Basic information

2017/0350(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Directive on insurance distribution: date of application of Member States' transposition measures Amending Directive (EU) 2016/97 2012/0175(COD) **Subject** 2.50.05 Insurance, pension funds	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs	LANGEN Werner (PPE)	14/12/2017
	Shadow rapporteur STIHLER Catherine (S&D) FOX Ashley (ECR) IN 'T VELD Sophia (ALDE) URBÁN CRESPO Miguel (GUE/NGL) GIEGOLD Sven (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3603	2018-03-09

European Commission

Commission DG	Commissioner
Financial Stability, Financial Services and Capital Markets Union	DOMBROVSKIS Valdis

Key events

Date	Event	Reference	Summary
20/12/2017	Legislative proposal published	COM(2017)0792	Summary
15/01/2018	Committee referral announced in Parliament, 1st reading		
08/02/2018	Vote in committee, 1st reading		
08/02/2018	Committee report tabled for plenary, 1st reading	A8-0024/2018	Summary
01/03/2018	Decision by Parliament, 1st reading	T8-0044/2018	Summary
01/03/2018	Results of vote in Parliament		
09/03/2018	Act adopted by Council after Parliament's 1st reading		
14/03/2018	Final act signed		
14/03/2018	End of procedure in Parliament		
19/03/2018	Final act published in Official Journal		

Technical information

Procedure reference	2017/0350(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive (EU) 2016/97 2012/0175(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 053-p1 Treaty on the Functioning of the European Union TFEU 062
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ECON/8/11913

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A8-0024/2018	08/02/2018	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0044/2018	01/03/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00001/2018/LEX	14/03/2018	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2017)0792	20/12/2017	Summary
Commission response to text adopted in plenary	SP(2018)178	24/04/2018	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2017)0792	01/03/2018	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 2018/0411
OJ L 076 19.03.2018, p. 0028 Summary

Directive on insurance distribution: date of application of Member States' transposition measures

2017/0350(COD) - 01/03/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 543 votes to 27, with 53 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2016/97 as regards the date of application of Member States' transposition measures. For reasons of urgency, it is justified to proceed to the vote before the expiry of the deadline of eight weeks laid down in Article 6 of Protocol No 2 on the application of the principles of subsidiarity and proportionality.

As a reminder, Directive (EU) 2016/97 of the European Parliament and of the Council harmonises national provisions concerning the distribution of insurance and reinsurance products and insurance-based investment products by insurance intermediaries, insurance companies, their employees, and ancillary insurance intermediaries in the Union (IDD).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

- Directive (EU) 2016/97 shall be **transposed no later than 1 July 2018** and Member States shall apply the transposition measures by **1 October 2018 at the latest**;
- given the very short period of time left before the national laws, regulations and administrative provisions are to be brought into force, and in order to ensure legal certainty and avoid potential market, this amending Directive shall enter into force as a matter of urgency and shall apply, with retroactive effect, from **23 February 2018**.

The text recalled that in its **decisions to raise no objections to the Delegated Regulations** supplementing the IDD adopted by the Commission on 21 September 2017 [see 2017/2854(DEA) and 2017/2855(DEA)], the European Parliament invited the Commission to adopt a legislative proposal setting 1 October 2018 instead of 23 February 2018 as the date of application of the IDD transposition measures.

The European Parliament substantiated that request by the need to give insurance undertakings and insurance distributors more time to better prepare for a correct and effective implementation of Directive (EU) 2016/97 and to implement the necessary technical and organisational changes to comply with the Delegated Regulations.

Directive on insurance distribution: date of application of Member States' transposition measures

2017/0350(COD) - 14/03/2018 - Final act

PURPOSE: to postpone the date from which Member States will be required to apply the transposition measures of Directive (EU) 2016/97 on insurance distribution (IDD).

LEGISLATIVE ACT: Directive (EU) 2018/411 of the European Parliament and of the Council amending Directive (EU) 2016/97 as regards the date of application of Member States' transposition measures.

CONTENT: this Directive **postpones the date of application** of the new rules on insurance distribution **until 1 October 2018**. It also extends to **1 July 2018** the deadline by which Member States must transpose the new rules into their national laws and regulations.

Directive (EU) 2016/97 harmonises national provisions concerning the distribution of insurance and reinsurance products and insurance-based investment products by insurance intermediaries and insurance companies, and their employees, and by ancillary insurance intermediaries in the Union.

