

FINAL REPORT

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on the proposal for Regulatory Technical
Standards on Functioning of the Resolution
College

EIOPA-BoS-26/129
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eiopa

European Insurance and
Occupational Pensions Authority

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1. EXECUTIVE SUMMARY

INTRODUCTION

On 22 July 2025, EIOPA launched a public consultation on draft regulatory technical standards (RTS) on the functioning of the Resolution Colleges. This final report sets out the final text of the RTS including an impact assessment and a feedback statement on the public consultation.

CONTENT

Article 70(7) Directive (EU) 2025/1 requires EIOPA to develop regulatory technical standards to define the criteria for the setting up and functioning of the resolution colleges.

The goal of the RTS is to provide a framework that specifies the operational functioning of the resolution colleges. The requirements in the RTS are stipulated in a comprehensive manner, allowing for the authorities, members of the resolution colleges, to define the operational organisation of resolution colleges, the content of the written arrangements and procedures, the process for the joint decision including the planning and documentation required for the group resolution plan, the assessment of resolvability and measures to address substantive impediments to resolvability.

PUBLIC CONSULTATION

EIOPA conducted a public consultation on the draft RTS between 22 July 2025 and 31 October 2025. A stakeholder event was held on 29 September 2025 to discuss the consultation paper. Following the publication of the consultation paper, three stakeholders provided feedback on the consultation paper. Based on the stakeholder feedback, the drafting of the RTS was refined. These revisions did not lead to a change in the general approach set out in the consultation paper, However, further streamlining was sought useful in the spirit of simplification and clarity.

NEXT STEPS

EIOPA shall, by 29 July 2026, submit those regulatory technical standards draft to the Commission, in accordance with Articles 15 of Regulation (EU) No 1094/2010 (EIOPA Regulation).

2. BACKGROUND AND ANALYSIS

According to Article 70(7) of Directive (EU) 2025/1, the European Insurance and Occupational Pensions Authority (EIOPA) is tasked to draft an RTS defining the criteria for the setting up and functioning of the resolution colleges.

The resolution colleges play a key role in the decision-making process to address cross-border issues and will carry out the tasks referred to in Article 70(1) of Directive (EU) 2025/1. The resolution colleges will ensure cooperation and coordination among the authorities that are members of the resolution college and, where appropriate, cooperation with third-country competent authorities and resolution authorities.

This consultation paper presents the draft RTS which determines and further specifies the operational functioning of the resolution colleges. This includes content of the written arrangements and procedures necessary for the functioning of the resolution colleges. It defines the operational organisation of resolution colleges, including the written arrangements and procedures for the functioning of the resolution colleges to be established for cross-border groups in the EEA. Furthermore, it elaborates on the key outputs of the resolution colleges which are the resolution plans, the joint decisions process, including the planning and documentation required for the group resolution plan, the assessment of resolvability and measures to address substantive impediments to resolvability.

The consultation paper is structured into three main sections. The first section addresses the operational organisation of resolution colleges and outlines provisions for their establishment and ongoing functioning. The second section covers provisions related to reaching joint decisions on the development of group resolution plans, the assessment of resolvability and taking measures to address impediments to resolvability. The third section focusses on the governance of cross-border group resolution, detailing the procedures to be followed when the group-level resolution authority notifies the resolution college when a group entity is failing or likely to fail. It includes the steps to be taken to assess the necessity of a group resolution scheme and how to deal with any financing arrangements involved. Where a group resolution scheme is deemed necessary, the joint decision-making process for its implementation is also elaborated within this section.

The draft RTS was developed in line with EIOPA's views for better regulation and supervision, thereby enhancing supervisory convergence through simpler, more efficient frameworks¹.

¹ [Bolder, Simpler, Faster: EIOPA's views for better regulation and supervision](#)

3. DRAFT TECHNICAL STANDARD



EUROPEAN COMMISSION

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supplementing Directive (EU) 2025/1 of the European Parliament and of the Council with regard to regulatory technical standards specifying the operational functioning of the resolution colleges

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2025/1 of the European Parliament and of the Council of 27 November 2024 on establishing a framework for the recovery and resolution of insurance and reinsurance undertakings and amending Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 and Regulations (EU) No 1094/2010, (EU) No 648/2012, (EU) No 806/2014 and (EU) 2017/1129², and in particular Article 70(7), third subparagraph, thereof,

Whereas:

- (1) This Regulation sets out the rules for the establishment of resolution colleges and the procedures to be followed when performing their functions and tasks to prepare for resolution through resolution planning, including the assessment of resolvability. The provisions are aimed at increasing the readiness for resolution colleges to respond to crisis situations and be able to resolve insurance or reinsurance undertakings in a coordinated manner. This Regulation also applies to European resolution colleges set up for Union subsidiary undertakings of third-country insurance or reinsurance undertakings or third-country parent undertakings.
- (2) With regard to the involvement of third-country resolution authorities and resolution authorities of financial conglomerates in resolution colleges, it is relevant to provide for the process of organising the participation of the observers in the resolution college as well as their involvement in the various college tasks. This includes defining the scope of their engagement, the conditions under which they may access relevant information, and the modalities of their contribution to the planning and execution of resolution.
- (3) To achieve effective resolution planning, there is a need for efficient and timely interaction and cooperation between the members and observers of the resolution college. Moreover, it is important to establish an efficient cooperation between the group-level resolution authority and the ultimate parent undertaking. To that end, the group-level resolution authority should establish clear communication channels and mechanisms for the structured exchange of information, and it should ensure that the ultimate parent undertaking provides all necessary data and insights in a timely manner to support resolution planning and decision-making.
- (4) The resolution college's written arrangements should include the necessary operational provisions to ensure that the resolution college enables the resolution authorities to coordinate their input to the college of supervisors and to process the analysis and evaluation of the input that the resolution authorities receive from the college of supervisors. Written arrangements should include a communication process between the college of supervisors and the resolution college, and most importantly between the group-level resolution authority and the group supervisor. Moreover, the written arrangements should reflect an overview of the college, its members and observers, and their allocation to certain processes and substructures, the arrangements that the college should establish for its meetings, and also a specification of the information requirements.
- (5) The attendance of observers at a resolution college meeting, or participation in a particular agenda item, should depend on the topics to be discussed. The group-level resolution authority should assess and decide what information is relevant for the observers and invite them in the relevant college meeting or activity accordingly.

² OJ L, 2025/1, 8.1.2025

- (6) The joint decision process entails a series of steps, which are applicable to all joint decision processes and ensure cooperation and coordination among the members of the resolution college. These steps consist of sharing a draft timetable, having a dialogue between resolution authorities concerned, consulting members of the resolution college, and communicating the joint decisions. All authorities involved in the joint decision-making process should be engaged in consultation and should be provided with sufficient time to express their views. Where material concerns have been expressed, they should be taken into consideration, as appropriate. If concerns are excluded, a reasoned explanation should be provided. Silence within the specified timeframe should imply consent. If needed, further exchanges should be organised by the group-level resolution authority.
- (7) To ensure comparability of processes and outcomes, and achieve convergence across different resolution colleges, it is necessary to set out uniform rules on the processes and documentation required for the joint decision-making within the resolution colleges.
- (8) The group-level resolution authority should be ultimately responsible for laying down the joint decision processes and to adapt those to the specificities of the resolution college, when needed. This includes the sequencing of the steps and their relevance, particularly when the resolution plan is considered to be in a stable state and no significant modifications are deemed necessary, which allows for the approval of the resolution plan by the members of the resolution college.
- (9) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Insurance and Occupational Pensions Authority.
- (10) The European Insurance and Occupational Pensions Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Insurance and Reinsurance Stakeholder Group established by Article 37 of Regulation (EU) No 1094/2010.

