

**IAIS 市中協議文書「契約者保護スキーム（PPS）の役割と機能に関する論点書」に関する生命保険協会意見**

対象箇所	意見(和文)	意見(英文)
Q1. General comments on the Issues Paper	<ul style="list-style-type: none"> <li>「契約者保護スキーム（PPS）の役割と機能に関する論点書」にコメントを提供する機会をいただき感謝する。</li> <li>本論点書が、PPS の設立または既存の PPS の見直しを検討している法域に対して、各法域の実務の説明や関連する規制・監督上の論点といった情報を提供する目的で作成されたものであり、PPS に関して新しい監督基準を設定することや、特定の監督手法に対する IAIS の期待を示すことが目的ではないことは、極めて妥当かつ有意義なものと認識している。このような認識のもと、以下のコメントを提出したい。</li> </ul>	<ul style="list-style-type: none"> <li>The Life Insurance Association of Japan (hereafter the “LIAJ”) appreciates the opportunity to submit public comments to the International Association of Insurance Supervisors (or the “IAIS”) regarding the Draft Issues Paper on roles and functioning of Policyholder Protection Schemes (PPSs).</li> <li>We recognize that this paper is intended to provide information such as a description of each jurisdiction's practices and relevant regulatory and supervisory issues to jurisdictions that are considering establishing a PPS or modifying an existing PPS. It is also quite appropriate and meaningful that the purpose of this paper is not to set new supervisory standards with respect to PPSs or to set forth expectations of the IAIS for a particular supervisory approach. With this in mind, we would like to submit the following comments.</li> </ul>
Q35. General comments on Section 2.3.1 Recovery phase	<ul style="list-style-type: none"> <li>PPS は各国によってその設立経緯、根拠、機能、権限等が異なるため、本論点書のパラグラフ 27 にも「The form of any PPS intervention at the recovery phase should be carefully considered in order to minimise the risk of potential moral hazard that could arise from such an intervention.」と記載されているとおり、本セクションにおいて、Recovery phase における PPS の介入を IAIS として必ずしも推奨しているわけではなく、パラグラフ 25 にある通り、「The primary objective of a PPS centres on the protection of policyholders against losses in the event of an insurer's failure.」であることを確認したい。</li> </ul>	<ul style="list-style-type: none"> <li>Since PPS is established in different countries with different backgrounds, rationale, functions and authority, as stated in paragraph 27 as “The form of any PPS intervention at the recovery phase should be carefully considered in order to minimise the risk of potential moral hazard that could arise from such an intervention,” we would like to confirm that the IAIS is not necessarily recommending PPS intervention in the Recovery phase, but is seeing “The primary objective of a PPS centres on the protection of policyholders against losses in the event of an insurer's failure,” as stated in paragraph 25.</li> </ul>

<p>Q36. Comments on Paragraph 25</p>	<ul style="list-style-type: none"> <li>• 本パラグラフに記載のとおり「Only a few members responded to the survey that PPSs can be used for recovery in their jurisdiction. The primary objective of a PPS centres on the protection of policyholders against losses in the event of an insurer's failure.」であり、recovery phase における介入が一般的であると誤認されることを防ぐ観点から以下文においても「In some jurisdictions,」といった表現を下線部のとおり補ってはどうか。 「<u>In some jurisdictions,</u> a PPS may also serve its functions at an earlier stage on a going concern basis; beyond its primary role of paying claims to policyholders on an ex-post crisis basis. A PPS may intervene early to restore the financial condition and viability of an insurer under severe stress.」</li> </ul>	<ul style="list-style-type: none"> <li>• Since the paper states that "Only a few members responded to the survey that PPSs can be used for recovery in their jurisdiction. The primary objective of a PPS centres on the protection of policyholders against losses in the event of an insurer's failure," we recommend that the phrase "In some jurisdictions," be included in the statement shown below in order to prevent the misunderstanding that intervention in the recovery phase is common. "<u>In some jurisdictions,</u> a PPS may also serve its functions at an earlier stage on a going concern basis; beyond its primary role of paying claims to policyholders on an ex-post crisis basis. A PPS may intervene early to restore the financial condition and viability of an insurer under severe stress."</li> </ul>
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