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Commission Implementing Regulation (EU) 2015/2452 of 2 December 2015 laying down implementing technical standards with regard to the procedures, formats and templates of the solvency and financial condition report in accordance with Directive 2009/138/EC of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2452

of 2 December 2015

laying down implementing technical standards with regard to the procedures, formats and templates of the solvency and financial condition report in accordance with 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 25 November 2009 of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)[(1)], and in particular the fourth paragraph of Article 56 and Article 256(5) thereof,

Whereas:

(1) The harmonised disclosure requirements on quantitative information included in the solvency and financial condition report should be assured by the application of a prescribed set of disclosure templates, which allow for an improved understanding of the information being disclosed to the public, especially for comparison across time and across different undertakings. The application of templates should also assure the equal treatment of insurance and reinsurance undertakings and should improve the understanding of disclosures performed by groups.

(2) When insurance and reinsurance undertakings, participating insurance and reinsurance undertakings, insurance holding companies or mixed financial holding companies are authorised to publish a single solvency and financial condition report they should disclose separately, as part of their report, the information specified in this Regulation for individual undertakings for each insurance and reinsurance subsidiary covered by that report and the information prescribed for groups.

(3) To ensure the consistent use of the means of disclosure, the relevant provisions on means of disclosure of Commission Delegated Regulation (EU) 2015/35[(2)] should apply to the disclosure of group and single solvency and financial condition reports.

(4) Insurance and reinsurance undertakings and groups should only disclose the information applicable for their business. For example, certain options provided for by Directive 2009/138/EC, like the use of the matching adjustment for the calculation of the technical provisions or the use of a full or partial internal model or of underwriting-

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specific parameters for the calculation of the solvency capital requirement, affect the scope of the information to be disclosed. In most cases, only a subset of the templates provided for in this Regulation should be disclosed, as not all the templates are applicable for all undertakings.

(5) The provisions in this Regulation are closely linked to each other, since they deal with the procedures and templates for the disclosure of the solvency and financial condition report. To ensure coherence between those provisions, which should enter into force at the same time, and to facilitate a comprehensive view and access to them by persons subject to those obligations, including investors that are non-Union residents, it is desirable to include all the implementing technical standards required by Article 56 and 256(5) of Directive 2009/138/EC in a single Regulation.

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

(7) The 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 in accordance with Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council[(3)],

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down implementing technical standards on the solvency and financial condition report by establishing procedures, formats and the templates for the disclosure of information referred to in Article 51 of Directive 2009/138/EC for individual insurance and reinsurance undertakings and in Article 256 of Directive 2009/138/EC for groups.

Article 2

Public disclosure formats

When disclosing the information referred to in this Regulation figures reflecting monetary amounts shall be disclosed in thousands of units.

Article 3

Currency

1 For the purposes of this Regulation 'reporting currency', unless otherwise required by the supervisory authority, shall be:

a for individual disclosure, the currency used for the preparation of the insurance or reinsurance undertaking's financial statements;

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b for group disclosure, the currency used for the preparation of the consolidated financial statements.

2 Figures reflecting monetary amounts shall be disclosed in the reporting currency. Any other currency than the reporting currency shall be converted into the reporting currency.

3 When expressing the value of any asset or liability denominated in a currency other than the reporting currency, the value shall be converted in the reporting currency as if the conversion had taken place at the closing rate on the last day for which the appropriate rate is available in the reporting period to which the asset or liability relates.

4 When expressing the value of any income or expense, the value shall be converted in the reporting currency using such basis of conversion as that used for accounting purposes.

5 The conversion into the reporting currency shall be calculated by applying the exchange rate from the same source as used for the insurance or reinsurance undertaking's financial statements in case of individual reporting or for the consolidated financial statements in case of group reporting unless otherwise required by the supervisory authority.

Article 4

Templates for the solvency and financial condition report of individual undertakings

Insurance and reinsurance undertakings shall publicly disclose as part of their solvency and financial condition report at least the following templates:

(a) template S.02.01.02 of Annex I specifying balance sheet information using the valuation in accordance with Article 75 of Directive 2009/138/EC, following the instructions set out in section S.02.01 of Annex II to this Regulation;

(b) template S.05.01.02 of Annex I, specifying information on premiums, claims and expenses using the valuation and recognition principles used in the undertaking's financial statements, following the instructions set out in section S.05.01 of Annex II to this Regulation, for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;

(c) template S.05.02.01 of Annex I, specifying information on premiums, claims and expenses by country using the valuation and recognition principles used in the undertaking's financial statements, following the instructions set out in section S.05.02 of Annex II;

(d) template S.12.01.02 of Annex I, specifying information on the technical provisions relating to life insurance and health insurance pursued on a similar technical basis to that of life insurance ('health SLT') for each line of business as defined in Annex I to Delegated Regulation (EU) 2015/35, following the instructions set out in section S.12.01 of Annex II to this Regulation;

