://www.nbb.be/en/articles/section-banks-website-devoted-anti-money-laundering-and-counter-terrorist-financing-amlcft>

EUR – 2019 0625: EIOPA publishes Consultation Paper on proposals for Solvency II 2020 Review. cover Note - Package on Supervisory Reporting and Public Disclosure (EIOPA – BoS – 19 – 304)

- Comments by 18 October 2019
- https://eiopa.europa.eu/Publications/Consultations/EIOPA-BoS-19-304_Cover%20Note_2020%20Review%20Reporting_Disclosure.pdf

EUR – 2019 0621: CRO Forum publishes “Insurance and Distributed Ledger Technology: A risk manager’s perspective”

- <https://www.thecroforum.org/2019/06/21/insurance-and-distributed-ledger-technology-a-risk-managers-perspective/>

EUR - 2019 0614: EIOPA publishes its 2018 Annual Report

- https://eiopa.europa.eu/Publications/Reports/EIOPA_2018%20Annual%20Report.pdf

INT - 2019 0614: IAIS launches public consultation on supervisory material

- 4 items covered:
 - Draft revised IAIS Glossary;
 - Draft ComFrame Assessment Methodology;
 - Changes in the Introduction to ICPs and ICP 7 (Corporate Governance) for consistency with ComFrame development;
 - Draft revised ICP 22 (Anti-Money Laundering and Combatting the Financing of Terrorism).
- Comments due by 15 August 2019
- <https://www.iaisweb.org/page/consultations/current-consultations/iais-supervisory-material>

EUR - 2019 0613: EIOPA, ECB and national authorities agree on common minimum standards for supervisory and statistical reporting by (re)insurance undertakings

- <https://eiopa.europa.eu/Publications/Common%20Minimum%20Standards%20for%20Data%20Revisions.pdf>

BE - 2019 0607 : NBB publishes non-official coordinated versions of several laws re. regulation of financial institutions

- Loi du 2 août 2002 relative à la surveillance du secteur financier et aux services financiers (coordination officielle 05/2019)
- Wet van 2 augustus 2002 betreffende het toezicht op de financiële sector en de financiële diensten (officiële coördinatie 05/2019)
- https://www.nbb.be/doc/cp/moniteur/2019/20190607_loi20020802.pdf
- Loi du 13 mars 2016 relative au statut et au contrôle des entreprises d'assurance ou de réassurance (coordination officielle 05/2019)
- Wet van 13 maart 2016 op het statuut van en het toezicht op verzekerings- of herverzekeringsondernemingen (officiële coördinatie: 05/2019)
- https://www.nbb.be/doc/cp/moniteur/2019/201905_wet_loi_20160313.pdf

EUR – 2019 0605: CRO Forum publishes “Major Trends and Emerging Risk Radar – May 2019 Update”

- <https://www.thecroforum.org/2019/06/05/major-trends-and-emerging-risk-radar-may-2019-update/>

BE - 2019 0603: NBB published its 2019 Financial Stability Report

- <https://www.nbb.be/en/articles/financial-stability-report-2019>

EUR - 2019 0603: EIOPA publishes consultation paper on an opinion on sustainability within Solvency II

- Reactions possible until 26 July 2019;
- EIOPA will submit its opinion to the European Union Institutions (European Commission, European Parliament and Council) by September 2019;
- https://eiopa.europa.eu/Publications/Consultations/EIOPA-BoS-19-241_Consultation_Paper_on_an_opinion_%20on_sustainability_in_Solvency_II.pdf?utm_source=Ensur+Team&utm_campaign=128f26315e-EMAIL_CAMPAIGN_2018_03_13_COPY_01&utm_medium=email&utm_term=0_30a900d834-128f26315e-221228301

May 2019

EUR – 2019 0529: CRO Forum publishes “Machine decisions: Governance of AI and Big Data Analytics”

- <https://www.thecroforum.org/2019/05/29/machine-decisions-governance-of-ai-and-big-data-analytics/>

EUR – 2019 0515: EFRAG publishes discussion paper “Accounting for Pension Plans with an Asset-Return Promise”

