



The European Federation of Insurance Intermediaries  
La Fédération européenne des intermédiaires d'assurance

## BIPAR VIDEOCONFERENCE

Thursday 28 January 2021

**DORA - Digital Operational Resilience Act**

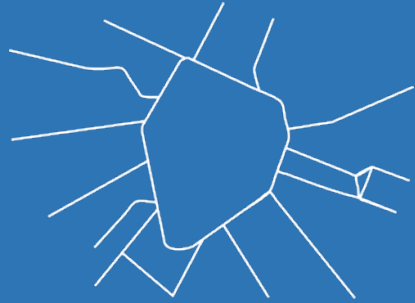
*Its objectives, with a focus on SMEs*

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**DORA - Digital Operational Resilience Act**

*Ses objectifs, avec un focus sur les PME*

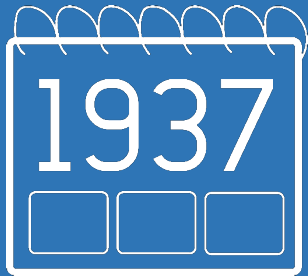
Headquartered  
in Brussels



Member of



Founded in



53 member associations in  
30 countries, representing  
thousands of intermediaries

Sole representative of  
insurance and financial  
intermediaries with the EU  
institutions





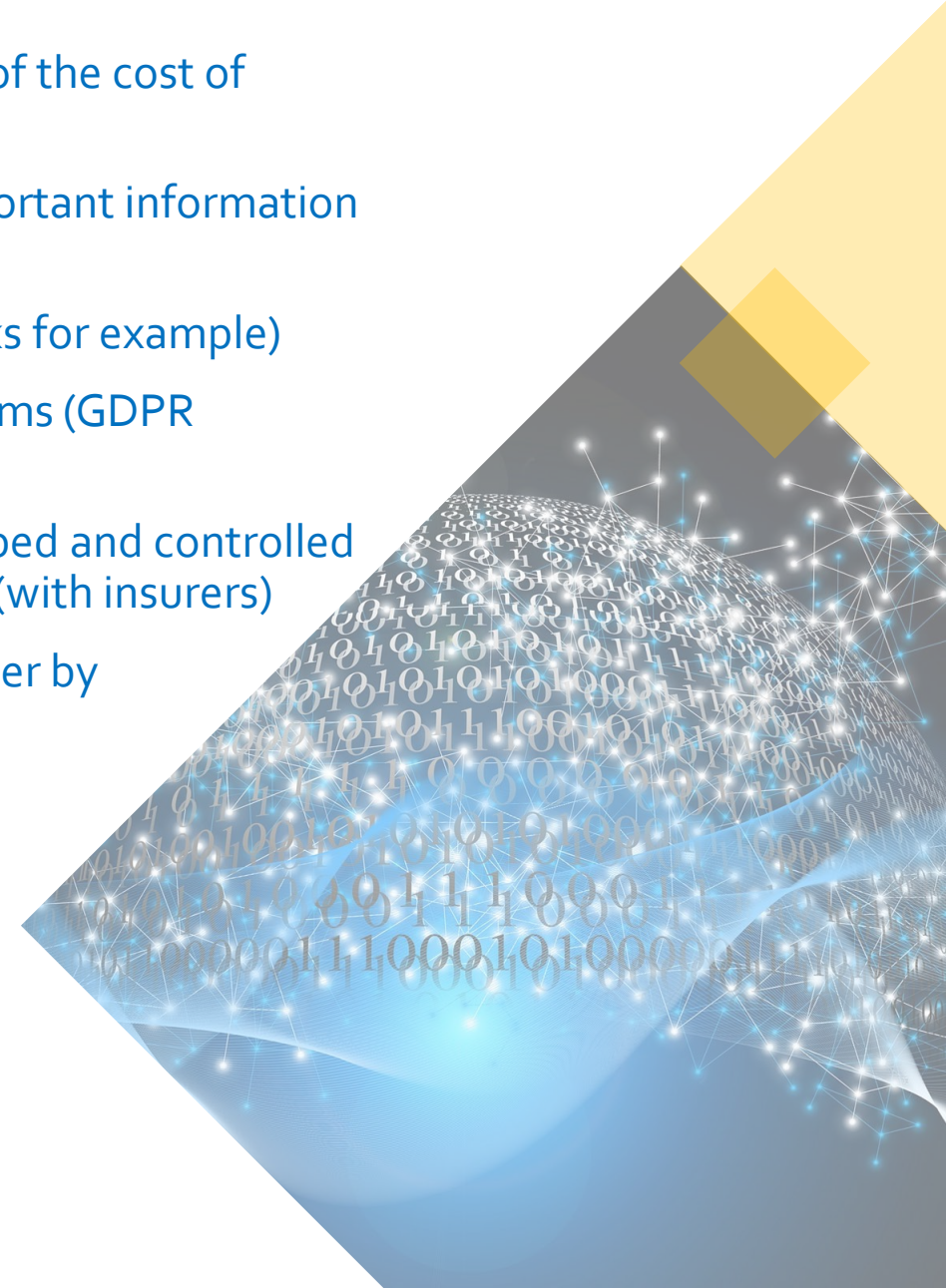
# Programme

- Presentation on Digital Operational Resilience Act,  
by **Boris Augustinov**, Policy Officer, DG FISMA, European Commission
- Q&As
- Presentation of BIPAR current and future possible positions
- Two national examples:  
*Romania (Victor Sraer, UNSICAR)*  
*Sweden (Per Johan Gidlund, SFM)*
- Q&As
- Conclusion



## Some facts about intermediaries

- Hundreds of thousands of insurance intermediaries (multiplier effect of the cost of application and supervision)
- They each, individually have a (very) limited impact on the economy. Important information about contracts is also available elsewhere (client and /or insurer)
- Insurance intermediation is not about daily transactions (contrary to banks for example)
- In their client-intermediary relationship they work mainly with CRM systems (GDPR compliant)
- For insurance contract interaction they work mainly with systems developed and controlled by the insurers or with systems controlled and developed by an interface (with insurers)
- Their digital relationship with insurers is via highly protected systems either by the insurer or by an interface (itself in the scope of NIS or Dora)
- Traditional hybrid intermediaries are not large data repositories (contrary to car manufacturers, wearables or domotica providers)... but these car manufacturers/domotica providers are not under DORA?....
- Intermediaries are not institutional investors, do not develop their own ICT systems, do not have hundreds of thousands of clients each.



## Some facts about intermediaries

- Macro-economically, the shutdown of an intermediary ICT system has no consequence on the provider's capability of rendering services or on the integrity of the "main-ICT system" of the insurer. Nor on the contractual integrity for the client.
- Micro-economically, consumers' personal data are safeguarded as the insurance contract information is stored by the insurer and the integrity of the contract is not affected.



By keeping intermediaries out of the scope  
same security but less cost for the economy

Information from individual  
clients , insurance contract  
information

**Client -intermediary  
relationship**

Intermediary (500 000 +)

**Distribution agreement**

No inhouse ICT development

client

Insurer(s) (5000)

DORA (2X)