HAS ADOPTED THIS REGULATION:

CHAPTER I

OPERATIONAL ORGANISATION OF RESOLUTION COLLEGES

Article 1

Identification of resolution college members and observers

- (1) For the purposes of identifying the members and observers of the resolution college, the group-level resolution authority shall perform the following tasks:
 - (a) conduct the mapping of group entities and identification of members and observers referred to in Article 70(2) to (4) of Directive (EU) 2025/1. The mapping can take into account the existing mapping performed by the group-level supervisory authority and shall list the name, address and general contact details of all members and observers;
 - (b) conduct an initial assessment of whether third country observers fulfil the conditions of Article 80(1), point (a), of Directive (EU) 2025/1, in case it intends to start the process as outlined in Article 2 of this Regulation;
 - (c) communicate the list of members and observers to the resolution college once mapping has been finalised.
- (2) The group-level resolution authority shall communicate to the ultimate parent undertaking the establishment of the resolution college and the list of its members and observers.
- (3) The group-level resolution authority shall keep the list of members and observers updated. In addition, members shall inform the group-level resolution authority in case there are any substantive changes to the insurance group's composition.
- (4) When assessing the obligation to establish a resolution college the group-level resolution authority shall consider whether, pursuant to Article 70(6) of Directive (EU) 2025/1, other groups or colleges, including non-insurance resolution colleges, are already in place. It shall formally notify the members of the resolution college listed in Article 70(2) of Directive (EU) 2025/1 of its decision to make use of those existing groups or colleges.

Article 2

Participation of observers

- (1) Where the group-level resolution authority intends to invite a resolution authority as an observer, pursuant to Article 70(3) of Directive (EU) 2025/1, it shall first engage in a preliminary dialogue with the potential observer to confirm its interest in participating in the resolution college.
- (2) Upon confirmation of interest, the group-level resolution authority shall inform the members of the resolution college of its intention to invite the potential observer and shall provide:
 - (a) its assessment of the equivalence of the confidentiality and professional secrecy regime applicable to the potential observer;
 - (b) its assessment of the significance of the relevant subsidiary insurance or reinsurance undertaking or branch of a parent undertaking or an undertaking established in the Union;
 - (c) the terms and conditions for the participation of observers as set out in the written arrangements and procedures for the functioning of the resolution college;
 - (d) the deadline after which the members shall be deemed to have given their consent, unless any resolution college members referred to in Article 70(2), points (b) and (c), of Directive (EU) 2025/1 submits a duly reasoned objection to the assessment referred to in points (a) and (b) of this paragraph.

- (3) When an objection is raised, the group-level resolution authority shall take it into consideration before taking its final decision and shall, where necessary, adjust the terms and conditions for the participation of observers. For this purpose, it may also seek the explicit views of the resolution college members referred to in Article 70(2), point (b) and (c), of Directive (EU) 2025/1 and shall take into account the majority of views expressed.
- (4) Where the group-level resolution authority decided to invite the potential observer, it shall issue a formal invitation accompanied by the applicable terms and conditions of participation.
- (5) Where a third-country resolution authority cannot agree to the terms and conditions set out in the written arrangement, the group-level resolution authority may adapt the organisation of the resolution college accordingly to ensure its participation.
- (6) A resolution authority shall be considered an observer upon written acceptance of the invitation, including the terms and conditions of participation.
- (7) Following acceptance, the group-level resolution authority shall communicate the updated list of members and observers and any relevant procedures to the resolution college.

Article 3

Establishment and update of contact lists

- (1) The group-level resolution authority shall establish, maintain and make available the contact list with details of the persons appointed by members and observers for the purpose of performing resolution college tasks.
- (2) Each authority shall designate two contact persons, one main member and an alternate, for the purpose of ensuring the tasks are conducted in an effective and efficient manner. For each contact person, the authority shall provide the name, role and contact details and, where relevant, a functional mailbox.
- (3) Members and observers shall ensure that the group-level resolution authority receives, without undue delay, all relevant and up-to-date contact details for the timely update of the contact list.

Article 4

Establishment and update of written arrangements

- (1) The group-level resolution authority shall prepare its proposal for the written arrangements and procedures for the functioning of the resolution college in accordance with Article 5 of this Regulation.
- (2) The draft written arrangements, and any subsequent update, shall be submitted to the resolution college members with a view to reach consensus.
- (3) The group-level resolution authority shall finalise the written arrangements, taking into account the views expressed by the resolution college members. The group-level resolution authority shall provide an explanation if the view expressed is not taken into account.
- (4) Upon finalisation, the group-level resolution authority shall communicate the written arrangements and procedures for the functioning of the resolution college to the members and observers of the resolution college.
- (5) The group-level resolution authority shall review and update the written arrangements and procedures for the functioning of the resolution college at least every two years. In addition, a review process shall be carried out in case of substantive changes to the group structure or to the composition of the resolution college. While reviewing and updating the written arrangements and procedures for the functioning of the resolution college, the group-level resolution authority and the other members of the college shall follow the procedure set out in paragraphs 1 to 4. Where the changes to the written arrangements are not substantive, paragraph 3 shall not apply.

Article 5

Content of the written arrangements and procedures for the functioning of the resolution college

- (1) The written arrangements and procedures referred to in Article 70(5), point (a), of Directive (EU) 2025/1 shall include:
 - (a) a mapping of the structure of the group and identification of members and observers;

- (b) the contact list referred to in Article 3(1) of this Regulation, including the tasks and responsibilities of the contact persons;
 - (c) a framework for cooperation within the resolution college, covering the joint decision-making process, information exchange and coordination of activities.
- (2) The framework for cooperation referred to in paragraph 1, point (c), shall set out:
- (a) the governance arrangements of the resolution college, its working language and the meeting modalities;
 - (b) procedures and arrangements for the exchange of information, including communication channels and secure transmission of information;
 - (c) the activity of the members of the resolution college in developing, discussing, agreeing and updating the joint decisions, in accordance with Article 10 of this Regulation;
 - (d) the terms and conditions of the participation of the members of the resolution college, including their involvement in the tasks for reaching the joint decisions;
 - (e) the terms and conditions for the participation of the observers, including their involvement in the various dialogues and activities of the college as well as their rights and obligations with regard to exchanging information, having regard to Articles 72 and 80 of Directive (EU) 2025/1;
 - (f) an overview of the information to be shared with the members and observers for resolution planning, including on the potential use of insurance guarantee schemes or financial arrangements, assessment of resolvability, and other tasks referred to in Article 70(1) of the Directive (EU) 2025/1;
 - (g) arrangements for cooperation through substructures or other collaboration means, aimed at enhancing cooperation and interaction between the group-level resolution authority and the group supervisor. These arrangements include the coordination of input from the resolution college to the college of supervisors, where required for the exercise of tasks under this Regulation, as well as the coordination and evaluation of relevant input received by resolution authorities from the college of supervisors, where such input is necessary for the performance of their tasks under Directive (EU) 2025/1;
 - (h) any additional provisions governing the functioning of the resolution college, including any other organisational details related to the meetings, document circulation, voting procedures and cessation of participation in written arrangements.

