**FEBIS Regulatory Committee conference call 06.11.2018**

**Minutes of the conference call**

**Attendants:**

- Luis Carmona, Informa

- Bernie Grady, Experian

- Nathalie Gianese, Informa

- Stephanie Verilhac Marzin, FEBIS/SVM consult

- Matteo Marconi, CRIF

- Claire Fritz, Ellisphere

- Mark Preston, DnB

- Axel Bysikiewiecz, SCHUFA

- Daniel Francis Morin, FEBIS

**Agenda:**

1 Late payments: discussion on FEBIS paper amendments

2 update from Luis on FENCA meeting

3 AOB

**1. Late payments: discussion on FEBIS paper amendments**

On October 30th, Stephanie submit to the group the draft paper to be sent to MEP Lara Comi and addressing the pros and cons on IMCO amendments. Main message is to support Mrs Comi initiative but also stress the need to access up dated and valuable information in order to deliver an efficient service to BI customers.

The chart completing FEBIS comments is based on major amendments, their initiators and most important content. It is a kind of voting list with calls for support or rejection.

EG: amendment 41 from MEP Schwab; a very active person who expands on UEAPME opposition to “Name and Shame” idea by asking a complete removal of §4!

FEBIS view is not to remove the whole § but separate the political concept of “Name and shame” from the operational concept of gathering payment data in databases open to business credit professionals.

Mark suggests that information should be delivered without the concept of N&S, by institutions or semi-public bodies and Claire adds authorities linked to consumer’s protection already tracking large companies paying late.

Luis is to meet Mrs Comi at the “new UEAPME” launch this week in Brussels and will try to push the idea to keep the data but forget N&S in order to get a good balance.

Stephanie agrees that payment behaviour is essential and recalls also that the link between “Late payments” and “Early Warning” is not that clear.

Claire agrees and proposes to take the problem the other way round. We must convince authorities that BI providers can help SMEs and protect their treasury good shape by informing them about the health of their business counterparts. BUT for this we need to access updated and relevant data! \*

Luis doubt to get help from UEAPME supporting this message as they adopt (particularly their German representative) an inflexible position on affairs’ secret and tend to gather all type of information under this umbrella. However he believes that Regulators may be more open minded and supportive. Claire proposes using this contradictory behaviour with L Comi to leverage our message on the assistance BIP could bring in EW matters, hammering we need Data!

Coming back on the idea of identifying not fair players companies, Stephanie suggests Luis to diplomatically address this point when being at UEAPME meeting tonight and Claire says that in France such list is not much instructive (only the people we know…) and is very static (1 publication a year). This brings Luis to wonder how such list would be drafted should it exist and what kind of sanction would be associated to bad behaviour? Claire agrees by saying that in France the relative inoperativeness of such measure is linked to the weakness of the assorted financial sanctions and Stephanie to confirm that until now there is no concrete operational directive expected but only a principle based recommendation.

Every communication to MEPs highlighting the link between LP and EW is more than welcome… Nathalie and Claire recall the group with the total lack of knowledge of their EU interlocutors on BI industry services when they represent FEBIS in workshops or Hearings; a good understanding of the existing offer would help not re-inventing the wheel in many occasions.

Daniel wonders if there is not a big gap between the displayed positions by UEAPME representatives in Brussels and the base of their members; the latter being entrepreneurs and victims of Late Payment they should be more open minded to sanction bad behaviour even including N&S tools. Luis and Stephanie are also puzzled but an explanation may be found in the fact that UEAPME counsellors always deliver the same message and also their work is divided in silos.

**2. Update from Luis on FENCA meeting:**

Wolgang Keusgen (Creditreform) and Luis represented FEBIS at the last FENCA congress. Well organized with good keynote speakers. The one representing ITRE exchanged ideas with Luis about EW project and the need for more transparency by amending all texts in a way they do not contradict one another... He seems he took good note of this exchange and FEBIS comments…

*…. digression from call participants….*

Claire approves by saying that Regulators barely get the whole picture and is followed by Stephanie coming back on LP. She suggests again Luis taking advantage of his contact with L Comi to insist on the “big picture” (including the Public Reporting issue) and waiting for Luis comments before finalizing the FEBIS paper on LP… As well Stephanie confirms her presence to the public Hearing on Public Reporting\*\* next November 30th where a lot of participants are awaited, this hearing introducing a potential revision of the Accounting Directive.

\*(*note from DFM: motto could be “know your customer (credit) ” this time focused on credit capacities and not only on fraud detection..*)

*\*\* see minutes of Oct 10th point 4*

On PSI, last news is the Council intend to go to Trilogue before year’s end and on HVDS they want MS have a voice via an implemented act and not a delegated act.

As mentioned in previous minutes, Georg will attend the Expert Group and debrief us after the meeting. Despite the uncertainties on the final content, it is important to keep HVDS in place and the process seems in a good way, then we will have to monitor if a working group is settled, as it will be important for FEBIS to be invited.

*…coming back to FENCA…*

Luis confirms the positive aspects of being there with Wolfgang and the quality of the meeting. FENCA Board is elected every 2 years and the President every 4 years; they invited FEBIS representatives to a Board meeting (reciprocal?) and are ready to exchange on a regular basis on topics of common interest. For the time being FENCA is working on NPL and Collateral Directives and they are open to a discussion on PSI to align our positions.

FENCA members could also join FEBIS (those who are interested in BI services) and we could invite them to FEBIS events.

Stephanie asks where do we stand with the 5 party meeting initiated last year? Due to Eurofinas internal reorganization there is less leadership now, however ACCIS and FENCA seem open to continue. A call with BIIA could also help reactivating the process and discuss about the revision of the Consumer Credit Directive, the mapping being done by the Commission, now.

Luis fully supports the idea but deplore a lack of means and time to organize such meeting… Stephanie suggests trying to do it via a short phone call? At least the grey zone on sole traders is a common concern for all of us!

Luis mentions that FENCA built its CoC GDPR compliant, approved by the assembly and now ready to be submitted to external instances. SCOPE (German rating company) will supervise the COC from now on. Being a nightmare at the beginning, the elaboration of this COC is now facilitating the daily life of FENCA members.

**3. AOB**

Next call is planned for November 27th, as November 20th will see several Reg Co members busy with a FEBIS Board meeting

End of the meeting