

Response to the EC consultation on the Transparency Register

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Referring to:	European Commission Public Consultation on a proposal for a mandatory Transparency Register		
Related documents:			
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General remarks

Insurance Europe is an international not-for-profit association and a representative body with strong governance rules. Its industry positions are agreed with its members, the national insurance associations.

Insurance Europe is committed to the highest lobbying standards and ethics and subscribes to the principles of transparency, honesty and integrity.

This is why Insurance Europe is registered in the joint European Commission/European Parliament Transparency Register of interest representatives and abides by its Code of Conduct.

Insurance Europe would like to take the opportunity to thank the EU institutions for engaging in a transparent manner with stakeholders, as recommended in the EU treaties.

A. GENERAL PART (7 questions)

1. Transparency and the EU

1.1 The EU institutions interact with a wide range of groups and organisations representing specific interests. This is a legitimate and necessary part of the decision-making process to make sure that EU policies reflect the interests of citizens, businesses and other stakeholders. The decision-making process must be transparent to allow for proper scrutiny and to ensure that the Union's institutions are accountable.

* a) Do you agree that ethical and transparent lobbying helps policy development?

Fully agree

Comments or suggestions (Optional)
3000 character(s) maximum

Industry feedback based on practical examples is essential for sound, balanced and effective regulation. This is why Insurance Europe is engaged in a constructive, open and transparent dialogue with the EU institutions.

- * b) It is often said that achieving appropriate lobbying regulation is not just about transparency, i.e. shedding light on the way in which lobbyists and policy-makers are operating. Which of the below other principles do you also consider important for achieving a sound framework for relations with interest representatives?

More than one answer possible

- ☐ Integrity
- ☐ Equality of access
- ☐ Other

Comments or suggestions (Optional)
3000 character(s) maximum

According to article 11 of the TEU, the EU institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society. A continuous and unbiased dialogue of the regulator with those entities it regulates ensures effective and fit-for-purpose legislation. Stakeholders are above all information providers for the EU institutions. Rules regulating this exchange of information should not limit but rather foster it.

- * c) In your opinion, how transparent are the European institutions as public institutions?

- ☐ They are relatively transparent

Comments or suggestions (Optional)
3000 character(s) maximum

Insurance Europe provides the EU institutions with its extensive industry experience and expertise. Insurance Europe is involved in several fora of the EU institutions, e.g. expert groups, working groups or platforms. The EU institutions have taken important steps towards greater transparency in recent years. However, European insurers see that there is room for improvement primarily in timely publication of documents, compliance with self-set deadlines, impact assessments and transparency of expert group composition.

- * 1.2 The Transparency Register provides information to politicians and public officials about those who approach them with a view to influencing the decision-making and policy formulation and implementation process. The Register also allows for public scrutiny; giving citizens and other interest groups the possibility to track the activities and potential influence of lobbyists.

Do you consider the Transparency Register a useful tool for regulating lobbying?

No opinion

Comments or suggestions (Optional)
3000 character(s) maximum

Insurance Europe is committed to full transparency. However, it must be considered that information in the Transparency Register can significantly affect the public perception of stakeholders, including the media. The underlying provisions should therefore be formulated in a precise manner to avoid any possible misinterpretation by the register members themselves or the interested public, including the media.

For instance, the simultaneous publication of the categories "Full time equivalent (FTE)" and "Number of persons involved" could lead to misinterpretations. Insurance Europe believes that only the first category matters: information on effective personnel involvement for interest representation is more meaningful than the number of people involved.

Another example, which is more problematic, is the possible double counting of membership fees in organisations which are active at European level. This could lead ultimately to inflated sums. With the inclusion of membership fees, an industry sector could be presented as financially stronger involved than it actually is.

2. Scope of the Register

- * 2.1 Activities covered by the Register include lobbying, interest representation and advocacy. It covers all activities carried out to influence - directly or indirectly - policymaking, policy implementation and decision-making in the European Parliament and the European Commission, no matter where they are carried out or which channel or method of communication is used.

This definition is appropriate:

☐ Fully agree

Comments or suggestions (Optional)
3000 character(s) maximum

Insurance Europe believes that the current definition of lobbying is wide enough to cover all relevant activities at European level. Furthermore, the existing categories of lobbies used in the TR are appropriate and should remain.

