



Council of the  
European Union

Brussels, 23 May 2017  
(OR. en)

8054/17

---

---

**Interinstitutional File:  
2017/0075 (NLE)**

---

---

EF 75  
ECOFIN 264  
SURE 9  
SERVICES 12  
USA 22

#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

---

Subject: COUNCIL DECISION on the conclusion of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance

---

**COUNCIL DECISION (EU) 2017/...**

**of ...**

**on the conclusion of the Bilateral Agreement between  
the European Union  
and the United States of America  
on prudential measures regarding insurance and reinsurance**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, in conjunction with Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,<sup>1</sup>

---

<sup>1</sup> Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) 2017/...<sup>1+</sup>, the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance ('the Agreement') was signed on ... [*date of signature of ST 8055/2017*], subject to its conclusion at a later date.
- (2) The conclusion of the Agreement will lead to enhanced regulatory certainty in the application of insurance and reinsurance regulatory frameworks for insurers and reinsurers operating in the Union and the United States of America as well as to improved protection for policyholders and other consumers through cooperation between supervisors on the exchange of information.
- (3) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

---

<sup>1</sup> Council Decision (EU) 2017/... of ... on the signing, on behalf of the Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance (OJ L ..., ..., p. ...).

<sup>+</sup> OJ: Please insert the serial number of ST 8055/2017 and complete the corresponding footnote reference.

*Article 1*

The Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance is hereby approved on behalf of the Union.<sup>1+</sup>

*Article 2*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 8 of the Agreement.<sup>2</sup>

---

<sup>1</sup> The Agreement has been published in OJ ..., together with the decision on signature and provisional application.

<sup>+</sup> OJ: Please complete the OJ reference for ST 8065/2017.

<sup>2</sup> The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

*Article 3*

The Commission shall represent the Union within the Joint Committee provided for in Article 7 of the Agreement, after having heard the views of the Council working party on financial services, and shall inform that working party, whenever appropriate and at least on a yearly basis, of the progress made in the implementation of the Agreement.

*Article 4*

Any positions to be expressed on behalf of the Union shall be adopted in accordance with the Treaties and thus by the Council as provided in Article 16(1) of the Treaty on European Union or Article 218(9) of the Treaty on the Functioning of the European Union.

*Article 5*

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Council*  
*The President*

---