- This [Discussion Paper](#) explores alternative accounting treatments for post-retirement employee benefits, promising the higher of the return on an identified item or group of items and a minimum guaranteed return.
- Comments on the discussion paper are requested by 15 November 2019

EUR - 2019 0509: AAE comments on EIOPA’s discussion paper on systemic risk and macroprudential policy in insurance (EIOPA – BoS/19-220)

- https://actuary.eu/wp-content/uploads/2019/05/AAE-views-re-EIOPA_Systemic-Risk_Macroprudential_Tools-09-05-2019-1.pdf

EUR - 2019 0508: AAE publishes Exposure Draft of Mutual Recognition Agreement and Associated Letter (“the Heubeck Letter”)

- Was presented to the Presidents of the AAE Member Associations
- Draft not published on the AAE Website, but circulated by mail
- Comments can be submitted until 5 August 2019
- To be covered by the IA|BE Accreditation Committee

EUR - 2019 0508: EIOPA published its report on Big Data Analytics in motor and health insurance

- The report revealed a strong trend towards data-driven business models across the insurance value chain
- <https://eiopa.europa.eu/Publications/Press%20Releases/2019-05-08%20BigDataAnalyticsThematicReviewMotorHealthInsurancePressRelease.pdf>

BE - 2019 0506: NBB published its Annual Report for 2018

- https://www.nbb.be/doc/ts/publications/nbbreport/2018/en/t1/report2018_complet.pdf
- In February 2019, NBB already published the Detailed Statistical Tables: https://www.nbb.be/doc/ts/publications/nbbreport/2018/en/t1/report2018_detailedstatisticaltables.pdf

BE - 2019 05: New coordinated version available of the Belgian Solvency II Law of 13 March 2013

- https://www.nbb.be/doc/cp/moniteur/2019/201905_wet_loi_20160313.pdf

- The initial Belgian Solvency II Law has been amended by:
 - the Law of 2 May 2019 (Belgian Official Gazette 21 & 22 May 2019)
 - the Law of 5 December 2017 (Belgian Official Gazette 18 December 2017)
 - the Law of 21 November 2017 (Belgian Official Gazette 7 December 2017)

EUR - 2019 05: ECB publishes its Financial Stability Review.

- Section 4.3: Insurers' investment income is expected to deteriorate further in the low-yield and low-growth environment
- <https://www.ecb.europa.eu/pub/financial-stability/fsr/html/ecb.fsr201905~266e856634.en.html#toc50>

April 2019**EUR - 2019 0430: EIOPA issues its technical advice on the integration of sustainability risks and factors in the delegated acts under Solvency II and the Insurance Distribution Directive.**

- The European Commission previously invited EIOPA and ESMA to comment on the proposed package of measures on sustainable finance.
- EIOPA launched a public consultation to come to that advice.
- https://eiopa.europa.eu/Publications/EIOPA-BoS-19-172_Final_Report_Technical_advice_for_the_integration_of_sustainability_risks_and_factors.pdf

BE - 2019 0412: FSMA Newsletter: new category of insurance intermediary: the mandated underwriter

- The law of 3 April 2019 introduces, effective 10 April 2019, a new category of insurance intermediary: the mandated underwriter (gevolmachtigde onderschrijver / souscripteur mandaté).
- This newsletter describes the new category known as 'mandated underwriter' ('Gevolmachtigde onderschrijver' in Dutch / 'Souscripteur mandaté' in French) and answers the following questions:
 - What is a mandated underwriter?
 - Why create a new category of insurance intermediary?
 - What requirements must mandated underwriters fulfil?
 - What do you have to do if you carry out such activities?

EUR – 2019 0404: European Parliament adopts the Commission's proposal for a regulation on PEPP.

