

Guidelines on reporting and public disclosure

1. Introduction

- 1.1. According to Article 16 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council (hereafter EIOPA Regulation)¹ EIOPA is issuing Guidelines addressed to national competent authorities on supervisory reporting and public disclosure.
- 1.2. These Guidelines relate to Articles 35, 51, 53, 54, 55, 254 (2) and 256 of Directive 2009/138/EC of the European Parliament and of the Council² (hereinafter Solvency II Directive) and Articles 290 to 298, 305 to 311, 359 and 365 as well as to Annex XX of Commission Delegated Regulation (EU) 2015/35 (hereafter the Delegated Regulation)³ which set out the information that should be provided to the supervisory authorities in the regular supervisory report (RSR), in the quantitative supervisory reporting, pre-defined events, and the information that should be publicly disclosed in the solvency and financial condition report (SFCR).
- 1.3. The Guidelines provide further details as to what supervisory authorities should expect from insurance and reinsurance undertakings, participating insurance and reinsurance undertakings, insurance holdings companies and mixed financial holding companies with regards to:
 - a) the content of the SFCR as specified in Section I of Chapter XII of Title 1 of the Delegated Regulation;
 - b) the content of the RSR as specified in Section I of Chapter XII of Title 1 of the Delegated Regulation;
 - c) validations to be applied to the annual and quarterly quantitative templates, supplementing the information presented in the RSR, as defined in the Implementing Technical Standards on the templates for the submission of information to the supervisory authorities;
 - d) reporting in the case of predefined events as defined in Solvency II Directive;
 - e) undertaking's processes for public disclosure and supervisory reporting following requirements from Solvency II Directive.
- 1.4. The Guidelines on the content of the SFCR and the RSR are aimed at harmonising public disclosure and supervisory reporting, to the extent that further clarification of the Delegated Regulation is needed, by specifying the expected minimum content of selected sections of the reports.

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, 17.01.2015, p. 1)

- 1.5. Unless otherwise stated, the Guidelines addressing individual undertakings apply to individual insurance and reinsurance undertakings, to third country branches, to participating insurance and reinsurance undertakings, insurance holdings companies and mixed financial holding companies.
- 1.6. Where applicable, the Guidelines addressing both the SFCR and the RSR sections apply to branches established within the community and belonging to insurance or reinsurance undertakings with head offices situated outside the community (third country branches) when producing their RSR (as third country branches do not have to produce an SFCR, and the RSR for insurance and reinsurance undertakings is complementary to the SFCR).
- 1.7. In addition, the Guidelines concerning groups apply to participating insurance and reinsurance undertakings, insurance holdings companies and mixed financial holding companies when producing the group SFCR or the single SFCR and group RSR.
- 1.8. Unless otherwise stated, these Guidelines apply to all undertakings regardless of whether they are using the standard formula, an internal model or a partial internal model to calculate the Solvency Capital Requirement (SCR).
- 1.9. Guidelines on predefined events, which apply to both individual undertakings and to groups, are aimed at further specifying the requirements set out in Article 35 (2)(a) (ii) and 245(2) of Solvency II Directive.
- 1.10. The application of these Guidelines should consider the materiality principle as defined in articles 291 and 305 of the Delegated Regulation.
- 1.11. If not defined in these Guidelines, the terms have the meaning defined in the legal acts referred to in the introduction.
- 1.12. The Guidelines shall apply from 1 January 2016.

Section I -Solvency and Financial Condition Report

A. Business and Performance

Guideline 1 - Business

1.13. Under section "A.1 Business" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should describe at least the following information regarding their business:

- a) The name and location of the legal or the natural persons that are direct and indirect holders of qualifying holdings in the undertaking (including the immediate and ultimate parent entity or natural person), the proportion of ownership interest held and, if different, the proportion of voting rights held;
- b) A list of material related undertakings including the name, legal form, country, proportion of ownership interest held and, if different, proportion of voting rights held;
- c) A simplified group structure.

Guideline 2 – Performance of other activities

1.14. Under section "A.4. Performance of other activities" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should describe in general the leasing arrangements in relation to each material leasing arrangement, separately for financial and operating leases.

B. System of Governance

Guideline 3 - Governance Structure

1.15. Under section "B.1. General information on the system of governance" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should explain how the key functions have the necessary authority, resources and operational independence to carry out their tasks and how they report to and advise the administrative, management or supervisory body of the insurance or reinsurance undertaking (hereinafter "AMSB").

