



2017/0143(COD)

30.4.2018

AMENDMENTS

176 - 486

Draft report
Sophia in 't Veld
(PE1146696v01-00)

on the proposal for a regulation of the European Parliament and of the Council
on a Pan-European Personal Pension Product (PEPP)

Proposal for a regulation
(COM(2017)0343 – C8-0219/2017 – 2017/0143(COD))

Amendment 176
Sirpa Pietikäinen

Draft legislative resolution
Citation 6 a (new)

Draft legislative resolution

Amendment

- *having regard to the US model of a federal pension saving account, ‘401(k) plan’, which provides an example for portability. The model represents a qualified employer-established plan, to which employees may opt to contribute through a salary deferral, and to which employers may opt for a matching or non-elective contributions to the plan on behalf of eligible employees and may also add a profit-sharing feature to the plan,*

Or. en

Amendment 177
Maria Lidia Senra Rodríguez, Miguel Viegas

Draft legislative resolution
Paragraph 2

Draft legislative resolution

Amendment

2. ***Calls on** the Commission **to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;***

2. ***Demands that** the Commission **withdraw this proposal for a Pan-European Personal Pension Product and instead draw up proposals for strengthening public pensions systems and public pensions to guarantee public pensions for all persons in the European Union.***

Or. es

Amendment 178
Maria Lidia Senra Rodríguez, Miguel Viegas

Draft legislative resolution
Paragraph 3

Draft legislative resolution

3. *Instructs its President to forward its position to the Council, the Commission and the national parliaments.*

Amendment

3. *Calls for the percentage of GDP to be spent on pensions to be determined jointly with Member States based on the percentage of the population aged 65 and over.*

Or. es

Amendment 179
Maria Lidia Senra Rodríguez, Miguel Viegas

Draft legislative resolution
Paragraph 3 a (new)

Draft legislative resolution

3a. *Encourages the Commission to look into the possible implementation of a public pension scheme in Europe*

Amendment

Or. es

Amendment 180
Martin Schirdewan

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) *EU households are amongst the highest savers in the world, but the bulk of these savings are held in bank accounts with short maturities. More investment into capital markets can help meet the challenges posed by population ageing and low interest rates.*

Amendment

(1) *Well-designed public pay-as-you-go pension systems are the instruments best equipped to ensure elderly citizens can lead a life of dignity and independence and to safeguard them from old age poverty. Third pillar personal pension products, on the other hand, are additional saving products for higher*

income households and are thus not suitable for ensuring widespread pension adequacy.

Or. en

Amendment 181
Sirpa Pietikäinen

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Old age pensions constitute an essential part of a retiree’s income, and for many people an adequate pension provision makes the difference between a comfortable old age or poverty; it is a precondition for exercising fundamental rights laid down in the Charter of Fundamental Rights of the European Union, including in Article 25 on the rights of the elderly which states: “The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life”.

Or. en

Amendment 182
Bernd Lucke

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) For many people, old age pensions constitute an essential part of their retiree’s income and the existence of a well-functioning pensions system is therefore of great importance in their fundamental right to “lead a life of

dignity and independence and to participate in social and cultural life”, as recognised in Article 25 of the Charter of Fundamental Rights of the European Union.

Or. en

Amendment 183
Neena Gill

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Priority should be given to further developing, strengthening and reforming the first (public) and second (occupational) pillars of the national pensions systems. Both pillars will remain paramount for the sustainability of national schemes as personal pension products will just represent an additional source of income and will not aim at replacing them. It is in the first place a political choice whether the share of first pillar pay-as-you-go public pensions as part of the placement rate will decline.

Or. en

Amendment 184
Gerolf Annemans, Bernard Monot, Marco Zanni

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) A substantial part of old age pensions is provided under public schemes, so that there is a direct connection between national pension systems and the sustainability of public

finances. Given the exclusive national competence regarding the organisation of pension systems as determined by the Treaties, only the Member States are responsible for income adequacy and financial sustainability of national pension systems.

Or. en

Amendment 185
Martin Schirdewan

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Next to demographic challenges, public pension systems have especially come under heightened pressure due to recent policy trends. Far reaching austerity measures, rising wealth and income inequality, the spread of low paid and unstable jobs and sustained periods of high unemployment are all detrimental to the functioning of public pension systems.

Or. en

Amendment 186
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) whereas financial innovation was at the root of the financial crisis that erupted in 2007, causing the economies of developed capitalist countries to experience the biggest crisis since the Second World War;

Amendment 187
Barbara Kappel

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Whereas low investment levels are not necessarily bad, as it can signal low willingness to invest because of limited trust in the market or available investment opportunities, and as it can signal different time preferences of savers and investors;

Or. en

Amendment 188
Sirpa Pietikäinen

Proposal for a regulation
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) The Union is facing several challenges, including demographic challenges because of the fact that Europe is an ageing continent. In addition, career patterns, the labour market and the distribution of wealth are undergoing radical changes, not least as a result of the digital revolution. At the same time, it is increasingly clear that national security systems are not adjusted to a globalised knowledge economy with open borders, labour mobility and migration. Too many people are not, or are inadequately covered by the traditional national pension systems, including, inter alia, women, young people, migrants, low-skilled workers,

self-employed workers, and workers with atypical contracts, including mobile and skilled workers with fragmented employment history.

Or. en

Amendment 189

Gerolf Annemans, Bernard Monot, Marco Zanni

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) The Union is facing several challenges, including demographic challenges because of the fact that Europe is an ageing continent. In addition, career patterns, the labour market and the distribution of wealth are undergoing radical changes, not least as a result of the digital revolution. At the same time, it is increasingly clear that national security systems are not adjusted to a globalised knowledge economy with open borders, labour mobility and migration which should be cause for a halt to immigration and a stop to social dumping. Too many people are not, or are inadequately covered by the traditional national pension systems.

Or. en

Amendment 190

Bernd Lucke

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) A substantial part of old age pensions is provided under public pay-as-

you go-schemes, where out-payments are adjusted to the level of contributions received. If governments feel that contributions are insufficient to cover the needs of the old generation, the perceived deficit in the pension system may negatively impact on the sustainability of public finances. Income adequacy and financial sustainability of national pension systems is crucial to the stability of all Member States. Their exclusive competence - as determined by the Treaties - regarding the organisation and the management of pension systems must therefore be respected under all conditions.

Or. en

Amendment 191

Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) whereas the three pillar banking model, including the mandatory rebate for private insurance schemes, has proved disastrous in the countries where it was implemented, clearly showing that people prefer a collective inter-institutional system of redistribution to the system of individual capitalisation;

Or. es

Amendment 192

Martin Schirdewan

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) To help member states put their public pension systems on a sustainable footing, the economic governance framework of the EU should thus be changed. Instead of emphasising internal devaluation, labour market flexibilisation and budgetary leanness, full employment policies should be promoted.

Or. en

Amendment 193
Sirpa Pietikäinen

Proposal for a regulation
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) As the number of individuals working in multiple Member States is increasing in the future, and as a growing number of individuals are atypical workers working under fragmented contracts, for several employers comprising the public and the private sectors, as well as self-employed and micro-entrepreneurs, the future pension and social security of these categories of people risk to be insufficient and need to be ensured through an individual European pension account. In this context, calls for a pan-European Personal Pension Product (PEPP) to be offered as an alternative to second pillar pension, where both employees and employers can opt for either a national or a pan-European product, to be developed in the future.

Or. en

Amendment 194
Gerolf Annemans, Bernard Monot, Marco Zanni

Proposal for a regulation
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) Priority should be given to further developing, strengthening and reforming the first (public) and second (occupational) pillars of the national pensions systems. However, it is expected that the share of first pillar pay-as-you-go public pensions as part of the placement rate will decline. This could be partly compensated by accrued pension entitlements from second pillar funded schemes. But a well-developed third pillar could and should contribute substantially to improving the adequacy and sustainability of the existing national pension systems. It should stay an exclusive national competence.

Or. en

Amendment 195
Bernd Lucke

Proposal for a regulation
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) The Union is facing several challenges, including demographic challenges because of the fact that Europe is an ageing continent. In addition, career patterns, the labour market and the distribution of wealth are undergoing radical changes, not least as a result of the digital revolution. If national security systems are not adjusted to a globalised knowledge economy with open borders, labour mobility and migration, Member States should enact reforms

which address these deficiencies.

Or. en

Amendment 196
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) whereas financial innovation will not guarantee safe pensions, but will instead contribute to an accumulation of capital in search of valorisation and to the financial instability triggered by the processes of financialisation of the global capitalist economy,

Or. es

Amendment 197
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) whereas the suggestion by the European Commission to invest in extremely high risk ‘derivatives’ that contribute to increasing exponentially the probability and severity of financial crises is irresponsible and inappropriate; whereas between the end of the Second World War and the 80s, financial crises were of limited magnitude; whereas since the deregulation of financial markets, owing to financial innovation and the exponential rise in derivatives, financial crises have continued with an increasingly destructive power; whereas the European Commission proposes to

fuel them further through the promotion of private pension funds;

Or. es

Amendment 198

Bernd Lucke

Proposal for a regulation

Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) Priority should be given to further developing, strengthening and reforming the existing first (public), second (occupational) and third (capital-based) pillars of the national pensions systems. In particular, more weight should be placed on accrued pension entitlements from second and third pillar funded schemes in Member States with unfavourable demographics. It would be desirable that a Pan-European Personal Pension Product (PEPP) complements and strengthens the market for individual pension products across the Union without distorting competition.

Or. en

Amendment 199

Sirpa Pietikäinen

Proposal for a regulation

Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) Calls for the further development of a pan-European pension product as a viable alternative to second pillar pensions, to be developed guided by the example of the U.S. model of a federal pension saving account, “401(k) plan”,

representing a qualified employer-established plan, to which employees and an employers may opt in.

Or. en

Amendment 200

Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation

Recital 1 e (new)

Text proposed by the Commission

Amendment

(1e) whereas the PEPP is not an appropriate instrument for addressing the demographic challenges, and whereas the very low birth rates in Galicia, Spain, Portugal, Greece and Cyprus (all Member States subject to intervention by the Troika) are a consequence of job insecurity among young people and women, discrimination of women of child-bearing age in the labour market, the shortage of rental accommodation resulting from the lack of a public housing policy and the absence of child benefits, and whereas these problems will not be solved by financial innovation and the expansion of capital markets;

Or. es

Amendment 201

Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation

Recital 1 f (new)

Text proposed by the Commission

Amendment

(1f) whereas the profitability or unprofitability of financial products is essentially uncertain; whereas it should be noted that the root cause of the 2007

crisis was the creation and sale of complex financial products based on subprime mortgages; whereas these products were awarded AAA ratings, i.e. the highest creditworthiness, by the three main rating agencies –Standard & Poor’s, Moody’s and Fitch – only weeks before their value was reduced to zero.

Or. es

Amendment 202
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 g (new)

Text proposed by the Commission

Amendment

(1g) whereas Alan Greenspan, the then President of the US Federal Reserve, acknowledged that while he was aware a lot of these practices were going on, he had no notion of how significant they had become until very late;

Or. es

Amendment 203
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 h (new)

Text proposed by the Commission

Amendment

(1h) whereas, against this background, it cannot be argued that workers are fully aware of the key elements of the product and of the risks;

Or. es

Amendment 204
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 i (new)

Text proposed by the Commission

Amendment

(1i) whereas in a report published in 2010 promoting the expansion of private pensions, the Spanish association of savings and investment product providers acknowledged that the capital belongs to the employees involved in the various pension schemes and that the risk is entirely borne by the participants;

Or. es

Amendment 205
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 j (new)

Text proposed by the Commission

Amendment

(1j) whereas the PEPP promoters are banks, insurance companies, asset managers, occupational pension funds and investment companies, and whereas potential social security contributions which could increase the revenue of public pension schemes are diverted to private companies which will make significant profits;

Or. es

Amendment 206
Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation
Recital 1 k (new)

Text proposed by the Commission

Amendment

(1k) whereas in order to promote PEPP subscriptions, the European Commission has called for tax deductions in Member States, and whereas in order to encourage Member States to grant tax deductions for PEPPs, the Commission adopted a recommendation, together with this proposal, on the tax treatment of personal pension products, including pan-European Personal Pension Products;

Or. es

Amendment 207

Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation

Recital 1 l (new)

Text proposed by the Commission

Amendment

(1l) whereas tax deductions for contributions to personal pension schemes are very regressive and whereas low-income workers cannot set aside any amount for pension schemes and are thus not able to benefit from any deductions; whereas it is those with high salaries and capital incomes who are able to make large contributions and benefit from deductions;

Or. es

Amendment 208

Maria Lidia Senra Rodríguez, Miguel Viegas

Proposal for a regulation

Recital 1 m (new)

Text proposed by the Commission

Amendment

(1m) *whereas with this Proposal for a Regulation the European Commission is giving up on the aim to ensure adequate public pensions.*

Or. es

Amendment 209
Martin Schirdewan

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) Personal pensions ***are important in linking*** long-term savers with long-term investment opportunities. A larger, European market for personal pensions ***will*** support the supply of funds for institutional investors and investment into the real economy.

(2) Personal pensions ***can link*** long-term savers with long-term investment opportunities. A larger, European market for personal pensions ***might*** support the supply of funds for institutional investors and investment into the real economy.

Or. en

Amendment 210
Gerolf Annemans, Bernard Monot, Marco Zanni

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) *The European pension market is highly fragmented and diverse, so PEPP cannot be implemented without encroaching upon the competences of the Member States. In Member States where the first and second pillar are insufficiently developed, PEPP might override national solutions for people who do not currently have access to adequate provisions. In Member States with highly*

developed pension markets, the PEPP could cannibalise the national first and second pillar.

Or. en

Amendment 211

Renato Soru, Jonás Fernández, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Costas Mavrides

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Priority should be given to further developing, strengthening and reforming the first (public) and second (occupational) pillars of the national pensions systems. These two pillars will remain paramount for the sustainability of national schemes as personal pension products will just represent an additional source of retirement income and will not aim at replacing them.

Or. en

Justification

This amendment aims at further specifying the relevance of the public and the occupational pensions and by underlining the additionality of personal pension products which cannot substitute in any case the first and the second pillar.

Amendment 212

Doru-Claudian Frunzulică

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The proposal will empower consumers to make full use of the internal

market by enabling them to transfer their pension rights abroad and offering them a greater choice of providers, including in other EU countries.

Or. en

Amendment 213
Martin Schirdewan

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) The Capital Markets Union (CMU) *will help mobilise capital in Europe and channel it to all companies, including small and medium enterprises, infrastructure and long term sustainable projects that need it to expand and create jobs. One of the main objectives of the CMU is to increase investment and choices for retail investors by putting European savings to better use.*

Amendment

(4) The Capital Markets Union (CMU) *aims at promoting market-based finance by deepening capital markets and strengthening market-based banking, even though the academic literature has repeatedly established strong links between the financial instability inherent to market-based banking and the US subprime crisis as well as the EU's bank and sovereign crisis.*^{1a}

^{1a} *Some examples include: Adrian, T. and Shin, H.S. (2010): Liquidity and leverage. Journal of Financial Intermediation 19 (3): 418-437. Brunnermeier, M.K. (2009): Deciphering the liquidity and credit crunch 2007-2008. Journal of Economic Perspectives 23 (1): 77-100. Gabor, D. and Ban, C. (2016): Banking and bonds: The new links between states and markets. The Journal of Common Market Studies 54(3): 617-635. Gorton, G. and Metrick, A. (2012): Securitized banking and the run on repo. Journal of Financial Economics 104(3): 425-451.*

Or. en

Amendment 214

Barbara Kappel

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The Capital Markets Union (CMU) **will** help mobilise capital in Europe and channel it to all companies, including small and medium enterprises, infrastructure and long term sustainable projects that need it to **expand and create jobs**. One of the main objectives of the CMU is to increase investment and choices for retail investors by putting European savings to better use.

Amendment

(4) The Capital Markets Union (CMU) **could** help mobilise capital in Europe and channel it to all companies, including small and medium enterprises, infrastructure and long term sustainable projects that need it to **develop and innovate**. One of the main objectives of the CMU is to increase investment and choices for retail investors by putting European savings to better use.

Or. en

Amendment 215

Renato Soru, Jonás Fernández, Simona Bonafè, Andrea Cozzolino, Costas Mavrides

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The Capital Markets Union (CMU) will help mobilise capital in Europe and channel it to all companies, including small and medium enterprises, infrastructure and long term sustainable projects that need it to expand and create jobs. One of the main objectives of the CMU is to increase investment and choices for retail investors by putting European savings to better use.

Amendment

(4) The Capital Markets Union (CMU) will help mobilise capital in Europe and channel it to all companies, including small and medium enterprises, infrastructure and long term sustainable projects that need it to expand and create jobs. One of the main objectives of the CMU is to increase investment and choices for retail investors by putting European savings to better use. ***For this purpose, a PEPP will represent a step forward for the enhancement of the capital markets integration due to its support to the long-term financing of the real economy.***

Or. en

Justification

The amendment specifies the role a PEPP can play in enhancing the CMU.

