

Public consultation regarding draft Advice on minimum common standards for Insurance Guarantee Schemes (IGS) in the EU

Fields marked with * are mandatory.

Instructions

Article 98 of the Insurance Recovery and Resolution Directive (IRRD) requires the Commission to issue a report on assessing the appropriateness of minimum common standards, consulting EIOPA in the process. To this end, on 1 August 2025, EIOPA received a Call for Advice on specific topics related to the harmonization of IGS with deadline for submission on 31 May 2026, which has been extended to 31 August 2026.

This public consultation aims to gather stakeholders' feedback on:

- EIOPA's draft advice on minimum common standards for IGS in the EU (EIOPA-BoS-26-176); and
- Annex to EIOPA's draft advice on minimum common standards for IGS in the EU (EIOPA-BoS-26-177)

Deadline for submitting a response to this online survey is Friday 26 June 2026, 23:59 CEST.

Due to the tight deadline for the Call for Advice, the consultation period is limited. However, the current draft advice and its technical annex have been informed by stakeholders' feedback from an online survey conducted by EIOPA from 4 to 27 February 2026.

When answering to this survey, please consider the specific sections and paragraph numbers of the draft advice. For the technical annex, please indicate specifically in your answer the relevant sub-section and paragraph number(s) to indicate to where your comment relates to.

Publication of responses

Your responses will be published on the EIOPA website unless: you request to treat them confidential, or they are unlawful, or they would infringe the rights of any third party. Please, indicate clearly and prominently in your submission any part you do not wish to be publicly disclosed. EIOPA may also publish a summary of the survey input received on its website.

Please note that EIOPA is subject to Regulation (EC) No 1049/2001 regarding public access to documents and EIOPA's rules on public access to documents.

Declaration by the contributor

By sending your contribution to EIOPA you consent to publication of all non-confidential information in your contribution, in whole/in part – as indicated in your responses, including to the publication of the name of your organisation,

and you thereby declare that nothing within your response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

Personal Data Protection

As a European Authority, EIOPA processes personal data in line with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. You may find more information on how your personal data are being processed as well as your rights as data subject in the Privacy Statement.

General information about the respondent

* Contact person (name and surname).

Elias Hartmann

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* Name of the stakeholder organization.

Gesamtverband der Deutschen Versicherungswirtschaft e.V.

* Type of stakeholder.

- Insurance or reinsurance undertaking
- Industry Association/Federation
- Consumer Protection Association
- Insurance Guarantee Scheme (IGS) / Policyholder Protection Scheme (PPS)
- IGS/PPS Association
- Academic
- Other

* Please indicate your country.

Germany

* Please provide your explicit consent for the publication of your response

- Yes, publish my whole response
- Yes, publish a part of my response
- No, do not publish my response

1. INTRODUCTION

Do you have any comments on the Introduction?

- Yes
- No

Request for technical advice

Do you have any comments on the following paragraphs?

	Yes	No
1.1	<input type="radio"/>	<input checked="" type="radio"/>
1.2	<input type="radio"/>	<input checked="" type="radio"/>

The Single Market works for insurers, but not yet for policyholders: the current landscape of IGS in the EU

Do you have any comments on the following paragraphs?

	Yes	No
1.3	<input type="radio"/>	<input checked="" type="radio"/>
1.4	<input checked="" type="radio"/>	<input type="radio"/>
1.5	<input checked="" type="radio"/>	<input type="radio"/>
1.6	<input checked="" type="radio"/>	<input type="radio"/>
1.7	<input checked="" type="radio"/>	<input type="radio"/>
1.8	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 1.4.

Policyholders already enjoy extensive protection under Solvency II, the IRRD and other EU regulation aiming at ensuring proper capitalisation and preventing insolvencies. We contest the statement that there is a structural imbalance between companies and policyholders.

Please provide your comment to para 1.5.

Past cross-border failures are relevant, but they should not be overgeneralised. They often reflect specific business models, supervisory issues or national insolvency procedures. It is also worth noting that there have been very few cases of insurer insolvencies within the EU.

Please provide your comment to para 1.6.