Article 6

Operational aspects of college meetings and other activities

- (1) The resolution college members shall hold a meeting at least once every two years.
- (2) The group-level resolution authority shall prepare and communicate to resolution college members and observers in advance the agenda and objectives of planned meetings and other activities. Resolution college members may request to include specific items in the agenda.
- (3) All resolution college members participating in college meetings shall ensure that they are empowered to commit, to the maximum extent possible, their authorities, in case decisions are expected to be taken.
- (4) The group-level resolution authority shall ensure that relevant documents are circulated well in advance and at least 5 working days before a particular meeting or activity of the resolution college, or within a specific timeframe agreed by the resolution college.
- (5) The group-level resolution authority shall provide easy to use, fast, reliable, and secure communication and collaboration tools or platforms for the purposes of an efficient collaboration and functioning within the resolution college.
- (6) Outcomes and decisions of college meetings and other activities shall be documented in writing and communicated by the group-level resolution authority to resolution college members and observers within 15 working days after the meeting or activity, or within a specific timeframe agreed by the resolution college.

- (7) The group-level resolution authority shall act as a central point of contact for any matter related to the practical organisation of the resolution college meeting, including information exchange, a timely circulation of documents and minutes and actions taken or measures carried out in college meetings. For this purpose, one or more key contact persons, to be reached under a functional email address, shall be appointed to ensure an effective functioning of the college.

Article 7

General conditions for exchange of information

- (1) In accordance with Article 72 of Directive (EU) 2025/1 and for the purpose of performing the tasks as referred in Article 70(1) of Directive (EU) 2025/1, the group-level resolution authority and the members of the resolution college shall ensure that they exchange all relevant and necessary information in a timely manner, notably information for the development of group resolution plans and for the exercise of resolution powers irrespective of whether this information originates from the group-level resolution authority, from a group entity, a group supervisor, a supervisory authority, a resolution authority or any other designated authority responsible for the insurance guarantee scheme.
- (2) The information shall be adequate, accurate and up to date and shared in a timely manner to enable and facilitate the performance of the tasks of resolution college members referred to in Article 70(1) of the Directive (EU) 2025/1.
- (3) For the purpose of effective and efficient coordination between the supervisory and resolution college, the group-level resolution authority and the group supervisor shall exchange all information required to ensure that colleges fulfil their role set out in Article 248 of Directive 2009/138/EC and Article 70 of Directive (EU) 2025/1.
- (4) To ensure efficient information sharing, resolution college members and observers shall consider using the full range of standardized and harmonized communication channels within the college, provided that the confidentiality of data is secured. Where a secure resolution college website or platform for exchanging information exists, the use of this tool shall be the main means of communication.

Article 8

Communication policy

- (1) The group-level resolution authority shall be the authority responsible for the communication with the ultimate parent undertaking, the resolution authorities in other Member States and the group supervisor, where the group supervisor is different from the group-level resolution authority.
- (2) The resolution authorities referred to in Article 70(2), points (b) and (c), of Directive (EU) 2025/1 shall be the authorities responsible for the communication with the group entities and the supervisory authorities in the respective Member States.

Article 9

Coordination of external communication

- (1) The members of the resolution college shall coordinate their external communications related to group resolution strategies and schemes.
- (2) For the purpose of coordinating the external communication, the members of the resolution college shall agree at least on the following:
- (a) the allocation of responsibilities for coordinating external communication in a situation where an insurance undertaking or reinsurance undertaking or group is considered to be failing or likely to fail, as well as in resolution situations;
 - (b) the level of information to be disclosed in relation to group resolution strategies;
 - (c) the coordination of public statements in situations where an insurance undertaking or reinsurance undertaking or group is considered to be failing or likely to fail, including statements relating to resolution actions taken or notices summarising the effects of such actions.

CHAPTER II
GENERAL PROVISIONS ON JOINT DECISION PROCESS

Article 10

General provisions

- (1) Unless stipulated otherwise in this Regulation, the joint decision process shall include:
- (a) A joint decision timetable consisting of a proposed timetable circulated by the group-level resolution authority and agreed by consensus with the resolution college members. The group-level resolution authority shall set a time limit within which resolution college members shall either agree or reject the joint decision timetable. In case of failure to agree on the joint decision timetable, the group-level resolution authority shall set the timetable, after considering the views and reservations expressed by the members of the resolution college. The joint decision timetable may encompass multiple joint decision processes and shall specify key milestones, including the start and end date of the joint decision period, in accordance with Article 17(1) of the Directive (EU) 2015/1, the consultation period and scheduled meeting dates. Any aspects of the joint decision timetable that involve the participation of the ultimate parent undertaking shall be duly communicated to the ultimate parent undertaking.
 - (b) A preliminary dialogue facilitated by the group-level resolution authority on the content of the joint decisions; additional dialogues may be convened if necessary.
 - (c) Written consultation of relevant authorities as stipulated in Article 17(1) of Directive 2015/1 on the draft decision, excluding the elements referred to under Article 11(1)(g) and (h), and Article 11(2) of this Regulation. The group-level resolution authority shall ensure that the resolution authorities of subsidiaries and the competent authorities, where applicable, are consulted on the draft joint decision. Concerns may be submitted in writing to the group-level resolution authority for its assessment. Failure to provide a response within the set time limit as set out in point (a) of this paragraph shall be deemed to constitute consent.
 - (d) Reaching and finalizing the joint decision pursuant to Article 12 of this Regulation.
 - (e) Communication of the final decision to the participating authorities and, where explicitly provided for in this Regulation, to the ultimate parent undertaking.
- (2) References in this Regulation to the written form shall include written statements submitted by electronic means.

Article 11

Elements of joint decisions

- (1) Each joint decision shall include:
- (a) names of adopting authorities reaching the joint decision;
 - (b) names of consulted authorities or authorities involved in the development of the content of the decision;
 - (c) name of the ultimate parent undertaking and affected entities;
 - (d) reference to the applicable Union and national law relating to the preparation, finalisation and application of the joint decision
 - (e) draft or adoption decision date, as applicable;
 - (f) cited underlying documents;
 - (g) summary of views expressed; and
 - (h) where EIOPA has provided an opinion, a reasoned explanation for any deviation from its opinion.
- (2) Where disagreement occurs, the decision shall include comments on the views expressed by other authorities and on the issues leading to disagreement.

Article 12

Reaching and finalising joint decisions

- (1) Draft joint decisions shall be circulated by the group-level resolution authority to the relevant resolution authorities of the subsidiaries, setting a time limit for written agreement to that joint decision or rejection.
- (2) Written agreements or rejections shall be submitted electronically within the established time limit.
- (3) Joint decisions are concluded upon receipt of agreement from the resolution authorities as provided in Article 11 (4) and 16 (4) of Directive 2025/1.
- (4) The final decision consists of the approved text with annexed written agreements, including the one of the group-level resolution authority.