Amendment 216

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Member States should have financially sustainable, adequate and poverty proof pensions. Priority must therefore be given to further developing, strengthening and reforming the first (public) and collective second (occupational) pillars of the pensions systems. However, the old age dependency is expected to increase sharply. This puts pressure on the financial sustainability of first pillar pay as you go systems, which may be partly alleviated by entitlements from second pillar funded schemes. A third pillar can complement these pension systems. The Pan-European Personal Pension Product may complement and strengthen the market for individual pension products across Europe.

Or. en

Amendment 217

Renato Soru, Jonás Fernández, Simona Bonafè, Andrea Cozzolino, Paul Tang, Costas Mavrides

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Due to the contribution a PEPP is expected to play in the building of the

CMU and in the channelling of capitals towards real economy and long term sustainable projects, savers need to be involved in the process which makes them aware of their financial and non-financial interests and on the mutual relationship between the performance of the product and the environmental, social and governance factors. The effectiveness of this process is related to a high level of transparency and disclosure as well as to a proper engagement of savers.

Or. en

Justification

This amendment underlines the need of engaging PEPP savers in the process of awareness related to their long term financial and non.-financial interests.

Amendment 218
Martin Schirdewan

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Further liberalisation of capital markets and reviving securitisation, as envisioned by the Commission's CMU project, will destabilise the economy of the EU and especially of the euro area even further by fostering the pro-cyclicality of the financial system and by aggravating already existing macroeconomic imbalances between member states.

Or. en

Amendment 219
Marco Valli, Laura Agea

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Among personal pension products, the development of a PEPP will contribute to increasing choices for retirement saving and establish an EU market for PEPP providers. It **will** provide **households with better options to meet their retirement goals**.

Amendment

(10) Among personal pension products, the development of a PEPP will contribute to increasing choices for retirement saving, **especially for mobile workers**, and establish an EU market for PEPP providers. It **should not, however, call into question the fundamental responsibility of Member States to guarantee a decent minimum standard of living in old age for their citizens and the urgent need to strengthen the capacity of public pension systems to provide a secure, substantive and effective social protection for all**.

Or. en

Amendment 220

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Among personal pension products, the development of a PEPP will contribute to increasing choices for retirement saving and establish an EU market for PEPP providers. It will provide households with **better** options to meet their retirement goals.

Amendment

(10) Among personal pension products, the development of a PEPP will contribute to increasing choices for retirement saving and establish an EU market for PEPP providers. It will provide households with **well regulated, safe and sustainable** options to meet their retirement goals, **taking due account of their needs and preferences**.

Or. en

Amendment 221

Barbara Kappel

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Among personal pension products, the development of a PEPP **will** contribute to increasing choices for retirement saving and establish an EU market for PEPP providers. It **will** provide households with better options to meet their retirement goals.

Amendment

(10) Among personal pension products, the development of a PEPP **could** contribute to increasing choices for retirement saving and establish an EU market for PEPP providers. It **should** provide households with better options to meet their retirement goals.

Or. en

Amendment 222
Renato Soru, Simona Bonafè, Costas Mavrides

Proposal for a regulation
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Financial education can support the understanding and awareness of households' saving choices in the area of voluntary personal pension schemes. Savers shall also have a fair chance to fully grasp the risks and the features related to a pan-European product.

Or. en

Justification

Financial literacy is relevant to address people in their saving choices, especially those related to voluntary schemes. It should be mentioned in the PEPP regulation due to its personal and voluntary features.

Amendment 223
Martin Schirdewan

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) A legislative framework for a PEPP will lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. ***By complementing the existing pension products and schemes, it will contribute to meeting the needs of people wishing to enhance the adequacy of their retirement savings, addressing the demographical challenge and providing a powerful new source of private capital for long-term investment.*** This framework will not replace or harmonise existing national personal pension schemes.

Amendment

(11) A legislative framework for a PEPP will lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. This framework will not replace or harmonise existing national personal pension schemes.

Or. en

Amendment 224

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) A legislative framework for a PEPP will lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. By complementing the existing pension products and schemes, it will contribute to meeting the needs of people wishing to enhance the adequacy of their retirement savings, addressing the demographical challenge ***and*** providing a powerful new source of private capital for long-term investment. This framework will not replace or harmonise existing national personal pension schemes.

Amendment

(11) A legislative framework for a PEPP will lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. By complementing the existing pension products and schemes, it will contribute to meeting the needs of people wishing to enhance the adequacy of their retirement savings ***and assist in*** addressing the demographical challenge ***by*** providing a powerful new source of private capital for long-term ***sustainable*** investment. This framework will not replace or harmonise existing national personal pension schemes.

Amendment 225**Barbara Kappel****Proposal for a regulation****Recital 11***Text proposed by the Commission*

(11) A legislative framework for a PEPP **will** lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. By complementing the existing pension products and schemes, it **will** contribute to meeting the needs of people wishing to enhance the adequacy of their retirement savings, addressing the demographical challenge and providing a powerful new source of private capital for long-term investment. This framework will not replace or harmonise existing national personal pension schemes.

Amendment

(11) A legislative framework for a PEPP **could** lay the foundations for a successful market in affordable and voluntary retirement-related investments that can be managed on a pan-European scale. By complementing the existing pension products and schemes, it **should** contribute to meeting the needs of people wishing to enhance the adequacy of their retirement savings, addressing the demographical challenge and providing a powerful new source of private capital for long-term investment. This framework will not replace or harmonise existing national personal pension schemes.

Or. en

Amendment 226**Martin Schirdewan****Proposal for a regulation****Recital 12***Text proposed by the Commission*

(12) The Regulation harmonises a set of core features for the PEPP, which concern key elements such as distribution, investment policy, provider switching, or cross-border provision and portability. ***The harmonisation of these core features will improve the level playing field for personal pension providers at large and help boost the completion of the CMU and***

Amendment

(12) The Regulation harmonises a set of core features for the PEPP, which concern key elements such as distribution, investment policy, provider switching, or cross-border provision and portability.

the integration of the internal market for personal pensions. It will lead to the creation of a largely standardised pan-European product, available in all Member States, empowering consumers to make full use of the internal market by transferring their pension rights abroad and offering a broader choice between different types of providers, including in a cross-border way. As a result of fewer barriers to the provision of pension services across borders, a pan-European Personal Pension Product will increase competition between providers on a pan-European basis and create economies of scale that should benefit savers.

Or. en

Amendment 227
Barbara Kappel

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) The Regulation harmonises a set of core features for the PEPP, which concern key elements such as distribution, investment policy, provider switching, or cross-border provision and portability. The harmonisation of these core features **will** improve the level playing field for personal pension providers at large and help **boost the completion of the CMU and** the integration of the internal market for personal pensions. It will **lead to the creation of a largely standardised pan-European product, available in all Member States, empowering** consumers to make full use of the internal market by transferring their pension rights abroad and offering a broader choice between different types of providers, including in a cross-border way. As a result of fewer barriers to the provision of pension services across

Amendment

(12) The Regulation harmonises a set of core features for the PEPP, which concern key elements such as distribution, investment policy, provider switching, or cross-border provision and portability. The harmonisation of these core features **should** improve the level playing field for personal pension providers at large and help the integration of the internal market for personal pensions. It will **empower** consumers to make full use of the internal market by transferring their pension rights abroad and offering a broader choice between different types of providers, including in a cross-border way. As a result of fewer barriers to the provision of pension services across borders, a pan-European Personal Pension Product **should** increase competition between providers on a pan-European basis and create economies

borders, a pan-European Personal Pension Product *will* increase competition between providers on a pan-European basis and create economies of scale that should benefit savers.

of scale that should benefit savers.

Or. en

Amendment 228
Martin Schirdewan

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) Article 114 TFEU allows the adoption of acts both in the shape of Regulations or Directives. The adoption of a Regulation has been preferred as it would become directly applicable in all Member States. Therefore, a Regulation would allow a quicker uptake of the PEPP *and contribute more rapidly to address the need for more pension savings and investments in the CMU context. Since this Regulation is harmonising the core features of the PEPPs, they do not have to be subject to specific national rules, so a Regulation appears better suited than a Directive in this case. On the contrary, the features which are out of the scope of the Regulation (e.g. accumulation phase conditions) are subject to national rules.*

Amendment

(13) Article 114 TFEU allows the adoption of acts both in the shape of Regulations or Directives. The adoption of a Regulation has been preferred as it would become directly applicable in all Member States. Therefore, a Regulation would allow a quicker uptake of the PEPP.

Or. en

Amendment 229
Sander Loones, Ashley Fox

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by *the European Insurance and Occupational Pensions Authority (“EIOPA”)*, on the basis of a single set of rules.

Amendment

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by ***a national competent authority***, on the basis of a single set of rules. ***National competent authorities are responsible for the supervision of PEPP providers and already existing personal pension products, and are therefore best placed to assess the authorisation. Furthermore, national competent authorities are most suited to analyse national social, fiscal, contract and consumer protection law applicable to a PEPP. Lastly, as a general rule, retail financial products such as the PEPP should be authorised and supervised by national competent authorities.***

Or. en

Amendment 230

Markus Ferber

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by the European Insurance and Occupational Pensions Authority (“EIOPA”), ***on the basis of a single set of rules.***

Amendment

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by ***national supervisory authorities on the basis of a single set of rules.*** The European Insurance and Occupational Pensions Authority (“EIOPA”) ***will ensure that those rules are uniformly applied.***

Or. de

Amendment 231

Brian Hayes

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by *the European Insurance and Occupational Pensions Authority (“EIOPA”)*, on the basis of a single set of rules.

Amendment

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by *national competent authorities*, on the basis of a single set of rules.

Or. en

Justification

A PEPP should be authorised by the competent authority of the home MS of the PEPP provider as the competent authority is responsible for the supervision of PEPPs. There is no benefit or added-value in providing EIOPA with an authorisation role.

Amendment 232

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Costas Mavrides

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by the European Insurance and Occupational Pensions Authority (“EIOPA”), on the basis of a single set of rules.

Amendment

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by the European Insurance and Occupational Pensions Authority (“EIOPA”), on the basis of a single set of rules *and in cooperation with national competent authorities*.

Or. en

Justification

This amendment aims at recalling the importance of cooperation between EIOPA and national authorities also in the phase of authorisation, due to their proximity to national markets and their expertise on national providers.

Amendment 233
Doru-Claudian Frunzulică

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) PEPP providers should have access to the whole Union market with one single product authorisation issued by the European Insurance and Occupational Pensions Authority (“EIOPA”), on the basis of a single set of rules.

Amendment

(14) ***The portability of personal pension products is a concern for people moving to another EU country while trying to maintain the same product and provider.*** PEPP providers should have access to the whole Union market with one single product authorisation issued by the European Insurance and Occupational Pensions Authority (“EIOPA”), on the basis of a single set of rules.

Or. en

Amendment 234
Gabriel Mato

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The way in which institutions for occupational retirement provision (IORPs) are organised and regulated varies significantly between Member States. In some Member States these institutions are only allowed to carry out occupational pension activities whereas in other Member States they are allowed to carry out occupational and personal pension activities. This has not only lead to different organisational structures of IORPs but is also accompanied by different supervision on national level. In particular, prudential supervision of IORPs which carry out occupational and personal pension activities is broader than

of those IORPs which only carry out occupational pension activities. In order not to jeopardise financial stability and to take into account the different organisational structure and supervision, only those IORPs should be allowed to provide PEPPs which, pursuant to national law, are authorised and adequately supervised to provide personal pension products. Moreover and to further safeguard financial stability, all assets and liabilities corresponding to PEPP provision business should be ring-fenced, managed and organised separately from the other activities of occupational retirement provision business, without any possibility of transfer.

Or. en

Amendment 235
Jonás Fernández

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Institutions for occupational retirement provisions (IORPs) are organised and regulated in significant different ways within Member States. While in some Member States these institutions are only allowed to carry out occupational pension activities, in other, they are allowed to also provide personal pension products. This leads not only to different organisational structures of IORPS but also to different levels of supervision by national supervisors. Only those IORPs which, pursuant to national law, are authorised and adequately supervised to provide personal pension products should be allowed to provide PEPPs. Furthermore, and to safeguard financial stability, all assets and liabilities

corresponding to PEPP provision business should be ring-fenced, managed and organised separately from other activities of occupational retirement provision business, ensuring at all times that no contagion or possibility of transfer can occur.

Or. en

Amendment 236
Sander Loones,

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Upon product authorisation, national competent authorities should send all relevant information related to the authorisation to EIOPA in view of enabling EIOPA to conduct peer reviews and in order to ensure a consistent application of the Regulation across Member States.

Or. en

Amendment 237
Renato Soru, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Costas Mavrides

Proposal for a regulation
Recital 16

Text proposed by the Commission

Amendment

(16) In order to ensure a high quality of service and effective consumer protection, home and host Member States should closely cooperate in the enforcement of the obligations set out in this Regulation. Where PEPP providers and distributors pursue business in different Member States under the freedom to provide services, the

(16) In order to ensure a high quality of service and effective consumer protection, home and host Member States should closely cooperate in the enforcement of the obligations set out in this Regulation. Where PEPP providers and distributors pursue business in different Member States under the freedom to provide services, the

competent authority of the home Member State should be responsible for ensuring compliance with the obligations set out in this Regulation, because of its closer links with the PEPP provider. In order to ensure fair sharing of responsibilities between the competent authorities from the home and the host Member States, if the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory, it should inform the competent authority of the home Member State which should then be obliged to take the appropriate measures. Moreover, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

competent authority of the home Member State should be responsible for ensuring compliance with the obligations set out in this Regulation, because of its closer links with the PEPP provider. In order to ensure fair sharing of responsibilities between the competent authorities from the home and the host Member States, if the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory, it should inform **both EIOPA and** the competent authority of the home Member State which should then be obliged to take the appropriate measures. Moreover, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

Or. en

Justification

EIOPA needs to be informed as it has a coordination role in the PEPP supervision.

Amendment 238 **Martin Schirdewan**

Proposal for a regulation **Recital 16**

Text proposed by the Commission

(16) In order to ensure a high quality of service and effective consumer protection, home and host Member States should closely cooperate in the enforcement of the obligations set out in this Regulation. Where PEPP providers and distributors pursue business in different Member States under the freedom to provide services, the competent authority of the home Member State should be responsible for ensuring compliance with the obligations set out in

Amendment

(16) In order to ensure a high quality of service and effective consumer protection, home and host Member States should closely cooperate in the enforcement of the obligations set out in this Regulation. Where PEPP providers and distributors pursue business in different Member States under the freedom to provide services, the competent authority of the home Member State should be responsible for ensuring compliance with the obligations set out in

this Regulation, because of its closer links with the PEPP provider. In order to ensure fair sharing of responsibilities between the competent authorities from the home and the host Member States, if the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory, it should inform the competent authority of the home Member State which should then be obliged to take the appropriate measures. Moreover, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

this Regulation, because of its closer links with the PEPP provider. In order to ensure fair sharing of responsibilities between the competent authorities from the home and the host Member States, if the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory, it should inform **EIOPA and** the competent authority of the home Member State which should then be obliged to take the appropriate measures. Moreover, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

Or. en

Amendment 239

Renato Soru, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Costas Mavrides

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should assume responsibility for enforcing the rules on information requirements and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any

Amendment

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should assume responsibility for enforcing the rules on information requirements and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any

breaches of obligations occurring within its territory with respect to which this **Directive** does not confer responsibility on the host Member State, a close cooperation demands that that authority informs the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

breaches of obligations occurring within its territory with respect to which this **Regulation** does not confer responsibility on the host Member State, a close cooperation demands that that authority informs **both EIOPA and** the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

Or. en

Justification

EIOPA needs to be informed as it has a coordination role in the PEPP supervision.

Amendment 240 **Martin Schirdewan**

Proposal for a regulation **Recital 17**

Text proposed by the Commission

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should

Amendment

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should

assume responsibility for enforcing the rules on information requirements and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory with respect to which this Directive does not confer responsibility on the host Member State, a close cooperation demands that that authority informs the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

assume responsibility for enforcing the rules on information requirements and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory with respect to which this Directive does not confer responsibility on the host Member State, a close cooperation demands that that authority informs ***EIOPA and*** the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

Or. en

Amendment 241
Sander Loones, Ashley Fox

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should

Amendment

(17) In the case of the establishment of a branch or a permanent presence in another Member State, it is appropriate to distribute responsibility for enforcement between home and host Member States. While responsibility for compliance with obligations affecting the business as a whole – such as the rules on professional requirements – should remain with the competent authority of the home Member State under the same regime as in the case of provision of services, the competent authority of the host Member State should

assume responsibility for enforcing the rules on information requirements and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory with respect to which this Directive does not confer responsibility on the host Member State, a close cooperation demands that that authority informs the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

assume responsibility for enforcing the rules on information requirements, **advertisements** and conduct of business with regard to the services provided within its territory. However, where the competent authority of a host Member State becomes aware of any breaches of obligations occurring within its territory with respect to which this Directive does not confer responsibility on the host Member State, a close cooperation demands that that authority informs the competent authority of the home Member State so that the latter takes the appropriate measures. Such is the case in particular as regards breaches of the rules on good repute, professional knowledge and competence requirements. Moreover, in view of protecting consumers, the competent authority of the host Member State should be entitled to intervene if the home Member State fails to take appropriate measures or if the measures taken are insufficient.

Or. en

Amendment 242

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) The competent authorities of the Member States should have at their disposal all means necessary to ensure the orderly pursuit of business by PEPP providers and distributors throughout the Union, whether pursued in accordance with the freedom of establishment or the freedom to provide services. In order to ensure the effectiveness of supervision, all actions taken by the competent authorities should be proportionate to the nature, scale and complexity of the risks inherent in the

Amendment

(18) The competent authorities of the Member States should have at their disposal all means necessary to ensure the orderly pursuit of business by PEPP providers and distributors throughout the Union, whether pursued in accordance with the freedom of establishment or the freedom to provide services. In order to ensure the effectiveness of supervision, all actions taken by the competent authorities should be proportionate to the nature, scale and complexity of the risks inherent in the

business of a particular provider or distributor, *regardless of the importance of the provider or distributor concerned for the overall financial stability of the market.*

business of a particular provider or distributor.

Or. en

Amendment 243

Brian Hayes

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) The pan-European dimension of the PEPP can be developed not only at the level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State *without changing PEPP providers*, whereas the switching of PEPP providers does not necessarily involve a change of residence.

Amendment

(19) The pan-European dimension of the PEPP can be developed not only at the level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State *while continuing to contribute to a PEPP*, whereas the switching of PEPP providers does not necessarily involve a change of residence.

Or. en

Amendment 244

Sirpa Pietikäinen

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) The pan-European dimension of the PEPP can be developed not only at the

Amendment

(19) The pan-European dimension of the PEPP can be developed not only at the

level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State without changing PEPP providers, whereas the switching of PEPP providers does not necessarily involve a change of residence.

level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State without changing PEPP providers, whereas the switching of PEPP providers does not necessarily involve a change of residence. ***Where portability is not provided for a PEPP saver changing residence to another country, such as resulting from a lack of compartments offered by the PEPP provider or through a partnership, facilitated switching should be made available to the PEPP saver changing residence to another country. Such a situation should be held as a grounded reason to allow for switching provider once a year.***

Or. en

Amendment 245

Renato Soru, Pervenche Berès, Jeppe Kofod, Costas Mavrides

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) The pan-European dimension of the PEPP can be developed not only at the level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State without

Amendment

(19) The pan-European dimension of the PEPP can be developed not only at the level of the provider, through the possibilities for its cross-border activity, but also at the level of the PEPP saver – through the portability of the PEPP, thus contributing to the safeguarding of personal pension rights of persons exercising their right to free movement under Articles 21 and 45 TFEU. Portability involves the PEPP saver changing residence to another Member State without

changing PEPP providers, whereas the switching of PEPP providers does not necessarily involve a change of residence.

changing PEPP providers, whereas the switching of PEPP providers does not necessarily involve a change of residence.
In any case, the place of residence of a PEPP saver shall determine the applicable tax regime for the saver.

Or. en

Justification

This amendment aims at ensuring fairness in the PEPP saver tax treatment.

Amendment 246 **Brian Hayes**

Proposal for a regulation **Recital 20**

Text proposed by the Commission

(20) A PEPP ***should*** comprise national compartments, each of them accommodating personal pension product features allowing that contributions to the PEPP qualify for incentives. ***At the level of the individual PEPP saver, a first compartment should be created upon opening of a PEPP.***

Amendment

(20) A PEPP ***may*** comprise national compartments, each of them accommodating personal pension product features allowing that contributions to the PEPP qualify for incentives ***granted by the PEPP provider.***

Or. en

Justification

An obligation to provide compartments in every Member State is unnecessarily burdensome.

Amendment 247 **Renato Soru, Mady Delvaux, Simona Bonafè, Costas Mavrides**

Proposal for a regulation **Recital 21**

Text proposed by the Commission

Amendment

(21) ***In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply three years after the entry into force of this Regulation. However,*** upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

(21) Upon launching a PEPP, the provider should provide information on which national compartments are immediately available ***in the contract***, in order to avoid a possible misleading of consumers. ***PEPP savers willing to open a national compartment should be allowed to switch provider free of charge when this national compartment is not made available by the PEPP provider with whom the contract has been initially signed.***

Or. en

Justification

The amendment aims at underlining the pan-European soul of the PEPP by easing the product portability and widening the freedom of consumer.

Amendment 248
Brian Hayes

Proposal for a regulation
Recital 21

Text proposed by the Commission

Amendment

(21) ***In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply three years after the entry into force of this Regulation. However,*** upon launching a PEPP, the provider should provide information on which national compartments are immediately available, ***in order to avoid a possible misleading of consumers.***

(21) Upon launching a PEPP, the provider should provide information on which national compartments are immediately available. ***If a PEPP provider cannot offer a national compartment in a certain Member State, it should provide the PEPP saver with alternative portability options, such as the possibility to continue saving into a PEPP through a partnership arrangement.***

Or. en

Amendment 249

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) *In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.*

Amendment

(21) Upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers. ***When a PEPP saver changes her or his domicile to a Member state, where the PEPP provider or PEPP distributor does not offer a readily available compartment, switching providers shall be offered free of charge.***

Or. en

Amendment 250

Martin Schirdewan

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply ***three*** years after the entry into force of this Regulation. ***However***, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Amendment

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply ***five*** years after the entry into force of this Regulation. ***PEPP providers should be allowed to enter into partnership agreements with other PEPP providers for the provision of national compartments. These agreements should be made subject to authorisation by EIOPA.*** Upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Amendment 251
Andreas Schwab

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply *three* years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Amendment

(21) In order to allow *for* a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will apply *five* years after the entry into force of this Regulation. ***Where necessary, PEPP providers should have the possibility to enter into compartment partnerships in order to fulfil this obligation.*** However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Amendment 252
Mady Delvaux

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for *each* Member *State* will apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of

Amendment

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for *at least a third of the* Member *States* will apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a

consumers.

possible misleading of consumers.

Or. en

Amendment 253

Alain Lamassoure, Alain Cadec, Anne Sander

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for *each* Member *State* will apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Amendment

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for *ten* Member *States* will apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

Or. en

Justification

Requiring PEPPs to comprise compartments for each Member State is too ambitious. On the other hand, requiring PEPPs to include compartments for ten Member States is more realistic and ensures a decent level of portability.

Amendment 254

Barbara Kappel

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will

Amendment

(21) In order to allow a smooth transition for PEPP providers, the obligation of providing PEPPs comprising compartments for each Member State will

apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers.

apply three years after the entry into force of this Regulation. However, upon launching a PEPP, the provider should provide information on which national compartments are immediately available, in order to avoid a possible misleading of consumers. ***If a PEPP saver moves to another Member State and if no compartment for the Member State is available, the PEPP provider should make it possible for the PEPP saver to switch for an amount of maximum € 150 to another PEPP provider which provides a compartment for that Member State.***

Or. en

Justification

Any inclusion of a cap in percentage terms in the context of the closure of a PEPP account will discriminate higher investment amounts, which have been built up via an accumulation period over several years or even decades. In return, lower investment amounts would be treated with a lower fee. In order to avoid an unequal treatment in this regard, the inclusion of a cap in monetary terms (e.g. max. € 150) would be preferable.

Amendment 255

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) Taking into account the nature of the pension scheme established and the administrative burden involved, PEPP providers and distributors should provide clear and adequate information to potential PEPP savers and PEPP beneficiaries to support their decision-making about their retirement. For the same reason, PEPP providers and distributors should equally ensure a high level of transparency throughout the various phases of a scheme comprising pre-enrolment, membership

Amendment

(22) Taking into account the nature of the pension scheme established and the administrative burden involved, PEPP providers and distributors should provide clear and adequate information to potential PEPP savers and PEPP beneficiaries to support their decision-making about their retirement. For the same reason, PEPP providers and distributors should equally ensure a high level of transparency throughout the various phases of a scheme comprising pre-enrolment, membership

(including pre-retirement) and post-retirement. In particular, information concerning accrued pension entitlements, projected levels of retirement benefits, risks and guarantees, *and* costs should be given. *Where* projected levels of retirement benefits *are* based on economic scenarios, *that information should also include* an unfavourable scenario, *which should be extreme but plausible*.

(including pre-retirement) and post-retirement. In particular, information concerning accrued pension entitlements, projected levels of retirement benefits, risks and guarantees, costs *and the integration of environmental, social and governance factors* should be given. Projected levels of retirement benefits *shall be* based, *inter alia*, on economic scenarios, *including* an unfavourable scenario.

Or. en

Amendment 256

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Paul Tang, Costas Mavrides

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) Taking into account the nature of the pension scheme established and the administrative burden involved, PEPP providers and distributors should provide clear and adequate information to potential PEPP savers and PEPP beneficiaries to support their decision-making about their retirement. For the same reason, PEPP providers and distributors should equally ensure a high level of transparency throughout the various phases of a scheme comprising pre-enrolment, membership (including pre-retirement) and post-retirement. In particular, information concerning accrued pension entitlements, projected levels of retirement benefits, risks and guarantees, and costs should be given. Where projected levels of retirement benefits are based on economic scenarios, that information should also include an unfavourable scenario, which should be extreme but plausible.

Amendment

(22) Taking into account the nature of the pension scheme established and the administrative burden involved, PEPP providers and distributors should provide clear and adequate information to potential PEPP savers and PEPP beneficiaries to support their decision-making about their retirement. For the same reason, PEPP providers and distributors should equally ensure a high level of transparency throughout the various phases of a scheme comprising pre-enrolment, membership (including pre-retirement) and post-retirement. In particular, information concerning accrued pension entitlements, projected levels of retirement benefits, risks (*including those related to environmental, social and governance factors*) and guarantees, and costs should be given. Where projected levels of retirement benefits are based on economic scenarios, that information should also include an unfavourable scenario, which

should be extreme but plausible.

Or. en

Justification

The amendment takes explicitly into consideration ESG factors among as potential drivers of the risks related to PEPP investments.

Amendment 257

Renato Soru, Mady Delvaux, Simona Bonafè, Costas Mavrides

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Before joining a PEPP scheme, potential PEPP savers should be given all the necessary information to make an informed choice.

Amendment

(23) Before joining a PEPP scheme, potential PEPP savers should be given all the necessary information to make an informed choice ***through the provision of advice assessing their saving demands and needs.***

Or. en

Justification

The advice can be a meaningful tool in order to make consumers aware of their choices.

Amendment 258

Andreas Schwab

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Before joining a PEPP scheme, potential PEPP savers should be given all the necessary information to make an informed choice.

Amendment

(23) Before joining a PEPP scheme, potential PEPP savers should be given all the necessary information to make an informed choice. ***For this purpose, PEPP savers should, in the case of the default option, consult a decision tree that helps***

them make an informed choice.

Or. en

Amendment 259

Brian Hayes

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) In order to ensure optimal product transparency, PEPP *manufacturers* should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be responsible for the accuracy of the PEPP key information document. The PEPP key information document should *replace and adapt the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 of the European Parliament and of the Council³³ which would not have to be provided for PEPPs.*

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

Amendment

(24) In order to ensure optimal product transparency, PEPP *providers* should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be responsible for the accuracy of the PEPP key information document. The PEPP key information document should *be tailored to the requirements of the PEPP product.*

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

Or. en

Amendment 260

Martin Schirdewan

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) In order to ensure optimal product transparency, PEPP **manufacturers** should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be responsible for the accuracy of the PEPP key information document. The PEPP key information document should **replace** and adapt the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 of the European Parliament and of the Council³³ **which would not have to be provided for PEPPs.**

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

Amendment

(24) In order to ensure optimal product transparency, PEPP **providers** should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be responsible for the accuracy of the PEPP key information document. The PEPP key information document should **improve** and adapt the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 of the European Parliament and of the Council³³.

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

Or. en

Amendment 261

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) In order to ensure optimal product transparency, PEPP manufacturers should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be **responsible** for the accuracy of the PEPP key information document. The

Amendment

(24) In order to ensure optimal product transparency, PEPP manufacturers should draw up the PEPP key information document for the PEPPs that they manufacture before the product can be distributed to PEPP savers. They should also be **liable** for the accuracy of the PEPP key information document. The PEPP key

PEPP key information document should replace and adapt the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 of the European Parliament and of the Council³³ which would not have to be provided for PEPPs.

information document should replace and adapt the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 of the European Parliament and of the Council³³ which would not have to be provided for PEPPs.

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

³³ Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs), OJ L 352, 9.12.2014, p. 1.

Or. en

Amendment 262
Martin Schirdewan

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) In order to ensure widespread dissemination and availability of PEPP key information documents, this Regulation should provide for publication by the PEPP *manufacturer* of PEPP key information documents on its website.

Amendment

(25) In order to ensure widespread dissemination and availability of PEPP key information documents, this Regulation should provide for publication by the PEPP *provider* of PEPP key information documents on its website.

Or. en

Amendment 263
Martin Schirdewan

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) Pension product calculators are

Amendment

(26) Pension product calculators are

already being developed at national level. However, in order for the calculators to be as useful as possible to consumers, they should cover the costs and fees charged by the various PEPP *manufacturers*, together with any further costs or fees charged by intermediaries or other parts of the investment chain not already included by the PEPP *manufacturers*.

already being developed at national level. However, in order for the calculators to be as useful as possible to consumers, they should cover the costs and fees charged by the various PEPP *providers*, together with any further costs or fees charged by intermediaries or other parts of the investment chain not already included by the PEPP *providers*.

Or. en

Amendment 264
Sirpa Pietikäinen

Proposal for a regulation
Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Calls for the introduction of a Union pension calculator, enabling citizens to calculate their accumulated pension capital and accrued pension entitlements, so as to have a complete overview and to estimate the sufficient pension level to meet their personal expected income need for living and care, combined with pillars 1 and 2 and other existing sources of income. This calculation exercise should be executed online or with the provider to determine the needed level of income every time the investment strategy is changed by the PEPP saver, to avoid underfinancing the upcoming pension. Such a calculator should be developed as a matter of urgency, alongside the development of PEPP.

Or. en

Amendment 265
Martin Schirdewan

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) The details of the information to be included in the PEPP key information document in addition to elements already provided for in the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 and the presentation of this information should be further harmonised through regulatory technical standards that complement the regulatory technical standards laid down by Commission delegated Regulation of 8 March 2017³⁴, taking into account existing and ongoing research into consumer behaviour, including results from testing the effectiveness of different ways of presenting information with consumers.

³⁴ Commission Delegated Regulation of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) by laying down regulatory technical standards with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents.

Amendment

(27) The details of the information to be included in the PEPP key information document in addition to elements already provided for in the key information document for packaged retail and insurance-based investment products under Regulation (EU) No 1286/2014 and the presentation of this information should be further harmonised through regulatory technical standards that complement the regulatory technical standards laid down by Commission delegated Regulation of 8 March 2017³⁴, taking into account existing and ongoing research into consumer behaviour ***and understanding of financial products***, including results from testing the effectiveness of different ways of presenting information with consumers.

³⁴ Commission Delegated Regulation of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) by laying down regulatory technical standards with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents.

Or. en

Amendment 266
Andreas Schwab

Proposal for a regulation
Recital 28

Text proposed by the Commission

Amendment

(28) The PEPP key information document should be clearly distinguishable and separate from any marketing communications.

(28) ***The PEPP key information document should consist of two parts. While the first part should give general information about the PEPP, the second part should describe the information which varies between Member States, such as the retirement age or tax benefits and incentives.*** The PEPP key information document should be clearly distinguishable and separate from any marketing communications.

Or. en

Amendment 267

Mady Delvaux

Proposal for a regulation

Recital 30

Text proposed by the Commission

Amendment

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options.
Where the retirement benefit is not paid out as a lifetime annuity, members approaching retirement should receive information about the benefit payment products available, in order to facilitate financial planning for retirement.

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options.

Or. en

Justification

Annuities should be defined as lifetime annuities, a specification of the opposite situation is therefore not necessary.

Amendment 268

Andreas Schwab

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options. Where the retirement benefit is not paid out as a lifetime annuity, members approaching retirement should receive information about the benefit payment products available, in order to facilitate financial planning for retirement.

Amendment

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options. ***The default option should allow for a lump sum payment of up to 30%, provided that the remainder is paid as a lifetime annuity.*** Where the retirement benefit is not paid out as a lifetime annuity, members approaching retirement should receive information about the benefit payment products available, in order to facilitate financial planning for retirement.

Or. en

Amendment 269
Sirpa Pietikäinen

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options. Where the retirement benefit is not paid out as a lifetime annuity, members approaching retirement should receive information about the benefit payment products available, in order to facilitate financial planning for retirement.

Amendment

(30) PEPP providers should inform PEPP savers sufficiently in advance before retirement about their pay-out options, ***and such savers should, as minimum, be reminded about their pay-out options one year before the retirement.*** Where the retirement benefit is not paid out as a lifetime annuity, members approaching retirement should receive information about the benefit payment products available, in order to facilitate financial planning for retirement.

Or. en

Amendment 270
Martin Schirdewan

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) During the phase when retirement benefits are paid, PEPP beneficiaries should continue to receive information on their benefits and corresponding pay-out options. This is particularly important when a significant level of investment risk is borne by PEPP beneficiaries in the pay-out phase. PEPP beneficiaries should also be informed of any reduction in the level of benefits due, prior to the application of any such reduction, after a decision which will result in a reduction has been taken. **As a matter of best practice**, PEPP providers are recommended to consult PEPP beneficiaries in advance of any such decision.

Amendment

(31) During the phase when retirement benefits are paid, PEPP beneficiaries should continue to receive information on their benefits and corresponding pay-out options. This is particularly important when a significant level of investment risk is borne by PEPP beneficiaries in the pay-out phase. PEPP beneficiaries should also be informed of any reduction in the level of benefits due, prior to the application of any such reduction, after a decision which will result in a reduction has been taken. PEPP providers are recommended to consult PEPP beneficiaries in advance of any such decision.

Or. en

Amendment 271
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to protect adequately the rights of PEPP savers and PEPP beneficiaries, PEPP providers should be able to opt for an asset allocation that suits the precise nature and duration of their liabilities. Therefore, efficient supervision is required as well as an approach to investment rules that allows PEPP providers sufficient flexibility to decide on the most secure and efficient investment policy, while obliging them to act

Amendment

(32) In order to protect adequately the rights of PEPP savers and PEPP beneficiaries, PEPP providers should be able to opt for an asset allocation that suits the precise nature and duration of their liabilities. Therefore, efficient supervision is required as well as an approach to investment rules that allows PEPP providers sufficient flexibility to decide on the most secure and efficient investment policy, while obliging them to act

prudently. Compliance with the prudent person rule therefore requires an investment policy geared to the customers' structure of the individual PEPP provider.

prudently *and in alignment with the PEPP saver's preferences*. Compliance with the prudent person rule therefore requires an investment policy geared to the customers' structure of the individual PEPP provider.

Or. en

Amendment 272

Renato Soru, Mady Delvaux, Simona Bonafè, Costas Mavrides

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) In order to protect adequately the rights of PEPP savers and PEPP beneficiaries, PEPP providers should be able to opt for an asset allocation that suits the precise nature and duration of their liabilities. Therefore, efficient supervision is required as well as an approach to investment rules that allows PEPP providers sufficient flexibility to decide on the most secure and efficient investment policy, while obliging them to act prudently. Compliance with the prudent person rule therefore requires an investment policy geared to the customers' structure of the individual PEPP provider.

Amendment

(32) In order to protect adequately the rights of PEPP savers and PEPP beneficiaries, PEPP providers should be able to opt for an asset allocation that suits the precise nature and duration of their liabilities, *including those having a long term horizon*. Therefore, efficient supervision is required as well as an approach to investment rules that allows PEPP providers sufficient flexibility to decide on the most secure and efficient investment policy, while obliging them to act prudently. Compliance with the prudent person rule therefore requires an investment policy geared to the customers' structure of the individual PEPP provider.

Or. en

Justification

The specific mention of the long term horizon is coherent to the nature of retirement savings made for a PEPP and would enhance the obligation of acting prudently (i.e. taking into consideration long term risks).

Amendment 273

Martin Schirdewan

Proposal for a regulation
Recital 33

Text proposed by the Commission

Amendment

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress.

deleted

Or. en

Amendment 274

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Costas Mavrides

Proposal for a regulation
Recital 33

Text proposed by the Commission

Amendment

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress.

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress. ***The prudent person rule should also take into consideration the role played by environmental, social and governance factors in the investment process.***

Or. en

Justification

As ESG factors are expected to have an impact on long-term investment decisions such those concerning PEPP, it appears appropriate to mention them in the prudent person rule regarding PEPP.

Amendment 275
Marco Valli, Laura Agea

Proposal for a regulation
Recital 33

Text proposed by the Commission

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress.

Amendment

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress. ***The prudent person rule should require explicit consideration of environmental, social and governance factors in the investment decision making process.***

Or. en

Amendment 276
Paul Tang

Proposal for a regulation
Recital 33

Text proposed by the Commission

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress.

Amendment

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic and social progress. ***The prudent person rule also requires that PEPP providers integrate the potential long-term impact of investment decisions on environmental, social, and governance factors.***

Amendment 277

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic *and* social progress.

Amendment

(33) By setting the prudent person rule as the underlying principle for capital investment and making it possible for PEPP providers to operate across borders, the redirection of savings into the sector of personal retirement provision is encouraged, thereby contributing to economic, social *and environmental* progress.

Or. en

Amendment 278

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) This Regulation should ensure an appropriate level of investment freedom for PEPP providers. As very long-term investors with low liquidity risks, PEPP providers are in a position to contribute to the development of the CMU by investing in non-liquid assets such as shares and in other instruments that have a long-term economic profile *and are not traded on regulated markets, multilateral trading facilities (MTFs) or organised trading facilities (OTFs) within prudent limits*. They can also benefit from the advantages

Amendment

(34) This Regulation should ensure an appropriate level of investment freedom for PEPP providers. As very long-term investors with low liquidity risks, PEPP providers are in a position to contribute to the development of the CMU by investing in non-liquid assets such as shares and in other instruments that have a long-term economic profile. They can also benefit from the advantages of international diversification. Investments in shares in currencies other than those of the liabilities and in other instruments that have a long-

of international diversification. Investments in shares in currencies other than those of the liabilities and in other instruments that have a long-term economic profile **and are not traded on regulated markets, MTFs or OTFs** should therefore not be restricted, in line with the prudent person rule so as to protect the interest of PEPP savers and PEPP beneficiaries, except on prudential grounds.

term economic profile should therefore not be restricted, in line with the prudent person rule so as to protect the interest of PEPP savers and PEPP beneficiaries, except on prudential grounds.

Or. en

Amendment 279

Paul Tang

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) This Regulation should ensure an appropriate level of investment freedom for PEPP providers. As very long-term investors with low liquidity risks, PEPP providers are in a position to contribute to the development of the CMU by investing in non-liquid assets such as shares and in other instruments that have a long-term economic profile and are not traded on regulated markets, multilateral trading facilities (MTFs) or organised trading facilities (OTFs) within prudent limits. They can also benefit from the advantages of international diversification. Investments in shares in currencies other than those of the liabilities and in other instruments that have a long-term economic profile and are not traded on regulated markets, MTFs or OTFs should therefore not be restricted, in line with the prudent person rule so as to protect the interest of PEPP savers and PEPP beneficiaries, except on prudential grounds.

Amendment

(34) This Regulation should ensure an appropriate level of investment freedom for PEPP providers. As very long-term investors with low liquidity risks, PEPP providers are in a position to ***fulfil a leading role in making finance more sustainable by redirecting more finance to sustainable assets, taking into account environmental, social and governance factors and in doing so to*** contribute to the development of the CMU, ***which may also be done*** by investing in non-liquid assets such as shares and in other instruments that have a long-term economic profile and are not traded on regulated markets, multilateral trading facilities (MTFs) or organised trading facilities (OTFs) within prudent limits. They can also benefit from the advantages of international diversification. Investments in shares in currencies other than those of the liabilities and in other instruments that have a long-term economic profile and are not traded on regulated markets, MTFs or OTFs should therefore not be restricted, in line

with the prudent person rule so as to protect the interest of PEPP savers and PEPP beneficiaries, except on prudential grounds.

Or. en

Amendment 280
Martin Schirdewan

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers *are encouraged to* allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic benefits, in particular to infrastructure projects and corporates.

Amendment

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers *should* allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic benefits, in particular to *low carbon and climate resilient* infrastructure projects and corporates.

Or. en

Amendment 281

Paul Tang

Proposal for a regulation

Recital 35

Text proposed by the Commission

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers are encouraged to allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic benefits, *in particular to infrastructure projects and corporates*.

Amendment

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers are encouraged to allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic *and social* benefits.

Or. en

Amendment 282

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 35

Text proposed by the Commission

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers are encouraged to allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic benefits, in particular to infrastructure projects and corporates.

Amendment

(35) In the context of deepening the CMU, the understanding of what constitutes instruments with a long-term economic profile is broad. Such instruments are non-transferable securities and therefore do not have access to the liquidity of secondary markets. They often require fixed term commitments which restrict their marketability and should be understood to include participation and debt instruments in, and loans provided to, non-listed undertakings. Non-listed undertakings include infrastructure projects, unlisted companies seeking growth, real estate or other assets that could be suitable for long term investment purposes. Low carbon and climate resilient infrastructure projects are often non-listed assets and rely on long term credits for project financing. Considering the long-term nature of their liabilities, PEPP providers are encouraged to allocate a sufficient part of their asset portfolio to sustainable investments in the real economy with long-term economic, ***environmental and social*** benefits, in particular to infrastructure projects and corporates.

Or. en

Amendment 283

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for

Amendment

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for

the investment policy and risk management systems of PEPP providers. PEPP providers should ***be encouraged to*** consider such factors in investment decisions and ***to take into account how they form part of*** their risk management system.

the investment policy and risk management systems of PEPP providers. PEPP providers should consider such factors in investment decisions and. ***integrate them in*** their risk management system. ***They should conduct assessments on the impact their investments have on direct and long term climate, environmental and social factors, and disclose this information, including according to the Non-Financial Reporting Directive.***

Or. en

Amendment 284
Paul Tang

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should ***be encouraged to consider*** such factors in investment decisions and to take into account how they form part of their risk management system.

Amendment

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should ***integrate*** such factors in investment decisions and to take into account how they form part of their risk management system ***so that the problem of stranded assets can be avoided.***

Or. en

Amendment 285
Martin Schirdewan

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) Environmental, social and

Amendment

(36) Environmental, social and

governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should *be encouraged to* consider such factors in investment decisions and *to* take into account how they form part of their risk management system.

governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should *systematically* consider such factors in investment decisions and take into account how they form part of their risk management system.

Or. en

Amendment 286

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Paul Tang, Costas Mavrides

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should *be encouraged to* consider such factors in investment decisions and *to* take into account how they form part of their risk management system.

Amendment

(36) Environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment, are important for the investment policy and risk management systems of PEPP providers. PEPP providers should consider such factors in investment decisions and take into account how they form part of their risk management system. *This risk assessment should also be made available to EIOPA and to the competent authorities as well as to PEPP savers. Where relevant, it should also include risks related to climate change, use of resources, the environment, social risks, and risks related to the depreciation of assets due to regulatory change ('stranded assets').*

Or. en

Justification

Stranded assets will assume an increasingly prominent role in financial risk management systems due to environmental and social challenges imposing regulatory changes. Thus, their

importance needs to be clearly stated in the PEPP regulation.

Amendment 287

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36 a (new)

Text proposed by the Commission

Amendment

(36a) One of the objectives of this regulation is channelling capital towards European long-term investments in the real economy. PEPP providers should integrate environmental, social and governance (ESG) factors in their investment decisions. PEPP savings should be invested in line with the Union's climate and sustainability objectives as set out in the Paris agreement, Sustainable Development Goals, and the United Nations Guiding Principles on Business and Human Rights.

Or. en

Amendment 288

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36 b (new)

Text proposed by the Commission

Amendment

(36b) PEPP providers should engage regularly with their clients to ensure their concerns and preferences, including regarding ESG factors, are properly integrated into the investment decisions.

Or. en

Amendment 289

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36 c (new)

Text proposed by the Commission

Amendment

(36c) PEPP providers should adopt an investment exclusion policy in order to ensure that savings are not invested in the most controversial and harmful products such as coal-based energy, nuclear weapons, cluster munition, the production of tobacco or harmful conducts such as serious human rights violations, severe environmental, climate damage, corruption and tax avoidance.

Or. en

Amendment 290

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 37

Text proposed by the Commission

Amendment

(37) In ensuring compliance with their obligation to develop an investment policy in accordance with the prudent person rule, PEPP providers should be prevented ***to invest*** in high-risk and non-cooperative jurisdictions identified by the Financial Action Task Force.

(37) In ensuring compliance with their obligation to develop an investment policy in accordance with the prudent person rule, PEPP providers should be prevented ***from engage in aggressive tax avoidance strategies and investing*** in high-risk and non-cooperative jurisdictions identified by the Financial Action Task Force ***and the Commission delegated regulation identifying high-risk third countries with strategic deficiencies and jurisdictions on the common EU list of third country jurisdictions for tax purposes.***

Amendment 291
Martin Schirdewan

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) In ensuring compliance with their obligation to develop an investment policy in accordance with the prudent person rule, PEPP providers should be prevented to invest in high-risk and non-cooperative jurisdictions identified by the Financial Action Task Force.

Amendment

(37) In ensuring compliance with their obligation to develop an investment policy in accordance with the prudent person rule, PEPP providers should be prevented to invest in high-risk and non-cooperative jurisdictions identified by the Financial Action Task Force, ***nor in a country on the EU list of non-cooperative tax jurisdictions, nor in a country on the EU list of high-risk third countries with strategic deficiencies in their regime on anti-money laundering and countering terrorist financing.***

Amendment 292
Brian Hayes

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should be framed, covering the elements which allow investors to make an investment decision, ***including the number of investment options they can choose from. After the initial choice made upon the subscription of a PEPP, the PEPP saver should have the possibility to modify this choice at reasonable intervals (every five***

Amendment

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should be framed, covering the elements which allow investors to make an investment decision.

years), so that sufficient stability is offered to providers for their long-term investment strategy whilst at the same time investor protection is ensured.

Or. en

Amendment 293
Martin Schirdewan

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should be framed, covering the elements which allow investors to make an investment decision, including the number of investment options they can choose from. After the initial choice made upon the subscription of a PEPP, the PEPP saver should have the possibility to modify this choice at reasonable intervals (every *five* years), *so that sufficient stability is offered to providers for their long-term investment strategy whilst at the same time investor protection is ensured.*

Amendment

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should be framed, covering the elements which allow investors to make an investment decision, including the number of investment options they can choose from. After the initial choice made upon the subscription of a PEPP, the PEPP saver should have the possibility to modify this choice at reasonable intervals (every *three* years).

Or. en

Amendment 294
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should

Amendment

(38) In view of the long-term retirement objective of the PEPP, the investment options granted to the PEPP savers should

be framed, covering the elements which allow investors to make an investment decision, including the number of investment options they can choose from. After the initial choice made upon the subscription of a PEPP, the PEPP saver should have the possibility to modify this choice at reasonable intervals (every five years), so that sufficient stability is offered to providers for their long-term investment strategy whilst at the same time investor protection is ensured.

be framed, covering the elements which allow investors to ***align with their customers' preferences and*** make an investment decision, including the number of investment options they can choose from. After the initial choice made upon the subscription of a PEPP, the PEPP saver should have the possibility to modify this choice at reasonable intervals (every five years), so that sufficient stability is offered to providers for their long-term investment strategy whilst at the same time investor protection is ensured.

Or. en

Amendment 295
Paul Tang

Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission

Amendment

(38a) The PEPP provider should explicitly consider and disclose to what extent their investment beliefs on environmental, social and governance factors have been reflected in their choice of index, both for active and for passive strategies. When opting for passive options, sustainability indexes should be considered for default funds.

Or. en

Amendment 296
Brian Hayes

Proposal for a regulation
Recital 39

Text proposed by the Commission

Amendment

(39) The ***default*** investment ***option***

(39) The ***Basic PEPP shall be a simple***

should allow the PEPP saver to recoup the invested capital. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

and safe product that can be easily acquired in each Member State. The risk mitigation techniques applied to the Basic PEPP may take the form of capital protection or de-risking investment strategies.

Or. en

Justification

Both capital protection and life-cycling investment strategies should be allowed under the Basic PEPP.

Amendment 297

Anne Sander, Alain Lamassoure, Alain Cadec

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) The default investment option should *allow* the PEPP saver *to recoup the invested* capital. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

Amendment

(39) The default investment option should *seek to ensure capital protection for* the PEPP saver *either by way of capital guarantee or the application of a life-cycle investment strategy to the PEPP saver's assets*. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

Or. en

Justification

It is important that the name "default option" but this default option should take for the form of an investment option with either a financial guarantee or a life-cycling technique.

Amendment 298

Sirpa Pietikäinen

Proposal for a regulation

Recital 39

Text proposed by the Commission

Amendment

(39) The default investment option should allow the PEPP saver to recoup the invested capital. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

(39) The default investment option should allow the PEPP saver to recoup **a minimum of 40 % of** the invested capital. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation. ***The default investment option should provide the PEPP saver with a balance between downside protection and return generation through investment in a suitable portfolio of funds combined with minimum guarantees.***

Or. en

Amendment 299
Pervenche Berès

Proposal for a regulation
Recital 39

Text proposed by the Commission

Amendment

(39) The default investment option should allow the PEPP saver to recoup the invested capital. ***The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover*** inflation.

