



Recommendation of the Council  
concerning Institutional  
Co-operation between  
Authorities of Member  
Countries Responsible for  
Supervision of Private  
Insurance

**OECD Legal  
Instruments**

This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at <http://legalinstruments.oecd.org>.

**Please cite this document as:**

OECD, *Recommendation of the Council concerning Institutional Co-operation between Authorities of Member Countries Responsible for Supervision of Private Insurance*, OECD/LEGAL/0185

Series: OECD Legal Instruments

© OECD 2025

---

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: "This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website <http://legalinstruments.oecd.org>"

---

## Background Information

The Recommendation concerning Institutional Co-operation between Authorities of Member Countries Responsible for Supervision of Private Insurance was adopted by the OECD Council on 29 February 1980 on proposal of the Insurance Committee (now called Insurance and Private Pensions Committee). The Recommendation was developed to encourage insurance supervisors have institutional arrangements that permit information exchange, which is potentially confidential, being a result of regulatory reporting. When it was adopted in 1979, the OECD's Insurance Committee was the only international body discussing insurance regulatory and supervisory issues. Since then, the International Association of Insurance Supervisors (IAIS) was established in 1994, and is now the global standard-setter for insurance supervision. The IAIS's Insurance Core Principles (ICP) 3 sets out the standard for information exchange between insurance supervisory institutions. In response to the ICP 3, the IAIS adopted the Multilateral Memorandum of Understanding (MMoU) in 2007, and has a Signatories Working Group to advance the work on MMoU. The Recommendation was abrogated on 12 July 2017, given that the MMoU and the IAIS structure related to it have effectively replaced the Recommendation, which was no longer relevant.

**THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Report by the Insurance Committee of 26 November 1979 on Institutional Co-operation between Insurance Supervisory Authorities in Member countries [C(79)195 and Corrigendum 1] and in particular, to paragraph 5 thereof;

**HAVING REGARD** to the Comments of the Payments Committee of 8 February 1980 on that Report [C(80)6 and Corrigendum 1];

**RECOMMENDS** that Member countries:

1. Require their administrative authorities responsible for supervision of private insurance, whenever they receive a request from the supervisory authority of another Member country, to exchange directly between themselves information of a general character relating, *inter alia*, to legislative, regulatory and administrative requirements in the field of insurance, in order to allow comparisons between countries such as might promote voluntary alignments of the relevant national provisions;

2. Conclude in the light of the developments of their economic relations in the insurance sector, bilateral conventions, using the following model as a basis, in order to enable their authorities responsible for supervision of private insurance concerns to communicate to each other information needed by them in order to exercise their function of supervision and to lend one another assistance reciprocally.

---

**MODEL CONVENTION****Preamble****States A) and B)**

**BEING DESIROUS** of facilitating the operations of insurance concerns carrying on business in their countries and of strengthening as much as possible the protection of policy holders and beneficiaries under contracts of insurance;

**CONSIDERING** that for such purpose it is essential to increase the means of obtaining information which are available to supervisory authorities in order that they may, through better knowledge of the overall situation of a concern undertaking insurance in their countries, exercise their function with the maximum effectiveness;

**AGREE** as follows:

**Article 1: General Provisions**

1. Co-operation and reciprocal assistance as provided for in the following provisions relate to direct insurance.

2. The administrative authorities responsible for cooperation and reciprocal assistance (hereinafter called the "authorities") are:

- in (State A):.....

- in (State B):.....

**Article 2: Exchange of Information**

The authorities undertake to give each other such information as they need for the exercise of their function, and in particular, for the supervision of the solvency of private insurance concerns; however, authorities may neither request from other authorities nor furnish to such authorities information which they themselves could not obtain under the national law of either of them.<sup>1</sup>

### **Article 3: Reciprocal Assistance**

1. The authorities shall reciprocally lend each other assistance in order to facilitate as far as possible the application of each State's own law relating to supervision of insurance concerns.

2. Should the situation of a concern carrying on insurance business in the Contracting States be such that it is expedient to take measures to safeguard the interests of its policy holders, the authorities should, whenever possible, consult together with a view to taking, if possible by mutual agreement, appropriate measures in accordance with their national law.

### **Article 4: Secret**

1. The rules as to secrecy to which the authorities are subject shall not impede co-operation between such authorities and reciprocal assistance as provided for in the present Convention. Information exchanged may be used by such authorities only to carry out their supervisory functions.

2. Nevertheless, any request for information, any information provided or any consultation shall be kept secret in relation to third parties, unless the authorities concerned decide by mutual agreement that it is not of a confidential character.

3. The provisions of Articles 2 and 3 and of paragraph 1 of this Article may in no case be construed as obliging a Contracting State to communicate any information which would reveal a commercial secret of the concern in question, or any information the communication of which would be contrary to public policy ("ordre public").

### **Article 5: Application of the Convention**

1. For the purpose of applying the present Convention, the authorities shall communicate directly between themselves.

2. If oral exchanges of views should appear likely to facilitate the application of the Convention, then such exchanges of views may take place in a Commission composed of representatives of the authorities.

### **Final Provisions**

(Provisions concerning: arbitration, ratification, entry into force, termination of the Convention.)

---

<sup>1</sup> The term "national law" is understood to mean the national law in force at the moment this provision is actually applied.

## About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

## OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions** are adopted by Council and are legally binding on all Members except those which abstain at the time of adoption. They set out specific rights and obligations and may contain monitoring mechanisms.
- **Recommendations** are adopted by Council and are not legally binding. They represent a political commitment to the principles they contain and entail an expectation that Adherents will do their best to implement them.
- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.
- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.