We acknowledge that the current landscape is heterogeneous. However, heterogeneity is not automatically a weakness. National IGS models reflect different legal systems, market structures and existing protection mechanisms. Consumer information and cooperation between authorities can address many practical issues without imposing harmonised EU standards. Ensure adequate information of consumers about applicable IGS in accordance with existing distribution rules is essential to raise consumers awareness.

Please provide your comment to para 1.7.

A purely national perspective should not ignore cross-border effects, but this does not mean that harmonisation is the right response. Member States remain best placed to assess whether an IGS is needed and how it should be designed.

Please provide your comment to para 1.8.

Solvency II and IRRD cannot fully eliminate insurer failures. However, they are the primary tools for prevention, early intervention and orderly resolution. IGS should remain a last-resort mechanism for policyholder protection. Member states should be allowed to decide upon the need and scope for IGS based on the local insurance markets especially the role of insurance in social protection systems (e.g. pensions and healthcare).

An IGS framework that helps the Savings and Investments Union

Do you have any comments on the following paragraphs?

	Yes	No
1.9	<input type="radio"/>	<input checked="" type="radio"/>
1.10	<input type="radio"/>	<input checked="" type="radio"/>
1.11	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 1.11.

We do not consider IGS harmonisation necessary to support the Savings and Investments Union. Consumer trust in long-term savings products depends mainly on other factors such as product value and legal certainty. Additional guarantee schemes may also create moral hazard and reduce market discipline. Our core position remains that IGS may be valuable where they are nationally calibrated and strictly limited to the protection of policyholders in exceptional failure cases. But EU-wide material harmonisation has no added value. We also strongly oppose any IGS harmonisation action before the IRRD has been fully implemented by the Member States. There should be sufficient time to observe how resolution planning and financing arrangements operate. Only then a proper assessment of whether residual policyholder-protection gaps remain is even possible. It would clearly be premature to introduce harmonised IGS at this stage.

2. APPROACH TAKEN

Do you have any comments on the Approach taken?

- Yes
- No

Legal framework

Do you have any comments on the following paragraphs?

	Yes	No
2.1	<input checked="" type="radio"/>	<input type="radio"/>
2.2	<input type="radio"/>	<input checked="" type="radio"/>
2.3	<input type="radio"/>	<input checked="" type="radio"/>

2.4	<input type="radio"/>	<input checked="" type="radio"/>
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Please provide your comment to para 2.1.

The interaction with the IRRD is central. Since the IRRD is still being transposed and will only apply from early 2027, additional IGS harmonisation is premature. Member States should first implement and test the IRRD framework, including national resolution authorities and financing arrangements, before any further obligations are considered.

Thematic areas of policy advice

Do you have any comments on the following paragraphs?

	Yes	No
2.5	<input type="radio"/>	<input checked="" type="radio"/>

Objectives for policy assessment

Do you have any comments on the following paragraphs?

	Yes	No
2.6	<input type="radio"/>	<input checked="" type="radio"/>
2.7	<input type="radio"/>	<input checked="" type="radio"/>

Preferred policy options

Do you have any comments on the following paragraphs?

	Yes	No
2.8	<input type="radio"/>	<input checked="" type="radio"/>

3. EIOPA's ADVICE FOR EACH THEMATIC POLICY AREA

1. General questions about the impact of minimum harmonized IGS

Do you have any comments on the sub-section of *I. General questions about the impact of minimum harmonized IGS?*

- Yes
- No

Do you have any comments on the following paragraphs?

	Yes	No
3.1	<input type="radio"/>	<input checked="" type="radio"/>

a. Analysis of the impact of covering different insurance policies

Do you have any comments on the following paragraphs?

	Yes	No
3.2	<input type="radio"/>	<input checked="" type="radio"/>

Level of standardization of the eligible insurance policies across the EU

Do you have any comments on the following paragraphs?

	Yes	No
3.3	<input checked="" type="radio"/>	<input type="radio"/>
3.4	<input checked="" type="radio"/>	<input type="radio"/>
3.5	<input checked="" type="radio"/>	<input type="radio"/>
3.6	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.3.

