



EUROPEAN COMMISSION

Internal Market and Services DG

FINANCIAL INSTITUTIONS
Insurance and Pensions

PUBLIC HEARING

Harmonisation of solvency rules applicable to Institutions for Occupational Retirement Provision (IORPs) covered by article 17 of the IORP Directive and IORPs operating on a cross-border basis

Wednesday 27 May 2009

Centre de Conférences Albert Borschette – Salle 0A
36 rue Froissart, 1000 Brussels

PROGRAMME

- 09.30-10.00 Registration
- 10.00-10.15 Opening remarks by **Jörgen Holmquist**, Director General Internal Market and Services.
- 10.15-10.25 Introduction by the Chair for the Public Hearing: **Elemér Terták**, Director Financial Institutions, Directorate General Internal Market and Services.
- 10.25-11:40 **Panel 1: Solvency rules for pension funds**

This is a high-level general panel focusing on solvency rules for pension funds. The key question here is whether or not solvency rules should be harmonised within the EU. As part of that question, the panel will also review the objectives and principles of prudential supervision for pension funds.

Particular attention will be paid to IORPs subject to Article 17 of the IORP Directive and IORPs operating on a cross-border basis. IORPs subject to Article 17 underwrite liabilities to cover against biometric risks, or provide guarantees of a given investment performance or a given level of benefits. In those cases there is a direct connection with Solvency II because the own funds requirements for IORPs refer to those prevailing for life assurance undertakings (i.e. Solvency I).

IORPs operating on a cross-border basis could be IORPs covered by Article 17 of the IORP Directive as well as other IORPs. The question here is to what extent the differences in the solvency regimes for IORPs that operate on a cross-border basis are creating internal market problems.

Chaired by **David Wright**, Deputy Director General Internal Market and Services.

Panellists:

- **Maarten Camps**, Director General, Ministry of Social Affairs and Employment, The Netherlands.
- **Angel Martinez-Aldama**, Chairman of the European Federation for Retirement Provision (EFRP).
- **Carlos Montalvo**, Secretary General of the Committee of European Insurance and Occupational Pensions Supervisors (CEIOPS).
- **Ieke Van Den Burg**, Member of the European Parliament.
- **Philip Wynn Owen**, Director General of Strategy, Information and Pensions of the Department for Work and Pensions, UK.

11.40-11:50 Coffee break

11:50-13:00 **Panel 2: Is there a level playing field issue between pension funds and insurance undertakings?**

This is a second high-level general panel, which focuses on solvency rules from a cross-sectoral perspective. The main question is whether the current solvency rules for IORPs subject to Article 17 should be replaced by solvency rules similar or equivalent to the Solvency II rules. The panel will seek to clarify whether there is concrete evidence of an unlevel playing field with insurance undertakings or unfair competition in terms of capital requirements for retirement products that expose the financial institutions to similar risks.

Chaired by **Karel Van Hulle**, Head of the Insurance and Pensions Unit, Directorate General Internal Market and Services.

Panellists:

- **Bruno Gabellieri**, Association Européenne des Institutions Paritaires de la protection sociale (AEIP).
- **Michaela Koller**, Director General of the European insurance and reinsurance federation (CEA).
- **Henri Lourdelle**, Advisor, European Trade Union Confederation (ETUC).
- **Loes Van Embden Andres**, Chair of BUSINESSEUROPE's Social Protection Working Group.
- **Chris Verhaegen**, Secretary General of the European Federation for Retirement Provision (EFRP).

13:00-14.30 Lunch (Coffee served from 14.15–14.30)

14.30-15.45 **Panel 3: Technical provisions and solvency rules in a cross-border context**

This panel will be of a more technical nature and may also follow-up in more detail on some issues that arose in the previous panels. Several topics will be considered, including the following three: First, the rules relating to technical provisions, particularly in a cross-border context, as this is the starting point for a solvency regime. Second, what are the first experiences with cross-border activity and what are the future prospects? What is driving supply and demand for cross-border activity? Third, solvency rules for IORPs operating on a cross-border basis, including questions such as: are solvency rules an obstacle to cross-border activity? Is there concrete evidence of potential regulatory arbitrage between Member States?

Chaired by **Aerdt Houben**, Chairman of CEIOPS' Solvency Subcommittee.

Panellists:

- **Wil Beckers**, Director DSM Pension Services, The Netherlands.
- **Brendan Kennedy**, Chief executive of the Pensions Board, Ireland.
- **Christoph Krischanitz**, President of the Actuarial Association of Austria (Aktuarvereinigung Österreichs, AVÖ).
- **Jacques Maire**, Senior Vice President for European and Public Affairs, Axa Group, France.
- **Bernhard Wiesner**, Senior Vice President Corporate Pensions, Bosch Group, Germany.

15.45-16.15 Coffee

16.15-17.30 **Panel 4: Broader issues raised during the consultation**

Many respondents to the consultation have raised issues that have a broader implication: e.g. investment rules for defined-contribution schemes, occupational pension provision in different Member States; impact of the overall pension system. These issues are explored in this panel.

Chaired by **Elemér Terták**, Director Financial Institutions, Directorate General Internal Market and Services.

Panellists:

- **Pablo Antolín**, Organisation for Economic Co-operation and Development (OECD), Financial Affairs Division.
- **Peter De Proft**, Director General, European Fund and Asset Management Association (EFAMA).

- **Joao Ferreira**, Insurance and Pension Funds Supervisory Authority (Autoridade de Supervisão de Seguros e Fundos de Pensões, ISP), Portugal.
- **Georg Fischer**, Head of Social Protection and Social Services Unit, Directorate General Employment, Social Affairs and Equal Opportunities.
- **Csaba Varga**, Member of CEIOPS' Managing Board, Director General, Hungarian Financial Supervisory Authority (Pénzügyi Szervezetek Állami Felügyelete).

17.30-17.45 Closing remarks by **Elemér Terták**, Director Financial Institutions, Directorate General Internal Market and Services.