- On 29 June 2017 the Commission launched a proposal that will provide pension providers with the tools to offer a simple and innovative pan-European personal pension product (PEPP).
- On 13 February 2019 the EU permanent representatives formally backed the Commission's proposal for a regulation on a pan-European personal pension product (PEPP).
- Following approval by the European Parliament, the new Regulation has to be formally adopted by the European Parliament and the Council before it can enter into force.
- Factsheet describing the main features of the PEPP product:
https://ec.europa.eu/info/sites/info/files/business_economy_euro/banking_and_finance/documents/190213-personal-pensions-factsheet_en.pdf

EUR - 2019 0402: EIOPA launches the Occupational Pensions Stress Test Exercise.

- For the first time, the stress test includes an assessment of the Environmental, Social and governance (ESG) exposures. The outcome is expected by year-end 2019.
- <https://eiopa.europa.eu/Publications/Press%20Releases/Launch%20of%20EIOPA%E2%80%99s%202019%20Occupational%20Pensions%20Stress%20Test%20Exercise.pdf>

EUR - 2019 04: ESRB publishes A review of Macroprudential Policy in the EU in 2018

- https://www.esrb.europa.eu/pub/pdf/reports/esrb~32aae4bd95.report190430_reviewofmacroprudentialpolicy.pdf

March 2019 and before

EUR - 2019 0329: EIOPA publishes Discussion Paper on Systemic Risk and Macro-prudential Policy in Insurance

- <https://eiopa.europa.eu/Publications/Administrative/2019-03-29%20DiscussionPaperSystemicRiskMacroprudentialPolicyInsurance.pdf>

BE – 2019 0323: Wet tot invoering van het Wetboek van vennootschappen en verenigingen / Loi introduisant le Code des sociétés et des associations / Belgian Code on Companies and Associations

- General law for all undertakings
- Published in the Belgian Official Gazette of 4 April 2019
- Comes into force as of 1 January 2020
- Transitional measures until 31 December 2023

EUR - 2019 03: AAE publishes discussion paper “Meeting the challenge of ageing in the EU”

- <https://actuary.eu/wp-content/uploads/2019/03/Meeting-the-challenge-of-ageing-FINAL-updated.pdf>

INT – 2019 0105: IAA adopts ISAP 1 (Revised) and ISAP 6

- ISAP 1 covers General Actuarial Practice;
- ISAP 6 covers Enterprise Risk Management Programs and IAIS Insurance Core Principles;
- https://www.actuaries.org/IAA/Documents/Publications/News_Releases/2019/News_Release_ISAP1_ISAP6_EN.pdf
- Overview of approved ISAPs:
 - ISAP 1: General Actuarial Practice
 - ISAP 1A: Governance of Models
 - ISAP 2: Financial Analysis of Social Security Programs
 - ISAP 3: IAS 19 Employee Benefits
 - 2nd Exposure Draft ISAP 4: IFRS Insurance contracts: not yet in force
 - ISAP 5: Insurer Enterprise Risk Models
 - ISAP 6: Enterprise Risk Management Programs and IAIS Insurance Core Principles
 - Glossary

EUR – 2019 0130: EIOPA publishes The Revised EIOPA Single Programming Document 2019 – 2021 with Annual Work Programme 2019 (EIOPA – 19 – 057)

- This Single Programming Document covers the period 2019 to 2021 and describes EIOPA during this timeframe. Throughout this period, EIOPA's overarching mission remains the protection of policyholders and beneficiaries and financial stability. To achieve this, EIOPA will continue to work to deliver high-quality regulation, technical advice and analysis at European level, and support to national competent authorities (NCAs) to strengthen supervision in Europe.

- EIOPA will also continue to support the European Commission's agenda to build a strong and trusted financial system. In the coming years, EIOPA's key priority is to further enhance supervisory convergence with the aim of moving towards a common supervisory culture.
- As part of its supervisory convergence agenda, EIOPA will focus on building common standards and interpretations, on leveraging data for risk assessment and supervisory purposes, on monitoring common standards and on challenging and supporting NCAs. In light of their growing importance, the Authority has added 'InsurTech' and sustainable finance to its ongoing priorities. These two cross-cutting themes will draw on expertise from across the organisation.
- https://eiopa.europa.eu/Publications/WORK%20PROGRAMME/EIOPA-19-057_Revised%20EIOPA%20Single%20Programming%20Document%202019-2021.pdf

