

**THREE-YEAR PROGRAMME FOR TRANSPARENCY AND
INTEGRITY
2014-2016**



Contents

1. What is IVASS	3
2. IVASS and transparency	3
3. The Three Year Programme for transparency and integrity 2014 - 2016.....	4
4. Published data	4
4.1. Publication limits and times	6
4.2 Summary table of available information, publication times and update frequency.....	7
5. Civic access	9
6. System and process of internal monitoring of the Programme implementation	10



1. What is IVASS

IVASS, Institute for the Supervision of Insurance – set up with the law no. 135/2012 of conversion, with changes, of Legislative Decree no. 95/2012, as the successor in all the tasks, competencies and powers of ISVAP - is a body endowed with legal status under public law that operates to guarantee the stability of the insurance market and consumer protection.

In order to ensure the full integration of supervision over the financial and insurance sectors, also through closer relationship with the banking supervision, the law has provided that the bodies of IVASS are: the President, who is the Director General of the Bank of Italy, the Board of Directors and the Joint Directorate, composed of the members of the Directorate of the Bank of Italy and of IVASS Board members.

In particular, IVASS performs supervisory functions with respect to:

- a) undertakings pursuing insurance and reinsurance business within the territory of the Italian Republic;
- b) insurance groups and financial conglomerates to which the above undertakings belong, in accordance with the specific rules applicable to them (the so-called “supplementary” supervision);
- c) insurance and reinsurance intermediaries (agents, brokers and their collaborators).

In addition, IVASS supervises that undertakings having their head office in another EU country, and pursuing business in Italy by way of establishment or of free provision of services, respect the national laws in the offering and execution of insurance contracts.

Supervisory provisions are principally contained in the Insurance Code (legislative decree no. 209 of 7 September 2005, in force since 1 January 2006) and in the related implementing Regulations, as well as in the EU laws.

In the exercise of its functions, IVASS may:

- require the supervised entities to communicate data and information, order inspections and specific investigations, also with the collaboration of the Guardia di Finanza (the Financial Police);
- call the members of administrative and control bodies, directors general of the undertakings, auditing companies' representatives, the auditing actuary, the appointed actuary for life business and the appointed actuary for motor liability insurance;
- order that the general meeting be convened, the undertakings' administrative and control bodies be called, and convene them directly where they have failed to do so;
- adopt sanctions and/or corrective measures (such as the request to intervene on the technical provisions and other measure aimed at the financial recovery of the undertaking) in cases in which the undertaking violates the laws that it is bound to respect or adopts behaviours that could prejudice its stability.

A report on the activity performed during the previous year is communicated to the Parliament and Government by the month of June each year.

2. IVASS and transparency

Transparency represents a reference value to IVASS: that value inspires the activity of IVASS, accounting for its actions through effective communication towards the public, as well as towards its personnel.

IVASS is aware that transparency constitutes a condition of guarantee of individual and collective liberty, as provided for by legislative decree no. 33 of 14 March 2013.



In this context, IVASS has adopted, by resolution of the Board of Directors of 4 February 2014, the Regulation on disclosure and transparency of data and information on the organization and activity of IVASS, implementing primary legislation in accordance with art. 11 of the afore-mentioned decree, under which the independent supervisory and regulatory authorities ensure the implementation of the law in force regarding transparency, in accordance with the provisions of their respective legislations.

The Regulation and this Programme constitute the implementation of the requirements provided for by the legislation regarding transparency.

3. The Three Year Programme for transparency and integrity 2014 - 2016

The Three Year Programme for transparency and integrity 2014 - 2016 has been adopted according to the Regulation on disclosure and transparency of data and information on the organization and activity of IVASS (Art. 5), and has been approved by IVASS Board of Directors.

This document is based on the following legislative sources:

- legislative decree no. 33 of 14 March 2013 regarding *“Reorganisation of the rules on obligations of publicity, transparency and dissemination of information by the public administrations”*;
- law no. 190 of 6 November 2012 regarding *“Provisions for the prevention and repression of corruption and irregularities in the public administration”* pursuant to which, transparency in administration constitutes an essential level of the services concerning civil and social rights;
- the CIVIT resolution (now ANAC) no. 50/2013 *“Guidelines for update of the Three Year Programme for transparency and integrity 2014 - 2016”*.

The Programme is a document that describes the actions that IVASS will undertake to actually implement the rules on transparency and integrity, inserting them in an implementation schedule and giving news through publication on the institutional website, once the associations represented in the National Council of consumers and users have been heard, as provided by art. 5 of the Regulation.

In particular, the Programme is an instrument to:

- a) guarantee an adequate level of transparency, legality and the development of a culture of integrity;
- b) define the methods and initiatives aimed at the accurate implementation of the disclosure requirements provided for by the Regulation;
- c) identify the organisational measures necessary to ensure the regularity and promptness of flows of data, documents and information available to the individual IVASS structures, each for its own competence;
- d) identify, pursuant to art. 5 of the Regulation and without prejudice to the limits and conditions expressly provided for by law, any acts for publication, in addition to those already published;
- e) define the operational procedures for the conduct of civic access by those concerned.

4. Published data

With the Regulation on disclosure and transparency of data and information concerning the organisation and activity of IVASS, the latter has adopted the indications of legislative decree no. 33 of 14 March 2013 and identified the information and data to be published on the institutional website, within the *“Transparent administration”* section.

In particular, the documents containing acts for mandatory publication are timely published, kept updated and made available for the periods of time and according to the procedures laid down by art. 4 of the Regulation.

In particular, they are published within the following paragraphs entitled:

Acts of general legal and administrative character: laws that regulate IVASS, its organization and business with the relative *links* to the “Normattiva” data bank; the Statute of IVASS, the Organisation Chart and the Ethics Code.

IVASS Organisation: information concerning the organisation of IVASS, accompanied by reference legal documents, relating to:

- a) the President, the members of the Board of Directors and the Joint Directorate, the Secretary General, with the indication of the relevant competencies;
- b) articulation of the organisational units, with indications of the competencies, names of Heads of those units and the total number of resources allocated;
- c) illustration of the organisation of IVASS, through the organisation chart;
- d) references contained on the “Contacts” page of IVASS website.

Bodies of IVASS: the members of the Board of Directors and the Secretary General, in relation to whom is published the following information:

- a) identification details of the deed of appointment;
- b) curriculum vitae;
- c) annual gross remunerations;
- d) duration of the appointment.

In relation to the members of the Joint Directorate, who are the Governor of the Bank of Italy, who chairs it, the Senior Deputy Governor and three Deputy Governors of the Bank of Italy, IVASS discloses the above information through a link to the page of the institutional site of the Bank of Italy.

Holders of senior positions: information regarding:

- a) details of the act of appointment;
- b) curriculum vitae;
- c) annual gross salaries relating to the position, with the indication of the minimum and maximum amounts received.

IVASS also has the right to publish – in aggregate form – the information relative to managers hired as permanent staff.

Holders of collaboration or consultancy mandates: details of the act of appointment, the subject matter of the service, the start and end dates of service, as well as relative remunerations, expected and paid, however specified.

Staff and personnel costs: the aggregate data relating to staff and personnel actually in service and the relative cost, with its distribution among the different levels indicated, and with the specification of personnel engaged on fixed term contracts.

Appointments to employees: the list of any appointments, conferred or authorized, to each employee, with the duration and remuneration owed for each appointment.

Competition notices: the list of competitions announced by IVASS for recruitment of personnel at any level, with the indication of the number of employees hired and the costs incurred for each competition.

Performance evaluation and distribution of bonuses: data relating to the total amount of performance-linked bonuses distributed to senior personnel, with the indication of the average bonus awarded.



Award procedures of works, supply and service contracts: information, documents and data relating to the procedures for selecting contractors for the award of works, supply and service contracts equal to 40,000 Euro or more, also with reference to the selection process pursuant to the Code on public works contracts, public service contracts and public supply contracts, referred to in legislative decree no. 163 of 12 April 2006.

For each award procedure, a summary table shows the subject-matter of the contract, the contractor selection procedure, the list of operators who participated in the procedure, information on the winning operators, the amount of the award and completion date in case of work and the duration in case of a supply or service contract.

IVASS payment times: prompt payment indicator relating to works, supply and service contracts, called "*Prompt payment indicator*".

Aggregate data relating to institutional business: data relating to institutional business, organized for statistical and informational purposes, in aggregate form, by business sector.

Financial statement: data relating to the budget and balance sheet of each year in summary aggregate and simplified form in order to ensure full accessibility and comprehension.

Real estate: information concerning the rental property costs paid in relation to its head office.

Data relating to controls on IVASS organisation and business: reports of the Court of Auditors regarding the organisation and business of IVASS.

Administrative procedures: the regulatory acts that generally regulate the administrative activity and the access to documents, held or created, due to its own administrative activity. In particular, it is underlined that IVASS is updating its regulations implementing the provisions established by Law no. 241 of 7 August 1990, regarding administrative procedures as well as the right to access which, once defined, will be made available on the institutional website.