Guideline 4 - Risk management system for internal model users

1.16. Under section "B.3 Risk management system including the own risk and solvency assessment" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings using a partial or a full internal model to calculate the SCR, should describe at least the following information addressing the governance of the internal model:

- a) The responsible roles and specific committees if any, their main tasks, position and scope of responsibilities;

- b) How existing committees interact with the AMSB in order to meet the requirements of Article 116 of Solvency II Directive;
- c) Any material changes to the internal model governance during the reporting period;
- d) A description of the validation process (used to monitor the performance and on-going appropriateness of the internal model).

C. Risk Profile

Guideline 5 - Underwriting risk

1.17. Under section "C.1 Underwriting risk" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, regarding the use special purpose vehicles, describe if they were authorised under Article 211 of Solvency II Directive, identify the risks that are transferred to it and explain how the fully funded principle is assessed on an ongoing basis.

D. Valuation for Solvency Purposes

Guideline 6 – Assets – Information on aggregation by class

1.18. Under section "D.1 Assets" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, when aggregating assets into material classes to describe the valuation basis that has been applied to them, consider the nature, function, risk and materiality of those assets.

1.19. Classes other than those used in the Solvency II balance sheet template as defined in the Implementing Technical Standard with regard to the procedures, formats and templates of the solvency and financial condition report should only be used if the undertaking is able to demonstrate to the supervisory authority that another presentation is clearer and more relevant.

Guideline 7 – Content by material classes of assets

1.20. Under section "D.1 Assets" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, in relation to each material class of asset, describe at least the following quantitative and qualitative information:

- a) The recognition and valuation basis applied, including methods and inputs used, as well as judgements made other than estimations which would materially affect the amounts recognised, in particular:
 - i. For material intangible assets: nature of the assets and information on the evidence and criteria used to conclude that an active market exists for those assets;

- ii. For material financial assets: information on the criteria used to assess whether markets are active and, if the markets are inactive, a description of the valuation model used;
 - iii. For financial and operating leasings: describe in general the leasing arrangements in relation to each material class of assets subject to leasing arrangement, separately for financial and operating leases;
 - iv. For material deferred tax assets: information on the origin of the recognition of deferred tax assets and the amount and expiry date, if applicable, of deductible temporary differences, unused tax losses and unused tax credits for which no deferred tax asset is recognised in the balance sheet;
 - v. For related undertakings: where related undertakings were not valued using quoted market prices in an active markets or using the adjusted equity method, provide an explanation why the use of these methods was not possible or practical.
- b) Any changes made to the recognition and valuation bases used or to estimations during the reporting period;
 - c) Assumptions and judgments including those about the future and other major sources of estimation uncertainty.

Guideline 8 – Valuation of technical provisions

1.21. Under section “D.2 Technical provisions” of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should describe the significant simplified methods used to calculate technical provisions, including those used for calculating the risk margin.

Guideline 9 – Liabilities other than technical provisions – information on aggregation by class

1.22. Under section “D.3 Other liabilities” of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, when aggregating liabilities other than technical provisions into material classes to describe the valuation basis that has been applied to them consider the nature, function, risk and materiality of those liabilities.

1.23. Classes other than those used in the Solvency II balance sheet template as defined in the Technical Standard on the templates for the submission of information to the supervisory authorities should only be used if the undertaking is able to demonstrate to the supervisory authority that another presentation is clearer and more relevant.

Guideline 10 – Content by material classes of liabilities other than technical provisions

1.24. Under section “D.3 Other liabilities” of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, in relation to each material class of liability other than technical provisions, describe at least the following quantitative and qualitative information:

- a) Recognition and valuation basis applied, including methods and inputs used, in particular:
 - i. describe in general the material liabilities arising as a result of leasing arrangements, separately disclosing information on financial and operating leases;
 - ii. the origin of the recognition of deferred tax liabilities and the amount and expiry date if applicable, of taxable temporary differences;
 - iii. the nature of the obligation and, if known, expected timing of any outflows of economic benefits and an indication of uncertainties surrounding the amount or timing of the outflows of economic benefits and how deviation risk was taken into account in the valuation;
 - iv. The nature of the liabilities for employee benefits and a breakdown of the amounts by nature of the liability and the nature of the defined benefit plan assets, the amount of each class of assets, the percentage of each class of assets with respect to the total defined benefit plan assets, including reimbursement rights.
- b) Any changes made to the recognition and valuation bases used or on estimations during the reporting period;
- c) Assumptions and judgments including those about the future and other major sources of estimation uncertainty.