The postponement was decided in the light of the Delegated Regulations adopted by the Commission in September 2017. In its decisions to raise no objections to the Delegated Regulations, the European Parliament invited the Commission to adopt a legislative proposal setting 1 October 2018 instead of 23 February 2018 as the date of application of the IDD transposition measures, regulations and administrative provisions necessary to comply with Directive (EU) 2016/97.

The European Parliament substantiated that request by the need to give insurance undertakings and insurance distributors more time to better prepare for a correct and effective implementation of Directive (EU) 2016/97 and to implement the necessary technical and organisational changes to comply with the Delegated Regulations.

ENTRY INTO FORCE: 19.3.2018. This Directive shall apply **retroactively** from 23.2.2018.

Directive on insurance distribution: date of application of Member States' transposition measures

2017/0350(COD) - 08/02/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Economic and Monetary Affairs adopted the report by Werner LANGEN (EPP, DE) on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2016/97 as regards the date of application of Member States' transposition measures.

As a reminder, Directive (EU) 2016/97 of the European Parliament and of the Council harmonises national provisions concerning the distribution of insurance and reinsurance products and insurance-based investment products by insurance intermediaries, insurance companies, their employees, and ancillary insurance intermediaries in the Union (IDD).

According to the text amended by the committee, Directive (EU) 2016/97 shall be **transposed no later than 1 July 2018** and Member States shall apply the transposition measures by **1 October 2018 at the latest**.

In order to ensure legal certainty and avoid potential market disruption, it is necessary that this Directive enters into force as a matter of urgency and that it applies, with retroactive effect, from 23 February 2018.

The text recalls that in its **decisions to raise no objections to the Delegated Regulations** supplementing the IDD adopted by the Commission on 21 September 2017 [see 2017/2854(DEA) and 2017/2855(DEA)], the European Parliament invited the Commission to adopt a legislative proposal setting 1 October 2018 instead of 23 February 2018 as the date of application of the IDD transposition measures.

The European Parliament substantiated that request by the need to give insurance undertakings and insurance distributors more time to better prepare for a correct and effective implementation of Directive (EU) 2016/97 and to implement the necessary technical and organisational changes to comply with the Delegated Regulations.

Directive on insurance distribution: date of application of Member States' transposition measures

2017/0350(COD) - 20/12/2017 - Legislative proposal

PURPOSE: to postpone until 1 October 2018 the date from which Member States will be required to apply the transposition measures of Directive (EU) 2016/97 on insurance distribution (IDD).

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

BACKGROUND: Directive (EU) 2016/97 of the European Parliament and of the Council harmonises national provisions concerning the distribution of insurance and reinsurance products and insurance-based investment products by insurance intermediaries, insurance companies, their employees, and ancillary insurance intermediaries in the Union.

IDD entered into force on 23 February 2016 and Member States have until 23 February 2018 to transpose and apply its provisions.

On 21 September 2017, the Commission adopted two Delegated Regulations supplementing IDD with regard to product oversight and governance requirements for insurance undertakings and insurance distributors and to information requirements and conduct of business rules applicable to the distribution of insurance-based investment products.

In its decisions to raise no objections to the Delegated Regulations [see 2017/2854(DEA) and 2017/2855(DEA)], the **European Parliament** asked the Commission to adopt a legislative proposal setting up a date of application on **1 October 2018, rather than 23 February 2018**, as the date of application of the transitional measures of the IDD.

The European Parliament justified this request by the fact that it was necessary to **give more time to the insurance sector** (which includes small operators) to better prepare for a correct and effective implementation of the IDD and to implement the technical and organisational changes required to comply with delegated regulations. **Sixteen Member States** supported Parliament's proposal and further requested an extension of the transposition period until at least 1 October 2018 at least.

While considering that the sector has already had a lot of time to adapt, the Commission **agrees to respond to the request of the European Parliament and the Member States** to postpone to 1 October 2018 the date from which Member States will be obliged to apply the laws, regulations and administrative provisions necessary to comply with the IDD.

CONTENT: the proposed amendment of Directive (EU) 2016/97 provides that by 23 February 2018 at the latest, Member States must adopt and publish the provisions necessary to comply with that Directive. Member States shall apply these provisions **from 1 October 2018**.