Probably inhouse ICT  
development

premium

**Insurance contract**

Potential High  
impact

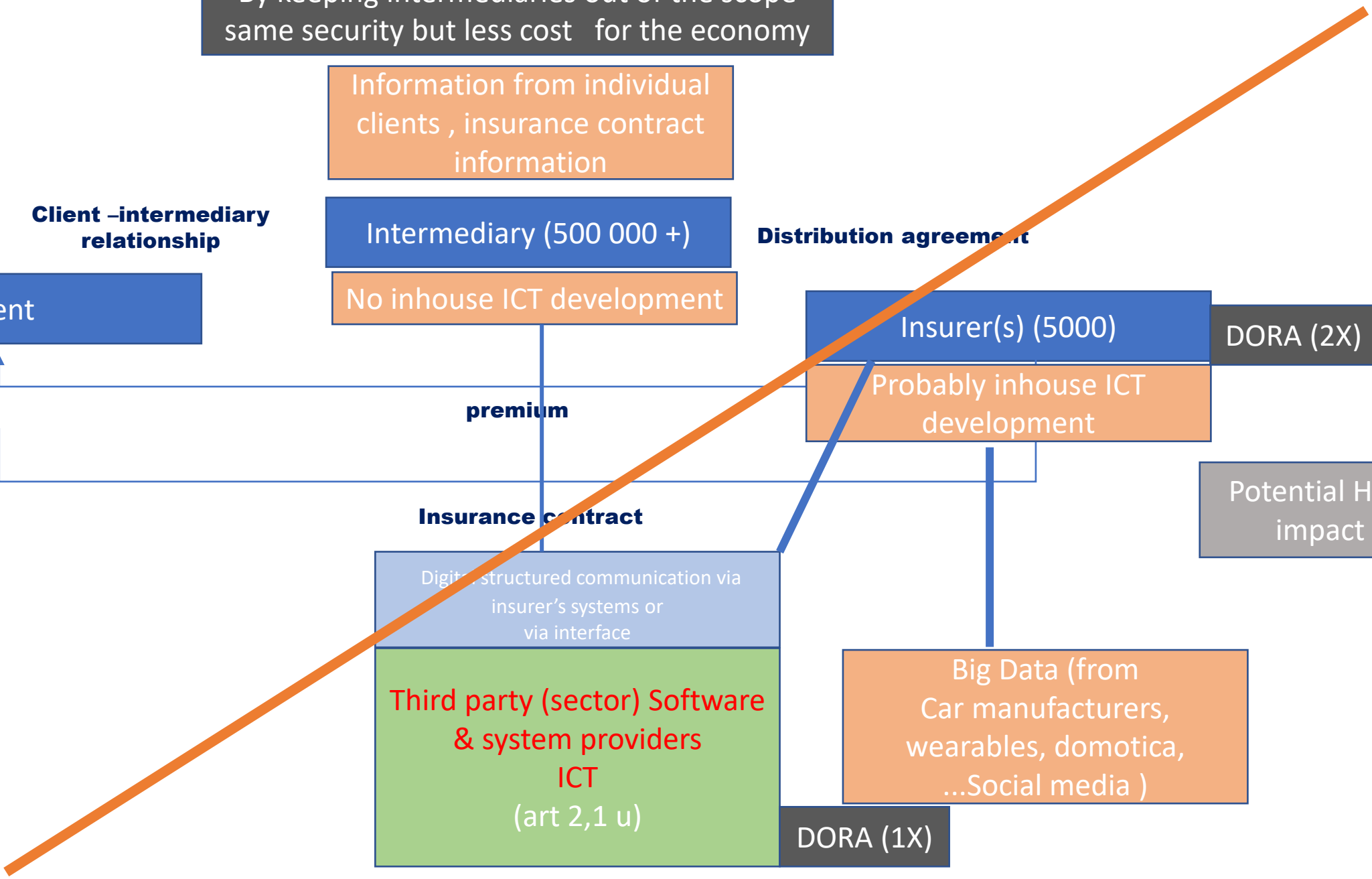
Low impact

Digital structured communication via  
insurer's systems or  
via interface

Third party (sector) Software  
& system providers  
ICT  
(art 2,1 u)

DORA (1X)

Big Data (from  
Car manufacturers,  
wearables, domotica,  
...Social media )





# Architecture of DORA not adapted to SMEs

DORA is drafted with a stock exchange or large bank in mind and for them DORA is probably very good.

- A regulation: no room for national adaptations
- Top Down – not designed with micro and SMEs operations in mind.
- Not in the current scope of NIS or national legislations: so for intermediaries it would not be a “streamlining but an important, expensive extra burden”
- Lack of proportionality - results in unlevel playing field (banks vs intermediaries) – 11 employees threshold
- Proportionality principles in DORA but we know difficult to turn into practice
- -A 3 layer regulation = proportionality is often lost at level 2 or 3



## National experience

- **Victor Sraer**, broker, UNSICAR, Romania
- **Per Johan Gidlund**, senior legal advisor, SFM, Sweden





## Provisional conclusion

- ICT security is important for insurance intermediaries
- 122 DORA requirements are not necessary to create a framework in which realistic security is introduced.
- DORA's architecture: difficult to introduce the necessary proportionality in practice
- BIPAR is reflecting upon more concrete possible comments and proposals.

