# 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 Recast Repealed by 2007/0143(COD) Amended by 2003/0263(COD) Amended by 2004/0097(COD) Amended by 2006/0166(COD) Amended by 2006/0299(COD) Subject 2.50.05 Insurance, pension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

Key players				
European	Committee responsible	Rapporteur		Appointed
Parliament	JURI Legal Affairs and Internal Market	INGLEWOOD (PPE-DE)	INGLEWOOD The Lord null (PPE-DE)	
	Former committee responsible	Former rapport	eur	Appointed
	JURI Legal Affairs and Internal Market	INGLEWOOD (PPE-DE)	INGLEWOOD The Lord null (PPE-DE)	
	Former committee for opinion	Former rapport	eur for opinion	Appointed
	ECON Economic and Monetary Affairs	The committee to give an opini		
Council of the European Union			Meetings	Date
	Competitiveness (Internal Market, Industry, Research and Space)  Agriculture and Fisheries		2351	2001-05-30
European Commission	Commission DG		Con	nmissioner
JOHN 1115 STOFF	Financial Stability, Financial Services and Capital Markets Union			

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Date	Event	Reference	Summary
28/06/2000	Legislative proposal published	COM(2000)0398	Summary
07/07/2000	Committee referral announced in Parliament, 1st reading		
27/02/2001	Vote in committee, 1st reading		Summary
27/02/2001	Committee report tabled for plenary, 1st reading	A5-0072/2001	
15/03/2001	Debate in Parliament	<u></u>	
27/05/2002	Council position published	07328/1/2002	Summary
30/05/2002	Committee referral announced in Parliament, 2nd reading		
10/09/2002	Vote in committee, 2nd reading		Summary
10/09/2002	Committee recommendation tabled for plenary, 2nd reading	A5-0287/2002	
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			
Procedure reference	2000/0162(COD)		
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)		
Procedure subtype	Recast		
Legislative instrument	Directive		
Amendments and repeals	Repealed by 2007/0143(COD)  Amended by 2003/0263(COD)  Amended by 2004/0097(COD)  Amended by 2006/0166(COD)  Amended by 2006/0299(COD)		
Legal basis	EC Treaty (after Amsterdam) EC 047-p2 EC Treaty (after Amsterdam) EC 055		
Stage reached in procedure	Procedure completed		
Committee dossier	JURI/5/14576		

### **Documentation gateway**

### European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0072/2001	27/02/2001	
Committee recommendation tabled for plenary, 2nd reading		A5-0287/2002	10/09/2002	

#### Council of the EU

cument type	Reference	Date	Summary
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Council position		07328/1/2002 OJ C 170 16.07.2002, p. 0045 E	27/05/2002	Summary
European Commissio	on			
Document type		Reference	Date	Summary
Legislative proposal		COM(2000)0398 OJ C 365 19.12.2000, p. 0001 E	28/06/2000	Summary
Commission communication on Council's position		SEC(2002)0627	29/05/2002	Summary
Other institutions and	bodies			
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0041/2001 OJ C 123 25.04.2001, p. 0024	25/01/2001	

Additional information				
Source	Document	Date		
European Commission	EUR-Lex			

Final act	
Directive 2002/0083 OJ L 345 19.12.2002, p. 0001-0051	Summary

# 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

 $2000/0162(\mbox{COD})$  - 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 provide services and amending Directive 92/96/EEC on the coordination of laws, regulations and administrative provisions relating to direct life assurance laying down 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 that 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.