

The Consultative Committee for the Financial Sector (CCSF)

The Consultative Committee for the Financial Sector (CCSF – *Comité consultatif du secteur financier*) was created by Article 22 of Act No. 2003-706 of 1 August 2003, known as the Financial Security Act (LSF), codified in Article L. 614-1 of the Monetary and Financial Code and in the associated regulatory article D. 614-1.

It is charged with studying questions pertaining to the relations between financial institutions and their respective clients, and with proposing appropriate measures in this area in the form of opinions or general recommendations.

The CCSF sets out to both simplify and strengthen the advisory bodies of the financial sector. It replaces the Advisory Committee to the National Credit and Securities Council (CNCT) and the National Insurance Council (CNA). Its field of competence covers the whole financial sector: credit institutions, financing companies, payment institutions, electronic money institutions, insurance companies and investment firms, as well as their intermediaries and clients.

Questions may be referred to the Committee by the Minister of the Economy, by the Autorité de contrôle prudentiel et de résolution (ACPR), by organisations representing clients and by the professional organisations from which its members are selected. It may also raise issues on its own initiative at the request of the majority of its members.

The Committee comprises 32 regular members and 32 alternates appointed for a period of three years by order of the Minister of the Economy. It is chiefly made up of an equal number (11) of representatives of financial institutions and client representatives.

Each year, the Committee submits a report to the President of the Republic and to Parliament.

Its organisational and operational rules, as well as the conditions for appointing its members and its Chair, are set out in Articles D. 614-1 and D. 614-3 of the Monetary and Financial Code. Its secretarial duties are carried out by the Banque de France.

1| RESPONSIBILITIES AND MAIN ACTIONS

The CCSF has become the ultimate consultation forum between the various players in the financial sector, government officials and the Autorité de contrôle prudentiel et de résolution. It thus makes a decisive contribution to improving relations between financial sector institutions and their clients, and to protecting savers, insurance policyholders and bank clients.

In an attempt to achieve the most balanced relationship between financial sector professionals and their clients, the CCSF prepares and endorses the commitments made by financial institutions and closely monitors their implementation. In this context, the CCSF is notably responsible, via its Observatory for Banking Fees, for monitoring changes in bank practices with regard to tariffs, in accordance with Act No. 2010-1249 of 22 October 2010.

The Chair of the CCSF sets up a collegial body which is charged with appointing company mediators for the financial sector, in accordance with Order No. 2015-1033 of 20 August 2015 – Article 2.

The CCSF also contributes to fostering dialogue between professionals and consumers on various financial issues on the national and European policy agenda.

Overall, the CCSF works towards bolstering the level of confidence between financial professionals and consumers, be they insurance policyholders, savers or clients.

1|1 The CCSF plays a key role in improving the quality of bank-client relations

In the contractualisation of bank-client relations, the CCSF contributes to improving transparency and competition and to developing modern means of payment. It also works towards facilitating financially vulnerable persons' access to basic banking services. In this respect, it draws up action plans that commit banking professionals to a set of quantified objectives over time to make the banking system more user-friendly and accessible to all. It pays particular attention to ensuring that the information aimed at financial service clients is accessible, clear and understandable.

Through its Observatory for Banking Fees, the CCSF regularly and closely monitors changes in bank practices regarding the fees charged to individual customers. It has also set up a bank fee comparison website for the general public, which users can access anonymously and completely free of charge.

In order to promote the development of responsible lending practices, the CCSF has engaged in major work that has contributed to the complete overhaul of consumer credit and to the definition of a regulatory framework for crowdfunding.

The CCSF supported the creation of a charter for banking inclusion and for the prevention of over-indebtedness, which sets out new obligations for banks with regard to the protection of financially vulnerable customers. It also supported the implementation of a formal charter on access to basic banking services, which reinforces the application of the legal «right to an account» procedure.

With regard to mediation, the CCSF is tasked with appointing «company» mediators for the financial sector, as and when requested. These appointments are made by a collegial body which is set up by the CCSF's Chair.

The CCSF also encourages credit institutions and bank mediators to take the necessary measures for widening the legal scope of bank mediation. It regularly monitors the application of these measures.

Finally, the Committee is closely involved in discussions regarding financial education. It also contributes directly to improving financial literacy by developing educational tools for the general public, and helping to define a national strategy on personal budgeting and financial education.

1|2 In the insurance and savings sector, the CCSF contributes to improving consumers' knowledge of the sector and to preparing structural reforms

In order to increase customers' knowledge and understanding of the insurance and savings sectors, the CCSF works to improve the quality of information provided to savers and insurance policyholders, and contributes to the preparation of structural reforms.

