

Life assurance (repeal. Directives 79/267/EEC, 90/619/EEC, 92/96/EEC). Recast

2000/0162(COD) - 28/06/2000 - Legislative proposal

PURPOSE : to present a proposal for a Directive concerning life assurance. **CONTENT :** in the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make the use of the specific rights it gives him. The aim cannot be achieved as long as numerous provisions that they have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules. For this reason, a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent. On 1 April 1987, the Commission therefore decided to instruct its staff that all legislative measures should be codified after no more than ten amendments, stressing that this was a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they were responsible, to ensure that the Community rules were clear and readily understandable. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this, stressing the importance of official codification as it offers certainty as to the law applicable to a given matter at a given time. As a consequence the Commission included it in its legislative programme for 1994 the official codification of the First Council Directive 79/267/EEC on the coordination of laws, regulations and administrative provisions relating to direct life assurance; Council Directive 90/619/EEC on the coordination of laws, regulations and administrative provisions relating to direct life assurance laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 92/96/EEC on the coordination of laws, regulations and administrative provisions relating to direct life assurance and amending Directives 79/267/EEC and 90/619/EEC (third life assurance Directive). Nevertheless, during the preparation of the abovementioned proposal for an official codification it has emerged that, with the purpose of making the new text as transparent and correct as possible, it is necessary to propose some amendments to the existing directives which in substance go further than what is acceptable for a pure codification in conformity with the Interinstitutional Agreement on an accelerated working method for official codification of legislative texts, clarification of certain legal situations and deletions of the names of undertakings which have ceased activities and no longer need to be mentioned. The Commission has therefore decided to submit a proposal for the recasting of the abovementioned directives instead of a proposal for an official codification.