Commission Implementing Regulation (EU) 2016/1868 of 20 October 2016 amending and correcting Implementing Regulation (EU) 2015/2450 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1868

of 20 October 2016

amending and correcting Implementing Regulation (EU) 2015/2450 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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)[(1)], and in particular the third subparagraph of Article 35(10), the third subparagraph of Article 244(6) and the second subparagraph of Article 245(6) thereof,

Whereas:

(1) On 2 April 2016, Commission Delegated Regulation (EU) 2016/467[(2)], amending Delegated Regulation (EU) 2015/35[(3)] entered into force. Delegated Regulation (EU) 2016/467 introduced a new asset class into the insurance prudential legislative framework for qualifying infrastructure investments. This new infrastructure asset class was framed by criteria to ensure that these investments exhibit a sound risk profile and receive a revised calibration, lowering the capital requirements, based on fulfilling those strict criteria.

(2) Delegated Regulation (EU) 2016/467 also extended to European Long-Term Investment Funds (ELTIFs) the specific treatment in Delegated Regulation (EU) 2015/35 for European Venture Capital Funds and European Social Entrepreneurship Funds and amended Article 168 of that Delegated Regulation to provide for equivalent treatment to equities traded on multilateral trading facilities (MTFs) as those listed on regulated markets.

(3) Commission Implementing Regulation (EU) 2015/2450[(4)] lays down the reporting templates that insurance and reinsurance undertakings must use for reporting information to the supervisory authorities that is necessary for the purposes of supervision. In order to ensure that supervisory authorities receive appropriate information for the purposes of the supervisory review process also on qualifying infrastructure investments made by insurance and reinsurance undertakings as well as

investments in ELTIFs and equities traded on MTFs, the templates for reporting by these undertakings to supervisory authorities, as laid down in Implementing Regulation (EU) 2015/2450, should be amended accordingly.

(4) Implementing Regulation (EU) 2015/2450 includes several minor drafting errors which should be corrected accordingly.

(5) This Regulation is based on the draft implementing technical standards submitted by the European Supervisory Authority (European Insurance and Occupational Pensions Authority) to the Commission.

(6) The European Supervisory Authority (European Insurance and Occupational Pensions Authority) has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Insurance and Reinsurance Stakeholder Group established by Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council[5],

HAS ADOPTED THIS REGULATION:

Article 1

Amending provisions

Implementing Regulation (EU) 2015/2450 is amended as follows:

(1) Annex I is amended in accordance with Annex I to this Regulation;

(2) Annex II is amended in accordance with Annex II to this Regulation;

(3) Annex III is amended in accordance with Annex III to this Regulation;

(4) Annex VI is amended in accordance with Annex IV to this Regulation.

Article 2

Correcting provisions

Implementing Regulation (EU) 2015/2450 is corrected in accordance with Annex V to this Regulation.

Article 3

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 October 2016.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1868. (See end of Document for details)*

ANNEX I

Annex I to Commission Implementing Regulation (EU) 2015/2450 is amended as follows:

1) S.26.01.01 is replaced by the following:

S.26.01.01

Solvency Capital Requirement — Market risk

Article 112	**Z0010**	
Simplifications used		**C0010**
Simplifications — spread risk — bonds and loans	**R0010**	
Captives simplifications — interest rate risk	**R0020**	
Captives simplifications — spread risk on bonds and loans	**R0030**	
Captives simplifications — market concentration risk	**R0040**	

		Initial absolute values before shock		Absolute values after shock				
		Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
Market risk — Basic information		C0020	C0030	C0040	C0050	C0060	C0070	C0080
Interest rate risk	**R0100**							
interest rate down shock	**R0110**							

interest rate up shock	**R0120**							
Equity risk	**R0200**							
type 1 equities	**R0210**							
type 1 equity	**R0220**							
strategic participations (type 1 equities)	**R0230**							
duration-based (type 1 equities)	**R0240**							
type 2 equities	**R0250**							
type 2 equity	**R0260**							
strategic participations (type 2 equities)	**R0270**							
duration-based (type 2 equities)	**R0280**							
qualifying infrastructure equities	**R0290**							
Property risk	**R0300**							
		Initial absolute values before shock		Absolute values after shock				
		Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement