**Freedom of establishment (FoE)**

Decision of the Board of Supervisors on the collaboration of the insurance supervisory authorities of the Member States of the European Economic Area (EIOPA-BoS-21/234 and Annex EIOPA-BoS 21/235) (see references in brackets)

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| **1.** | **The name and address of the head office of the insurance undertaking and an email address to communicate the information received from the Host NSA to the insurance undertaking (3.1.1.1.a)** |
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| **2.** | **The address of the branch in the Host Member State, from which documents, including all communications to the authorised agent, may be obtained or delivered to (3.1.1.1.b)** |
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| **3.** | **The classes of insurance according to the Annexes I and II to the Solvency II Directive, into which the planned business falls (3.1.1.1.c)** |
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| **4.** | **The scheme of operations setting out, at least, the following (3.1.1.1.d):** |
|  | **a. The nature of risks or commitments which the undertaking is proposing to cover through the branch** |
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|  | **b. If available, the guiding principles as to reinsurance and to retrocession with respect to the branch operations** |
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|  | **c. If available, cost estimates for setting up the administrative services and organisation for securing business of the branch; the financial resources set aside for this purpose and, if the risks to be covered fall within class 18 in Part A of Annex I to the Solvency II Directive, the company taking over assistance services of the resources available to the insurance undertaking to provide the promised assistance** |
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|  | **d. The organisational structure of the branch** |
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|  | **e. If available, for the first three financial years of the branch:**   * **estimates of management expenses, other that installation costs. In particular, general expenses and commissions** * **estimates of premiums or contributions and claims** |
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| **5.** | **The name of a person, and if available the e-mail address, who possesses sufficient powers to bind, in relation to third parties, the insurance undertaking or, in the case of Lloyd’s, the underwriters concerned and to represent it or them in relations with the authorities and courts of the host Member State (the authorised agent) and description of their powers (3.1.1.1.e)** |
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| **6.** | **If the insurance undertaking is to cover risks in class 10 in Part A of Annex I to the Solvency II Directive, not including carrier’s liability, a declaration that the undertaking has become a member of the national bureau and the national guarantee fund of the Host Member State (3.1.1.1.f)** |
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| **7.** | **In cases where the insurance undertaking intends to cover risks relating to legal expenses insurance, the option chosen from those described in Article 200 of the Solvency II Directive (3.1.1.1.g)** |
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| **8.** | **The legal entity identifier (LEI) of the undertaking notifying the intention to establish a branch (or if not available, the identification code used in the local market allocated by the Supervisory Authority) (3.1.1.2.a)** |
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| **9.** | **Identification of the person(s) who effectively run the branch or are responsible for key functions for the branch (persons responsible for the activities of the branch within the undertaking (Home Member State)), through for example the person(s) ID card, passport, or nomination document(s) and if so required by the host Member State legislation, her address of residence in the host Member State (3.1.1.2.b)** |
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| **11.** | **Any available information regarding the planned distribution channel(s), relevant outsourcing contracts and partners that will be used in the Host Member State (3.1.1.2.d)** |
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| **12.** | **When an undertaking is authorised in class 18 in Part A of Annex I of the Solvency II Directive any information relating to (assistance) resources available to the undertaking to successfully carry out assistance operations (7.1.1)** |
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