CHAPTER III

GROUP RESOLUTION PLANNING AND RESOLVABILITY

Section 1

Group resolution plan and assessment of resolvability

Article 13

Joint decision process for the group resolution plan and assessment of resolvability

- (1) In addition to the requirements set forth in Article 10(1) of this Regulation, the joint decision timetable for the group resolution plan and the assessment of resolvability shall ensure timely and effective cooperation within the resolution college and shall set out the following steps:
 - (a) an early and structured exchange between the group-level resolution authority and the relevant authorities as provided in Article 17(1) of Directive (EU) 2015/1 on the draft joint decision on the group resolution plan and the assessment of resolvability, prior to the start of the four-months period referred to in Article 17(1), point (b), of Directive (EU) 2015/1;
 - (b) the resolution authorities of subsidiaries shall provide to the group-level resolution authority their contributions to the group resolution plan and assessment of resolvability in a timely manner and in any event by the time limit specified in the joint decision timetable. Specifically, they shall provide their opinion on the assessment of the subsidiary undertakings within their Member States in relation to the group resolution plan;
 - (c) the group-level resolution authority shall develop the draft group resolution plan in accordance with Article 10 of Directive (EU) 2025/1, taking into account any contributions submitted by the resolution authorities of subsidiaries and after consulting the supervisory authorities concerned which are members of, or participate in, the college of supervisors;
 - (d) the timely communication to the group-level resolution authority of any identified substantive impediments to the resolvability of the group or of individual entities, within the deadline specified in the joint decision timetable;
 - (e) the communication by the group-level resolution authority of the joint decision to the management body of the ultimate parent undertaking, together with a summary of the key elements of the group resolution plan, including the assessment of resolvability and any identified substantive impediments, in accordance with Article 20 of this Regulation.
- (2) The group-level resolution authority shall inform the resolution authorities of the subsidiaries of the communication referred to in paragraph 1, point (e).
- (3) The group-level resolution authority may engage in dialogue with the ultimate parent undertaking, where appropriate, to provide clarification on the joint decision on the group resolution plan and assessment of resolvability.

Article 14

Elements of the joint decision process for the group resolution plan and assessment of resolvability

- (1) As regards the elements of the joint decision on the group resolution plan and assessment of resolvability, the provision of Article 11(1) of this Regulation applies.

Section 2

Process in the absence of joint decision on group resolution plan and assessment of resolvability

Article 15

Process and elements of individual decisions

- (1) In the absence of a joint decision within the period of four months, the decision taken by the group-level resolution authority on the group resolution plan referred to in Article 17(2), point (c), of Directive (EU) 2025/1 shall be communicated in writing to the resolution college members and shall include, in a clear and reasoned manner all of the following items in addition to the elements in Article 11(1) of this Regulation:
 - (a) the group resolution plan and assessment of resolvability, including any measures to address or remove substantive impediments to resolvability, pursuant to Article 15, points (4) to (6), of Directive (EU) 2025/1. Where the ultimate parent undertaking is in the process of implementing those measures, the timetable for their implementation shall be also provided;
 - (b) a summary of the views expressed by the authorities involved in the joint decision process and information on the issues leading to disagreement;
 - (c) the assessment of the group-level resolution authority on the views expressed by resolution college members and observers, in particular with regards to issues leading to disagreement.
- (2) In the absence of a joint decision between the resolution authorities within the period of four months on any of the matters listed in Article 17(2) and (3) of Directive (EU) 2025/1, the resolution authorities adopting individual resolution decisions shall transmit those decisions to the group-level resolution authority in writing and shall ensure they include all of the following items, in addition to the elements in Article 11(1) of this Regulation:
 - (a) the name of the group-level resolution authority and a reasoned statement explaining any disagreement with elements of the group resolution plan and assessment of resolvability with which the resolution authority disagrees;
 - (b) the identification of the substantive impediments, and, where necessary, the assessment of the measures proposed by the ultimate parent undertaking and the measures required by the authorities to address or remove those impediments in accordance with Article 16(1) of Directive (EU) 2025/1;
 - (c) the resolution plan and the assessment of resolvability of the entities under their jurisdiction including any measures to address or remove substantive impediments to resolvability in accordance with Article 15(4), (5) and (6) of Directive (EU) 2025/1, subject to which the decision is taken. Where the entities are in the process of implementing these measures, then the timetable for their implementation shall also be provided.

Article 16

Communication of individual decisions on group resolution plan and resolvability assessment

- (1) In the absence of a joint decision between the group-level resolution authority and the resolution authorities of subsidiaries within the time period referred to in Article 17(1) of Directive (EU) 2025/1, the resolution authorities of the subsidiaries shall communicate in writing their individual decisions taken in accordance with Article 17(4) of Directive (EU) 2025/1, including where relevant the involvement of EIOPA.
- (2) The group-level resolution authority shall, without undue delay, notify its own decision together with the individual decisions referred to in paragraph 1 to the other resolution college members and to the ultimate parent undertaking.

Section 3

Measures to address substantive impediments to resolvability

Article 17

Suspension of the joint decision process on the group resolution plan and resolvability assessment

- (1) When the group-level resolution authority identifies substantive impediments to resolvability or assents to an opinion on identified substantive impediments expressed by any of the authorities having been consulted on the group resolution plan and resolvability assessment, the group-level resolution authority shall suspend the joint decision process in accordance with Article 15(2) of Directive (EU) 2025/1 and shall notify its decision to the resolution college members.
- (2) The group-level resolution authority shall resume the joint decision process on the group resolution plan, including the performance of its assessment of resolvability, as soon as the joint decision process referred to in Article 16 of the Directive (EU) 2025/1 on measures to address or remove substantive impediments to resolvability has been completed.

Article 18

Joint decision process on measures to address substantive impediments to resolvability

- (1) In addition to the requirements set forth in Article 10(1) of this Regulation, the joint decision timetable for addressing substantive impediments to resolvability shall encompass the following steps:
 - (a) the group-level resolution authority, in consultation with the group supervisor and the EIOPA shall prepare and circulate a report identifying substantive impediments in accordance with Article 16(2) of Directive (EU) 2025/1;
 - (b) the group-level resolution authority shall submit the report to the ultimate parent undertaking and to the resolution authorities of subsidiaries, which shall forward it to the relevant subsidiary undertakings within their jurisdiction;
 - (c) the group-level resolution authority shall set a deadline for the ultimate parent undertaking to submit observations and, where applicable, alternative measures pursuant to Article 16(3) of Directive (EU) 2025/1. The period for reaching the joint decision on the group resolution plan and assessment of resolvability shall be extended by four months in accordance with Article 17(1), point (c), of Directive (EU) 2025/1;
 - (d) the group-level resolution authority shall transmit the observations and proposed alternative measures submitted by the ultimate parent undertaking to the resolution college members without undue delay and not later than 10 days after the receipt and shall set a time limit for views from resolution college members;
 - (e) after consulting the supervisory authority, the group level resolution authority shall assess whether those measures adequately address or remove the substantive impediments and shall inform the resolution college on the extension of the joint decision timeline in accordance with Article 16(3) of Directive (EU) 2025/1;
 - (f) where no comments were received by the specified deadline referred to in paragraph (d), the group-level resolution authority shall presume that the members of the resolution college have no objections and shall proceed accordingly;
 - (g) the group-level resolution authority shall provide, as soon as possible and without undue delay, to the resolution authorities of subsidiaries any comments submitted by the other members of the resolution college and shall discuss with them the proposed measures;
 - (h) the group-level resolution authority and the resolution authorities of subsidiaries shall discuss and consider the potential impact of the proposed measures on all group entities, the Member States concerned, and on the Union as a whole.
- (2) The group-level resolution authority shall communicate to the ultimate parent undertaking the elements of the timetable that require their involvement.