Registers, lists and other information: lists of insurance undertakings and insurance groups, list of undertakings in winding-up, Single Register of Insurance and Reinsurance Intermediaries (RUI) and the list of Intermediaries of the European Union, collaboration agreements and memorandums of understanding of IVASS with other institutions and public administrations regarding the conduct of their respective institutional functions.

Electronic payments: the information necessary to make electronic payments.

4.1. Publication limits and times

Access to data, information and documents concerning the business and organization of IVASS is allowed with respect to the provisions regarding secrecy and confidentiality of information.

IVASS may, pursuant to art. 24 of the Regulation, totally or partially defer or omit publication of information, data or documents in cases requiring confidentiality or secrecy provided for under the law, adopting a reasoned measure, as well as in case of impediments of a technical nature, providing a specific communication on the institutional website.

The time for publication of data on the institutional website, the information and the documents to be published are identified in art. 4 of the Regulation.



4.2 Summary table of available information, publication times and update frequency

Information category		Reference to IVASS Regulation	Publication times	Update frequency
Provisions that regulate the institution, organization and business of IVASS		Article 6 (Regulatory or general administrative acts)	Within 30 days from adoption of the act	Within 30 days of the change of the act
Information regarding the organization of IVASS	President, Board of Directors, Joint Directorate, Secretary General	Article 7 (IVASS organisation) paragraph 1, letter a)	Within 30 days from adoption of the act	Within 30 days of the change of the act
	Articulation of the organisational units, with the indication of competencies, names of Heads of the units and the total number of assigned resources	Article 7 (IVASS organisation) paragraph 1, letter b)	Within 30 days from adoption of the act	Within 30 days of the change of the act
	Simplified illustration of IVASS organization by organisation chart	Article 7 (IVASS organisation) paragraph 1, letter c)	Within 30 days from adoption of the act	Within 30 days of the change of the act
	References contained in the "Contact" page of IVASS website	Article 7 (IVASS organisation) paragraph 1, letter d)	As soon as possible	As soon as possible
Information on the members of the Board of Directors and the Secretary General	Identification details of deed of appointment	Article 8 (Bodies of IVASS) paragraph 1, letter a)	Within 3 months from appointment	Up to 3 years from termination of appointment
Information on the members of the Board of Directors and the Secretary General	Curricula vitae	Article 8 (Bodies of IVASS) paragraph 1, letter b)	Within 3 months from appointment	Up to 3 years from termination of appointment
	Annual gross remunerations	Article 8 (Bodies of IVASS) paragraph 1, letter c)	Within 3 months from appointment	Data relating to remunerations refer to 31 December of every year, are updated annually and kept in publication for three years following the termination of appointment
Holders of senior positions	Details of the appointment act	Article 9 (Holders of senior positions and of collaboration or consultancy mandates) paragraph 1, letter a)	Within 3 months of appointment	Up to 3 years from termination of appointment
	Curricula vitae	Article 9 (Holders of senior positions and of collaboration or consultancy mandates) paragraph 1, letter b)	Within 3 months of appointment	Up to 3 years from termination of appointment
	Gross annual salaries in aggregate form relating to permanent staff senior position holders and indication of minimum and maximum amount received	Article 9 (Holders of senior positions and of collaboration or consultancy mandates) paragraph 1, letter c)	Within 3 months of appointment	Data relating to remunerations refer to 31 December of every year, are updated annually and kept in publication for three years following the termination of appointment
	Gross annual salary relating to fixed term senior position holders	Article 9 (Holders of senior positions and of collaboration or consultancy mandates) paragraph 1, letter c)	Within 3 months of appointment	Data relating to remunerations refer to 31 December of every year, are updated annually and kept in publication for three years following the termination of appointment