E. Capital Management

Guideline 11 - Own funds – Additional solvency ratios

1.25. Under section “E.1 Own funds” of the SFCR as defined in Annex XX of the Delegated Regulation, where undertakings disclose additional ratios to the ones included in template S.23.01, the SFCR should also include an explanation on the calculation and meaning of the additional ratios.

Guideline 12 - Own funds – Information on the structure, amount, quality and eligibility of own funds

1.26. Under section “E.1 Own funds” of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, regarding their own funds, describe at least the following information:

- a) for each material own fund item set out in Article 69, Article 72, Article 74, Article 76 and Article 78, as well as for items that received supervisory approval as per Article 79 of the Delegated Regulation the information required in Article 297 (1) of the Delegated Regulation, distinguishing between basic and ancillary own fund items;
- b) for each material own fund item, the extent to which it is available, subordinated, as well as its duration and any other features that are relevant for assessing its quality;
- c) an analysis of significant changes in own funds during the reporting period, including the value of own fund items issued during the year, the value of instruments redeemed during the year, and the extent to which the issuance has been used to fund redemption;
- d) in relation to subordinated debt, an explanation of the changes to its/ their value;
- e) when disclosing the information required in Article 297 (1) (c) of the Delegated Regulation, an explanation of any restrictions to available own funds and the impact of limits on eligible Tier 2 capital, Tier 3 capital and restricted Tier 1 capital;
- f) details of the principal loss absorbency mechanism used to comply with Article 71 (1)(e) of the Delegated Regulation , including the trigger point, and its effects;
- g) an explanation of the key elements of the reconciliation reserve;
- h) for each basic own fund item subject to the transitional arrangements:
 - i. the tier into which each basic own fund item has been classified and why;
 - ii. the date of the next call and the regularity of any subsequent call dates, or the fact that no call dates fall until after the end of the transitional period.
- i) when disclosing the information required in Article 297(1)(g) of the Delegated Regulation, information on the type of arrangement and the nature of the basic own funds item which each ancillary own fund item would become on being called up or satisfied, including the tier, as well as when the item was approved by the supervisory authority and, where a method was approved, for how long;
- j) where a method has been used to determine the amount of a material ancillary own fund item, undertakings should describe:
 - i. how the valuation provided by the method has varied over time;
 - ii. which inputs to the methodology have been the principal drivers for this movement;
 - iii. the extent to which the amount calculated is affected by past experience, including the outcome of past calls.

- k) Regarding items deducted from own funds:
 - i. the total excess of assets over liabilities within ring-fenced funds and matching adjustment portfolios, identifying the amount for which an adjustment is made in determining available own funds;
 - ii. the extent of and reasons for significant restrictions on, deductions from or encumbrances of own funds.

Guideline 13 - Differences between the standard formula and internal models used

- 1.27. Under section "E.4 Differences between the standard formula and any internal model used" of the SFCR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, when disclosing the main differences in methodologies and underlying assumptions used in the standard formula and in the internal model, describe at least the following:
- a) Structure of the internal model;
 - b) Aggregation methodologies and diversification effects;
 - c) Risks not covered by the standard formula but covered by the internal model.

Group SFCR

A. Business and Performance

Guideline 14: Information on the scope of the group

- 1.28. Under section "A.1 Business" of the group SFCR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should explain the material differences between the scope of the group used for the consolidated financial statements and the scope for the consolidated data determined in accordance with Article 335 of the Delegated Regulation.

E. Capital Management

Guideline 15 - Information on own funds - groups

- 1.29. Under section "E.1 Own funds" of the group SFCR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should, regarding the group's own funds, describe at least the following information:
- a) The own funds items that have been issued by an undertaking of the group other than the participating insurance and reinsurance undertaking, insurance holding company or mixed financial holding company;
 - b) Where material own funds are issued by an equivalent third country insurance or reinsurance undertaking included via the Deduction and Aggregation method, if the Member State allows the use of local rules, the

- local tiering of those own funds items, including information on the tiering structure, criteria and limits;
- c) Where material own funds items are issued by an undertaking that is not an insurance or reinsurance undertaking and is subject to tiering requirements other than the Solvency II requirements, the source and nature of those tiering requirements, as well as the level of the own funds in each tier;
 - d) How group own funds have been calculated net of any intra-group transactions, including intra-group transactions with entities of other financial sectors;
 - e) The nature of the restrictions to the transferability and fungibility of own funds items in the related undertakings, if any.