BE - 2019 0124: Federal Planning Bureau

- [Évolution de la population belge d'ici 2070 : éclairage sur la panne de fécondité à moyen terme et confirmation du vieillissement de la population à long terme](#)
- [Evolutie van de Belgische bevolking tegen 2070: trager herstel van de vruchtbaarheid op middellange termijn en bevestiging van de vergrijzing op lange termijn](#)

EUR – 2019 0100: CRO Forum publishes “*The Heat is On. Insurability and Resilience in a Changing Climate.*” Emerging Risk Initiative – Position Paper.

- <https://www.thecroforum.org/wp-content/uploads/2019/01/CROF-ERI-2019-The-heat-is-on-Position-paper-1.pdf>

2018

EUR - 2018 1214: EIOPA publishes Report to the European Commission on Group Supervision and Capital Management with a Group of Insurance or Reinsurance Undertakings, and FoS and FoE under Solvency II

- https://eiopa.europa.eu/Publications/Reports/Report%20on%20Article%20242%20COM%20Request_FINAL%2014%20Dec%202018.pdf#search=EIOPA%20BoS%2D18%2D485

BE – 2018 1206: WAPZ

- Wet tot instelling van een vrij aanvullend pensioen voor de werknemers en houdende diverse bepalingen inzake aanvullende pensioenen;
-

BE - 2018 1206: IDD converted into Belgian Law (effective 28 December 2018)

- Wet tot Omzetting van Richtlijn (EU) 2016/97 van het Europees Parlement en de Raad van 20 januari 2016 betreffende verzekeringsdistributie;

EUR - 2018 1126: ESRB publishes report on macroprudential provisions, measures and instruments for (re)insurance

- The report serves as an input to ongoing Solvency II discussions on strengthening the regulatory framework for (re)insurers from a macroprudential perspective. It complements work undertaken by the European Insurance and Occupational Pensions Authority (EIOPA).
- <https://www.esrb.europa.eu/news/pr/date/2018/html/esrb.pr181126.en.html>

EUR – 2018 116: PEIF publishes view on the 2020 Solvency II Review

- <https://www.peif.eu/doc/20181116%20PEIF%20views%20on%20the%202020%20Solvency%20II%20Review.pdf>

INT - 2018 1114: IAIS publishes public consultation document on holistic framework for systemic risk

- <https://iaisweb.org/page/news/press-releases//file/77877/iais-publishes-public-consultation-document-on-holistic-framework-for-systemic-risk>
- Comments were possible until 25 January 2019
- Implementation expected as of (early) 2020

INT - 2018 1109: IAIS publishes its updated Insurance Core Principles, Standards, Guidance and Assessment Methodology

- The ICP's were first issued on 1 October 2011
- The most recent amendment adopted on 8 November 2018 includes an update of ICP 6 on Change of Control and Portfolio Transfer
- <https://www.fsb.org/2018/11/insurance-core-principles-standards-guidance-and-assessment-methodology/>

BE - 2018 09: NBB publishes its updated Fit and Proper Manual

- Specific section on the [Suitability requirements applicable to the insurance and reinsurance sector](#):
 - [General aspects](#)
 - [Scope of application](#)
 - [Delimitation of responsibilities for the suitability assessment](#)
 - [Guidelines on suitability standards](#)
 - [Assessment of suitability by the undertaking](#)
 - [Assessment of suitability by the NBB](#)
- <https://www.nbb.be/en/financial-oversight/prudential-supervision/areas-responsibility/manual-assessment-fitness-and>

INT - 2018 0731: IAIS and the Sustainable Insurance Forum publish paper on climate change risks to the insurance sector

- <https://iaisweb.org/page/news/press-releases//file/76168/31-july-2018-iais-and-sif-press-release-iais-and-sif-publishes-issues-paper-on-climate-change-risks-to-the-insurance-sector>
- Publication following a public consultation in April 2018

EUR – 2018 0720: ESA's (EBA – EIOPA – ESMA) publish further guidance on the Key Information Document for Packaged Retail and Insurance-based Investment Products (PRIIPs)

- <https://eba.europa.eu/-/european-supervisory-authorities-publish-further-guidance-on-the-key-information-document-for-priips>

EUR - 2018 0524: The European Commission adopts a package of legislation proposals on sustainable finance.