Article 19

Elements of the joint decision on measures to address substantive impediments to resolvability

- (1) The group-level resolution authority shall, taking into account the outcome of the dialogue referred to in Article 10, point (b), of this Regulation, including the outcome of the assessment on the identification of substantive impediments, prepare a draft joint decision on measures to address or remove those impediments. In addition to the elements set out in Article 11(1) of this Regulation, the draft joint decision shall set out:
 - (a) the substantive impediments to resolvability identified at group and, where relevant, subsidiary level;
 - (b) the measures decided by the group-level resolution authority and the resolution authorities of subsidiaries pursuant to Article 15(5) and (7) of the Directive (EU) 2025/1, including the time period within which the relevant group entities shall address these measures;
 - (c) where alternative measures are proposed by the ultimate parent undertaking according to Article 16(3) of Directive (EU) 2025/1 and are not accepted or are only partially accepted by the group-level resolution authority and the resolution authorities of subsidiaries, an explanation of why those alternative measures are considered insufficient to address the substantive impediments to resolvability and how the measures referred to in point (b) are expected to effectively reduce or remove those impediments.

Article 20

Communication of the joint decision

- (1) The group-level resolution authority shall communicate the joint decision to the management body of the ultimate parent undertaking in a timely manner and in accordance with the joint decision timetable. The group-level resolution authority shall inform the resolution authorities of subsidiaries of that communication.
- (2) Where the decision includes measures pursuant to Article 15(5) of Directive (EU) 2025/1 that are addressed to specific entities of the group other than the ultimate parent undertaking, the resolution authorities of subsidiaries shall ensure that the respective parts of the joint decision on measures to address substantive impediments are communicated to the management bodies of those entities under their jurisdiction in a timely manner and in accordance with the joint decision timetable.
- (3) The group-level resolution authority may engage in a dialogue with the ultimate parent undertaking, where appropriate, to provide clarification on the content and application of the joint decision on measures to address substantive impediments to resolvability.
- (4) The resolution authorities of subsidiaries may, where appropriate, engage in dialogue with the entities in their jurisdiction to provide clarification on the content and application of the joint decision on measures to address substantive impediments to resolvability.

Article 21

Monitoring the application of the joint decision

- (1) The group-level resolution authority and the resolution authorities of subsidiaries shall communicate to each other the outcome of the discussion, if any, pursuant to Article 20(3) and (4) of this Regulation.
- (2) The group-level resolution authority and the resolution authorities of subsidiaries shall monitor the application of the joint decision on the identification of substantive impediments and measures to address substantive impediments to resolvability that are relevant to each of the entities of the group for which they are respectively responsible.

Section 4

Process in the absence of a joint decision on measures to address impediments to resolvability

Article 22

Process and elements of individual decisions

- (1) In the absence of a joint decision on measures to address substantive impediments to resolvability referred to in Article 17(2), point (d), of Directive (EU) 2025/1, the group-level resolution authority shall communicate its decision in writing without undue delay to the resolution college members, including, in addition to the elements in Article 11 of this Regulation:
 - (a) the measures pursuant to Article 15(5) of Directive (EU) 2025/1, including the time limit within which those measures shall be addressed;
 - (b) where the measures proposed by the ultimate parent undertaking are not accepted or only partially accepted, a reasoned explanation of how and why those measures are considered not fit for purpose and how the measures in point (a) are expected to address the impediments to resolvability;
 - (c) a summary of the views, and an explanation of the issues leading to disagreement;
 - (d) the assessment of the group-level resolution authority of the views expressed by the resolution college members and observers, in particular with regards to issues leading to disagreement.
- (2) Resolution authorities deciding on measures to be taken by subsidiaries at individual level in the absence of a joint decision in accordance with Article 17(3)(c) of Directive (EU) 2025/1 shall transmit to the group-level resolution authority a document that contains, in addition to the elements in Article 11(1) of this Regulation, all of the following items:
 - (a) the measures pursuant to Article 15(5) of Directive (EU) 2025/1, including the deadline within which the respective entities shall address these measures;
 - (b) where alternative measures proposed by the subsidiaries are not accepted or are only partially accepted, a reasoned explanation of why those measures are considered not fit for purpose and how the measures set out in point (a) are expected to address the impediments to resolvability;
 - (c) an explanations of any disagreement with its proposed measures.
- (3) Where EIOPA has provided an opinion during the joint decision process and its advice was not followed, an explanation as to why EIOPA's opinion was not followed shall be included.

Article 23

Communication of individual decisions in the absence of joint decision

- (1) In the absence of a joint decision between the group-level resolution authority and the resolution authorities of subsidiaries within the time period referred to in Article 17(1) of Directive (EU) 2025/1, the relevant resolution authorities of subsidiaries shall communicate in writing individual decisions on measures referred to in Article 17(2), point (d), and Article 17(3), point (c), of Directive (EU) 2025/1, to the group-level resolution authority within the deadlines established under Article 17 of Directive (EU) 2025/1, including where relevant following EIOPA's involvement.
- (2) The group-level resolution authority shall communicate without undue delay its own decision and the decisions referred to in paragraph 1 to the other resolution college members.

CHAPTER IV

CROSS-BORDER GROUP RESOLUTION

Section 1

Decision on the need for a group resolution scheme

Article 24

Process on the need for a group resolution scheme

- (1) Where the group-level resolution authority receives a notification pursuant to Article 73(1) of Directive (EU) 2025/1 or takes a decision pursuant to the first subparagraph of Article 74(1) of Directive (EU) 2025/1, it shall either initiate the process for assessing the need for a group resolution scheme in accordance with Articles 24 to 26 of this Regulation or proceed with the preparation of the group resolution scheme set out in Article 27 of this Regulation.
- (2) The assessment process referred to in paragraph 1 shall include:
 - (a) a preliminary dialogue, facilitated by the group-level resolution authority, with the resolution college members, on the need for a group resolution scheme and, where relevant, on the need to establish a financing plan;
 - (b) the preparation of a draft assessment by the group-level resolution authority and consultation with the members of the resolution college who shall be given the opportunity to submit material divergent views or concerns in writing without undue delay;
 - (c) finalisation of the decision on the need for a group resolution scheme, including the communication of the final decision to the resolution college, in accordance with Article 30 of this Regulation.