The existence of some common core risks does not justify EU-wide IGS harmonisation. The relevant differences lie in the precise scope of cover, exclusions, benefit levels, claims handling and interaction with national legal systems providing insurance coverage e.g. social protection systems.

Please provide your comment to para 3.4.

Insurance-based investment products are particularly unsuitable for simplified harmonised treatment. IGS protection should not blur the distinction between insurer default risk and investment risk borne by the policyholder.

Please provide your comment to para 3.5.

The fact that liability and health products are highly dependent on national setups constitutes a compelling argument against harmonisation.

Please provide your comment to para 3.6.

The competence to determine whether compulsory insurance should be accompanied by an IGS lies exclusively with the Member States, which are therefore best placed to take such decisions.

Cross-border relevance of the different insurance lines of business

Do you have any comments on the following paragraphs?

	Yes	No
3.7	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.7.

IGS harmonisation would not remove structural barriers hindering cross-border trade and could even reduce cross-border supply if it increases cost and complexity. Furthermore, EIOPA's assessment says that cross

border activity is largely confined to non-life. IGS on the other hand are most useful in life insurance, where large sums are at stake. This shows that for structural reasons, IGS harmonisation cannot achieve the outcomes it is supposed to achieve.

Impact of the coverage of eligible policies in terms of protection for policyholders

Do you have any comments on the following paragraphs?

	Yes	No
3.8	<input type="radio"/>	<input checked="" type="radio"/>
3.9	<input checked="" type="radio"/>	<input type="radio"/>
3.10	<input checked="" type="radio"/>	<input type="radio"/>
3.11	<input type="radio"/>	<input checked="" type="radio"/>
3.12	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.9.

We agree that insurer failures can have serious consequences for individual policyholders. However, this supports the case for effective policyholder protection through prudent use of Solvency II, IRRD and other EU regulation aiming at ensuring proper capitalisation and preventing insolvencies, not necessarily EU-wide harmonisation of IGS.

Please provide your comment to para 3.10.

The quantitative analysis should be interpreted with caution. It relies on historical default probabilities, limited loss data and an assumed LGD. Such modelling cannot provide a robust basis for imposing harmonised EU requirements. In addition, many Member States already have IGS or equivalent arrangements, so the incremental benefit of harmonisation may be limited.

Please provide your comment to para 3.12.

Past failures do not prove that EU-wide minimum harmonisation is necessary. Case studies should not be generalised into a uniform regulatory solution, particularly where failures were driven by specific national, supervisory or business-model factors. The data also show that there have been only very few cases within the EU, which shows that – with very few exceptions – the current system works very well.

Impact of the coverage of eligible policies for the insurance sector

Do you have any comments on the following paragraphs?

	Yes	No
3.13	<input checked="" type="radio"/>	<input type="radio"/>
3.14	<input checked="" type="radio"/>	<input type="radio"/>
3.15	<input type="radio"/>	<input checked="" type="radio"/>
3.16	<input checked="" type="radio"/>	<input type="radio"/>
3.17	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.13.

We agree that common minimum standards would create additional costs as harmonisation would lead to additional and unnecessary burdens for the (already existing) national IGS. These costs might ultimately be borne by policyholders.

Please provide your comment to para 3.14.

As mentioned above, the study does not prove that harmonisation would materially increase insurance uptake or offset the costs of setting up and operating IGS. Therefore the expected long-term benefits for insurers appear speculative. The introduction of IGS could also have a negative impact on market discipline of insurer. A harmonized IGS system can weaken incentives for (i) policyholders – to assess the financial soundness and creditworthiness of their insurer, (ii) distributors – to consider the solvency position of the insurers they recommend and (iii) insurers – to maintain competitive solvency discipline.

Please provide your comment to para 3.16.

We do not agree that EIOPA’s assessment validates the listed policies as candidates for harmonised EU IGS coverage. Eligibility of policies for IGS should remain a national decision.

Please provide your comment to para 3.17.

The technical and regulatory hurdles described by EIOPA support our view that harmonisation would be premature and is complex.

b. Reduction of fragmentation in the Single Market

Do you have any comments on the following paragraphs?

