



To: Jean-Claude Juncker
President of the European Commission
Rue de la Loi, 200
1040 Brussels, Belgium

Valdis Dombrovskis, Jyrki Katainen, Vice-Presidents of the European Commission
Cc: Elżbieta Bieńkowska, Marianne Thyssen, European Commissioners

Subject: Concerns on the proposed services passport by the European Social Partners of the insurance sector

Brussels, 7 December 2016

Dear President Juncker,

The European Social Partners of the Insurance Sector, UNI Europa Finance, Insurance Europe, the Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE) and the European Federation of Insurance Intermediaries (BIPAR) have taken note of the European Commission's intention to introduce a legislative proposal on a services passport (recently named services card) as presented in the Single Market Strategy (COM (2015)550).

The undersigned are fully committed to the EU single market based on the principles of fair competition, fair working conditions, high quality services and consumer protection in a cross-border context. We are however fundamentally concerned with many aspects of the Commission's services card initiative. More specifically, we foresee that some of the measures envisaged by the Commission will add burden while not contributing to a better functioning of the Single Market.

In particular, the Commission is willing to address its concern that insurance is a barrier to the cross-border provision of services through specific measures targeting insurance. The undersigned stress that they do not share the Commission's view that insurance is a barrier to cross-border activities and believe that this perspective is also not shared by representatives of other business sectors.

The undersigned are concerned by the two types of provisions envisaged by the Commission in this respect: the introduction of a standardised "proof of insurance" document to be provided to host Member State authorities and the requirement that insurers provide a summary of their customers' "track records".

The "proof of insurance" document is meant to be used by host Member States in their assessment of equivalence of insurance cover. In practice, this would require standardising information to be included in such a document in order to establish proof of insurance for cross-border business purposes. This would be difficult to achieve as key elements to be included are likely to be based on each Member State's own liability or professional requirements regimes. Also, the process of standardising information may result in omitting information which in some cases may be crucial. It may also disregard the fact that public authorities of different Member States may also be interested in different aspects of a service provider's cover.

In addition to these difficulties, it remains unclear whether service providers or host Member States' authorities would benefit from such a document. The undersigned therefore urge the Commission to carefully assess the practical difficulties against the very limited potential benefits of the exercise.

The idea of obliging insurers to provide a report on a client's claims experience also raises serious concerns of a practical nature. Specifically, while it is common practice for insurers to deliver such reports on request, the diversity of situations across the EU means that there is no single format. Standardising the information that insurers would have to include in such reports would be an extremely complex exercise. In addition, service providers are unlikely to benefit from it given that risks are always assessed on the basis of local circumstances, limiting the value of the record in a different country. It is also each individual insurer's responsibility to decide how to evaluate risks. Other difficulties, such as the use of different languages across the EU, would also need to be overcome.

In light of these serious concerns, the European social partners of the insurance sector strongly urge the European Commission to exclude the insurance provisions from the envisaged proposal on a services passport or services card.

Sincerely yours,



Sebastian Hopfner
Chairman of the Social Dialogue Platform,
Insurance Europe



Michael Budolfson
President,
UNI Europa Finance



Sarah Goddard
Secretary General,
AMICE



Elke Maes
Coordinator of the Social Dialogue Insurance,
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André Lamotte
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