Section II – Regular Supervisory Reporting

Business and Performance

Guideline 16 - Business

- 1.30. Under section “A.1 Business” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, when providing information regarding their business, include information on:
- a) the number of full time equivalent employees;
 - b) a list of all related undertakings and branches.

Guideline 17 - Underwriting performance

- 1.31. Under section “A.2 Underwriting performance” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, when providing information on risk mitigation techniques related to underwriting activities, include a description of:
- a) the impact of the risk mitigation techniques on underwriting performance;
 - b) the effectiveness of the risk mitigation techniques.

B. System of Governance

Guideline 18 - Governance structure

- 1.32. Under section “B.1 General information on the system of governance” of the RSR as defined in Annex XX of Delegated Regulation, insurance and reinsurance undertakings should explain:
- a) the internal organisational structure, including a detailed organisational structure chart and positions of key function holders;

- b) how the undertaking's remuneration policy and practices are consistent with and promote sound and effective risk management and do not encourage excessive risk taking.

Guideline 19 - Risk management system

1.33. Under section "B.3 Risk management system including the own risk and solvency assessment" of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should:

- a) explain how the strategies, objectives, processes and reporting procedures of the undertaking's risk management for each separate category of risk are documented, monitored and enforced;
- b) in the cases where it has in place an outsourcing agreement that led to the limitation (no reporting) of the external rating and nominated ECAI in the quantitative reporting templates explain the procedures implemented by the undertaking to oversight and safeguard the compliance of the requirements in the referred area and how it is guaranteed that all relevant information underlying the investment portfolio is taken into account in the risk management;
- c) describe the nature and appropriateness of the key data used in internal models and at least describe the process in place for checking data quality.

C. Risk Profile

Guideline 20 – Other material risks

1.34. Under section "C.6 Other material risks" of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should:

- a) explain how it is ensured that the use of derivatives contribute to the reduction of risks or facilitate efficient portfolio management;
- b) include details of any material allowance for reinsurance and financial mitigation techniques and material future management actions used in the SCR calculation and how these have met the criteria for recognition;
- c) where the undertaking selected 'Other' in item "C0140 - Type of underwriting model" in template S.30.03 as defined in Technical Standard with regard to the templates for the submission of information to the supervisory authorities, provide an explanation of the underwriting model applied;
- d) where belonging to a group, provide qualitative and quantitative information regarding significant transactions within the group including information on:
 - i. the amount of the transactions;
 - ii. the amount of outstanding balances, if any;
 - iii. relevant terms and conditions of the transactions.

D. Valuation for Solvency Purposes

Guideline 21 – Valuation of other assets

1.35. Under section “D.1 Assets” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should explain in particular:

- a) when material deferred tax assets are recognised, how they assess the probability of future taxable profits, where applicable, and identify the amount and expected time horizons for reversal of temporary differences;
- b) where they were not able to provide a maximum value on any unlimited guarantees (in or off balance-sheet) they reported in the quantitative reporting templates S.03.03 as defined in the Implementing Technical Standard on the templates for the submission of information to the supervisory authorities.

Guideline 22 - Technical provisions

1.36. Under section “D.2 Technical provisions” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings, excluding participating insurance and reinsurance undertakings, insurance holdings companies and mixed financial holding companies, should provide information on technical provisions including:

- a) Details of the relevant actuarial methodologies and assumptions used in the calculation of the technical provisions including details of any simplifications used (including in calculating the future premiums and risk margin and its allocation to the single lines of business) and including a justification that the method chosen is proportionate to the nature, scale and complexity of the undertaking’s risks including the reasons for any material changes in the use of those methods;
- b) An explanation of the contract boundaries applied to each different business in the valuation of technical provisions, and details of any contracts that include significant renewals within existing business;
- c) Details of the key options and guarantees within the calculation of the technical provisions and the significance of each and how they are evolving;
- d) An overview of any material changes in the level of technical provisions since the last reporting period, including reasons for material changes, especially the rationale of material changes in assumptions;
- e) Material changes in lapse rates;
- f) Details of the homogeneous risk groups used to calculate the technical provisions;
- g) Any recommendations on the implementation of improvements in the internal procedures in relation to data that are considered relevant;

- h) Information about any significant data deficiencies and adjustments;
- i) A description of the technical provisions that have been calculated as a whole;
- j) A description of where unbundling has been used for material contracts;
- k) Details of the Economic Scenario Generator, including an explanation of how consistency to the risk free rate has been achieved and which volatility assumptions have been chosen;
- l) Description of the assessments referred to in points (a), (b) and (c) of the first subparagraph of article 44 of Solvency II Directive. Where the reduction of the matching adjustment or the volatility adjustment to zero would result in non-compliance with the SCR, an analysis of the measures it could apply in such a situation to re-establish the level of eligible own funds covering the SCR or to reduce its risk profile to restore compliance with the SCR;
- m) Details of the approach used to calculate material reinsurance recoverables.