	Yes	No
3.18	<input type="radio"/>	<input checked="" type="radio"/>
3.19	<input checked="" type="radio"/>	<input type="radio"/>
3.20	<input checked="" type="radio"/>	<input type="radio"/>
3.21	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.19.

A reduction in the “neither” option in a behavioural experiment does not prove that consumers would actually purchase more insurance in practice.

Please provide your comment to para 3.20.

The study itself indicates that price competitiveness is a key driver of cross-border choice. Harmonised IGS would create additional costs that could increase premiums and might therefore reduce, rather than increase, the attractiveness of insurance products.

Please provide your comment to para 3.21.

The study does not show that harmonisation is necessary. In the pooled cross-product analysis, the probability of choosing the foreign option increased only slightly under equal prices, while it rose much more clearly when the foreign option had a price advantage. This suggests that the main driver of cross-border choice is price under conditions of perceived equivalent protection, not harmonisation as such. Where IGS are needed, well-functioning national solutions can achieve the policyholder-protection objective without imposing uniform EU-wide rules.

c. Evaluating different structural set-ups for IGS

Do you have any comments on the following paragraphs?

	Yes	No
3.22	<input type="radio"/>	<input checked="" type="radio"/>
3.23	<input checked="" type="radio"/>	<input type="radio"/>
3.24	<input checked="" type="radio"/>	<input type="radio"/>
3.25	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.23.

If IGS exist, a targeted approach is preferable to all-encompassing schemes. However, even targeted coverage should not be mandated at EU level. Member States should remain free to determine which policies require IGS protection and whether existing supervisory, insolvency or resolution tools are sufficient.

Please provide your comment to para 3.24.

We do not support an EU requirement for an IGS covering all life policies and specific non-life policies. While some form of protection may be useful in life insurance, the scope and design should remain national. A blanket approach to life insurance may still be disproportionate depending on product design and existing safeguards.

Please provide your comment to para 3.25.

The number and structure of IGS should remain a national decision. Some Member States may prefer separate schemes for life and non-life business due to different risk profiles, funding needs and operational objectives. A single scheme risks cross-subsidisation and may conflict with national market structures, including the separation of insurance lines.

II. Operational Functioning of IGS

Do you have any comments on the sub-section of *II. Operational functioning of IGS*?

- Yes
 No

Do you have any comments on the following paragraphs?

	Yes	No
3.26	<input type="radio"/>	<input checked="" type="radio"/>

3.27	<input type="radio"/>	<input checked="" type="radio"/>
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a. Trigger moment(s) for IGS activation

Do you have any comments on the following paragraphs?

	Yes	No
3.28	<input type="radio"/>	<input checked="" type="radio"/>
3.29	<input type="radio"/>	<input checked="" type="radio"/>
3.30	<input type="radio"/>	<input checked="" type="radio"/>
3.31	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.31.

We do not support a mandatory harmonised EU trigger for IGS activation. EIOPA’s preferred option is activation at the latest when an insurer is failing or likely to fail and there is no reasonable prospect that failure can be prevented. While this may appear aligned with the IRRD, it risks importing resolution concepts into national IGS frameworks in a way that is not always appropriate.

An IGS should intervene only as a last resort, after prudential and supervisory measures have failed and after viable private-sector solutions have been explored. Its role is not to prevent failure or restore viability; it is to protect eligible policyholders in a winding-up or equivalent last-resort scenario, or to support continuity where that is the nationally chosen protection mechanism. A harmonised FOLTF trigger could cause premature activation, unnecessary operational mobilisation and confusion about the boundary between supervision, resolution and guarantee protection.

Trigger design must reflect the function of the scheme. For compensation after liquidation, activation may only be needed later; for continuity of policies (especially in life insurance), earlier intervention may be necessary. Harmonising triggers risks conflict with national legal concepts, especially insolvency law. In sum, and while we do not support a mandatory harmonised EU Trigger, we consider that a principles-based approach (minimum expectations and coordination) is preferable to rigid harmonisation.

b. Time for submission of claims in compensation cases

Do you have any comments on the following paragraphs?

	Yes	No
3.32	<input type="radio"/>	<input checked="" type="radio"/>
3.33	<input type="radio"/>	<input checked="" type="radio"/>
3.34	<input type="radio"/>	<input checked="" type="radio"/>
3.35	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.35.