(39) The default investment option - ***i.e. the 'basic PEPP'*** should allow the PEPP saver to recoup the invested capital, ***including fees, costs and*** inflation.

Or. en

Amendment 300
Martin Schirdewan

Proposal for a regulation
Recital 39

Text proposed by the Commission

Amendment

(39) The default investment option should allow the PEPP saver to recoup the

(39) The default investment option should allow the PEPP saver to recoup the

invested capital. *The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.*

invested capital *in real terms*.

Or. en

Amendment 301

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) The default investment option should allow the PEPP saver to recoup the invested capital. The PEPP providers *could* in addition include an inflation indexation mechanism to *at least partly* cover inflation.

Amendment

(39) The default investment option should allow the PEPP saver to recoup the invested capital *before the deduction of fees*. The PEPP providers *should* in addition include an inflation indexation mechanism to cover inflation.

Or. en

Amendment 302

Markus Ferber

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) The default investment option should allow the PEPP saver to recoup the invested capital. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

Amendment

(39) The default investment option should allow the PEPP saver to recoup the invested capital. *To that end, PEPP providers should build up adequate capital buffers*. The PEPP providers could in addition include an inflation indexation mechanism to at least partly cover inflation.

Or. de

Amendment 303

Brian Hayes

Proposal for a regulation

Recital 41

Text proposed by the Commission

(41) Where the PEPP provider is an institution for occupational retirement provision or an investment firm, it ***should*** appoint a depositary in relation to the safe-keeping of its assets. ***This is necessary for protecting consumers, since the sectorial legislation applicable to institutions for occupational retirement provision and investment firms does not provide for the appointment of a depositary.***

Amendment

(41) Where the PEPP provider is an institution for occupational retirement provision or an investment firm, it ***may*** appoint a depositary in relation to the safe-keeping of its assets.

Or. en

Amendment 304

Martin Schirdewan

Proposal for a regulation

Recital 41

Text proposed by the Commission

(41) Where the PEPP provider is ***an institution for occupational retirement provision or*** an investment firm, it should appoint a depositary in relation to the safe-keeping of its assets. This is necessary for protecting consumers, since the sectorial legislation applicable to ***institutions for occupational retirement provision and*** investment firms does not provide for the appointment of a depositary.

Amendment

(41) Where the PEPP provider is an investment firm, it should appoint a depositary in relation to the safe-keeping of its assets. This is necessary for protecting consumers, since the sectorial legislation applicable to investment firms does not provide for the appointment of a depositary.

Or. en

Amendment 305

Brian Hayes

Proposal for a regulation
Recital 44

Text proposed by the Commission

Amendment

(44) The Commission should adopt draft implementing technical standards developed by the ESAs, through the Joint Committee, with regard to the presentation and the content of specific elements the PEPP key information document not covered by the [PRIIPs KID RTS] in accordance with Articles 10 to 14 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council³⁵, of Regulation (EU) No 1094/2010 of the European Parliament and of the Council³⁶ and of Regulation (EU) No 1095/2010 of the European Parliament and of the Council³⁷. The Commission should complement the technical work of the ESAs by conducting consumer tests of the presentation of the key information document as proposed by the ESAs.

deleted

³⁵ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

³⁶ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

³⁷ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority

(European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

Or. en

Amendment 306

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 47

Text proposed by the Commission

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, quick and safe procedure.

Amendment

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, **low-cost**, quick and safe procedure.

Or. en

Amendment 307

Renato Soru, Mady Delvaux, Simona Bonafè

Proposal for a regulation

Recital 47

Text proposed by the Commission

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, quick and safe procedure.

Amendment

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, quick, **low cost** and safe procedure.

Or. en

Justification

To ease the process of switching, it should be favourable for PEPP savers.

Amendment 308 **Martin Schirdewan**

Proposal for a regulation **Recital 47**

Text proposed by the Commission

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, quick and safe procedure.

Amendment

(47) In order to find better conditions for their investments, thus also stimulating the competition among PEPP providers, PEPP savers should have the right to switch providers during the accumulation and the decumulation phases, through a clear, quick, *low cost* and safe procedure.

Or. en

Amendment 309 **Bas Eickhout** on behalf of the Verts/ALE Group

Proposal for a regulation **Recital 48**

Text proposed by the Commission

(48) The switching process should be straightforward for the PEPP saver. Accordingly, the receiving PEPP provider should be responsible for initiating and managing the process on behalf of the PEPP saver. PEPP providers should be able to use additional means, such as a technical solution, on a voluntary basis when establishing the switching service.

Amendment

(48) The switching process should be straightforward for the PEPP saver. Accordingly, the receiving PEPP provider should be responsible for initiating and managing the process on behalf of the PEPP saver. PEPP providers should be able to use additional means, such as a technical solution, on a voluntary basis when establishing the switching service.
Switching providers shall be provided free of charge in cases of limited portability, withdrawal of authorisation and upon request of the PEPP saver less frequent than every 5 years.

Amendment 310
Martin Schirdewan

Proposal for a regulation
Recital 53

Text proposed by the Commission

(53) PEPP savers should ***be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every five years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement.***

Amendment

(53) PEPP savers should ***receive their PEPP benefits in the form of lifetime annuities. Only where the capital invested does not allow for the pay out of meaningful lifetime annuities, the PEPP saver should be allowed to choose a lump sum or periodically limited annuity pay-out.***

Amendment 311
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 53

Text proposed by the Commission

(53) ***PEPP savers should be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every five years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement.***

Amendment

(53) Given ***that PEPP constitutes a pension product aiming at supporting households during their retirement, the outpayments in the decumulation phase shall be primarily in the form of annuities.***

Amendment 312

Brian Hayes

Proposal for a regulation

Recital 53

Text proposed by the Commission

(53) PEPP savers should be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every **five** years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement.

Amendment

(53) PEPP savers should be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every **three** years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement.

Or. en

Amendment 313

Sirpa Pietikäinen

Proposal for a regulation

Recital 53

Text proposed by the Commission

(53) PEPP savers should be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every five years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement.

Amendment

(53) PEPP savers should be given the freedom to decide upon subscription of a PEPP about their pay-out choice (annuities, lump sum, or other) in the decumulation phase, but with a possibility to revise their choice once every five years thereafter, in order to be able to best adapt their pay-out choice to their needs when they near retirement. ***Maximum 10 % of the out-payment can be taken as a lump sum. The form of the remainder of the out-payment shall be chosen by the PEPP saver and take the form of annuities or drawdown payments.***

Or. en

Amendment 314

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 54

Text proposed by the Commission

Amendment

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage. *deleted*

Or. en

Amendment 315

Martin Schirdewan

Proposal for a regulation

Recital 54

Text proposed by the Commission

Amendment

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage. *deleted*

Amendment 316**Markus Ferber****Proposal for a regulation****Recital 54***Text proposed by the Commission*

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage.

Amendment

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage. ***Pay-out under the basic PEPP should take the form of lifetime payments.***

Amendment 317**Renato Soru, Simona Bonafè, Pervenche Berès****Proposal for a regulation****Recital 54***Text proposed by the Commission*

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and

Amendment

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and

politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage.

politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage. ***A fixed amount of annuities should be mandatory for the basic PEPP. Furthermore, out-payments in the form of annuities shall be mandatory when a PEPP saver has a total pension income not allowing him to have good life standards.***

Or. en

Justification

It is important that out-payments of the basic PEPP are made by a fixed amount of annuities and that annuities are mandatory also for PEPP savers with very low total pension income.

Amendment 318 **Brian Hayes**

Proposal for a regulation **Recital 54**

Text proposed by the Commission

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage.

Amendment

(54) PEPP providers should be allowed to make available to PEPP savers a wide range of decumulation options. This approach would achieve the goal of enhanced take-up of the PEPP through increased flexibility and choice for PEPP savers. It would allow providers to design their PEPPs in the most cost-effective way. It is coherent with other EU policies and politically feasible, as it preserves enough flexibility for Member States to decide about which decumulation options they wish to encourage. ***In order to ensure that PEPP constitutes a genuine retirement product, annual drawdowns during the decumulation phase should not exceed 10% of the value of the PEPP account, as calculated at the beginning of the decumulation phase by the PEPP provider.***

Amendment 319
Sirpa Pietikäinen

Proposal for a regulation
Recital 56

Text proposed by the Commission

(56) Although the ongoing supervision of PEPP providers is to be exercised by the respective competent national authorities, EIOPA should coordinate the supervision with regards to PEPPs, in order to guarantee the application of a unified supervisory methodology, contributing in this way to the *pane-European* nature of the pension product.

Amendment

(56) Although the ongoing supervision of PEPP providers is to be exercised by the respective competent national authorities, EIOPA, *together with ESMA where appropriate*, should coordinate the supervision with regards to PEPPs, in order to guarantee the *consistent* application of a unified supervisory methodology, contributing in this way to the *pan-European* nature of the pension product.

Or. en

Amendment 320
Sirpa Pietikäinen

Proposal for a regulation
Recital 57

Text proposed by the Commission

(57) EIOPA should cooperate with national competent authorities and facilitate cooperation between *them*. In this respect, EIOPA should play a role in the power of competent national authorities to apply supervisory measures by providing evidence about PEPP-related infringements. EIOPA should also provide binding mediation in the event of disagreement between competent authorities in cross-border situations.

Amendment

(57) EIOPA should cooperate with *ESMA as well as* national competent authorities and facilitate cooperation between *the NCAs*. In this respect, EIOPA should play a role in the power of competent national authorities to apply supervisory measures by providing evidence about PEPP-related infringements. EIOPA should also provide binding mediation in the event of disagreement between competent authorities in cross-border situations.

Or. en

Amendment 321
Martin Schirdewan

Proposal for a regulation
Recital 61

Text proposed by the Commission

(61) Competent authorities should be empowered to impose pecuniary sanctions which are sufficiently high to offset the actual or potential profits, and to be dissuasive even for larger financial undertakings and their managers.

Amendment

(61) Competent authorities should be empowered to impose pecuniary sanctions which are sufficiently high to offset ***or go beyond*** the actual or potential profits, and to be dissuasive even for larger financial undertakings and their managers.

Or. en

Amendment 322
Sirpa Pietikäinen

Proposal for a regulation
Recital 64 a (new)

Text proposed by the Commission

Amendment

(64a) Given the pan-European nature of PEPP and the provision of PEPP, cross-border mechanisms for collective compensatory redress for consumers should equally be available.

Or. en

Amendment 323
Renato Soru, Mady Delvaux, Simona Bonafè

Proposal for a regulation
Recital 67

Text proposed by the Commission

(67) Tax incentives can take different forms and play ***an important*** role in

Amendment

(67) Tax incentives can take different forms and play ***a decisive*** role in

encouraging the take-up of personal pension products (PPPs) in a number of Member States. In many Member States the contributions paid for PPPs qualify for some form of tax relief, be it explicit or implicit.

encouraging the take-up of personal pension products (PPPs) in a number of Member States. In many Member States the contributions paid for PPPs qualify for some form of tax relief, be it explicit or implicit.

Or. en

Justification

Tax incentives are the “condicio sine qua non” for personal pension products to succeed. Thus, their role is not important, but decisive.

Amendment 324

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 67 a (new)

Text proposed by the Commission

Amendment

(67a) In the EU, 14,6% of people aged 65 or over is at risk of poverty. Since capital income tends to be concentrated in upper income brackets, tax incentives for private pensions may result in effective tax rates that are negative, and regressive. These foregone tax revenues are better spent enhancing the sustainability and adequacy of first pillar systems. Member States should cap and target tax incentives for private pension products including PEPP at specific groups with limited access to other complementary pension provisions such as low income groups, self-employed and people with long gaps in their contribution periods.

Or. en

Amendment 325

Renato Soru, Pervenche Berès, Jeppe Kofod

Proposal for a regulation
Recital 67 a (new)

Text proposed by the Commission

Amendment

(67a) *The tax regime applied to a PEPP shall be the one of the Member State a PEPP saver is resident in order to prevent any abuse due to the different national taxation systems.*

Or. en

Justification

The tax regime applied to a PEPP shall be the one of the Member State a PEPP saver is resident in order to prevent any abuse due to the different national taxation systems.

Amendment 326
Wolf Klinz

Proposal for a regulation
Recital 68

Text proposed by the Commission

Amendment

(68) *This Regulation should not be understood as obliging Member States to apply to PEPPs the same tax rules as they would apply to comparable personal pension products under their national laws. However,* in application of the national treatment principle, stemming from Articles 21 and 45 of the TFEU and interpreted by the Court of Justice of the European Union, ***it should be possible for*** a PEPP ***that is*** objectively comparable to a personal pension product (PPP) distributed in a given Member State ***to*** benefit from the same tax relief granted to the PPP in this Member State, if the PEPP saver there is subject to tax. This also applies if the PEPP is provided by a provider from another Member State.

(68) In application of the national treatment principle, stemming from Articles 21 and 45 of the TFEU and interpreted by the Court of Justice of the European Union, a PEPP ***should be*** objectively comparable to a personal pension product (PPP) distributed in a given Member State ***and should*** benefit from the same tax relief granted to the PPP in this Member State, if the PEPP saver there is subject to tax. This also applies if the PEPP is provided by a provider from another Member State.

Amendment 327
Sirpa Pietikäinen

Proposal for a regulation
Recital 68

Text proposed by the Commission

(68) This Regulation should not be understood as obliging Member States to apply to PEPPs the same tax rules as they would apply to comparable personal pension products under their national laws. However, in application of the national treatment principle, stemming from Articles 21 and 45 of the TFEU and interpreted by the Court of Justice of the European Union, it should be possible for a PEPP that is objectively comparable to a personal pension product (PPP) distributed in a given Member State to benefit from the same tax relief granted to the PPP in this Member State, *if the PEPP saver there is subject to tax*. This also applies if the PEPP is provided by a provider from another Member State.

Amendment

(68) This Regulation should not be understood as obliging Member States to apply to PEPPs the same tax rules as they would apply to comparable personal pension products under their national laws. However, in application of the national treatment principle, stemming from Articles 21 and 45 of the TFEU and interpreted by the Court of Justice of the European Union, it should be possible for a PEPP that is objectively comparable to a personal pension product (PPP) distributed in a given Member State to benefit from the same tax relief *and contractual benefits, such as interest promised*, granted to the PPP in this Member State. This also applies if the PEPP is provided by a provider from another Member State.

Or. en

Amendment 328
Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 69

Text proposed by the Commission

(69) *Following the launch of the PEPP, Member States are encouraged to take into consideration Commission Recommendation (EU) 2017/... and to extend the benefits of the tax advantages*

Amendment

deleted

they grant to national PPPs also to the PEPP.

Or. en

Amendment 329

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 70 a (new)

Text proposed by the Commission

Amendment

(70a) Given the possible long term implications of this Regulation, it is essential to closely monitor the developments during the initial phase of application. A panel of stakeholders and experts with at least one ESG expert should be set up for the purpose of monitoring on an ongoing basis all relevant aspects of PEPP, and report to Commission, Parliament and Council any observations it may have.

Or. en

Amendment 330

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 71

Text proposed by the Commission

Amendment

(71) This Regulation respects fundamental rights and observes the principles recognised *in particular* by the Charter of the Fundamental Rights of the European Union, in particular the right to the protection of personal data, the right to property, the freedom to conduct a business, the principle of equality between

(71) This Regulation respects fundamental rights and observes the principles recognised by the Charter of the Fundamental Rights of the European Union, in particular *the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life*, the right to the protection

men and women and the principle of a high level of consumer protection.

of personal data, the right to property, the freedom to conduct a business, the principle of equality between men and women and the principle of a high level of consumer protection.

Or. en

Amendment 331

Brian Hayes

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation lays down uniform rules on the authorisation, **manufacturing, distribution** and supervision of personal pension products that are distributed in the Union under the designation “pan-European Personal Pension product” or “PEPP”.

Amendment

This Regulation lays down uniform rules on the authorisation, **provision** and supervision of personal pension products that are distributed in the Union under the designation “pan-European Personal Pension product” or “PEPP”.

Or. en

Justification

As defined in Article 2, PEPP “provision” means the manufacturing and distribution of PEPP.

Amendment 332

Lieve Wierinck, Tom Vandenkendelaere

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point a

Text proposed by the Commission

(a) is based on a contract between an individual saver and an entity on a voluntary basis;

Amendment

(a) is based on a contract between an individual saver and an entity on a voluntary basis **to supplement his statutory and/or occupational pension**;

Amendment 333

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point a

Text proposed by the Commission

(a) is based on a contract between an individual saver and an entity on a voluntary basis;

Amendment

(a) is based on a contract between an individual saver and an entity on a voluntary **and complementary** basis;

Or. en

Amendment 334

Sirpa Pietikäinen

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point a

Text proposed by the Commission

(a) is based on a contract between an individual saver and an entity on a voluntary basis;

Amendment

(a) is based on a contract between an individual saver and an entity on a voluntary **and complementary** basis;

Or. en

Amendment 335

Sander Loones, Ashley Fox

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) is neither directly nor indirectly linked to the occupation or the employment status of the individual saver;

Amendment 336

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point b

Text proposed by the Commission

Amendment

(b) has an explicit retirement objective; **deleted**

Or. en

Justification

Incorporated into Article 2 – paragraph 1 – point 1 – point c

Amendment 337

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point c

Text proposed by the Commission

Amendment

(c) provides for capital accumulation until retirement with only limited possibilities for early withdrawal before retirement;

(c) provides for *long-term* capital accumulation with the explicit objective of providing income on retirement.