Article 25

Draft assessment or decision on the need for a group resolution scheme

- (1) The draft assessment or decision submitted by the group-level resolution authority to the resolution college, shall set out:
 - (a) its opinion on the likely impact of the notified resolution actions or other measures notified on the group and on group entities in other Member States, including whether those actions or measures would make it likely that the conditions for resolution would be satisfied in relation to a group entity in another Member State for the purposes of Article 73(3) of Directive (EU) 2025/1;
 - (b) its opinion on the non-applicability of any of the conditions for a group resolution scheme as referred to in Article 74(1) Directive (EU) 2025/1 or, where relevant, of the ground for invoking Article 74(2) of Directive (EU) 2025/1;
 - (c) its opinion on the need of a group resolution scheme and of establishing a financing plan, including the use insurance guarantee schemes or financing arrangements, if applicable, and the allocation of responsibility in accordance with Article 73(7), point (c), of the Directive (EU) 2025/1.
- (2) The group-level resolution authority shall attach to its draft assessment or decision all relevant substantive information received and shall set a clear deadline for members of the resolution college to submit any concerns or divergent views.
- (3) The draft assessment or decision shall be prepared and communicated by the group-level resolution authority to the resolution college, without undue delay and, where applicable, within the time limit laid down in the joint decision timetable referred to in Article 10 of this Regulation.

Article 26

Decision on the need for a group resolution scheme

- (1) The final assessment or decision shall take into account any concerns or divergent views expressed during consultation of the resolution college and shall be amended where appropriate.
- (2) The group-level resolution authority shall provide a reasoned explanation of its assessment or of its decision that a group resolution scheme is not required only where substantive divergent views and concerns were raised during the consultation.
- (3) Where EIOPA has provided an opinion during the joint decision process and its opinion was not followed, an explanation as to why EIOPA's opinion was not followed shall be included.
- (4) The group-level resolution authority shall communicate its final assessment or decision to the members of the resolution college involved in the process without undue delay.

- (5) Where it considers that a group resolution scheme is needed, the group-level resolution authority may decide not to communicate its final assessment or decision as provided for in paragraph 4 and proceed to apply the procedure for preparing the group resolution scheme set out in Article 27 of this Regulation.

Section 2

Joint decision process on the group resolution scheme

Article 27

Joint decision on the group resolution scheme – General provisions

- (1) The joint decision on the group resolution scheme shall be conducted in accordance with Articles 10 to 12 of Chapter II, of this Regulation, except for the procedural steps pursuant to Article 10(1), point (a) and (b), which may apply at the discretion of the group-level resolution authority.
- (2) In the interest of achieving the joint decision, certain steps may not necessarily be required within the decision-making period. The group-level resolution authority may combine the steps referred to in Article 29, in conjunction with Article 10(1)(c), and in Article 30, in conjunction with Article 12, so that the joint decision may be concluded where no comments are submitted during the consultation and the required written agreement to that joint decision has been provided.

Article 28

Elements of the draft group resolution scheme

- (1) The group-level resolution authority shall prepare the draft group resolution scheme, which shall contain the following elements:
- (a) the resolution actions to be implemented in relation to the affected group entities, where applicable;
 - (b) any legal or regulatory conditions to be fulfilled for the implementation of the group resolution scheme;
 - (c) the time limit for executing the group resolution scheme as well as the timing and sequencing of each resolution action to be undertaken;
 - (d) the allocation of tasks and responsibilities for coordinating resolution actions, and for external and internal communication to the members of the resolution college, including relevant contact information of the members of the resolution college;
 - (e) the financing plan, including the potential use of the insurance guarantee schemes or the financing arrangements;
 - (f) where applicable, and departing from the preferred resolution strategy, an explanation of why an alternative strategy, including why the proposed alternative actions are more efficient to achieve the resolution objectives, shall be provided.

Article 29

Consultation on the draft group resolution scheme

- (1) The group-level resolution authority shall submit the draft group resolution scheme to the members of the resolution college for consultation and for the purpose of finalising the joint decision on the group resolution scheme without undue delay and where applicable, in accordance with the joint decision timetable referred to in Article 10 of this Regulation.
- (2) The members of the resolution college receiving the draft group resolution scheme shall submit in writing and within the timetable set by the group resolution authority any reasoned material concerns they may have, including:
- (a) impediments, if any, in national law or otherwise to carrying out the group resolution scheme in accordance with the strategy and resolution actions;
 - (b) any relevant information that could impact the execution of the financing plan;

- (c) the impact of the group resolution scheme or of the financing plan on the subsidiaries covered by the group resolution scheme in their respective Member State.

Article 30

Finalisation of the joint decision on the group resolution scheme

- (1) For the draft joint decision, the group-level resolution authority shall consider all material concerns expressed during the consultation with the resolution college, and it shall make amendments to the group resolution scheme as appropriate.
- (2) The group-level resolution authority shall provide a reasoning on:
 - (a) how it has handled the material concerns expressed by the resolution authorities of the subsidiaries covered by the group resolution scheme for the purposes of the draft joint decision;
 - (b) where EIOPA has provided an opinion during the joint decision process, why and to what extent the opinion of the EIOPA was not followed in the group resolution scheme,
- (3) The draft joint decision on the group resolution scheme shall satisfy the documentation requirements set out in Article 11(a) of this Regulation.
- (4) The group-level resolution authority shall send the draft joint decision on the group resolution scheme without undue delay to the resolution authorities of the entities covered by the group resolution scheme, setting a time limit for providing their agreement to the joint decision on the group resolution scheme.
- (5) The finalization and communication of the joint decision shall be governed by the provision of Article 12 of this Regulation.

Section 3

Disagreements and decisions taken in the absence of a joint decision

Article 31

Notification in case of disagreement

- (1) Where a resolution authority disagrees with or departs from the group resolution scheme proposed by the group-level resolution authority or considers that it needs to take independent resolution actions or measures, that resolution authority shall notify the group-level resolution authority of the disagreement without undue delay.
- (2) The notification referred to in paragraph 1 shall include the following:
 - (a) the name of the resolution authority and the name of the entity under the jurisdiction of the resolution authority;
 - (b) the date of the notification;
 - (c) the name of the group-level resolution authority;
 - (d) a statement of the resolution authority on its disagreement, or departure from the group resolution scheme, or of its consideration that independent resolution actions or measures are appropriate for the entity or entities under its jurisdiction;
 - (e) a detailed reasoning for the elements of the group resolution scheme with which the resolution authority is in disagreement, or from which it departs, or an explanation of why it considers that independent resolution action or measures are appropriate, according to Article 11(2) of this Regulation;
 - (f) a description of the actions or measures that the resolution authority will take, including the timing and sequencing of actions. In case the disagreeing resolution authority cannot provide this description as part of the notification, it shall do so separately after the notification, without any undue delay.
- (3) The group-level resolution authority shall notify the other members of the resolution college of the notification referred to in paragraph 2.

Article 32

Decision-making process in case of disagreement

- (1) The resolution authorities that do not disagree shall conclude a joint decision among themselves as set out in Article 73(10) and Article 74(5) of Directive 2025/1/EU in accordance with Article 30 of this Regulation.
- (2) The joint decision shall contain all the elements referred to in Articles 28 and 29 of this Regulation in addition to the information on disagreement referred to in Article 31.

