



Plenary sitting

B8-0234/2017

29.3.2017

RECOMMENDATION FOR A DECISION

pursuant to Rule 105(6) of the Rules of Procedure

to raise no objections to the Commission delegated regulation of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council 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 (C(2017)01473 – 2017/2602(DEA))

Committee on Economic and Monetary Affairs

Rapporteur: Pervenche Berès

**Draft European Parliament decision to raise no objections to the Commission delegated regulation of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council 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
(C(2017)01473 – 2017/2602(DEA))**

The European Parliament,

- having regard to the Commission delegated regulation (C(2017)01473) ('the revised delegated regulation'),
- having regard to its resolution of 14 September 2016 on the Commission Delegated Regulation of 30 June 2016 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council 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 (C(2016)03999 – 2016/2816(DEA))¹,
- having regard to the Commission's letter of 22 March 2017 asking Parliament to declare that it will raise no objections to the revised delegated regulation,
- having regard to the letter of 28 March 2017 from the Committee on Economic and Monetary Affairs to the Chair of the Conference of Committee Chairs,
- having regard to Article 290 of the Treaty on the Functioning of the European Union,
- having regard to 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)², and in particular Article 8(5), Article 10(2), Article 13(5) and Article 31 thereof,
- having regard to Regulation (EU) 2016/2340 of the European Parliament and of the Council of 14 December 2016 amending Regulation (EU) No 1286/2014 of the European Parliament and of the Council on key information documents for packaged retail and insurance-based investment products as regards the date of its application³,
- having regard to Article 13 and Article 10(1) of 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, EBA), amending Decision No

¹ Texts adopted, P8_TA(2016)0347.

² OJ L 352, 9.12.2014, p. 1.

³ OJ L 354, 23.12.2016, p. 35.

716/2009/EC and repealing Commission Decision 2009/78/EC¹, of 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, EIOPA), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC², and of 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, ESMA), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC³,

- having regard to the letter by the Chairs of the European Supervisory Authorities (ESAs) dated 22 December 2016, following the Commission’s request by letter of 10 November 2016 on its intention to amend the draft Regulatory Technical Standards (RTS) jointly submitted by EBA, ESMA and EIOPA under Articles 8(5), 10(2) and 13(5) of Regulation (EU) No 1286/2014,
 - having regard to the recommendation for a decision by the Committee on Economic and Monetary Affairs,
 - having regard to Rule 105(6) of its Rules of Procedure,
- A. whereas in its resolution of 14 September 2016, Parliament objected to the Commission delegated regulation of 30 June 2016 supplementing Regulation (EU) No 1286/2014 and called on the Commission to submit a revised delegated regulation which addressed its concerns expressed on the unclear treatment of multi-option PRIIPS, on the insufficient representation of the fact that retail investors may also lose money in adverse scenarios concerning certain products, and on the lack of detailed guidance as regards the use of the ‘comprehension alert’;
- B. whereas in its resolution of 14 September 2016, Parliament recalled that the Chair of the Committee on Economic and Monetary Affairs and Parliament’s negotiating team had sent a letter to the Commission on 30 June 2016, asking the Commission to assess whether the implementation of Regulation (EU) No 1286/2014 should be delayed;
- C. whereas the provisions of the revised delegated regulation are consistent with the objectives of Parliament expressed in its resolution of 14 September 2016 and during the subsequent informal dialogue as part of the preparatory work for the adoption of the revised delegated regulation;
- D. whereas the revised delegated regulation clarifies that manufacturers of multi-option PRIIPs which include underlying investment options that are Undertakings for Collective Investments in Transferable Securities (UCITS) or non-UCITS funds referred to in Article 32 of Regulation (EU) No 1286/2014 would not need to provide all information requested under PRIIPs and will be authorised to use UCITS key investor information documents instead as an appropriate means of providing retail investors with more detailed pre-contractual information;

¹ OJ L 331, 15.12.2010, p. 12.

² OJ L 331, 15.12.2010, p. 48.

³ OJ L 331, 15.12.2010, p. 84.

- E. whereas, while the underlying calculations for the three performance scenarios previously included are still based on historical data, an additional fourth performance scenario has been included in the revised delegated regulation; whereas this ‘stress scenario’ is intended to set out significant unfavourable impacts of the products that are not covered in the existing ‘unfavourable scenario’;
 - F. whereas the use of the comprehension alert was clarified by including in its scope of application those PRIIPs that are considered ‘complex products’ under Directive 2014/65/EU on markets in financial instruments and Directive (EU) 2016/97 on insurance distribution;
 - G. whereas the proposed ‘What is this product’ section of the key information document was altered and the section on ‘What are the risks and what could I get in return’ includes a presentation of administrative costs in relation to the biometric components of insurance-based investment products;
 - H. whereas Regulation (EU) 2016/2340 deferred the date of application of Regulation (EU) No 1286/2014 by 12 months to 1 January 2018;
1. Declares that it has no objections to the revised delegated regulation;
 2. Instructs its President to forward this decision to the Council and the Commission.