Guideline 23 – Off-balance sheet items

1.37. Under section “D.1. Assets” or “D.3 Other liabilities” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should include a description of any other material off-balance assets or liabilities not reported in template S.03.01 as defined in the Implementing Technical Standard on the templates for the submission of information to the supervisory authorities.

E. Capital Management

Guideline 24 – Distributions to shareholders

1.38. Under section “E.1 Own Funds” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should provide details on the amount of distributions made to shareholders.

Guideline 25 – Simplified calculation in the standard formula

1.39. Under section “E.2 Solvency Capital Requirement and Minimum Capital Requirement” of the RSR as defined in Annex XX of the Delegated Regulation, insurance and reinsurance undertakings should, if material, explain how the use of a simplified calculation in the SCR standard formula is justified by the nature, scale and complexity of the risks faced by the undertaking.

Group RSR

B. System of Governance

Guideline 26 – Preparation of consolidated data

1.40. Under section “B.1 General information on the system of governance” of the group RSR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should provide at least information on:

- a) how the group’s consolidated, aggregated or combined data (depending on the method used) has been prepared as well as the processes in place to prepare it;
- b) information on the bases, methods and assumptions used at group level for the valuation for solvency purposes of the group’s assets and liabilities other than technical provisions in particular with regard to the valuation of the contributions to group data from third country undertakings and non-regulated undertakings.

C. Risk Profile

Guideline 27 - Any other material information on business

1.41. Under section “C.6 Other material risks ” of the group RSR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should provide information on the terms and conditions of the significant intra-group transactions including information on:

- a) Commercial rationale for the operation or transaction;
- b) Risks borne by, and rewards available to, each party to the operation or transaction;
- c) Any particular aspects of the operation or transaction that are (or may become) disadvantageous to either party;
- d) Any conflicts of interest that may have arisen in negotiating and executing the operation or transaction, and any potential conflicts of interest that may arise in the future;
- e) If the transaction is linked to other operations or transactions in terms of timing, function and planning, the individual effect of each operation or transaction and the overall net impact of the linked operations and transactions on each party to the operation or transaction and on the group should be reported;
- f) Extent to which the operation or transaction is depending on a winding-up and circumstances in which the operation or transaction can be executed.

Guideline 28 - Risk profile

- 1.42. Under section "C.6 Other material risks" of the group RSR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should provide qualitative and quantitative information on any significant risk concentration at the level of the group, including:
- a) A description of the risk(s);
 - b) Probability of risks materialising;
 - c) Mitigation actions including an assessment of a worst case scenario in case of default of the exposure;
 - d) Analysis and quantification of the risk concentrations along legal entity lines;
 - e) Consistency with the group's business model, risk appetite and strategy, including compliance with the limits set by the internal control system and risk management processes of the group;
 - f) Whether losses arising from risk concentrations affect the overall profitability of the group or its short-term liquidity;
 - g) Relationship, correlation and interaction between risk factors across the group and any potential spill over effects from risk concentrations in a particular area;
 - h) Quantitative information about the risk concentration and the effect on the undertaking and the group and the effect of reinsurance contracts;
 - i) Whether the item concerned is an asset, a liability or an off-balance sheet item.

D. Valuation for Solvency Purposes

Guideline 29 - Technical provisions

- 1.43. Under section "D.2 Technical provisions" of the RSR as defined in Annex XX of the Delegated Regulation, participating insurance and reinsurance undertakings, insurance holding companies and mixed financial holding companies should provide information on group technical provisions including:
- a) Information on any material adjustments done to the individual technical provision, e.g. elimination of intragroup transactions, for the calculation of the group technical provisions;
 - b) where the group applies the Long term guarantees measures or Transitional measures, the information on how the adjustments at group level affect the measures used at individual level;
 - c) information on bases, methods and assumptions used for the calculation of the contribution of technical provisions from third country insurance and

reinsurance undertakings, either if Solvency II rules are used or other rules from equivalent regime where allowed.