Or. en

Justification

It is not necessary to specify the withdrawal conditions in the definitions section.

Amendment 338

Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point d

Text proposed by the Commission

Amendment

(d) provides an income on retirement; **deleted**

Or. en

Justification

Incorporated into Article 2 – paragraph 1 – point 1 – point c

Amendment 339
Martin Schirdewan

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) in-payments equal at least out-payments in real terms;

Or. en

Amendment 340
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) a “partnership” means cooperation between PEPP providers to offer compartments in different Member States, in the view of portability service as referred to in Article 12.

Or. en

Amendment 341

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) “pan-European Personal Pension Product (PEPP)” means a **long-term savings** personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking **authorised** under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement, **with no or strictly limited redeemability**;

Amendment

(2) “pan-European Personal Pension Product (PEPP)” means a personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking **regulated** under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement;

Or. en

Justification

It is not necessary to specify the withdrawal conditions in the definitions section

Amendment 342

Martin Schirdewan

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement, with **no or strictly limited** redeemability;

Amendment

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking **listed in Article 5 (1)** authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver **or by an independent PEPP savers association on behalf of its members** in view of retirement, with limited

redeemability;

Or. en

Amendment 343
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement, with no or strictly limited redeemability;

Amendment

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement, with no or strictly limited redeemability ***and which is certified in accordance with this Regulation;***

Or. en

Amendment 344
Lieve Wierinck, Tom Vandenkendelaere

Proposal for a regulation
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver in view of retirement, with no or strictly limited

Amendment

(2) “pan-European Personal Pension Product (PEPP)” means a long-term savings personal pension product, which is provided under an agreed PEPP scheme by a regulated financial undertaking authorised under Union law to manage collective or individual investments or savings, and subscribed to voluntarily by an individual PEPP saver ***to supplement his statutory and/or occupational pension***

redeemability;

in view of retirement, with no or strictly limited redeemability;

Or. en

Amendment 345

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) “sustainable pan-European Personal Pension Product (SPEPP)” means a long-term sustainable savings personal pension product compliant with the additional sustainability requirements listed in Article 33a of this Regulation. All rules and conditions applicable to PEPP, as laid down in this Directive, shall be at least applicable to SPEPP;

Or. en

Amendment 346

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – introductory part

Text proposed by the Commission

Amendment

(3) “PEPP saver” means:

(3) “PEPP saver” means ***any natural person;***

Or. en

Amendment 347

Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 3 – point a

Text proposed by the Commission

Amendment

(a) a retail client as defined in point (11) of Article 4(1) of Directive 2014/65/EU of the European Parliament and of the Council⁴¹ ;

deleted

⁴¹ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173 12.6.2014, p. 349).

Or. en

Amendment 348
Neena Gill

Proposal for a regulation
Article 2 – paragraph 1 – point 3 – point a

Text proposed by the Commission

Amendment

(a) a retail client as defined in point (11) of Article 4(1) of Directive 2014/65/EU of the European Parliament and of the Council⁴¹ ;

(a) a retail ***client means a client who is not a professional*** client as defined in point (11) of Article 4(1) of Directive 2014/65/EU of the European Parliament and of the Council⁴¹ ;

⁴¹ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173 12.6.2014, p. 349).

⁴¹ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173 12.6.2014, p. 349).

Or. en

Amendment 349

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – point b

Text proposed by the Commission

Amendment

(b) a customer within the meaning of Directive 2002/92/EC of the European Parliament and of the Council⁴², where that customer would not qualify as a professional client as defined in point (10) of Article 4(1) of Directive 2014/65/EU; **deleted**

⁴² *Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation (OJ L 009 15.1.2003, p. 3).*

Or. en

Amendment 350

Martin Schirdewan

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) an independent association subscribing PEPP products for its members

Or. en

Amendment 351

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) “PEPP scheme” means a contract, an agreement, a trust deed **or rules** stipulating which retirement benefits are granted and under which conditions on the basis of an individual retirement savings plan **agreed with a PEPP provider**;

Amendment

(4) “PEPP scheme” means a contract, an agreement **or a trust deed between a PEPP saver and a PEPP provider** stipulating which retirement benefits are granted and under which conditions on the basis of an individual retirement savings plan;

Or. en

Amendment 352

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Text proposed by the Commission

(5) “PEPP account” means a personal pension account held in the name of a PEPP saver or a PEPP beneficiary which is used for the execution of transactions allowing the PEPP saver to contribute periodically sums towards **his** retirement and the PEPP beneficiary to receive **his** retirement benefits;

Amendment

(5) “PEPP account” means a personal pension account held in the name of a PEPP saver or a PEPP beneficiary which is used for the execution of transactions allowing the PEPP saver to contribute periodically sums towards retirement and the PEPP beneficiary to receive retirement benefits;

Or. en

Amendment 353

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6a) “PEPP manufacturer” means a PEPP provider that sets out the conditions of a PEPP scheme in order to operate PEPP accounts on behalf of PEPP savers and beneficiaries;

Justification

It is necessary to provide a definition for both PEPP distribution and PEPP manufacturing to provide full clarity.

Amendment 354**Brian Hayes****Proposal for a regulation****Article 2 – paragraph 1 – point 8***Text proposed by the Commission*

(8) “PEPP distribution” means the activities of advising on, proposing, or carrying out other work preparatory to the conclusion of contracts for providing a PEPP, of concluding such contracts, or of assisting in the administration and performance of such contracts, including the provision of information concerning one or more *pension* contracts in accordance with criteria selected by PEPP customers through a website or other media and the compilation of a *pension* product ranking list, including price and product comparison, or a discount on the price of a *pension* contract, when the PEPP customer is able to directly or indirectly conclude a *pension* contract using a website or other media;

Amendment

(8) “PEPP distribution” means the activities of advising on, proposing, or carrying out other work preparatory to the conclusion of contracts for providing a PEPP, of concluding such contracts, or of assisting in the administration and performance of such contracts, including the provision of information concerning one or more *PEPP* contracts in accordance with criteria selected by PEPP customers through a website or other media and the compilation of a *PEPP* product ranking list, including price and product comparison, or a discount on the price of a *PEPP* contract, when the PEPP customer is able to directly or indirectly conclude a *PEPP* contract using a website or other media;

Or. en

Amendment 355**Martin Schirdewan****Proposal for a regulation****Article 2 – paragraph 1 – point 9***Text proposed by the Commission*

(9) “PEPP retirement benefits” means

Amendment

(9) “PEPP retirement benefits” means

benefits paid by reference to reaching, or the expectation of reaching, retirement. These benefits may take the form of *payments for life, payments made for a temporary period*, a lump sum, *or any combination thereof*;

benefits paid by reference to reaching, or the expectation of reaching, retirement. These benefits may take the form of *lifelong annuities, or, under specified circumstances*, a lump sum *or periodically limited annuities*;

Or. en

Amendment 356

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) “accumulation phase” means the period during which assets (*in-payments*) are accumulated in a PEPP account and normally runs until the age of retirement of the PEPP beneficiary;

Amendment

(10) “accumulation phase” means the period during which assets are accumulated in a PEPP account and normally runs until the age of retirement of the PEPP beneficiary;

Or. en

Amendment 357

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 11

Text proposed by the Commission

(11) “decumulation phase” means the period during which assets accumulated in a PEPP account are drawn upon to *fund* retirement *or other income requirements*;

Amendment

(11) “decumulation phase” means the period during which assets accumulated in a PEPP account are drawn upon to *receive* retirement *benefits*;

Or. en

Amendment 358

Martin Schirdewan

Proposal for a regulation
Article 2 – paragraph 1 – point 11

Text proposed by the Commission

(11) “decumulation phase” means the period during which assets accumulated in a PEPP account are drawn upon to fund retirement *or other* income *requirements*;

Amendment

(11) “decumulation phase” means the period during which assets accumulated in a PEPP account are drawn upon to fund retirement income;

Or. en

Amendment 359
Mady Delvaux

Proposal for a regulation
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

(12) “annuity” means a sum payable *at specific intervals over a period, such as the PEPP beneficiary’s life or a certain number of years*, in return for an investment;

Amendment

(12) “annuity” means a sum payable *monthly, quarterly or yearly over the period of the PEPP beneficiary’s life* in return for an investment;

Or. en

Amendment 360
Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

(12) “annuity” means a sum payable at specific intervals over a period, *such as the PEPP beneficiary’s life or a certain number of years*, in return for an investment;

Amendment

(12) “annuity” means a *fixed or variable* sum payable at specific intervals over a period in return for an investment;

Or. en

Justification

The sum may not be the exact same amount at every interval.

Amendment 361
Martin Schirdewan

Proposal for a regulation
Article 2 – paragraph 1 – point 13

Text proposed by the Commission

(13) “*drawdown payments*” means the *possibility for the PEPP beneficiaries to draw discretionary amounts, up to a certain limit on a periodic basis*;

Amendment

(13) “*lump sum payment*” means the *full pay out of the accumulated capital at the beginning of the decumulation phase*;

Or. en

Amendment 362
Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 13

Text proposed by the Commission

(13) “drawdown payments” means the *possibility for the PEPP beneficiaries to draw discretionary amounts, up to a certain limit on a periodic basis*;

Amendment

(13) “drawdown payments” means the *withdrawal of funds by a PEPP beneficiary during the decumulation phase*;

Or. en

Justification

The rules of drawdown payments should not be specified in the definitions section.

Amendment 363
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point 13 a (new)

Text proposed by the Commission

Amendment

(13a) “lump sum” means the full payment of the accumulated pension capital at the end of the accumulation phase;

Or. en

Amendment 364

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

Amendment

(15) “distributor of a PEPP” or “PEPP distributor” means a financial undertaking authorised to distribute PEPPs not manufactured by it, ***as well as an insurance, reinsurance or ancillary insurance intermediary;***

(15) “distributor of a PEPP” or “PEPP distributor” means a financial undertaking authorised to distribute PEPPs not manufactured by it, ***or an insurance intermediary;***

Or. en

Justification

Ancillary insurance and reinsurance intermediaries should not be in the scope of this Regulation. As outlined in the Insurance Distribution Directive, ancillary insurance providers cannot provide life assurance products not cover liability risks. Therefore, PEPP is not a suitable product for ancillary intermediaries.

Amendment 365

Renato Soru, Simona Bonafè

Proposal for a regulation

Article 2 – paragraph 1 – point 17

Text proposed by the Commission

Amendment

(17) “competent ***authorities***” ***of the PEPP providers*** means the national authorities designated by each Member

(17) “competent ***authority***” means ***the national authority or*** the national authorities (***if more than one***) designated

State *to supervise PEPP providers*;

by each Member State *for the supervision in the framework of this Regulation*;

Or. en

Justification

This clarification takes into consideration the case of Member States having more than one national authority involved in the PEPP supervision.

Amendment 366

Ashley Fox

Proposal for a regulation

Article 2 – paragraph 1 – point 17

Text proposed by the Commission

(17) “competent authorities” of the PEPP providers means the national authorities designated by each Member State to supervise PEPP providers;

Amendment

(17) “competent authorities” **or “NCAs”** of the PEPP providers means the national authorities designated by each Member State to supervise PEPP providers;

Or. en

Justification

This clarification takes into consideration the case of Member States having more than one national authority involved in the PEPP supervision.

Amendment 367

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 18

Text proposed by the Commission

(18) “home Member State of the PEPP provider” means the Member State in which the PEPP provider has ***its registered office***;

Amendment

(18) “home Member State of the PEPP provider” means the Member State in which the PEPP provider has ***been authorised***;

Amendment 368

Anne Sander, Alain Lamassoure, Alain Cadec

Proposal for a regulation

Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19a) “home Member State of the PEPP distributor” means the Member State in which the PEPP distributor has its registered office;

Or. en

Justification

It is important to provide legal certainty regarding which national competent authority will be responsible for the ongoing supervision of the PEPP providers and distributors in cross-border situations, particularly as regards the rules on distribution and information requirements

Amendment 369

Anne Sander, Alain Lamassoure, Alain Cadec

Proposal for a regulation

Article 2 – paragraph 1 – point 19 b (new)

Text proposed by the Commission

Amendment

(19b) “host Member State of the PEPP distributor” means a Member State, other than the home Member State, in which a PEPP distributor distributes PEPPs;

Or. en

Justification

It is important to provide legal certainty regarding which national competent authority will

be responsible for the ongoing supervision of the PEPP providers and distributors in cross-border situations, particularly as regards the rules on distribution and information requirements

Amendment 370
Burkhard Balz

Proposal for a regulation
Article 2 – paragraph 1 – point 20

Text proposed by the Commission

(20) “compartment” means a ***section which is opened*** within ***each individual PEPP account and*** which corresponds to the legal requirements and conditions for using incentives ***fixed at national level*** for investing in a PEPP by the Member State of the PEPP saver’s domicile. Accordingly, an individual may be a PEPP saver or a PEPP beneficiary in each compartment, depending on the respective legal requirements for the accumulation and decumulation phases;

Amendment

(20) “compartment” means a ***sub-contract at national level*** within ***the PEPP framework contract*** which corresponds to the legal requirements and conditions for using ***possible*** incentives for investing in a PEPP ***which are fixed at national level*** by the Member State of the PEPP saver’s domicile. Accordingly, an individual may be a PEPP saver or a PEPP beneficiary in each compartment, depending on the respective legal requirements for the accumulation and decumulation phases;

Or. en

Amendment 371
Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 20

Text proposed by the Commission

(20) “compartment” means a section which is opened within each individual PEPP account and which corresponds to the legal requirements ***and conditions for using incentives fixed at national level for investing in a PEPP*** by the Member State of the PEPP saver’s ***domicile***. Accordingly, an individual may be a PEPP saver or a PEPP beneficiary in each compartment, depending on the respective legal

Amendment

(20) “compartment” means a section which is opened within each individual PEPP account and which corresponds to the legal requirements ***of*** the Member State of the PEPP saver’s ***place of residence***. Accordingly, an individual may be a PEPP saver or a PEPP beneficiary in each compartment, depending on the respective legal requirements for the accumulation and decumulation phases;

requirements for the accumulation and decumulation phases;

Or. en

Justification

It is not necessary to link compartments with the use of national incentives. “Place of residence” should be used instead of “domicile” as domicile would indicate a permanent legal residence. Place of residence would allow for proper portability of PEPP.

Amendment 372

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) “capital” means aggregate **capital** contributions and **uncalled committed capital**, calculated on the basis of amounts investible after deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Amendment

(21) “capital” means aggregate **financial** contributions and **the investment return on those contributions**, calculated on the basis of amounts investible after deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Or. en

Amendment 373

Martin Schirdewan

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) “capital” means aggregate capital contributions and uncalled committed capital, calculated on the basis of amounts investible **after** deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Amendment

(21) “capital” means aggregate capital contributions and uncalled committed capital, calculated on the basis of amounts investible **before** deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Or. en

Amendment 374

Neena Gill

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) “capital” means aggregate capital contributions and uncalled committed capital, calculated on the basis of amounts investible *after* deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Amendment

(21) “capital” means aggregate capital contributions and uncalled committed capital, calculated on the basis of amounts investible *before* deduction of all fees, charges and expenses that are directly or indirectly borne by investors;

Or. en

Amendment 375

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 23

Text proposed by the Commission

(23) “*depository*” means an institution charged with the safe-keeping of assets and oversight of compliance with the fund rules and applicable law;

Amendment

deleted

Or. en

Justification

Unnecessary to define depository.

Amendment 376

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 24

Text proposed by the Commission

Amendment

(24) “default investment option” means an investment strategy applied when the PEPP saver has not provided instructions on how to invest the funds accumulating in his PEPP account;

deleted

Or. en

Amendment 377

Renato Soru, Mady Delvaux, Simona Bonafè

Proposal for a regulation

Article 2 – paragraph 1 – point 24

Text proposed by the Commission

Amendment

(24) “default investment option” means an investment strategy applied when the PEPP saver has not provided instructions on how to invest the funds accumulating in his PEPP account;

(24) “default investment option” means an investment strategy applied when the PEPP saver has not provided instructions on how to invest the funds accumulating in his PEPP account **and on how to benefit from the decumulation phase**;

Or. en

Justification

A default investment option should aim to deal with PEPP savers’ inertia not only regarding the investment choice, but also considering the decumulation phase.

