

## Response to EIOPA consultation on revised LEI Guidelines

Our reference:	ECO-SLV-21-186	Date:	June 2021
Referring to:	<a href="#">EIOPA consultation proposal on revised guidelines use of legal entity identifier (LEI)</a>		
Contact person:	ECOFIN Team	E-mail:	ecofin@insuranceeurope.eu
Pages:	2	Transparency Register ID no.:	33213703459-54

### General comments

Insurance Europe welcomes the European Insurance and Occupational Pensions Authority's (EIOPA) consultation on the revised guidelines on the use of the legal entity identifier (LEI).

Insurance Europe supports the use of the same identification code for various reporting tasks, which can help to improve the quality of information reported and the automation of data processing. However, care should be taken to ensure that this does not result in unnecessary burdens and administrative costs for insurers.

As a general principle to identify whether an insurer needs an LEI code the following could be considered: EIOPA should identify the reports for which an LEI would be necessary, and then consider whether a separate LEI for each of the entities providing these reports is truly necessary.

### Questions

#### On policy issue 1 - Keeping the status quo vs Revising the LEI Guidelines

*Question 1: Do you consider that the revised LEI Guidelines provide sufficient clarity in terms of scope of legal entities*

- N/A

*Question 2: Do you agree with the scope of the legal entities that should have LEI as specified in the revised Guideline 1?*

- No

If **not**, please specify?

- From the drafting of guideline 1(a)(ii) it is not completely clear as to whether non-regulated entities would be subject to this guideline. In any case, requiring all undertakings in the scope of a group as

defined in article 212(1)(c) of Directive 2009/138/EC (according to proposed 1.10 (a) (ii)) to have LEI code, regardless of — for example, size and activity of the undertaking — should be carefully considered. The current scope of the guidelines is sufficient to implement the global ambitions set out for the LEI system.

- The proposed changes mean that many undertakings, including non-financial undertakings, will require an LEI-code, even though they do not conduct any financial transactions where LEI codes are otherwise used. Therefore, in line with the current guidelines, an LEI code should only be required when necessary for reporting purposes. This would avoid unnecessary costs and administrative burden for these undertakings, which would not be proportionate.
- In fact, as a general principle to identify whether an insurer requires an LEI code, EIOPA should identify the reports for which an LEI would be necessary, and then consider whether a separate LEI for each of the entities providing these reports is truly necessary.
- It is understood that the guideline is only applicable to LEI codes and does not affect current practices regarding reporting and will not lead to any new reporting requirements (except for those directly linked to registering for the LEI).

*Question 3: Do you consider text of the Guideline 2 (Reporting) as sufficiently clear?*

- N/A

*On policy issue 2 - No proportionality vs applying proportionate measures (IORP, IDD)*

*Question 4: In the context of proportionality approach to IORPs what is your view on the proposal under revised Guideline 1?*

- N/A

*Question 5: In the context of proportionality approach to intermediaries what is your view on the proposal under revised Guideline 1? Please include also views on the ancillary intermediaries.*

- N/A

*Question 6: Do you have any comments in relation to the impact assessment as presented in the Annex I?*

- N/A

*Additional comments*

*Question 7: Do you have any other comments on the revised LEI Guidelines?*

- N/A

Insurance Europe is the European insurance and reinsurance federation. Through its 37 member bodies — the national insurance associations — it represents all types and sizes of insurance and reinsurance undertakings. Insurance Europe, which is based in Brussels, represents undertakings that account for around 95% of total European premium income. Insurance makes a major contribution to Europe's economic growth and development. European insurers pay out almost €1 000bn annually — or €2.7bn a day — in claims, directly employ nearly 950 000 people and invest over €10.4trn in the economy.