

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/2102. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX II

Annex II to Implementing Regulation (EU) 2015/2452 is amended as follows:

- (1) in section ‘S.25.01 — Solvency Capital Requirement – for undertakings on standard formula’, the following rows are added in the table:

‘Approach to tax rate		
R0590/C0109	Approach based on average tax rate	One of the options in the following closed list shall be used: 1 – Yes 2 – No 3 – Not applicable as LAC DT is not used (in this case R0640 to R0690 are not applicable) See EIOPA Guidelines on loss-absorbing capacity of technical provisions and deferred taxes (EIOPA-BoS-14/177) ^a
Calculation of adjustment for loss-absorbing capacity of deferred taxes		
R0640/C0130	LAC DT	Amount of loss-absorbing capacity of deferred taxes, as defined in Article 207 of Delegated Regulation (EU) 2015/35. The LAC amount of this cell should be the same as the value in the cell R0150/C0100 in S.25.01.
R0650/C0130	LAC DT justified by reversion of deferred tax liabilities	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35 justified by reversion of deferred tax liabilities
R0660/C0130	LAC DT justified by reference to probable future taxable economic profit	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35 justified by reference to probable

^a Guidelines EIOPA-BoS-14/177 of 2 February 2015 on the loss-absorbing capacity of technical provisions and deferred taxes (<https://eiopa.europa.eu/publications/eiopa-guidelines/guidelines-on-the-loss-absorbing-capacity-of-technical-provisions-and-deferred-taxes>).’;

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		future taxable economic profit
R0670/C0130	LAC DT justified by carry back, current year	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of the losses allocated to the next year.
R0680/C0130	LAC DT justified by carry back, future years	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of losses allocated to the years after next year.
R0690/C0130	Maximum LAC DT	Maximal amount of LAC DT that could be available, before the assessment whether the increase in net deferred tax assets can be used for the purposes of the adjustment, as provided for in Article 207(2) of Delegated Regulation (EU) 2015/35

a Guidelines EIOPA-BoS-14/177 of 2 February 2015 on the loss-absorbing capacity of technical provisions and deferred taxes (<https://eiopa.europa.eu/publications/eiopa-guidelines/guidelines-on-the-loss-absorbing-capacity-of-technical-provisions-and-deferred-taxes>).’;

(2) in section ‘S.25.02 — Solvency Capital Requirement – for undertakings using the standard formula and partial internal model’, the following rows are added in the table:

Approach to tax rate

R0590/C0109	Approach based on average tax rate	One of the options in the following closed list shall be used: 1– Yes 2 – No 3 – Not applicable as LAC DT is not used (in this case R0640 to R0690 are not applicable) See EIOPA Guidelines on loss-absorbing capacity of
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		technical provisions and deferred taxes (EIOPA-BoS-14/177)
Calculation of adjustment for loss-absorbing capacity of deferred taxes		
R0640/C0130	Amount/estimate of LAC DT	Amount/estimate of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35. The LAC amount of this cell should be the same as the value in the cell R0310/C0100 in S.25.02.
R0650/C0130	Amount/estimate of LAC DT justified by reversion of deferred tax liabilities	Amount/estimate of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by reversion of deferred tax liabilities
R0660/C0130	Amount/estimate of LAC DT justified by reference to probable future taxable economic profit	Amount/estimate of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by reference to probable future taxable economic profit
R0670/C0130	Amount/estimate of LAC DT justified by carry back, current year	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of the losses allocated to the next year.
R0680/C0130	Amount/estimate of LAC DT justified by carry back, future years	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of losses

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		allocated to the years after next year.
R0690/C0130	Amount/estimate of Maximum LAC DT	Maximal amount of loss-absorbing capacity of deferred taxes that could be available, before the assessment whether the increase in net deferred tax assets can be used for the purposes of the adjustment, as provided for in Article 207(2) of Delegated Regulation (EU) 2015/35

- (3) in section ‘S.25.03 — Solvency Capital Requirement – for groups using full internal model’, the following rows are added in the table:

R0590/C0109	Approach based on average tax rate	One of the options in the following closed list shall be used: 1 – Yes 2 – No 3 – Not applicable as LAC DT is not used (in this case R0640 to R0690 are not applicable) See EIOPA Guidelines on loss-absorbing capacity of technical provisions and deferred taxes (EIOPA-BoS-14/177)
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Calculation of adjustment for loss-absorbing capacity of deferred taxes

R0640/C0130	Amount/estimate of LAC DT	Amount/estimate of loss-absorbing capacity of deferred taxes, as defined in Article 207 of Delegated Regulation (EU) 2015/35. The LAC amount of this cell should be the same as the value in the cell R0310/C0100 in S.25.02.
R0650/C0130	Amount/estimate of LAC DT justified by reversion of deferred tax liabilities	Amount/estimate of loss-absorbing capacity of deferred taxes, as calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by

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		reversion of deferred tax liabilities
R0660/C0130	Amount/estimate of LAC DT justified by reference to probable future taxable economic profit	Amount/estimate of loss-absorbing capacity of deferred taxes, as calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by reference to probable future taxable economic profit
R0670/C0130	Amount/estimate of LAC DT justified by carry back, current year	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of the losses allocated to the next year.
R0680/C0130	Amount/estimate of LAC DT justified by carry back, future years	Amount of loss-absorbing capacity of deferred taxes, calculated in accordance with Article 207 of Delegated Regulation (EU) 2015/35, justified by profits from past years. Amount of losses allocated to the years after next year.
R0690/C0130	Amount/estimate of Maximum LAC DT	Maximal amount of loss-absorbing capacity of deferred taxes that could be available, before the assessment whether the increase in net deferred tax assets can be used for the purposes of the adjustment as provided for in Article 207(2) of Delegated Regulation (EU) 2015/35

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Changes and effects yet to be applied to :

- Regulation power to modify conferred by [2023 c. 29 s. 3 Sch. 1 Pt. 3](#)
- Regulation revoked by [2023 c. 29 Sch. 1 Pt. 3](#)