- https://ec.europa.eu/info/publications/180524-proposal-sustainable-finance_en
- The package includes proposals for:
 - establishing a unified EU classification system of sustainable economic activities ('taxonomy');
 - improving disclosure requirements on how institutional investors integrate environmental, social and governance (ESG) factors in their investment and advisory processes;
 - creating a new category of benchmarks which will help investors compare the carbon footprint of their investments.

2017

EUR 2017 1218: EIOPA publishes Supervisory Statement on Solvency II: Solvency and Financial Condition Report

- <https://eiopa.europa.eu/Publications/Supervisory%20Statements/EIOPA-BoS-17-310-SFCR%20Supervisory%20Statement.pdf>

INT - 2017 1109: IAIS publishes Application Paper on Group Corporate Governance

2016

EUR – 2016 1214: Directive (EU) 2016/2341 of the European Parliament and of the council on the activities and supervision of institutions for occupational retirement provision (IORP II)

- Requirement to transpose the directive into law by January 2019
- <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L2341>

BE – 2016 0904: Royal Decree requires that the Actuarial Function expresses an opinion on the profit sharing

- Arrêté royal relatif à la répartition de participations bénéficiaires et à l'octroi de ristournes en matière d'assurance
- Koninklijk besluit betreffende de verdeling van winstdeling en de toekenning van restorno's voor verzekeringen
- https://www.nbb.be/doc/cp/moniteur/2016/20161031_ar_20160914.pdf

BE – 2016 0601: Royal Decree on Annual Accounts of Insurance and Reinsurance Companies

- Arrêté royal du 1 juin 2016 modifiant l'arrêté royal du 17 novembre 1994 relatif aux comptes annuels des entreprises d'assurance et de réassurance;
- Koninklijk besluit van 1 juni 2016 tot wijziging van het koninklijk besluit van 17 november 1994 op de jaarrekening van de verzekerings- en herverzekeringsondernemingen;
- https://www.nbb.be/doc/cp/moniteur/2016/20160617_ar_20160601.pdf

BE - 2016 0313: Belgian Solvency II Law / Law on Insurance Supervision

- **Loi relative au statut et au contrôle des entreprises d'assurance ou de réassurance (MB 2016 0323)**
- **Wet op het Statuut van en het toezicht op verzekerings- of herverzekeringsondernemingen (BS 2016 0323)**
- Has been revised by:
 - the Law of 2 May 2019 (Belgian Official Gazette 21 & 22 May 2019)
 - the Law of 5 December 2017 (Belgian Official Gazette 18 December 2017)
 - the Law of 21 November 2017 (Belgian Official Gazette 7 December 2017)
- Last available coordinated version dates from May 2019: https://www.nbb.be/doc/cp/moniteur/2019/201905_wet_loi_20160313.pdf

2015 and before

EUR – 2015 0930: Commission Delegated Regulation (EU) 2016/467 of 30 September 2015 amending Commission Delegated Regulation (EU) 2015/35 concerning the calculation of regulatory capital requirements for several categories of assets held by insurance and reinsurance undertakings

EUR – 2015 0914: EIOPA publishes Guidelines on System of Governance (EIOPA – BoS – 14/253)

- https://eiopa.europa.eu/GuidelinesSII/EIOPA-BoS-14-253_GL%20on%20system%20of%20governance.pdf

EUR – 2014 1010: 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)

BE – 2013 0314: FSMA and NBB enter into a General Memorandum of Understanding to ensure the coordination of the financial institutions supervision

- <https://www.fsma.be/en/cooperation-agreements-concluded-between-nbb-and-fsma>

EUR - 2011 1216: EIOPA – CCPFI-11/018: Report on Financial Literacy and Education Initiatives by Competent Authorities

