

	和文	英文
<p>Q1 総論</p>	<ul style="list-style-type: none"> 本コンサルテーションに関し、意見提出の機会をいただき、感謝する。 	<p>We, the General Insurance Association of Japan, are grateful for this opportunity to comment on the Draft Application Paper on the Composition and the Role of the Board (hereinafter referred to as "AP").</p>
	<ul style="list-style-type: none"> 本 AP は ICP5 (個人の適格性) および ICP7 (コーポレート・ガバナンス) の実務における解釈、適用を支援するべく、事例やケーススタディ等を提供するものであり、各国の現行監督規制に新たな要件を求めたり、同様の効果を達成する限りにおいて特定の取締役会の構造やガバナンス手法を推奨するものではないと理解しているが、その点を再確認させていただきたい。また、この点を明確にする観点から、以下のとおりコメントする。 	<p>We understand that the AP aims to provide additional material including actual examples or case studies to help with the practical interpretation and application of ICP 5 (Suitability of Persons) and ICP 7 (Corporate Governance) and not to set new requirements nor recommend a particular structure or measures over others as long as they are on an equal footing with regards to their effectiveness. However, we would like to have a reconfirmation on these points. Also, through our comments, we intend to make clearer references to these points.</p>
	<ul style="list-style-type: none"> 本 AP において、プロポーシオナリティに言及するよう求めたい。ICP7.0.3¹ および 7.0.4² には、保険会社のコーポレート・ガバナンス枠組みやその監督における柔軟性に言及しているが、これは取締役会の役割と構成にも当てはまる。また、2017年3月に市中協議に付され、11月に承認 (endorse) された ICP の「はじめに” Introduction”」の paragraph 9 は、プロポーシオナリティに個別に言及しているほか、他 AP には、プロポーシオナリティに係る個別の項目を設けているものがある。よって、本 AP でプロポーシオナリティに言及することは ICP に沿っており、AP としての位置づけを明確とすることにも資すると考える。 <p>1 "The ways in which an insurer chooses to organise and structure itself can vary depending on a number of factors", "It is important for supervisors to understand these different considerations in order to be able to adequately assess the effectiveness of an insurer's corporate governance framework."</p> <p>2 "The standards on corporate governance are designed with sufficient flexibility to apply to supervision of insurers regardless of any differences in the corporate structures and legal systems."</p>	<p>We would like this AP to provide a reference to "proportionality". ICP 7.0.31 and 7.0.42 refer to variations in insurer's corporate governance structures and flexibility in their supervision. We believe they apply to the composition and the role of the Board. Also, the ICP "Introduction" published for consultation in March 2017 and endorsed in November the same year, takes up "proportionality" in paragraph 9. Some other APs provide specific reference to "proportionality" as well. We believe that adding a reference to "proportionality" is in line with the intention of the ICP and will serve to clarify its position as an AP.</p> <p>1 "The ways in which an insurer chooses to organise and structure itself can vary depending on a number of factors", "It is important for supervisors to understand these different considerations in order to be able to adequately assess the effectiveness of an insurer's corporate governance framework."</p> <p>2 "The standards on corporate governance are designed with sufficient flexibility to apply to supervision of insurers regardless of any differences in the corporate structures and legal systems."</p>
	<ul style="list-style-type: none"> 本 AP には、ともすれば規範的にすぎると感じられる表現が見受けられる。具体的には、以下の paragraph 文中にの "should" が使われている部分が多く、は、"may" の方が適切と思われるので、しかるべく修正すべきである。 <p>paragraph 17, 21, 22, 27, 29, 44, 47, 48, 51, 52, 56, 60, 63, 65, 66, 67, 70, 71, 74, 79, 81, 84, 85, および 88。</p>	<p>We also note that the AP contains phrases and expressions which are somewhat too prescriptive. In particular, "should" is often used in sentences where "may" is more appropriate. Such sentences in the following paragraphs should be amended accordingly: 17, 21, 22, 27, 29, 44, 47, 48, 51, 52, 56, 60, 63, 65, 66, 67, 70, 71, 74, 79, 81, 84, 85, and 88.</p>

<p>該当するパラ (※)</p>	<p>・ Q1 の” should” と” may” に関するコメント参照 (※) 17, 21, 22, 27, 29, 44, 47, 48, 52, 56, 60, 63, 65, 66, 67, 70, 71, 74, 79, 81, 84, 85, 88。</p>	<p>Please refer to our comments on Q1 referring to the use of “should” and “may”.</p>
<p>Q57 パラ 51</p>	<p>・ Q1 の” should” と” may” に関するコメント参照（除く ICP7.3.4 の引用部分）</p>	<p>Please refer to our comments on Q1 referring to the use of “should” and “may”. However, “should” quoting ICP 7.3.4 should be left as it is.</p>

以上