



EIOPA-BoS-17/013  
30 January 2017

## **Decision of the Board of Supervisors**

### **on the collaboration of the insurance supervisory authorities of the Member States of the European Economic Area**

THE BOARD OF SUPERVISORS OF THE EUROPEAN INSURANCE AND OCCUPATIONAL PENSIONS AUTHORITY,

Having regard to 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 ("EIOPA Regulation"), in particular Article 29 thereof,

Whereas:

This Decision reflects the joint decision of the competent authorities to replace the General Protocol relating to the collaboration of the insurance supervisory authorities of the Member States of the European Union with a new arrangement which is developed and agreed upon by EIOPA and the competent authorities with regard to the provisions of Directive 2009/138/EC (Solvency II).

HAS DECIDED AS FOLLOWS:

#### Article 1

The General Protocol relating to the collaboration of the insurance supervisory authorities of the Member States of the European Union (CEIOPS-DOC-07/08) adopted by the Committee of European Insurance and Occupational Pensions Supervisors as EIOPA's legal predecessor shall be repealed with effect from 1 May 2017.

## Article 2

The provisions relating to the collaboration of the insurance supervisory authorities of the Member States of the European Union as set out in the Annex to this Decision shall enter into force on 1 May 2017 and replace the General Protocol referred to in Article 1 from that date.

## Article 3

1. This Decision shall apply to:
  - (a) all national authorities competent for insurance supervision, which are Members of the Board of Supervisors of the European Insurance and Occupational Pensions Authority (EIOPA), and
  - (b) the EEA EFTA Members of the Board of Supervisors of EIOPA to the extent to which Directive 2009/138/EC<sup>1</sup> is binding on them.
2. If certain supervisory tasks, as laid down in Directive 2009/138/EC, fall under the competence of other competent authorities that are not Members of the Board of Supervisors of EIOPA, those national authorities may, subject to approval by the Board of Supervisors of EIOPA, apply the provisions of this Decision set out in the Annex to this Decision by signing a declaration of commitment, if this contributes to further strengthening cross-border cooperation.

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<sup>1</sup> 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).