Article 33

Entry into force and application

- (1) This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
- (2) It shall apply from 30 January 2027.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

[For the Commission

The

President]

[For the Commission

On behalf of the President]

Annex I: Impact Assessment

OBJECTIVES

In accordance with Article 29 of the EIOPA Regulation, EIOPA carries out, where relevant, analysis of the costs and benefits during the policy development process. The analysis of costs and benefits is undertaken according to the impact assessment methodology.

The starting point for this impact assessment is that existing provisions following from the level 1 text are already in place and that the other provisions included in this consultation paper will be implemented as proposed. As a result, this assessment only considers the additional impact of each specific policy issue under discussion.

This impact assessment covers the structure and level of details provided in the technical standard for the different step of the functioning of resolution colleges (policy issue A) and has been completed by EIOPA on a qualitative basis. In drafting the RTS on the functioning of the resolution colleges, EIOPA has ensured alignment with the general objectives of Directive (EU) 2025/1, as agreed by the legislators.

These general objectives are to enable the resolution authorities to:

- Enhance preparation, coordination and cooperation;
- Meeting the resolution objectives;
- Ensure a proper functioning of the internal market and ensuring level-playing field.

In view of the specific purpose of these technical standards, the following more specific objectives were identified, for resolution authorities to ensure:

- an adequate degree of preparedness for crisis situations;
- flexibility for the resolution authorities and potential for the consideration of national specificities;
- a level playing field through common minimum harmonisation rules.

POLICY ISSUES

POLICY ISSUE A: STRUCTURE, SCOPE AND LEVEL OF DETAIL WHEN DEFINING THE REQUIREMENTS FOR THE SETTING UP AND FUNCTIONING OF THE RESOLUTION COLLEGES

This policy issue concerns finding the optimal balance between establishing more detailed provisions that set out, in a prescriptive manner, the organizational aspects and the specific activities to be undertaken by the resolution college as outlined in Article 70 of Directive (EU) 2025/1. This includes incorporating all the necessary requirements for the establishment, operation, and execution of the tasks of resolution colleges, while ensuring adequate flexibility, as Directive (EU) 2025/1 is based on minimum harmonization. In the operational functioning of the resolution colleges, there are not business-specific differences between insurance and banking. Therefore, approach has been based on the similar framework for the banking sector, particularly the European Banking Authority (EBA)'s Regulatory Technical Standards (RTS) on resolution colleges, which do have a similar mandate and

adapted to the insurance-specific features were deemed necessary. A key question remains as to which framework, detailed versus structured, should be adopted for the insurance industry, which is just beginning to implement the resolution framework. Consequently, striking the right balance between sufficient detail and maintaining flexibility and proportionality has been a central consideration.

Policy option A.1: Detailed approach

This approach presents in granular way all the processes, from the setting up of the colleges, the establishment of the written arrangements, the operational functioning of the colleges and the joint decision making. The focus is placed on the steps to be followed by the resolution college members and other concerned authorities rather than on the goals of the cooperation in the Resolution colleges which will result in a lengthy and quite cumbersome document.

This approach would imply that the RTS will provide very detailed guidance on every step of the functioning of resolution colleges.

Policy option A.2: Streamlined approach

This approach is towards streamlining the document for greater efficiency and takes stock of the lessons learned by EBA after ten years of implementation in the banking sector, considering that -as mentioned- in the operational functioning of the resolution colleges, there are not business-specific differences. The focus is shifted towards the goals rather than steps, the improvement of the quality of the exchanges and the clarity regarding the expected involvement of college members and observers.

Therefore, the primary objective of this approach is to enhance clarity and improve the overall efficiency of the application of the processes outlined by the RTS.

IMPACT OF THE POLICY OPTIONS

In assessing the impact of the policy options, special attention is devoted to the potential areas or functions where the costs could arise as a result of the different policy options. A more detailed estimation of the (monetary) costs would depend on several variables, such as the company-specific process and procedures, the size and nature of the entity and the applicable resolution framework at national level, including the potential contribution to financing arrangements.

POLICY ISSUE A: THE STRUCTURE AND LEVEL OF DETAILS WHEN DEFINING THE REQUIREMENTS FOR THE SETTING UP AND FUNCTIONING OF THE RESOLUTION COLLEGES.

Policy option A.1: Detailed approach and extended content		
Costs	Policyholders	No direct impact. The granular approach may indirectly increase costs for policyholders if higher administrative and compliance burdens on insurers are ultimately reflected in increased premiums or reduced product flexibility.

	Industry	Higher compliance costs for data provision and potentially through the participation in testing exercises and in reporting. Potentially more ad-hoc requests from authorities especially in times of crisis.
	Resolution authorities	Less flexibility, because of the form the heightened prescriptiveness in defining the operations of resolution colleges and their respective tasks. This leads to an increased operational burden (significant resources commitment) and a less proportionate allocation of resources by resolution authorities. Higher compliance costs resulting from increased bureaucracy and formalities that may impair the efficient functioning of the college and may specially create a potential rigidity in responding to unexpected crisis.
	Other	Potential costs due to increase need for coordination and legal work.
Benefits	Policyholders	The granular approach may benefit policyholders by enhancing the predictability, consistency and robustness of cross-border resolution planning, thereby strengthening policyholder protection in the event of insurer distress.
	Industry	The granular approach would provide insurance groups with greater legal certainty, procedural predictability and consistent cross-border application of resolution college processes, thereby reducing uncertainty in resolution planning.
	Resolution authorities	Enhanced clarity, eliminating any potential ambiguity regarding the steps in the process that are generally regarded as common-sense actions. Improves coordination among authorities and results in a higher degree of consistency across resolution colleges.
	Other	Detailed arrangements can limit disagreements over process.

Policy option A.2: Streamlined approach and simplified content		
Costs	Policyholders	Slightly higher risk of inconsistent or slower resolution process and preparedness due to less prescriptive guidance
	Industry	Less procedural detail may increase interpretative uncertainty and require additional engagement with authorities to clarify expectations.

	Resolution authorities	Higher risk on inconsistent practices resulted from a more limited level-playing field among resolution colleges that might lead to differences in application of procedures Less formalized accountability and documentation Possibly slower decision-making in cross-border events.
	Other	Reduced prescriptiveness may make monitoring, compliance assessment, and enforcement more challenging and resource intensive. Potential gaps in alignment between supervisory and resolution process.
Benefits	Policyholders	Strengthens protection by promoting more efficient, goal-oriented resolution processes that support timely and coordinated action in insurer distress.
	Industry	The streamlined approach is expected to reduce indirect compliance costs for insurance groups, enhance proportionality and predictability in resolution planning, and improve the efficiency and coherence of cross-border supervisory coordination.
	Resolution authorities	Higher flexibility for the resolution authorities leading to a proportional approach in the setting up and functioning of colleges of resolution colleges. Reduced administrative and resources burden
	Other	Improves the efficiency and quality of cooperation, facilitating flexibility, faster exchanges, and more effective decision-making in resolution colleges.