- * 2.2 The Register does not apply to certain entities, for example, churches and religious communities, political parties, Member States' government services, third countries' governments, international intergovernmental organisations and their diplomatic missions. Regional public authorities and their representative offices do not have to register but can register if they wish to do so. On the other hand, the Register applies to local, municipal authorities and cities as well as to associations and networks created to represent them. The scope of the Register should be:

☐ No opinion

Comments or suggestions (Optional)
3000 character(s) maximum

3. Register website

3.1 What is your impression of the
Register [web site](#)?

	Good	Average	Poor	No opinion
*Design and structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Availability of information / documents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Ease of search function	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Accessibility (e.g. features for visually impaired persons, ease of reading page)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
*Access via mobile devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments or suggestions (Optional)
3000 character(s) maximum

It must be borne in mind that information in the Transparency Register can significantly affect the position of stakeholders in the public perception, including the media. The underlying provisions should therefore be formulated in a precise manner to avoid any possible misinterpretation by registered entities themselves or the interested public, including the media.

4. Additional comments

Final comments or ideas on any additional subjects that you consider important in the context
of this public consultation (Optional)
3000 character(s) maximum

If you wish you may provide additional information (position papers, reports, etc) in support
of your answers to this public consultation. Please upload no more than three files of up to
1Mb each. Attachments above this number will not be considered.

End of Part A

Part B includes questions that require a certain knowledge of the Transparency Register. Proceed to Part B (optional).

Do you want to proceed to Part B ?

* ☐ Yes

B. SPECIFIC PART (13 questions)

1. Structure of the Register

* 1.1 The Register invites organisations to sign up under a particular section, for example, professional consultancies, NGOs, trade associations, etc (Annex I of the [Interinstitutional Agreement](#)).
Have you encountered any difficulties with this categorisation?

☐ No

Comments or suggestions (Optional)
3000 character(s) maximum

2. Data disclosure and quality

* 2.1 Entities joining the Register are asked to provide certain information (contact details, goals and remit of the organisation, legislative dossiers followed, fields of interest, membership, financial data, etc) in order to identify the profile, the capacity of the entity and the interest represented (Annex I of the [Interinstitutional Agreement](#)).

The right type of information is required from the registrant:

☐ Too much is asked

Comments or suggestions (Optional)
3000 character(s) maximum

Insurance Europe is fully committed to transparency. Insurance Europe agrees that the TR should seek to gather specific data. However, the underlying provisions be formulated in a precise manner to avoid any possible misinterpretation by registered entities or the interested public, including the media.

* 2.2 It is easy to provide the information required:

☐ Partially disagree

Comments or suggestions (Optional)
3000 character(s) maximum

Insurance Europe agrees that the right type of information is required from registrants to the TR. However, the current data disclosure may be misleading when calculating aggregate lobbying expenses per sector represented by trade associations.

For instance, Insurance Europe's lobbying expenses are solely based on its national members' contributions.

However, Insurance Europe's national members can include their contributions to Insurance Europe as part of their lobbying expenses. Therefore, adding up Insurance Europe's expenses with its members' own expenses would essentially be double counting and factually wrong.

Therefore, Insurance Europe would like the TR to offer the possibility for trade associations and their members (as well as their members' members) to be able to disclose separately their contributions.

* 2.3 Do you see any room for simplification as regards the data disclosure requirements?

☐ Yes

Comments or suggestions (Optional)

3000 character(s) maximum

Insurance Europe believes that the TR should make it easier for trade associations as well as national associations to make clear distinctions between what their members contribute and what the sector they represent spends on lobbying.

* 2.4 What is your impression of the overall data quality in the

Register:

☐ Average

Comments or suggestions (Optional)

3000 character(s) maximum

3. Code of Conduct and procedure for Alerts and Complaints

* 3.1 The Code of Conduct sets out the rules for all those who register and establishes the underlying principles for standards of behaviour in all relations with the EU institutions (Annex III of the [Interinstitutional Agreement](#)).