A reasonable opportunity for policyholders and beneficiaries to submit claims is essential. However, this does not require harmonised EU deadlines. Claim submission periods are closely connected to national civil law, limitation periods, insolvency procedures, communication requirements and the nature of the insurance claim. A harmonised time limit for policyholders to submit their claims may look simple, but it would go far beyond insurance regulation and would require harmonisation on a core level of national procedural and substantive civil law. While comparable consumer outcomes are a legitimate objective, insisting that processes and outcomes be 'roughly similar' risks ignoring national legal differences and may create unintended operational and/or legal friction. Differences can also reflect legitimate national policy choices.

c. Deadline for payouts to policyholders in compensation cases

Do you have any comments on the following paragraphs?

	Yes	No
3.36	<input type="radio"/>	<input checked="" type="radio"/>
3.37	<input type="radio"/>	<input checked="" type="radio"/>
3.38	<input type="radio"/>	<input checked="" type="radio"/>
3.39	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.39.

We support the objective of timely compensation where compensation is the applicable IGS function. However, we do not support a harmonised maximum payout deadline should be required across all Member States. In practice, pay-out speed depends on factors that vary by jurisdiction and case, especially on the applicable insolvency and administrative law and processes. Further, the type of insurance contract and claims verification requirements may also have an influence. Strict payout deadlines can also create operational risks: They may incentivise premature or inaccurate payments and require excessive liquidity buffers, thereby increasing costs without improving actual consumer outcomes. It should be left to Member States to find workable solutions within their national contexts.

d. Conditions and timing for continuation of policies by IGS

Do you have any comments on the following paragraphs?

	Yes	No
3.40	<input type="radio"/>	<input checked="" type="radio"/>
3.41	<input type="radio"/>	<input checked="" type="radio"/>
3.42	<input type="radio"/>	<input checked="" type="radio"/>

3.43	<input checked="" type="radio"/>	<input type="radio"/>
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Please provide your comment to para 3.43.

Continuation can be more valuable than immediate compensation, especially in life insurance where equivalent replacement protection may be difficult to obtain. Continuation, portfolio transfer and solvent run-off can help preserve policyholder value while minimising disruption and avoiding forced termination of policies.

However, the conditions and timing for continuation must remain case-specific and national. Continuation can require significant decisions regarding asset transfer, IT continuity, claims handling and funding decisions, among others. It may be appropriate in life insurance, but is generally unnecessary in property and casualty cases. Any EU framework must be function-neutral: compensation and continuation should both be accepted as legitimate and equivalent forms of policyholder protection.

Any IGS role in continuation should be confined to policyholder protection and should not be used to restore the viability of the failed insurer.

e. Insolvency ranking

Do you have any comments on the following paragraphs?

	Yes	No
3.44	<input type="radio"/>	<input checked="" type="radio"/>
3.45	<input type="radio"/>	<input checked="" type="radio"/>
3.46	<input type="radio"/>	<input checked="" type="radio"/>
3.47	<input type="radio"/>	<input checked="" type="radio"/>
3.48	<input type="radio"/>	<input checked="" type="radio"/>
3.49	<input type="radio"/>	<input checked="" type="radio"/>
3.50	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.50.

We do not support EIOPA's preferred option of mandatory harmonised ranking at the same level as insurance claims. We acknowledge that subrogation can facilitate faster payments to policyholders and allow the IGS to recover from the insolvency estate over time. However, this practical benefit does not require EU-wide harmonisation of insolvency ranking. The design should remain aligned with national insolvency frameworks. We support maintaining the flexibility provided by Article 277 Solvency II.

III. Conditions for effective funding of IGS

Do you have any comments on the sub-section of *III. Conditions for effective funding of IGS*

- Yes
 No

Do you have any comments on the following paragraphs?

	Yes	No
3.51	<input type="radio"/>	<input checked="" type="radio"/>
3.52	<input type="radio"/>	<input checked="" type="radio"/>

a. Adequate safeguards to ensure that liquidity is immediately available

Do you have any comments on the following paragraphs?