- https://eiopa.europa.eu/Publications/Reports/Report_on_Financial_Literacy_and_Education_EIOPA-CCPFI-11-018_.pdf

BE – 2010 0702: Twin Peaks Law

- Regulates the collaboration between NBB and FSMA
- Effective date: 1 April 2011

EUR - 2009 1125: Solvency II Framework 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);

- Effective as of 6 January 2010:
- Last available coordinated version dates from 13 January 2019: <https://eur-lex.europa.eu/eli/dir/2009/138/oj>

BE – 2003 1114: Royal Decree on Life Insurance

- Koninklijk besluit van 14 november 2003 betreffende de levensverzekeringsactiviteit (Officieuze coördinatie : 04/2014);
- Arrêté royal du 14 novembre 2003 relatif à l'activité de l'assurance sur la vie (Coordination officieuse : 04/2014) ;
- https://www.nbb.be/doc/cp/nl/vo/wg/pdf/rd_14-11-2003_04-2014.pdf

BE – 2003 1114 : Royal Decree on Occupational Pensions

- Koninklijk besluit tot uitvoering van de wet van 28 april 2003 betreffende de aanvullende pensioenen en het belastingstelsel van die pensioenen en van sommige aanvullende voordelen inzake sociale zekerheid;
- Arrêté royal portant exécution de la loi du 28 avril 2003 relative aux pensions complémentaires et au régime fiscal de celles-ci et de certains avantages complémentaires en matière de sécurité sociale.

Scope of the IA|BE Regulatory Watch

Belgium

- Assuralia: www.assuralia.be
- Federal Planning Bureau – Belgium; www.plan.be
- FSMA: Financial Service and Markets Authority – Belgium; www.fsma.be
- NBB: National Bank of Belgium; www.nbb.be
- PensioPlus: www.pensioplus.be

Europe

- AAE: Actuarial Association of Europe; www.actuary.eu
- CRO Forum: <https://www.thecroforum.org>
- EBA: European Banking Authority; www.eba.europa.eu
- ECB: European Central Bank; www.ecb.europa.eu
- EFRAG: European Financial Reporting Advisory Group; www.efrag.org
- EIOPA: European Insurance and Occupational Pension Authority:
 - <https://www.eiopa.europa.eu/>
 - In the insurance sector, the EIOPA Board of Supervisors (BoS) adopted three Decisions on collaboration of the supervisory authorities: EIOPA-BoS-17/014 from 30 January 2017 (Solvency II), EIOPA-BoS-18/320 from 27 September 2018 (IORP) and EIOPA-BoS/18-340 from 28 September 2018 (IDD).
- ESAs: the European Supervisory Authorities: EBA, EIOPA and ESMA
- ESMA: European Securities and Markets Authority: <https://www.esma.europa.eu>
- ESRB: European Systemic Risk Board: www.esrb.europa.eu
- European Commission
- Eurostat: www.eurostat.ec.europa.eu
 - Next to more general economic indicators, Eurostat also gives an overview of Accidents at Work by age, sex, severity, etc. for the EU in total and for the 28 individual countries;
 - https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hsw_ph3_08&lang=en
- PEIF: The Pan-European Insurance Forum: a forum for the CEOs of major European insurers (Aegon, Allianz, AVIVA, AXA, GENERALI, MAPFRE, Munich Re, RSA, Swiss Re, UNIQA and Zurich) to exchange and present views on policy and regulatory issues impacting the European insurance sector. PEIF aims to promote a better understanding and recognition of the role of the insurance business model in the European Union and to provide its Members with the opportunity to discuss major policy and strategic issues affecting the insurance business in Europe and worldwide. www.peif.eu
- PensionsEurope: www.pensionseurope.eu
- InsuranceEurope: www.insuranceeurope.eu

International

- IAA: International Actuarial Association; <https://www.actuaries.org/iaa>
- IASB: International Accounting Standards Board:
- IAIS: International Association of Insurance Supervisors: www.iaisweb.org ; 151 member organisations; from Belgium: NBB and FSMA