

EIOPA-BoS-20-100 20/02/2020

Comments Template for Consultation Paper on
*Implementing Technical Standards regarding the format of supervisory reporting
and the cooperation and exchange of information between competent authorities
for the Pan-European Personal Pension Product (PEPP)*

Company name: German Association of Insured (BdV), June 2020

Reference / Comment:

Q 1

We fully agree with EIOPA's proposals, especially with regard to the areas covered, the reporting standardization, the quantitative reporting and the supervisory convergence. Nevertheless we urge for more detailed provisions in some articles and paragraphs especially with regard to Product Oversight and Governance requirements and the possible use of Product Intervention Powers (cf. our comments below).

Q 2: Article 5 (c)

It must be stressed that, following to PP.52.01 of Annex II, "administration costs" must include not only those of insurance contracts but those of ongoing capital investment as well.

Q 2: Article 6 (2)

The following sentence should be added to this paragraph: "In order to minimise any kind of consumer detriment, particular attention must be paid at any infringements of Product Oversight and Governance requirements by product manufacturers and distributors. Consequently the possible use of the Product Intervention Powers by the European or National Competent Authorities has fully to be taken in consideration."

Q 2: Article 16 (1) (e)

It should be added: "especially with regard the possible use of product intervention powers by the European or National Competent Authorities ."

Q 2: Article 16 (4)

instead of "in a timely manner" it should be stipulated more precisely: "promptly" (like the German judicial term "unverzüglich" - without any delay).

Q 2: Article 16 (5)

The following sentence should be added to this paragraph: "This information has to be given in a timely manner."

Q 2: Article 16 (6) (e)

It should be added: "especially with regard any possible infringements of the Product Oversight and Governance requirements."

Q 2: Article 17 (2)

The following sentence should be added to this paragraph: "More granular information from distributors or advisors of PEPP is particularly needed with regard to data, disclosing how many times the basic PEPP has been advised to the total number of clients for a certain PEPP. The same information but aggregated should be given at product manufacturer level." Explanation: Considering the 1% fee cap for the basic PEPP, which is mandatorily subjected to investment advice, PEPP providers will naturally try to incentivise advisers or savers (through marketing communication) to sell the alternative investment options, which may not always be the most suitable choice for pension savers.

Q 2: Article 19 (1) (c)

Just behind "any necessary regulatory action" should be added: "especially with regard the possible use of product intervention powers by the European or National Competent Authorities."

Q 2: Article 20 (1) (b)

It should be added: "especially with regard the possible use of product intervention powers, administrative penalties or other measures by the European or National Competent Authorities."

Q 3

Yes, we agree.

Q4: 5.1.1

Option 1.1: Detailed reporting

Q 4: 5.2.2

Option 2.2: Annual and limited quartely reporting

Q 4: 5.3.3

Option 3.3: Split between basic PEPP and alternative investment options