	Yes	No
3.53	<input type="radio"/>	<input checked="" type="radio"/>
3.54	<input type="radio"/>	<input checked="" type="radio"/>
3.55	<input type="radio"/>	<input checked="" type="radio"/>
3.56	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.56.

Liquidity matters, but mandatory EU liquidity-safeguard rules should not be introduced. EIOPA identifies possible safeguards such as credit lines, borrowing powers, operational buffers and additional ex-post levies. These tools can be useful, but their relevance depends on national market size, concentration, product mix, existing IGS design and the likely use of compensation versus continuation.

A requirement to establish safeguards could become a de facto funding obligation. Even flexible requirements can create supervisory pressure to maintain costly standby facilities or operational buffers. Costs for credit lines, governance, reporting and operational readiness would ultimately be borne by insurers and policyholders. Mandatory safeguards will increase costs even in markets where the probability and expected scale of relevant failures are low or where alternative national mechanisms already exist.

Member States should therefore retain full discretion. EU-level work could identify best practices and stress-testing approaches, but should not require specific safeguards or minimum liquidity architecture. Existing national protection mechanisms such as segregated or preferentially protected assets, such as Sicherungsvermögen in Germany, should be recognized as part of the protection architecture.

b. Specific situations which need to be considered for ex-post levy collection

Do you have any comments on the following paragraphs?

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	Yes	No
3.57	<input type="radio"/>	<input checked="" type="radio"/>
3.58	<input type="radio"/>	<input checked="" type="radio"/>
3.59	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.59.

In terms of funding timing, we believe ex-post funding should be the default rule, potentially complemented by a certain level of ex-ante funding to cover operational costs. In many cases, ex-post levies are more proportionate than ex-ante pre-funding because they avoid locking up capital for low-probability events. This is particularly true for property and casualty insurance. P/C contracts are typically annual, exposure is limited to incurred claims and premiums already paid, and immediate funding needs are generally much smaller than in life insurance. For P/C, an ex-post approach is usually appropriate and sufficient.

Ex-post funding should be assessed nationally, taking account of market concentration, the likelihood of correlated failures, the financial strength of surviving insurers and the ability to collect levies quickly. However, they should not be converted into EU-level minimum conditions that effectively force Member States towards ex-ante funding whenever an ex-post model is considered less than perfect.

c. Considerations on combined or hybrid funding

Do you have any comments on the following paragraphs?

	Yes	No
3.60	<input type="radio"/>	<input checked="" type="radio"/>
3.61	<input type="radio"/>	<input checked="" type="radio"/>
3.62	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.62.

We strongly oppose a mandatory ex-ante funding requirement or operational buffer as a minimum standard. EIOPA's preferred option does not prescribe a fixed percentage or EU target level, but it nevertheless implies that hybrid funding should include a sufficient ex-ante component or operational buffer. This might move Member States away from pure or predominantly ex-post systems even where those are proportionate and credible.

In life insurance, some degree of ex-ante funding may be reasonable depending on the national scheme and its function. This is due to the long-term nature of liabilities, the potential need to support continuity solutions and the potential difficulty for some policyholders to obtain equivalent replacement cover. As mentioned above, the situation is materially different in property and casualty insurance, so an ex-post approach is usually appropriate and sufficient.

Locking up capital in ex-ante funds has opportunity costs. It can reduce capital available for underwriting, investment and innovation; it can increase premiums or reduce benefits; and it may disproportionately affect smaller undertakings. It may also create moral hazard by signalling a broad industry-funded safety net. Funding

design must therefore be left to national calibration, with a strong presumption in favour of ex-post funding, especially in P/C.

IV. Interaction between IRRD and harmonized IGS

Do you have any comments on the sub-section of IV. *Interaction between IRRD and harmonized IGS*?

- Yes
- No

Do you have any comments on the following paragraphs?

	Yes	No
3.63	<input type="radio"/>	<input checked="" type="radio"/>
3.64	<input checked="" type="radio"/>	<input type="radio"/>
3.65	<input type="radio"/>	<input checked="" type="radio"/>

Please provide your comment to para 3.64.

See comment to 3.71 below.

a. Involvement of IGS in funding and application of resolution and insolvency proceedings

Do you have any comments on the following paragraphs?