Amendment 378

Brian Hayes

Proposal for a regulation

Article 2 – paragraph 1 – point 26

Text proposed by the Commission

Amendment

(26) “switching providers” means, upon a PEPP customer’s request, transferring from one PEPP provider to another **any positive** balance from one PEPP account to

(26) “switching providers” means, upon a PEPP customer’s request, transferring from one PEPP provider to another **the** balance from one PEPP account to the

the other, *with or without closing the former PEPP account*; other;

Or. en

Justification

The original text would imply partial transfers are allowed. Switching should only be applicable to full transfers,

Amendment 379
Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 27

Text proposed by the Commission

(27) “advice” means the provision of a personal recommendation to a PEPP *saver*, either upon his request or at the initiative of the PEPP provider or distributor, in respect of one or more contracts for subscribing PEPP;

Amendment

(27) “advice” means the provision of a personal recommendation to a PEPP *customer*, either upon his request or at the initiative of the PEPP provider or distributor, in respect of one or more contracts for subscribing PEPP;

Or. en

Amendment 380
Anne Sander, Alain Lamassoure, Alain Cadec

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “Life-cycle investment strategy” means a strategy which aims at adjusting a portfolio’s risk profile from the investment date until the investor perceives out-payments after retirement age, by progressively reducing its overall risk exposure over time.

Or. en

Amendment 381
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “partnerships” means cooperation between PEPP providers to offer compartments in different Member States, in the view of portability service as referred to in Article 12. Liability in these partnerships remains in all cases with the primary provider.

Or. en

Amendment 382
Brian Hayes

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “partnership” means cooperation between PEPP providers to offer compartments in different Member States, in accordance with the portability service as outlined in Article 12.

Or. en

Justification

The establishment of partnerships is necessary to facilitate greater portability for PEPP savers.

Amendment 383
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “partnerships” means cooperation between PEPP providers to offer compartments in different Member States, in the view of portability service as referred to in Article 12.

Or. en

Amendment 384
Andreas Schwab

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “compartment partnership” means a collaboration between PEPP providers with the aim of providing compartments in all Member States;

Or. en

Amendment 385
Martin Schirdewan

Proposal for a regulation
Article 2 – paragraph 1 – point 28 a (new)

Text proposed by the Commission

Amendment

(28a) “Biometric risks” mean risks linked to longevity, disability and death.

Or. en

Amendment 386
Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point 28 b (new)

Text proposed by the Commission

Amendment

(28b) “Environmental, social and governance factors (ESG)” comprise the Union’s climate and sustainability objectives as set out in the Paris agreement, Sustainable Development Goals, the United Nations Guiding Principles on Business and Human Rights and the UNPRI definitions in which environmental factors include climate change, greenhouse gas (GHG) emissions, resource depletion (including water waste and pollution) and deforestation; social factors include Human Rights, working conditions (including slavery and child labour), local communities (including indigenous communities), conflict, health and safety, employee relations and diversity; and governance factors include executive pay, bribery and corruption, political lobbying and donations, board diversity and structure, and tax strategy.

Or. en

Amendment 387

Brian Hayes

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) where authorised by this Regulation, the ***provisions of the contract for the provision*** of a PEPP ***concluded between a PEPP saver and a PEPP provider,***

(b) where authorised by this Regulation, the ***rules*** of a PEPP ***scheme,***

Or. en

Justification

The contract concluded between the PEPP saver and provider is defined as the PEPP scheme in accordance with Article 2.

Amendment 388

Lieve Wierinck, Tom Vandenkendelaere

Proposal for a regulation

Article 3 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State in which the manufacturer has its registered office.

Amendment

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product ***to supplement his statutory or occupational pension*** manufactured and distributed in accordance with the law of the Member State in which the manufacturer has its registered office.

Or. en

Amendment 389

Neena Gill

Proposal for a regulation

Article 3 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State ***in which the manufacturer has its registered office.***

Amendment

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State ***of the PEPP saver.***

Or. en

Amendment 390

Ashley Fox

Proposal for a regulation
Article 3 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State *in which the manufacturer has its registered office*.

Amendment

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State *of the PEPP saver*.

Or. en

Amendment 391
Sander Loones, Ashley Fox

Proposal for a regulation
Article 3 – paragraph 1 – point c – point ii

Text proposed by the Commission

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State *in which the manufacturer has its registered office*.

Amendment

(ii) the provisions of Member States' laws which would apply to a comparable personal pension product manufactured and distributed in accordance with the law of the Member State *where the PEPP saver has its legal residence*.

Or. en

Amendment 392
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

4 *Authorisation*

Amendment

Certification procedure

Or. en

Amendment 393
Markus Ferber

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by *EIOPA* in accordance with this Regulation.

Amendment

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by *the competent national supervisory authority* in accordance with this Regulation. *The European Insurance and Occupational Pensions Authority (“EIOPA”) shall ensure that authorisation procedures in Member States are uniformly applied.*

Or. de

Amendment 394
Brian Hayes

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by *EIOPA* in accordance with this Regulation.

Amendment

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by *the competent authority of the home Member State of the PEPP provider* in accordance with this Regulation.

Or. en

Justification

A PEPP should be authorised by the competent authority of the home MS of the PEPP provider as the competent authority is responsible for the supervision of PEPPs. There is no benefit or added-value in providing EIOPA with an authorisation role.

Amendment 395
Sander Loones, Ashley Fox

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by *EIOPA* in accordance with this Regulation.

Amendment

1. A PEPP may only be manufactured and distributed in the Union where it has been authorised by ***the competent authority of the home Member State of the PEPP provider*** in accordance with this Regulation.

Or. en

Amendment 396
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A PEPP may only be manufactured and distributed in the Union where it has been ***authorised*** by EIOPA in accordance with this Regulation.

Amendment

1. A PEPP may only be manufactured and distributed in the Union where it has been ***certified*** by EIOPA in accordance with this Regulation.

Or. en

Amendment 397
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. ***Authorisation*** of a PEPP shall be valid in all Member States. It entitles the ***authorisation*** holder to manufacture and distribute the PEPP as ***authorised*** by EIOPA.

Amendment

2. ***The certification*** of a PEPP shall be valid in all Member States ***without prejudice to additional requirements set out in national law***. It entitles the ***certification*** holder to manufacture and

distribute the PEPP as *certified* by EIOPA.

Or. en

Amendment 398

Brian Hayes

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Authorisation of a PEPP shall be valid in all Member States. ***It entitles the authorisation holder to manufacture and distribute the PEPP as authorised by EIOPA.***

Amendment

2. Authorisation of a PEPP shall be valid in all Member States.

Or. en

Amendment 399

Markus Ferber

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Authorisation of a PEPP shall be valid in all Member States. It entitles the authorisation holder to manufacture and distribute the PEPP as authorised by ***EIOPA.***

Amendment

2. Authorisation of a PEPP shall be valid in all Member States. It entitles the authorisation holder to manufacture and distribute the PEPP as authorised by ***the national supervisory authority.***

Or. de

Amendment 400

Burkhard Balz, Andreas Schwab

Proposal for a regulation

Article 5 – title

Text proposed by the Commission

Amendment

5 Application for **authorisation** of a PEPP

Application for **certification** of a PEPP

Or. en

Amendment 401
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Only the following financial undertakings may apply for **authorisation** of a PEPP:

1. Only the following financial undertakings may apply for **certification** of a PEPP:

Or. en

Amendment 402
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) credit institutions **authorised in accordance with** Directive 2013/36/EU of the European Parliament and of the Council⁴³ ;

(a) credit institutions **and investment firms subject to the provisions of** Directive 2013/36/EU **and Regulation 2013/575/EU** of the European Parliament and of the Council;

⁴³ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and

⁴³ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and

Or. en

Amendment 403

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;* **deleted**

⁴⁵ *Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).*

Or. en

Amendment 404

Sander Loones, Ashley Fox

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;* **deleted**

⁴⁵ *Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).*

Or. en

Amendment 405
Ashley Fox

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;* **deleted**

⁴⁵ *Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).*

Or. en

Amendment 406
Martin Schirdewan

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *institutions for occupational retirement provision registered or* **deleted**

authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

⁴⁵ *Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).*

Or. en

Amendment 407
Jonás Fernández

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

Amendment

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ***which, in accordance with national law, are authorised and adequately supervised to provide personal pension products that do not provide coverage against biometric risks and do not guarantee an investment performance or a given level of benefits. Nonetheless, in that case, all assets and liabilities corresponding to PEPP provision business shall be ring-fenced, managed and organized separately from other occupational retirement provision business, ensuring at all times that no contagion or possibility of transfer can occur;***

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and

supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Or. en

Amendment 408

Gabriel Mato

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Amendment

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ***which, pursuant to national law, are authorised and adequately supervised to provide personal pension products which do not provide a coverage against biometric risks and do not guarantee an investment performance or a given level of benefits. In that case, all assets and liabilities corresponding to PEPP provision business shall be ring-fenced, managed and organised separately from the other activities of occupational retirement provision business, without any possibility of transfer;***

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Or. en

Amendment 409

Sirpa Pietikäinen

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Amendment

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵, ***which cannot cover biometric risks themselves and do not guarantee an investment performance or a certain level of retirement benefits***;

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Or. en

Amendment 410
Anne Sander, Alain Lamassoure, Alain Cadec

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) institutions for occupational retirement provision registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Amendment

(c) institutions for occupational retirement provision (***IORP***) registered or authorised in accordance with Directive 2016/2341/EU of the European Parliament and of the Council⁴⁵ ;

⁴⁵ Directive 2016/2341/EU of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) (OJ L 354, 23.12.2016, p. 37).

Justification

IORPs should be allowed to provide PEPPs in the EU. Limitation of access to PEPP to IORPs that cannot cover biometric risks themselves and do not guarantee a performance investment or a certain level of pension benefits could lead to situation of unfair competition between IORPs in different Member States

Amendment 411

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) investment firms authorised in accordance with Directive 2014/65/EU, engaged in portfolio management or investment advice; **deleted**

Or. en

Amendment 412

Martin Schirdewan

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) investment companies or management companies authorised in accordance with Directive 2009/65/EC of the European Parliament and of the Council⁴⁶ ; **deleted**

⁴⁶ *Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective*

investment in transferable securities (UCITS) (recast) (OJ L 302, 17.11.2009, p. 32).

Or. en

Amendment 413

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) investment companies or management companies authorised in accordance with Directive 2009/65/EC of the European Parliament and of the Council⁴⁶ ;

deleted

⁴⁶ *Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (recast) (OJ L 302, 17.11.2009, p. 32).*

Or. en

Amendment 414

Martin Schirdewan

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) alternative investment fund (“AIF”) managers authorised in accordance with Directive 2011/61/EU of the European Parliament and of the

deleted

*Council*⁴⁷ .

⁴⁷ Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).

Or. en

Amendment 415

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) alternative investment fund (“AIF”) managers authorised in accordance with Directive 2011/61/EU of the European Parliament and of the Council⁴⁷ .

deleted

⁴⁷ Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).

Or. en

Amendment 416

Neena Gill

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) alternative investment fund (“AIF”) managers authorised in accordance with Directive 2011/61/EU of the European Parliament and of the Council⁴⁷.

deleted

⁴⁷ *Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).*

Or. en

Amendment 417
Jonás Fernández

Proposal for a regulation
Article 5 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) Other entities registered or authorised in accordance with provisions in national law to provide personal pension products as defined in Article 2(1) of this Regulation, provided that these provisions are deemed sufficient after an assessment by EIOPA, in accordance with the procedure laid down in Article 5(6) of this Regulation;

Or. en

Amendment 418
Brian Hayes

Proposal for a regulation
Article 5 – paragraph 2 – introductory part

Text proposed by the Commission

2. Financial undertakings listed in paragraph 1 shall submit their applications for authorisation of a PEPP to **EIOPA**. The application shall include the following:

Amendment

2. Financial undertakings listed in paragraph 1 shall submit their applications for authorisation of a PEPP to **their competent authority**. The application shall include the following:

Or. en

Amendment 419
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 2 – introductory part

Text proposed by the Commission

2. Financial undertakings listed in paragraph 1 shall submit their applications for **authorisation** of a PEPP to EIOPA. The application shall include the following:

Amendment

2. Financial undertakings listed in paragraph 1 shall submit their applications for **certification** of a PEPP to EIOPA. The application shall include the following:

Or. en

Amendment 420
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 2 – point b

Text proposed by the Commission

(b) information on the identity of the applicant **and its current and previous financial experience and history**;

Amendment

(b) information on the identity of the applicant;

Or. en

Amendment 421
Brian Hayes

Proposal for a regulation
Article 5 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

*(ba) the value of the applicant's assets
under management;*

Or. en

Justification

It is necessary to provide information on the size of the institution

Amendment 422
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 2 – point c

Text proposed by the Commission

Amendment

*(c) the identity of the persons who
effectively conduct the business of
manufacturing and/or distributing the
PEPP;* *deleted*

Or. en

Amendment 423
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 2 – point d

Text proposed by the Commission

Amendment

*(d) information on arrangements
regarding portfolio and risk management
and administration with regard to the
PEPP;* *deleted*

Or. en

Amendment 424
Marco Valli, Laura Agea

Proposal for a regulation
Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP;

Amendment

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP, *including the consideration of environmental, social and governance factors as those relate to the likely long-term consequences of investment decisions, the impact of investment decisions on financial stability and the wider economy, the impact of investment decisions on communities and the environment and as they relate to the financial and non-financial interests of the PEPP saver;*

Or. en

Amendment 425
Neena Gill

Proposal for a regulation
Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP;

Amendment

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP; *including the role played by environmental, social and governance factors in the investment process as well as the long term impact and the externalities of the investment decisions. Furthermore information ensuring that the PEPP provider does not invest in nuclear weapon producers.*

Amendment 426

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Pervenche Berès

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP;

Amendment

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP, ***including the role played by environmental, social and governance factors in the investment process as well as the long term impact and the externalities of the investment decisions;***

Or. en

Justification

As ESG factors are expected to have an impact on long-term investment decisions such those concerning PEPP, it appears appropriate to disclose how they are considered in the provider's risk management system and to consider them part of the information needed to apply for getting an authorisation to provide this product.

Amendment 427

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP;

Amendment

(d) information on arrangements regarding portfolio and risk management and administration with regard to the PEPP, ***including the integration of environmental, social and governance factors and risks;***

Amendment 428

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 2 – point e

Text proposed by the Commission

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP;

Amendment

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP ***including the integration of environmental, social and governance factors and in particular how the investment strategy is aligned with the Union's climate and sustainability objectives as set out in the Paris agreement, Sustainable Development Goals, and the United Nations Guiding Principles on Business and Human Rights;***

Or. en

Amendment 429

Marco Valli, Laura Agea

Proposal for a regulation

Article 5 – paragraph 2 – point e

Text proposed by the Commission

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP;

Amendment

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP ***including the consideration of environmental, social and governance factors as those relate to the likely long-term consequences of investment decisions, the impact of investment decisions on financial stability and the wider economy, the impact of investment decisions on communities and the environment and as they relate to the***

financial and nonfinancial interests of the PEPP saver;

Or. en

Amendment 430

Renato Soru, Mady Delvaux, Simona Bonafè, Pervenche Berès, Paul Tang

Proposal for a regulation

Article 5 – paragraph 2 – point e

Text proposed by the Commission

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP;

Amendment

(e) information about the investment strategies, the risk profile and other characteristics of the PEPP, *including the role played by environmental, social and governance factors in the investment process as well as the long term impact and the externalities of the investment decisions;*

Or. en

Justification

As ESG factors are expected to have an impact on long-term investment decisions such those concerning PEPP, it appears appropriate to disclose how they are considered in the provider's risk management system and to consider them part of the information needed to apply for getting an authorisation to provide this product.

Amendment 431

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Information about the investment exclusion policy related to severe environmental damage, serious violations of human rights and the production of

weapons;

Or. en

Amendment 432

Brian Hayes

Proposal for a regulation

Article 5 – paragraph 2 – point f

Text proposed by the Commission

(f) a list of Member States where the applicant PEPP intends to market the PEPP;

Amendment

(f) a list of Member States where the applicant PEPP *initially* intends to market the PEPP;

Or. en

Amendment 433

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 5 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) information on any partnerships between PEPP providers to offer compartments in different Member States

Or. en

Amendment 434

Brian Hayes

Proposal for a regulation

Article 5 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) *proof of the authorisation or registration of the applicant in*

deleted

accordance with the applicable Union legislative act referred to in paragraph 1 and information on the identity of the competent authority which granted it.

Or. en

Justification

This should not be necessary if the application is made to the competent authority.

Amendment 435

Brian Hayes

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. **EIOPA** may request clarification and additional information as regards the documentation and information provided under paragraph 1.

Amendment

3. **The competent authority** may request clarification and additional information as regards the documentation and information provided under paragraph 1.

Or. en

Amendment 436

Burkhard Balz, Andreas Schwab

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. EIOPA may request clarification and additional information as regards the documentation and information provided under paragraph 1.

Amendment

3. EIOPA may request **from financial undertakings listed in paragraph 1** clarification and additional information as regards the documentation and information provided under paragraph 1.