(e) template S.17.01.02 of Annex I, specifying information on non-life technical provisions, following the instructions set out in section S.17.01 of Annex II to this Regulation for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;

(f) template S.19.01.21 of Annex I, specifying information on non-life insurance claims in the format of development triangles, following the instructions set out in section S.19.01 of Annex II for the total non-life business;

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(g) template S.22.01.21 of Annex I, specifying information on the impact of the long term guarantee and transitional measures, following the instructions set out in section S.22.01 of Annex II;

(h) template S.23.01.01 of Annex I, specifying information on own funds, including basic own funds and ancillary own funds, following the instructions set out in section S.23.01 of Annex II;

(i) template S.25.01.21 of Annex I, specifying information on the Solvency Capital Requirement calculated using the standard formula, following the instructions set out in section S.25.01 of Annex II;

(j) template S.25.02.21 of Annex I, specifying information on the Solvency Capital Requirement calculated using the standard formula and a partial internal model, following the instructions set out in section S.25.02 of Annex II;

(k) template S.25.03.21 of Annex I, specifying information on the Solvency Capital Requirement calculated using a full internal model, following the instructions set out in section S.25.03 of Annex II;

(l) template S.28.01.01 of Annex I, specifying the Minimum Capital Requirement for insurance and reinsurance undertakings engaged in only life or only non-life insurance or reinsurance activity, following the instructions set out in section S.28.01 of Annex II;

(m) template S.28.02.01 of Annex I, specifying the Minimum Capital Requirement for insurance undertakings engaged in both life and non-life insurance activity, following the instructions set out in section S.28.02 of Annex II.

Article 5

Templates for the solvency and financial condition report of groups

Participating insurance and reinsurance undertakings, insurance holding companies or mixed financial holding companies shall publicly disclose as part of their group solvency and financial condition report at least the following templates:

(a) template S.32.01.22 of Annex I, specifying information on the undertakings in the scope of the group, following the instructions set out in section S.32.01 of Annex III;

(b) where, for the calculation of the group solvency, the group uses method 1 as defined in Article 230 of Directive 2009/138/EC, either exclusively or in combination with method 2 as defined in Article 233 of Directive 2009/138/EC, template S.02.01.02 of Annex I to this Regulation, specifying balance sheet information, using the valuation in accordance with Article 75 of Directive 2009/138/EC, following the instructions set out in section S.02.01 of Annex III to this Regulation;

(c) template S.05.01.02 of Annex I, specifying information on premiums, claims and expenses, using the valuation and recognition principles used in the consolidated financial statements, following the instructions set out in section S.05.01 of Annex III to this Regulation, for each line of business as defined in Annex I of Delegated Regulation (EU) 2015/35;

(d) template S.05.02.01 of Annex I, specifying information on premiums, claims and expenses by country, using the valuation and recognition principles used in the

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consolidated financial statements, following the instructions set out in section S.05.02 of Annex III;

(e) template S.22.01.22 of Annex I, specifying information on the impact of the long term guarantee and transitional measures, following the instructions set out in section S.22.01 of Annex III;

(f) template S.23.01.22 of Annex I, specifying information on own funds, including basic own funds and ancillary own funds, following the instructions set out in section S.23.01 of Annex III;

(g) where, for the calculation of group solvency, the group uses method 1 as defined in Article 230 of Directive 2009/138/EC, either exclusively or in combination with method 2 as defined in Article 233 of that Directive, template S.25.01.22 of Annex I to this Regulation, specifying information on the Solvency Capital Requirement, calculated using the standard formula, following the instructions set out in section S.25.01 of Annex III to this Regulation;

(h) where, for the calculation of group solvency, the group uses method 1 as defined in Article 230 of Directive 2009/138/EC, either exclusively or in combination with method 2 as defined in Article 233 of that Directive, template S.25.02.22 of Annex I to this Regulation, specifying information on the Solvency Capital Requirement, calculated using the standard formula and a partial internal model, following the instructions set out in section S.25.02 of Annex III to this Regulation;

(i) where, for the calculation of group solvency, the group uses method 1 as defined in Article 230 of Directive 2009/138/EC, either exclusively or in combination with method 2 as defined in Article 233 of that Directive, template S.25.03.22 of Annex I to this Regulation, specifying information on the Solvency Capital Requirement, calculated using a full internal model, following the instructions set out in section S.25.03 of Annex III to this Regulation.

Article 6

References to other documents in the solvency and financial condition report

When insurance and reinsurance undertakings, participating insurance and reinsurance undertakings, insurance holding companies or mixed financial holding companies include in the solvency and financial condition report references to other publicly available documents, these references shall be done through references that lead directly to the information itself and not to a general document.

Article 7

Consistency of information

Insurance and reinsurance undertakings, participating insurance and reinsurance undertakings, insurance holding companies or mixed financial holding companies shall assess whether the information disclosed is fully consistent with the information reported to the supervisory authorities.