	Yes	No
3.66	<input type="radio"/>	<input checked="" type="radio"/>
3.67	<input type="radio"/>	<input checked="" type="radio"/>
3.68	<input type="radio"/>	<input checked="" type="radio"/>
3.69	<input type="radio"/>	<input checked="" type="radio"/>
3.70	<input type="radio"/>	<input checked="" type="radio"/>
3.71	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.71.

In our view, there is a strong case against harmonisation regarding involvement of IGS in funding and application of resolution and insolvency proceedings. The IRRD is still being transposed and will apply only from early 2027. EIOPA itself does not provide a preferred option on IGS involvement in funding and application of resolution and insolvency proceedings because of the ongoing implementation and diversity of Member State choices.

IGS should not become a resolution financing backstop. Recovery and resolution frameworks pursue broader objectives, including financial stability, continuity of critical functions and protection of public funds. IGS, by contrast, should be targeted exclusively at policyholder protection. Mixing these objectives risks conflicts of interest, blurred accountability and fund depletion. It may also create expectations that the industry-funded IGS will make resolution transactions economically viable.

IGS should intervene only as a last resort, after all other measures—primarily prudential and supervisory actions—have been exhausted and a crisis cannot be averted. IGS should not be used to restore the viability of insurers in distress. Doing so would effectively shift the costs of failure to well-managed and well-capitalised competitors and undermine market discipline.

b. Institutional set-up and arrangements: levels of coordination and cooperation between NRAs and IGS

Do you have any comments on the following paragraphs?

	Yes	No
3.72	<input type="radio"/>	<input checked="" type="radio"/>
3.73	<input type="radio"/>	<input checked="" type="radio"/>
3.74	<input type="radio"/>	<input checked="" type="radio"/>
3.75	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 3.75.

Effective and close cooperation between national resolution authorities and IGS is important. The NRA should lead resolution planning and execution, while the IGS should provide input on policyholder protection, operational feasibility and funding implications. However, the institutional set-up should remain a national matter. Member States differ widely in the functioning, legal status and supervisory structure of their IGS. A uniform model would not improve policyholder protection if it disrupts existing functioning national arrangements.

Again, the IRRD timing matters. National resolution authorities, financing arrangements and cooperation processes are still being designed. It would be premature to impose IGS-specific coordination requirements before the IRRD architecture has settled and before its practical effectiveness has been assessed.

4. EIOPA'S ADVICE: OVERVIEW

Do you have any comments to the overview of preferred policy options?

- Yes
- No

5. CONCLUSION

Do you have any comments to the Conclusion?

- Yes
- No

Do you have any comments on the following paragraphs?

	Yes	No
5.1	<input type="radio"/>	<input checked="" type="radio"/>
5.2	<input type="radio"/>	<input checked="" type="radio"/>
5.3	<input checked="" type="radio"/>	<input type="radio"/>

Please provide your comment to para 5.3.

Our core position remains that IGS can play an important role where they are nationally calibrated and strictly limited to the protection of policyholders in exceptional failure cases. It can strengthen policyholder confidence and provide an orderly, predictable backstop in the rare event of insurer failure. In Germany, there are well-established IGS for life (Protektor) and health insurance (Medicator) and further schemes are being developed in the context of IRRD implementation. Any future EU initiative must preserve such well-functioning national systems. EU rules must not require structural changes to such systems or undermine their nationally calibrated design. Imposing harmonised standards risks reducing flexibility, creating unintended incentives, and complicating the interaction with existing national arrangements without a clear additional consumer benefit. If minimum harmonisation is nevertheless pursued, it should be strictly limited to high-level principles and include explicit grandfathering or compatibility safeguards for existing national schemes. Any new rules should be based on the home country principle.

We strongly oppose any IGS harmonisation action before the IRRD has been fully implemented by the Member States. The IRRD is still being transposed and will only apply from early 2027. There should be sufficient time to observe how resolution planning and financing arrangements operate. Only then a proper assessment of whether residual policyholder-protection gaps remain is even possible. It would clearly be premature to introduce harmonised IGS at this stage. National resolution authorities, financing arrangements and cooperation processes are still being designed. Premature IGS harmonisation risks additional costs without demonstrated need, moral hazard, market distortions and an inappropriate blending of IGS with the newly created IRRD framework. The Commission should wait for the IRRD implementation and evaluation before considering a further harmonisation package. A phased approach is recommended.

