

## Basic information

**2000/0162(COD)**

COD - Ordinary legislative procedure (ex-codecision procedure)  
Directive

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

Repealed by [2007/0143\(COD\)](#)  
Amended by [2003/0263\(COD\)](#)  
Amended by [2004/0097\(COD\)](#)  
Amended by [2006/0166\(COD\)](#)  
Amended by [2006/0299\(COD\)](#)

### Subject

2.50.05 Insurance, pension funds

Procedure completed

## Key players

European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>JURI</b> Legal Affairs and Internal Market		INGLEWOOD The Lord null (PPE-DE)	13/09/2000
	<b>Former committee responsible</b>		<b>Former rapporteur</b>	<b>Appointed</b>
	<b>JURI</b> Legal Affairs and Internal Market		INGLEWOOD The Lord null (PPE-DE)	13/09/2000
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>	<b>Appointed</b>
	<b>ECON</b> Economic and Monetary Affairs		The committee decided not to give an opinion.	
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Competitiveness (Internal Market, Industry, Research and Space)		2351	2001-05-30
	Agriculture and Fisheries		2428	2002-05-27
European Commission	<b>Commission DG</b>			<b>Commissioner</b>
	Financial Stability, Financial Services and Capital Markets Union			

## Key events

Date	Event	Reference	Summary
28/06/2000	Legislative proposal published	COM(2000)0398 	<a href="#">Summary</a>
07/07/2000	Committee referral announced in Parliament, 1st reading		
27/02/2001	Vote in committee, 1st reading		<a href="#">Summary</a>
27/02/2001	Committee report tabled for plenary, 1st reading	<a href="#">A5-0072/2001</a>	
15/03/2001	Decision by Parliament, 1st reading	<a href="#">T5-0143/2001</a>	<a href="#">Summary</a>
15/03/2001	Debate in Parliament		
27/05/2002	Council position published	<a href="#">07328/1/2002</a>	<a href="#">Summary</a>
30/05/2002	Committee referral announced in Parliament, 2nd reading		
10/09/2002	Vote in committee, 2nd reading		<a href="#">Summary</a>
10/09/2002	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A5-0287/2002</a>	
25/09/2002	Decision by Parliament, 2nd reading	<a href="#">T5-0436/2002</a>	<a href="#">Summary</a>
05/11/2002	Final act signed		
05/11/2002	End of procedure in Parliament		
19/12/2002	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2000/0162(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Recast
<b>Legislative instrument</b>	Directive
<b>Amendments and repeals</b>	Repealed by <a href="#">2007/0143(COD)</a> Amended by <a href="#">2003/0263(COD)</a> Amended by <a href="#">2004/0097(COD)</a> Amended by <a href="#">2006/0166(COD)</a> Amended by <a href="#">2006/0299(COD)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 047-p2 EC Treaty (after Amsterdam) EC 055
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	JURI/5/14576

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0072/2001</a>	27/02/2001	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0143/2001</a> <a href="#">OJ C 343 05.12.2001, p. 0202-0257</a>	15/03/2001	<a href="#">Summary</a>

Committee recommendation tabled for plenary, 2nd reading		<a href="#">A5-0287/2002</a>	10/09/2002	
Text adopted by Parliament, 2nd reading		<a href="#">T5-0436/2002</a> OJ C 273 14.11.2003, p. 0129-0168 E	25/09/2002	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Council position	<a href="#">07328/1/2002</a> OJ C 170 16.07.2002, p. 0045 E	27/05/2002	<a href="#">Summary</a>

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2000)0398  OJ C 365 19.12.2000, p. 0001 E	28/06/2000	<a href="#">Summary</a>
Commission communication on Council's position	<a href="#">SEC(2002)0627</a> 	29/05/2002	<a href="#">Summary</a>

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0041/2001</a> OJ C 123 25.04.2001, p. 0024	25/01/2001	

#### Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

<a href="#">Directive 2002/0083</a> OJ L 345 19.12.2002, p. 0001-0051	<a href="#">Summary</a>
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## Life assurance (repeal. Directives 79/267/EEC, 90/619/EEC, 92/96/EEC). Recast

2000/0162(COD) - 25/09/2002 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Lord INGLEWOOD (EPP-ED, United Kingdom) and approved the Council's common position.

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

2000/0162(COD) - 27/05/2002 - Council position

The Council accepted the amendments of the directives as contained in the Commission's proposal. The main change to the Commission's proposal introduced by the Council concerned Article 51, paragraphs 3 and 4. This adaptation referred to the scheme of operations from third country branches and aimed bringing the wording line with parallel provisions applied to Community undertakings in the insurance sector. The common position also includes the new provisions resulting from the new Directive on the solvency margin which have amended the relevant solvency margin provisions contained in the existing life assurance directive. The European Parliament did not adopt any amendment to the Commission proposal. Given that the European parliament did not adopt any amendment and the Council introduced only one main change to the commission proposal, it is clear that the common position, which has been unanimously adopted by the Council, reflects and supports fully the objective of the original proposal with regard to the codification and clarification of the legal framework. The incorporation of the modifications introduced in the new Directive on solvency margins in the codified part of the common position ensures that the text of the recast is updated and complete.

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

2000/0162(COD) - 05/11/2002 - Final act

PURPOSE : to recast the legislation applicable to life assurance. COMMUNITY MEASURE : Directive 2002/83/EC of the European Parliament and of the Council concerning life assurance. CONTENT : this Directive aims to recast into a single text: - The first Council Directive 79/267/EEC on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct life assurance; - the second 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 79/267/EEC; - and Council 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). This Directive represents an important step in the merging of national markets into an integrated market and that stage must be supplemented by other Community instruments with a view to enabling all policy holders to have recourse to any assurer with a head office in the Community who carries on business there, under the right of establishment or the freedom to provide services, while guaranteeing them adequate protection. The approach adopted consists in bringing about such harmonisation as is essential, necessary and sufficient to achieve the mutual recognition of authorisations and prudential control systems, thereby making it possible to grant a single authorisation valid throughout the Community and apply the principle of supervision by the home Member State. The Directive consists of the following elements: - definition and scope; - the taking up of the business of life assurance; - conditions governing the business of life assurance (principles and methods of financial supervision; rules relating to technical provisions and their representation, rules relating to the solvency margin and to the guarantee fund, contract law and conditions of assurance, assurance undertakings in difficulty or in an irregular situation); - provisions relating to the right of establishment and freedom to provide services; - rules applicable to agencies or branches established within the Community and belonging to undertakings whose head offices are outside the Community; - rules applicable to subsidiaries or parent undertakings governed by the laws of a third country and to the acquisitions of holdings by such parent undertakings; - transitional and other provisions. ENTRY INTO FORCE : 19/12/2002. IMPLEMENTATION OF NEW MEASURES : 17/11/2002, 20/09/2003, 01/01/2004 and 19/06/2004 according to the measures.

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

2000/0162(COD) - 15/03/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Lord INGLEWOOD (EPP/ED, UK) concerning life assurance.

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

2000/0162(COD) - 29/05/2002 - Commission communication on Council's position

The Commission takes the view that the Council's common position very much reflects the substance of the Commission's proposal which was approved by the European Parliament without any amendment. The adaptations and corrections introduced by the Council in the common position do not involve any substantial change and fall within the limits of a recast. The Commission can commend the approval of this common position to the European Parliament.

# 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.