The Code is based on a sound set of rules and principles:

☐ Partially agree

Comments or suggestions (Optional)

3000 character(s) maximum

* 3.2 Anyone may trigger an alert or make a complaint about possible breaches of the Code of Conduct. Alerts concern factual errors and complaints relate to more serious breaches of behavioural nature (Annex IV of the Interinstitutional Agreement).

a) The present procedure for dealing with alerts and complaints is adequate:

☐ Fully agree

Comments or suggestions (Optional)

3000 character(s) maximum

* b) Do you think that the names of organisations that are suspended under the alerts and complaints should be made public?

☐ Yes

Comments or suggestions (Optional)

3000 character(s) maximum

Registration to the TR requires detailed information that may prove difficult to gather, due to the necessity to interpret the requirements. Genuine errors or mistakes may sometimes happen.

However, Insurance Europe believes that entities registered in the TR should seek to comply with its Code of Conduct. Therefore, Insurance Europe agrees that the names of entities which deliberately misuse and/or breach the TR, with the purpose of providing incorrect and/or misleading information, should be made public.

4. Register website – registration and updating

4.1 How user-friendly is in your opinion the Register website in relation to registration and updating?

	Straightforward	Satisfactory but can be improved	Cumbersome	No opinion
*Registration process	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Updating process (annual & partial)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments or suggestions (Optional)

3000 character(s) maximum

Insurance Europe is fully committed to transparency. The underlying provisions should therefore be formulated in a precise manner to avoid any possible misinterpretation by registered entities or the interested public, including the media.

5. Current advantages linked to registration

5.1 The European Parliament and the European Commission currently offer certain practical advantages (incentives) linked to being on the Register. The Commission has also announced its intention to soon amend its rules on Expert groups to link membership to registration.

Which of these advantages are important to you?

In the European Parliament (EP)

	Very important	Somewhat important	Not important	No opinion
*Access to Parliament buildings: long-term access passes to the EP's premises are only issued to individuals representing, or working for registered organisations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Committee public hearings: guests invited to speak at a hearing need to be registered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Patronage: Parliament does not grant its patronage to relevant organisations that are not registered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In the European Commission

	Very important	Somewhat important	Not important	No opinion
*Meetings: organisations or self-employed individuals engaged in relevant activities must be registered in order to hold meetings with Commissioners, Cabinet members and Directors-General	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Public consultations: the Commission sends automatic alerts to registered entities about consultations in areas of interest indicated by them; it differentiates between registered and non-registered entities when publishing the results	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Patronage: Commissioners do not grant their patronage to relevant organisations that are not registered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Mailing lists: organisations featuring on any mailing lists set up to alert them about certain Commission activities are asked to register	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Expert groups: registration in the Transparency Register is required in order for members to be appointed (refers to organisations and individuals appointed to represent a common interest shared by stakeholders in a particular policy area)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments or suggestions (Optional)
3000 character(s) maximum

6. Features of a future mandatory system

* 6.1 Do you believe that there are further interactions between the EU institutions and interest groups that could be made conditional upon prior registration (e. g. access to MEPs and EU officials, events, premises, or featuring on specific mailing lists)?

☐ No opinion

Comments or suggestions (Optional)
3000 character(s) maximum

* 6.2 Do you agree with the Commission's view that the Council of the EU should participate in the new Interinstitutional Agreement on a mandatory Register?

☐ No opinion

Comments or suggestions (Optional)
3000 character(s) maximum

7. Looking beyond Brussels

* 7.1 How does the Transparency Register compare overall to 'lobby registers' at the EU Member State level?

☐ No opinion

Good practices or lessons learned at the EU Member State level to be considered, or pitfalls to be avoided. (Optional)

4000 character(s) maximum

8. Additional comments

Final comments or ideas on any additional subjects that you consider important in the context of this public consultation (Optional)

3000 character(s) maximum

* Publication of your consultation

☐ I agree to my contribution being published.

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* *

Insurance Europe is the European insurance and reinsurance federation. Through its 34 member bodies — the national insurance associations — Insurance Europe represents all types of insurance and reinsurance undertakings, eg pan-European companies, monoliners, mutuals and SMEs. Insurance Europe, which is based in Brussels, represents undertakings that account for around 95% of total European premium income. Insurance makes a major contribution to Europe's economic growth and development. European insurers generate premium income of almost €1 170bn, employ a little under one million people and invest nearly €9 600bn in the economy.