Information category		Reference Regulation to IVASS	Publication times	Update frequency
(Holders of collaboration or consultancy mandates)	Details of the appointment act, activity provided, start and end dates of activity, as well as relative remuneration,	Article 9 (Holders of senior positions and of collaboration or consultancy mandates) paragraph 2	Within 3 months of appointment	Data relating to remunerations are referred on 31 December of every year, updated annually and kept in publication for three years following the termination of appointment
Aggregate data relating to permanent staff and personnel costs	Staff and personnel actually in service	Article 10 (Staff and personnel costs) paragraph 1	Since the entry into force of the Regulation	Data refer to 31 December of every year and are updated within the month of February of the following year
	Personnel cost with indication of its distribution among the different levels and specification of personnel engaged on fixed term contracts	Article 10 (Staff and personnel costs) paragraph 1	Since the entry into force of the Regulation	Data refer to 31 December of every year and are updated within the month of February of the following year
	Personnel absence rate	Article 10 (Staff and personnel costs) paragraph 2	Since the entry into force of the Regulation	Quarterly
Appointments, conferred or authorized to each employee	Indication of the duration and the remuneration due for each mandate	Article 11 (Appointments to employees)	Within 30 days from appointment	Published up to 31 December of the year following that in which the mandate was performed or completed
Competition notices	Publication of competition notices made by IVASS for recruitment of personnel of any level	Article 12 (Competition notices) paragraph 1	As soon as possible	As soon as possible
	Indication of number of employees hired and costs incurred for each competition	Article 12 (Competition notices) paragraph 2	Within 30 days of hiring	Within 30 days of hiring
Performance	Data relating to the total amount of performance linked bonuses distributed to senior personnel as well as indication of the average bonus amount awarded	Article 13 (Performance evaluation and bonus distribution)	Within 3 months from the approval date of relative acts	Within 3 months from the approval date of relative acts
Award procedures of works, supply and service contracts	Information, documents and data relating to the procedures for selecting contractors for the award of works, supply and service contracts equal to 40,000 Euro or more, also with reference to the selection process pursuant to the Code on public works contracts, public service contracts and public supply contracts, referred to in legislative decree no. 163 of 12 April 2006	Art. 14 (Award procedures of works, supply and service contracts) paragraph 1	As soon as possible	As soon as possible
	For each award procedure, a summary table shows the subject-matter of the contract, the contractor selection procedure, the list of operators who participated in the procedure, information on the winning operators, the amount of the award and completion date in case of work and the duration in case of a supply or service contract	Article 14 (Award procedures of works, supply and service contracts) paragraph 2	Annual	Annual
Aggregate data relating to institutional business	Data relating to institutional business, for statistical and informational purposes, in aggregate form by business sector	Article 15 (Aggregate data relating to institutional business)	Annual	Annual
Balance Sheet	Yearly budget in summary, aggregate and simplified form	Article 16 (Balance Sheet)	Within 30 days of approval date	Annual
	Annual balance sheet in summary, aggregate and simplified form		Within 30 days of approval date	Annual



Information category		Reference Regulation to IVASS	Publication times	Update frequency
Real estate	Information concerning the rental property costs paid in relation to its head office	Article 17 (Real estate)	Within the month of February of each year	Annual - data refer to 31 December of each year
Data relating to controls on IVASS organisation and business	Reports of the Court of Auditors regarding the organisation and business of IVASS	Article 18 (Data relating to controls on IVASS organisation and business)	As soon as possible	Published for 3 years
IVASS payment times	Indicator of average payment times relating to works, supply and service contracts, called " <i>Prompt payment indicator</i> ".	Article 19 (IVASS payment times)	Within the month of February of each year	Annual - data refer to 31 December of each year
Electronic payments	Publication and specification in payment requests of IBAN bank account identification code through which payments may be made	Article 22 (Electronic payments)	As soon as possible	As soon as possible

5. Civic access

Art. 23 of the Regulation on transparency and disclosure lays down that anyone, in case of non-disclosure of data and information provided for by the same Regulation, may present a request for civic access.

The request for civic access is not subject to any limitation with regard to the legitimacy of the applicant, does not need to be motivated, is free and is presented to the Transparency Officer.

Pursuant to art. 23, paragraph 2 of the Regulation, applications may be sent to the following contact details:

- IVASS, Responsabile per la trasparenza, Via del Quirinale no. 21, 00187, Roma;
- responsabileperltrasparenza@ivass.it

IVASS, where the data or information has already been published, shall communicate it to the party concerned, indicating the hypertext link to the requested information, or proceed with the publication of data or information provided for by the Regulation on the institutional website if missing or not updated.

6. System and process of internal monitoring of the Programme implementation

The Transparency Officer exercises control over published content and its relative update. For this purpose, Heads of the organisational units shall guarantee the timely and regular flow of information to publish, each for the information, data and documents of their competence.

Included in the monitoring activities are the:

- verification of the completeness, clarity and update of information published in the "*Transparent Administration*" section of the institutional website;
- update of this Programme;
- control of the regular conduct of civic access.

The Transparency Officer shall report annually to the IVASS bodies about the discharge of the publication obligations.

The Transparency Officer is Alberto Arpano - Inspection Directorate Manager. The relative appointment was decided during the Board meeting of 20 December 2013.