COMPARISON OF POLICY OPTIONS

POLICY ISSUE A: THE STRUCTURE AND LEVEL OF DETAILS WHEN DEFINING THE REQUIREMENTS FOR THE SETTING UP AND FUNCTIONING OF THE RESOLUTION COLLEGES.

EFFECTIVENESS (0,+,++)			
	Adequate degree of preparedness for crisis situations	Flexibility for the resolution authorities and potential for the consideration of national specificities	Level playing field through common minimum harmonisation rules
Policy option A.1	+	0	+
Policy option A.2	++	+	++

EFFICIENCY (0,+,,++)			
	Adequate degree of preparedness for crisis situations	Flexibility for the resolution authorities and potential for the consideration of national specificities	Level playing field through common minimum harmonisation rules
Policy option A.1	+	0	+
Policy option A.2	++	++	++

Although under option A.1 the convergence in the Resolution colleges arrangements would be higher, because the requirements are more detailed across the different phases of the decision process, it does not sufficiently take into account the principle of proportionality which would allow more flexibility for resolution authorities to adjust the requirements to the particular features of the college. This lack of flexibility might lead to unnecessary costs for the resolution authorities in terms of operational burden (significant resources commitment) and a less proportionate allocation of resources.

The increased flexibility under option A.2 on the other hand, may lead to potential slower process to prepare for the unexpected crisis and to a lower convergence in operational terms among resolution colleges compared to option A.1, but ultimately strikes a more optimal balance between prescriptiveness and flexibility to adjust for colleges specificities and need, especially considering the IRRD’s framework is based on minimum harmonization.

PREFERRED OPTION

Based on the impact assessment, it was sought that eliminating redundant processes and fostering a goal-oriented structure will improve efficiency and ensure more effective resolution planning and implementation. Additionally, the preferred policy option (i.e. policy option A.2 with the streamlined approach) would reduce reliance on prescriptive processes, enabling all resolution authorities to implement the framework in alignment with their existing financial capacity. This would mitigate the risk of sudden or disproportionate short-term cost increases associated with the introduction of additional resources or tools, thereby reducing administrative burden. Such an approach would promote financial sustainability while ensuring that policy objectives are met effectively and consistently across the sector.

In comparison, it was assessed that the detailed approach (policy option A.1)), characterised by fixed processes and extensive procedural requirements, would potentially decrease the level of flexibility for authorities and the more prescriptive nature of the detailed structure would limit institutional flexibility and reduce the ability of college members to leverage existing frameworks and capabilities. As a result, compliance would become more resource-intensive, which could also lead to increased costs for resolution authorities compared to the structured approach.

Annex 2: Feedback Statement

This feedback statement sets out a high-level summary of the consultation comments received and EIOPA's assessment of them. The full list of non-confidential comments provided can be found on EIOPA's website. EIOPA received comments from its Insurance and Reinsurance Stakeholder Group (IRSG) and from two other stakeholders, namely insurance associations.

As part of the consultation EIOPA held a workshop with stakeholders to discuss the draft RTS on 26 September 2025. EIOPA would like to express its appreciation for the feedback of the stakeholders during the preparation of the draft RTS.

NO QUANTIFICATION OF IMPACT

Stakeholder comments

Some stakeholders commented that an impact assessment on pure qualitative basis is not enough, as considerable effort will arise on the resolution authority and to an unpredictable amount at the undertaking triggered by the resolution authority. A quantitative effort estimate would be more appropriate to enable a sound decision on the adoption of this RTS considering the workload and costs for insurance undertakings and policy holders.

Assessment

A quantitative assessment of the costs associated with such policy options is not feasible due to the lack of information and the difficulty of monetizing the (mostly) administrative costs, which are influenced by various factors such as organizational efficiency and labor costs. However, in response to these comments, the impact assessment has been further enhanced to comprehensively evaluate the benefits and costs of the different options on a qualitative basis, ensuring that the instrument is proportionate, effective, and efficient in achieving its intended outcomes while minimizing unnecessary burdens on stakeholders.

ROLE OF THE RESOLUTION COLLEGES IN HARMONIZING RESOLUTION PLANS

Stakeholder comments

Some of the stakeholders suggested that fragmentation of resolution planning through subsidiary-level plans should be avoided. Therefore, it was recommended that the draft RTS explicitly clarify that resolution colleges are responsible for addressing potential inconsistencies between individual and group resolution plans, rather than leaving this responsibility to the subsidiary or the group. Stakeholders also highlighted that additional subsidiary-level resolution plans should not result in duplicated reporting requirements for either the individual subsidiary or the group.

Assessment

EIOPA acknowledges that the general principle on decision-making involving more than one Member State, as set out in Article 69(1)(c) of Directive (EU) 2025/1, emphasises that resolution authorities,

supervisory authorities, and other relevant authorities must cooperate to ensure that decisions are taken and actions implemented in a coordinated and efficient manner. This general principle is also reported in Article 17(1) underlining the need for cooperation and stressing that the group-level resolution authority and the resolution authorities of subsidiaries shall endeavour to reach the joint decisions on group resolution plans.

In line with the principles of simplification and proportionality, EIOPA considers that no further provision on this aspect is necessary in the draft RTS. However, to raise awareness additional clarification has been incorporated.

EXPLICIT INCLUSION OF THE GROUP PERSPECTIVE

Stakeholder comments

Some stakeholders considered that the draft RTS should explicitly require that the perspective of the insurance group for which the resolution plan is in place is taken into account in resolution decision-making, alongside the views of the authorities consulted within resolution colleges. A “right to rectification”, should be introduced and in exceptional cases where a group resolution plan is not feasible, resolution colleges should resolve any inconsistencies between group and individual plans. Subsidiary-level plans should not result in duplicate reporting requirements for the group or its entities.

Assessment

With regard to cooperation, the draft RTS primarily aims to ensure the effective functioning of resolution colleges and to strengthen cooperation among resolution authorities, as the members of such colleges. Engagement with insurance undertakings is not within the scope of the RTS.

Nevertheless, the draft RTS does not preclude resolution authorities of either subsidiaries or ultimate parent undertakings from engaging in discussions or consultations with the insurance undertakings under their jurisdiction during the joint decision-making process. This approach is consistent with the Directive (EU) 2025/1.

ORGANISATION AND GOVERNANCE OF RESOLUTION COLLEGES

Stakeholder comments

Some stakeholders provided comments on several aspects related to the organisational arrangements of resolution colleges and the governance framework governing cooperation among college members.

Assessment

EIOPA assessed all comments received and provided further clarification on the provisions related to voting procedures, the use of communication tools, and the approach to the frequency of meetings. The clarifications aim to ensure a consistent understanding of the framework and to support the effective and efficient functioning of resolution colleges.

PROPORTIONALITY

Stakeholder comments

Some of the stakeholders commented that the RTS should reinforce the importance of proportionality in applying these standards, especially for insurers with simpler structure.

Assessment

Proportionality is a key principle for EIOPA. In response to these comments, EIOPA therefore decided to modify the draft RTS allowing for certain degree of flexibility in the organizational aspect of the colleges and in performing the tasks by the college members, including the process for reaching the joint decisions.