Or. en

Amendment 437

Brian Hayes

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

4. EIOPA may ask the competent authority of the financial undertaking applying for the authorisation for clarification and information as regards the documentation referred to in paragraph 2. The competent authority shall reply to the request within 10 working days from the date on which it has received the request submitted by EIOPA.

Amendment

deleted

Or. en

Amendment 438

Burkhard Balz, Andreas Schwab

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

4. EIOPA may ask the competent authority of the financial undertaking applying for the *authorisation* for clarification and information as regards the *documentation* referred to in paragraph 2. *The competent authority shall reply to the request within 10 working days from the date on which it has received the request submitted by EIOPA.*

Amendment

4. *In exceptional circumstances and on the basis of objective reasons* EIOPA may ask the competent authority of the financial undertaking applying for the *certification* for clarification and information as regards the *information* referred to in paragraph 2*b*.

Or. en

Amendment 439

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. EIOPA may ask the competent authority of the financial undertaking applying for the authorisation for clarification and information as regards the documentation referred to in paragraph 2. The competent authority shall reply to the request within 10 working days from the date on which it has received the request submitted by EIOPA.

Amendment

4. EIOPA may ask the competent authority of the financial undertaking applying for the authorisation for clarification and information as regards the documentation referred to in paragraph 2. The competent authority shall reply to the request within 10 working days from the date on which it has received the request submitted by EIOPA. ***In case of withdrawal of authorisation , PEPP savers are entitled to switch the PEPP provider free of charge irrespective of the switching frequency stipulated in Article 45. PEPP savers should be clearly informed of any withdrawal and its consequences by their National Competent Authorities.***

Or. en

Amendment 440
Brian Hayes

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. Any subsequent modifications to the documentation and information referred to in paragraphs 1 and 2 shall be immediately notified to ***EIOPA***.

Amendment

5. Any subsequent modifications to the documentation and information referred to in paragraphs 1 and 2 shall be immediately notified to ***the competent authority***.

Or. en

Amendment 441
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. Any subsequent modifications to the documentation and information referred to in paragraphs 1 and 2 shall be immediately notified to EIOPA.

Amendment

5. Any subsequent modifications to the documentation and information referred to in paragraphs 1 and 2 shall be immediately notified ***by the financial undertakings referred to in paragraph 1*** to EIOPA.

Or. en

Amendment 442
Jonás Fernández

Proposal for a regulation
Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The National competent authority for the entities referred to in Article 5(1)(g) will request EIOPA the assessment of compliance of these entities as well as the reasons why the authorisation is justified. EIOPA shall adopt a decision within two months of receiving such a request. If the competent authority does not agree with EIOPA's decision, it shall duly present its reasons and shall explain and justify any significant deviation therefrom;

Or. en

Amendment 443
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 6 – title

Text proposed by the Commission

Amendment

6 Conditions for granting
authorisation of PEPPs

Conditions for granting **certification** of
PEPPs

Or. en

Amendment 444
Brian Hayes

Proposal for a regulation
Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Within two months from the date of submission of a complete application, **EIOPA** shall grant authorisation of the PEPP only where **EIOPA** is fully satisfied that the following conditions are met:

1. Within two months from the date of submission of a complete application, **the competent authority of the PEPP provider** shall grant authorisation of the PEPP only where **the competent authority** is fully satisfied that the following conditions are met:

Or. en

Amendment 445
Ashley Fox

Proposal for a regulation
Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Within two months from the date of submission of a complete application, **EIOPA** shall grant authorisation of the PEPP only where **EIOPA** is fully satisfied that the following conditions are met:

1. Within two months from the date of submission of a complete application, **the NCA** shall grant authorisation of the PEPP only where **the NCA** is fully satisfied that the following conditions are met:

Or. en

Amendment 446
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. Within two months from the date of submission of a complete application, EIOPA shall grant **authorisation** of the PEPP only where EIOPA is fully satisfied that the following conditions are met:

Amendment

1. Within two months from the date of submission of a complete application, EIOPA shall grant **certification** of the PEPP only where EIOPA is fully satisfied that the following conditions are met:

Or. en

Amendment 447
Ashley Fox

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) the applicant is authorised **by its competent authority** to manufacture products that follow investment strategies of the type covered by this Regulation;

Amendment

(b) the applicant is authorised to manufacture products that follow investment strategies of the type covered by this Regulation;

Or. en

Amendment 448
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the applicant has adopted and published a credible investment exclusion policy related to severe environmental damage, serious violations of human rights and the production of weapons;

Amendment 449

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the proposed PEPP effectively integrates environmental, social and governance factors into its investment strategy and risk management and ensures that its portfolio management is aligned with the Union’s climate and sustainability objectives as set out in the Paris agreement, Sustainable Development Goals, and the United Nations Guiding Principles on Business and Human Rights;

Or. en

Amendment 450

Marco Valli, Laura Agea

Proposal for a regulation

Article 6 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the proposed PEPP includes an investment strategy which seeks to incorporate environmental, social and governance related risk factors into the proposed providers risk management system, including provision assessment of the nature and extent of these risks and mitigation strategies;

Or. en

Amendment 451

Renato Soru, Mady Delvaux, Simona Bonafè, Andrea Cozzolino, Pervenche Berès, Paul Tang, Costas Mavrides

Proposal for a regulation

Article 6 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the proposed PEPP is based on an investment strategy that states to what extent environmental, social and governance factors are included in the proposed providers risk management system.

Or. en

Justification

A proposed provider should state whether and to what extent it intends to include ESG factors in its risk management system.

Amendment 452

Brian Hayes

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant.

deleted

Or. en

Amendment 453

Burkhard Balz

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. *Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant.* **deleted**

Or. en

Amendment 454
Ashley Fox

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. *Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant.* **deleted**

Or. en

Amendment 455
Renato Soru, Jonás Fernández, Simona Bonafè, Costas Mavrides

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant.
2. Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant ***by providing it with a copy of the application and all the relevant information needed for the consultation.***

Or. en

Justification

An effective exchange of information is desirable in order to allow national authorities (that own a specific expertise on their national financial undertakings) to have an effective role in

the consultation process before a PEPP authorisation is granted.

Amendment 456
Martin Schirdewan

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant.

Amendment

2. Before taking a decision on the application, EIOPA shall consult the competent authority of the applicant. ***The competent authority may submit an objection to the authorisation process.***

Or. en

Amendment 457
Brian Hayes

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. ***EIOPA*** shall communicate to the applicant the reasons for any refusal to grant authorisation of a PEPP.

Amendment

3. ***The competent authority*** shall communicate to the applicant the reasons for any refusal to grant authorisation of a PEPP.

Or. en

Amendment 458
Ashley Fox

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. ***EIOPA*** shall communicate to the applicant the reasons for any refusal to

Amendment

3. ***The NCA*** shall communicate to the applicant the reasons for any refusal to

grant authorisation of a PEPP.

grant authorisation of a PEPP.

Or. en

Amendment 459
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. EIOPA shall communicate to the applicant the reasons for any refusal to grant *authorisation* of a PEPP.

Amendment

3. EIOPA shall communicate to the applicant the reasons for any refusal to grant *certification* of a PEPP.

Or. en

Amendment 460
Brian Hayes

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. *EIOPA* shall withdraw the authorisation of a PEPP in the event that the conditions for granting this authorisation are no longer fulfilled.

Amendment

4. *The competent authority* shall withdraw the authorisation of a PEPP in the event that the conditions for granting this authorisation are no longer fulfilled.

Or. en

Amendment 461
Ashley Fox

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. *EIOPA* shall withdraw the authorisation of a PEPP in the event that

Amendment

4. *The NCA* shall withdraw the authorisation of a PEPP in the event that

the conditions for granting this authorisation are no longer fulfilled.

the conditions for granting this authorisation are no longer fulfilled.

Or. en

Amendment 462
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. EIOPA shall withdraw the **authorisation** of a PEPP in the event that the conditions for granting this **authorisation** are no longer fulfilled.

Amendment

4. EIOPA shall withdraw the **certification** of a PEPP in the event that the conditions for granting this **certification** are no longer fulfilled.

Or. en

Amendment 463
Renato Soru, Jonás Fernández, Simona Bonafè, Pervenche Berès

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. EIOPA shall withdraw the authorisation of a PEPP in the event that the conditions for granting this authorisation are no longer fulfilled.

Amendment

4. EIOPA shall withdraw the authorisation of a PEPP in the event that the conditions for granting this authorisation are no longer fulfilled. **A competent authority may ask EIOPA to consider the withdrawal of a PEPP authorisation upon providing any relevant information motivating this request.**

Or. en

Justification

An effective exchange of information is desirable in order to allow national authorities (that own a specific expertise on their national financial undertakings) to have an effective role in the consultation process before a PEPP authorisation is granted.

Amendment 464

Renato Soru, Jonás Fernández, Simona Bonafè, Pervenche Berès

Proposal for a regulation

Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. When a PEPP authorisation is withdrawn, EIOPA shall coordinate the actions needed to safeguard the PEPP savers holding a contract with the PEPP provider of which the authorisation has been withdrawn.

Or. en

Justification

It is necessary to better specify the actors in charge of protecting the PEPP savers.

Amendment 465

Ashley Fox

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

Amendment

5. EIOPA shall, on a quarterly basis, inform the competent authorities of the financial undertakings listed in Article 5(1) of decisions to grant, refuse or withdraw authorisations pursuant to this Regulation. *deleted*

Or. en

Amendment 466

Brian Hayes

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. ***EIOPA*** shall, on a quarterly basis, inform ***the competent authorities*** of the ***financial undertakings listed in Article 5(1)*** of decisions to grant, refuse or withdraw authorisations pursuant to this ***Regulation***.

Amendment

5. ***The competent authority*** shall, on a quarterly basis, inform ***EIOPA*** of the decisions to grant, refuse or withdraw authorisations pursuant to this ***Article***.

Or. en

Amendment 467

Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. EIOPA shall, ***on a quarterly basis***, inform the competent authorities of the financial undertakings listed in Article 5(1) of decisions to grant, refuse or withdraw ***authorisations*** pursuant to this Regulation.

Amendment

5. EIOPA shall inform the competent authorities of the financial undertakings listed in Article 5(1) of decisions to grant, refuse or withdraw ***certifications*** pursuant to this Regulation ***in due time***.

Or. en

Amendment 468

Brian Hayes

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. ***EIOPA shall ensure co-ordination with and transmit information for the purposes of the exercise of their respective tasks to the European Supervisory Authority (European Banking Authority) established by Regulation (EU) No 1093/2010 and the European Supervisory Authority (European Securities and Markets Authority) established by***

Amendment

deleted

Amendment 469

Ashley Fox

Proposal for a regulation

Article 6 – paragraph 6

Text proposed by the Commission

6. *EIOPA* shall ensure co-ordination with and transmit information for the purposes of the exercise of their respective tasks *to the European Supervisory Authority (European Banking Authority) established by Regulation (EU) No 1093/2010 and the European Supervisory Authority (European Securities and Markets Authority) established by Regulation (EU) No 1095/2010.*

Amendment

6. *NCA*s shall ensure co-ordination with and transmit information *to EIOPA* for the purposes of the exercise of their respective tasks.

Amendment 470

Sander Loones

Proposal for a regulation

Article 6 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. *EIOPA shall organise and conduct peer reviews in accordance with Article 30 of Regulation (EU) No 1094/2010 in order to strengthen the consistency of the authorisation processes carried out by competent authorities pursuant to this Regulation.*

Amendment 471
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

*Authorisation of partnerships for the
provision of national compartments*

1. Partnerships between PEPP providers to offer national compartments shall be submitted to EIOPA for authorisation. EIOPA shall inform the relevant competent authorities upon reception of a request for authorisation. National authorities shall have the possibility to submit objections.

EIOPA shall inform the relevant competent authorities of any authorisation granted and inform and coordinate with ESMA and EBA.

2. Financial undertakings engaged in partnerships shall submit a joint application for authorisation to EIOPA. The application shall include at least the following:

(a) information on the identity of the applicants and their current and previous financial experience and history;

(b) information on contractual terms between partnering PEPP providers;

(c) information on the prudential regime applicable to each PEPP provider.

3. As part of the authorisation process EIOPA shall ensure that the PEPP providers involved are subject to an appropriate prudential regime, in accordance with Article 5.

Or. en

Amendment 472
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 b (new)

Text proposed by the Commission

Amendment

Article 6 b

***Additional conditions for granting
authorisation of SPEPPs***

***EIOPA shall grant authorisation of a
SPEPP only where the provisions of
Articles 6 and 33a are met.***

Or. en

Amendment 473
Brian Hayes

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. The designation “PEPP” or “pan-European Personal Pension Product” in relation to a personal pension product may only be used where the personal pension product has been authorised by ***EIOPA to be distributed under the designation “PEPP”*** in accordance with this Regulation.

1. The designation “PEPP” or “pan-European Personal Pension Product” in relation to a personal pension product may only be used where the personal pension product has been authorised by ***the competent authority of the PEPP provider*** in accordance with this Regulation.

Or. en

Amendment 474
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The designation “PEPP” or “pan-European Personal Pension Product” in relation to a personal pension product may only be used where the personal pension product has been **authorised** by EIOPA to be distributed under the designation “PEPP” in accordance with this Regulation.

Amendment

1. The designation “PEPP” or “pan-European Personal Pension Product” in relation to a personal pension product may only be used where the personal pension product has been **certified** by EIOPA to be distributed under the designation “PEPP” in accordance with this Regulation.

Or. en

Amendment 475

Brian Hayes

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. Existing personal pension products may be converted into “PEPPs” following authorisation by **EIOPA**.

Amendment

2. Existing personal pension products may be converted into “PEPPs” following authorisation by **the competent authority of the PEPP provider**.

Or. en

Amendment 476

Ashley Fox

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. Existing personal pension products may be converted into “PEPPs” following authorisation by **EIOPA**.

Amendment

2. Existing personal pension products may be converted into “PEPPs” following authorisation by **the relevant NCA**.

Or. en

Amendment 477
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Existing personal pension products may be converted into “PEPPs” following *authorisation* by EIOPA.

Amendment

2. Existing personal pension products may be converted into “PEPPs” following *certification* by EIOPA.

Or. en

Amendment 478
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. Financial undertakings referred to in Article 5(1) may distribute PEPPs which they have not manufactured *upon receiving authorisation for distribution* by the *competent authorities of their home Member State*.

Amendment

1. Financial undertakings referred to in Article 5(1) may distribute PEPPs which they have not manufactured *provided that this activity is covered* by the *scope of authorisation according to the relevant sectoral legislation*.

Or. en

Amendment 479
Brian Hayes

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

PEPP providers and PEPP distributors shall comply *at all times with the provisions of this Regulation, as well as* with the relevant prudential regime applicable to them in accordance with the legislative acts referred to in *Article 5(1)*.

Amendment

Without prejudice to this Regulation, PEPP providers and PEPP distributors shall comply with the relevant prudential regime applicable to them in accordance with the legislative acts referred to in *Articles 5(1) and 8(2)*.

Amendment 480
Burkhard Balz, Andreas Schwab

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

EIOPA shall keep a central public register identifying each PEPP **authorised** under this Regulation, the provider of this PEPP and the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment

EIOPA shall keep a central public register identifying each PEPP **certified** under this Regulation, the provider of this PEPP and the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment 481
Martin Schirdewan

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP and the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP, **the available national compartments it offers** and the competent authority of the PEPP provider. The register shall be made publicly available **and free of charge** in electronic format.

Amendment 482
Renato Soru, Simona Bonafè, Costas Mavrides

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP **and** the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP, the competent authority of the PEPP provider, ***the date of authorisation of the PEPP and the number of the available national compartments***. The register shall be made publicly available in electronic format ***and shall be promptly updated if changes occur***.

Or. en

Justification

Further details on the central public register are needed in order to make it an effective source of information.

Amendment 483
Brian Hayes

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP and the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP, ***the compartments available under each PEPP*** and the competent authority of the PEPP provider. The register shall be made publicly available in electronic format. ***National competent authorities shall communicate the relevant information to EIOPA.***

Or. en

Amendment 484
Sirpa Pietikäinen

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

EIOPA shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP **and** the competent authority of the PEPP provider. The register shall be made publicly available in electronic format.

Amendment

EIOPA **and ESMA** shall keep a central public register identifying each PEPP authorised under this Regulation, the provider of this PEPP, the competent authority of **the PEPP provider and the list of national compartments offered by** the PEPP provider. The register shall be made publicly available in electronic format.

Or. en

Amendment 485
Sirpa Pietikäinen

Proposal for a regulation
Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

EIOPA shall be encouraged to create an information platform to inform PEPP providers about the national requirements applying to PEPPs in each Member State, the tax relief granted to PEPP as well as tax requirements, in order to reduce administrative costs related to the search for national rules applied to PEPP.

Or. en

Amendment 486
Sirpa Pietikäinen

Proposal for a regulation
Article 10 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

In case of such partnerships, EIOPA and

ESMA shall monitor on a regular basis the compliance of the primary PEPP provider and the secondary PEPP provider or providers with this Regulation and its requirements.

Or. en