Section III - Supervisory reporting following pre-defined events

Guideline 30 - Identification and trigger for reporting of pre-defined events

1.44. Insurance and reinsurance undertakings should immediately notify in writing the supervisory authority about the occurrence of any events which could reasonably lead or have already led to material changes in an undertaking's or a group's business and performance, system of governance, risk profile, and solvency and financial position (hereinafter "pre-defined event"). In case of doubt, insurance and reinsurance undertakings should consult the supervisory authorities whether a given event would classify as a pre-defined event.

Section IV - Public Disclosure and Supervisory Reporting Processes

Guideline 31 - Public disclosure policy

1.45. Insurance and reinsurance undertakings should have a public disclosure policy that complies with Guideline 7 of the Guidelines on System of Governance, and which additionally includes the following:

- a) identification of the persons/functions responsible for preparing and reviewing the information publicly disclosed;
- b) the processes for completion of the disclosure requirements;
- c) the processes for review and approval by the AMSB of the SFCR;
- d) identification of the information already available in the public domain that the insurance or reinsurance undertaking believes is equivalent in nature and scope to the information requirements in the SFCR;
- e) specific information that the insurance or reinsurance undertaking intends not to disclose under the circumstances set out in Article 53(1) of Solvency II Directive;
- f) additional information that the undertaking has decided to voluntarily disclose under Article 54 (2) of Solvency II Directive.

Guideline 32 - SFCR - Non-disclosure of information

1.46. Insurance and reinsurance undertakings should not enter into a contractual obligation binding them to secrecy or confidentiality of information that is required to be disclosed under the SFCR.

Guideline 33 – Format of quantitative reporting templates

1.47. Insurance and reinsurance undertakings should consider the data point model as published by EIOPA⁴ when reporting information included in the quantitative reporting templates.

Guideline 34 – Validations

1.48. Insurance and reinsurance undertakings should ensure that the data submitted in the quantitative reporting templates comply with the validations rules published by EIOPA⁵.

Guideline 35 - RSR – References to other documents

1.49. When insurance and reinsurance undertakings refer in the RSR to other documents that are subject to reporting to their supervisory authorities, these should lead directly to the information itself and not to a general document.

1.50. Insurance and reinsurance undertakings should not use in the RSR references to other documents that are not subject to reporting to their supervisory authorities.

Guideline 36 – Supervisory reporting policy

1.51. Insurance and reinsurance undertakings should ensure that the supervisory reporting policy complies with Guideline 7 of the Guidelines on System of Governance and additionally includes the following:

- a) identification of persons/functions responsible for drafting and reviewing any reporting to the supervisory authorities;
- b) set out processes and timelines for completion of the various reporting requirements, review and approval;
- c) explanation of processes and controls for ensuring the reliability, completeness and consistency of the data provided.

Guideline 37 – Approval of information submitted to the supervisory authorities

1.52. Insurance and reinsurance undertakings should ensure that the transitional information, the RSR and the annual quantitative reporting templates have been approved by the AMSB before submitting them to the supervisory authority concerned.

1.53. Insurance and reinsurance undertakings should ensure that the quarterly quantitative templates has been approved either by the AMSB or by persons who effectively run the insurance or reinsurance undertaking before submitting them to the supervisory authority concerned.

^{4 5} <https://eiopa.europa.eu/regulation-supervision/insurance/reporting-format>

Guideline 38– First submission of RSR

- 1.54. Insurance and reinsurance undertakings should submit the regular supervisory report for the first time in relation to their financial year ending on or after 30 June 2016 but before 1 January 2017.

Guideline 39– Transitional information

- 1.55. Insurance and reinsurance undertakings should submit a qualitative explanation of the main differences between the figures reported in the opening valuation using Solvency II valuation and those calculated according to the solvency regime previously in place as referred to in article 314 of the Delegated Regulation in an electronically readable format.
- 1.56. This narrative information should follow the structure of the main classes of assets and liabilities as defined for the Solvency II balance-sheet as specified in the Technical Standard on the templates for the submission of information to the supervisory authorities.

Compliance and Reporting Rules

- 1.57. 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 shall make every effort to comply with guidelines and recommendations.
- 1.58. Competent authorities that comply or intend to comply with these Guidelines should incorporate them into their regulatory or supervisory framework in an appropriate manner.
- 1.59. Competent authorities shall 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.
- 1.60. 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 Reviews

- 1.61. The present Guidelines shall be subject to a review by EIOPA.