The issues of moral hazard and market discipline should also be considered. A more visible and more harmonised EU safety net can weaken incentives for policyholders, distributors and insurers to assess financial soundness.

INTRODUCTION TO THE TECHNICAL ANNEX

Do you have any comments to *the introduction to the technical annex*?

- Yes
 No

TECHNICAL ANNEX - SECTION 1: GENERAL QUESTIONS ABOUT THE IMPACT OF MINIMUM HARMONIZED IGS

Do you have any comments to *Section 1 on General questions about the impact of minimum harmonized IGS*?

- Yes
 No

Do you have any comments on the following subsections?

	Yes	No
Extract from the Call for Advice	<input type="radio"/>	<input checked="" type="radio"/>
Relevant IRRD-provisions, previous EIOPA Advice, and regulatory background	<input type="radio"/>	<input checked="" type="radio"/>
Impact of covering different insurance policies	<input checked="" type="radio"/>	<input type="radio"/>
Pensions	<input type="radio"/>	<input checked="" type="radio"/>
Reduction of fragmentation in the single market	<input type="radio"/>	<input checked="" type="radio"/>
Advantages and disadvantages of different levels and approaches to IGS coverage	<input type="radio"/>	<input checked="" type="radio"/>

Please provide your comments to the *Impact of covering different insurance policies*. Specify in your answer the subsection and paragraph the comment refers to: *Analysis* (2.7-2.12), *Level of standardization of relevant insurance policies across the EU* (2.13), *Standardization in terms of coverage and product design* (2.14-2.17), *Mandatory status of the eligible policies across EU* (2.18-2.19), *Cross-border relevance* (2.20-2.22), *Impact of the coverage of those policies in terms of protection for policyholders and additional costs for the insurance sector* (2.23), *Benefits of the IGS coverage of eligible policies* (2.24-2.30), *Impact of the eligible policies for the economy* (2.31-2.33), *Impact of the eligible policies for the policyholders* (per capita) (2.34-2.36), *Impact of the coverage of eligible policies in terms of protection for policyholders* (2.37-2.52), *Impact of the coverage of eligible policies for the insurance sector* (2.53-2.56, Case study, 2.57-2.60), *Overall impact* (2.61, table, 2.62-2.66).

Para. 2.49: The statement “that funding needs of the IGS will mostly become the (economic) benefits for policyholders” is questionable. It risks conflating actual transfer payments with genuine economic costs, including administration, governance, liquidity safeguards and the opportunity cost of prefunding. IGS sitting idly for years produce significant cost. Moreover, in Member States with existing schemes, the incremental benefit of harmonisation may be significantly lower than the gross amount of protected claims.

TECHNICAL ANNEX - SECTION 2: OPERATIONAL FUNCTIONING OF IGS

Do you have any comments to Section 2 on Operational functioning of IGS?

- Yes
 No

TECHNICAL ANNEX - SECTION 3: DESCRIPTION OF CONDITIONS FOR EFFECTIVE FUNDING OF IGS

Do you have any comments to *Section 3 on description of conditions for effective funding of IGS?*

- Yes
 No

TECHNICAL ANNEX - SECTION 4: INTERACTION BETWEEN HARMONIZED IGS AND THE IRRD

Do you have any comments to *Section 4 on Interaction between harmonized IGS and the IRRD?*

- Yes
 No

TECHNICAL ANNEX: ADDITIONAL INFORMATION

Do you have any comments to tables, graphs and and/or illustrations in the *Additional information?*

- Yes
 No

Please provide your comments to the *Additional information*. Specify in your answer the specific table, graph and and/or illustration the comment refers to.

Table 4/5: public medical insurance is indeed mandatory in Germany, but private medical insurance is not. Accordingly, Table 5 is not correct in showing red for medical insurance, as the private health insurance covered by Medicator is not a mandatory insurance.

Contact

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