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Each year it conducts a review of the car insurance, home insurance, collective pension savings plans (PERP) and retirement savings industries.

To ensure consumers are better informed and protected, the CCSF compiles glossaries of terms used in insurance policies (e.g. a glossary of dependency insurance terms and a glossary of loan protection insurance terms). It draws up charters to improve the transparency and quality of comparison websites for property and casualty (P&C) insurance and for complementary health insurance. It also publishes and distributes information leaflets to help people avoid overlaps in their insurance coverage.

The Committee plays a crucial role in preparing and monitoring structural reforms in loan protection insurance (law allowing borrowers to choose an insurer other than the lending bank), P&C insurance (new rules on policy cancellations under the Hamon Law) and PERPs.

1|3 The CCSF formulates opinions on European projects

The Committee issues opinions and expresses itself on a large number of projects drawn up by the European authorities on the harmonisation of business practices and of retail financial and investment services and products.

The CCSF organised two symposia on the European harmonisation of retail financial services and on the involvement of consumer and financial sector representatives at the European and national levels in the preparation of Community legislation in the financial services industry.

The CCSF also worked with the National SEPA Committee on the creation of the Single Euro Payments Area, and helped to ensure France's smooth migration to the SEPA credit transfer and direct debit systems.

1|4 The CCSF checks the effective application of the measures it proposes

The CCSF regularly (at least once a year) monitors the application of its opinions and recommendations to ensure the effective implementation of the measures taken in their framework.

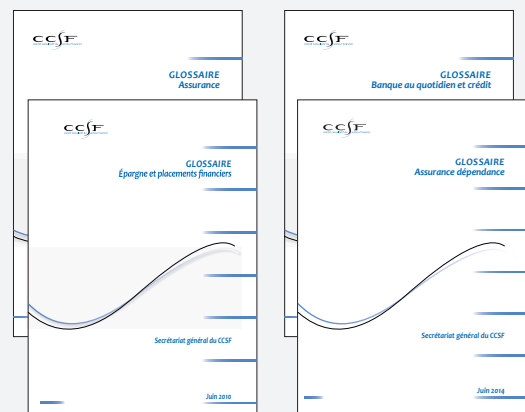
The creation of the Autorité de contrôle prudentiel in early 2010 (which became the Autorité de contrôle prudentiel et de résolution in 2013), and the formal extension of the authority's powers to the control of financial product marketing and to consumer protection introduced a new type of verification set out in Article L. 612-29 1 of the Monetary and Financial Code:

«The Minister of the Economy may ask the Autorité de contrôle prudentiel et de résolution to carry out in the entities and domains within its sphere of competence a verification of compliance with the commitments made by one or more professional bodies representing their interests within the framework of the measures proposed by the Consultative Committee for the Financial Sector.

The results of said verification shall be the subject of a report which the ACPR shall submit to the Minister and to the Consultative Committee for the Financial Sector. Said report

CCSF publications

As well as organising numerous constructive and productive meetings, as evidenced by the number and scope of its opinions and recommendations, the CCSF publishes an annual report addressed to the President of the Republic and to Parliament and, since 2011, a report on the changes in bank practices with regard to tariffs. It also publishes study reports, such as Contractual information on dependency insurance (2013) and The definition and implementation of a national strategy on financial education (2015). In addition, the CCSF has put together various information leaflets and five glossaries to help consumers understand and compare banking, insurance and other financial products. These educational tools have been widely circulated.



shall indicate, for each commitment, the share of professionals fulfilling it.»

2| ORGANISATION AND FUNCTIONING

The CCSF is an administrative entity without legal personality or own assets. It is an advisory body whose rules of organisation and operation are laid down by Decree No. 2004-850 of 23 August 2004, amended by Decree No. 2014-1316 of 3 November 2014 – Article 4, codified in Articles D. 614-1 and D. 614-3 of the Monetary and Financial Code.

The CCSF meets when convened by its Chair. It may only discuss matters on the agenda appended to notices of meetings. In the event of a tie, the Chair shall have the casting vote. The Chair is appointed by the Minister of the Economy and Finance. He/she has a General Secretariat, provided by the Banque de France, to assist with the exercise of his/her duties.

The address of the General Secretariat is:

General Secretariat of the Consultative Committee for the Financial Sector
Banque de France
Code courrier 48 1427
75049 Paris Cedex 01

Email: ccsfn@banque.fr

Website: www.ccsfn.fr

3| LAWS GOVERNING THE CCSF

3|1 Creation of the CCSF

The Financial Security Act No. 2003-706 of 1 August 2003, in its Title 1 on the modernisation of supervisory authorities, set up two consultative committees, the Consultative Committee for the Financial Sector (CCSF) and the Consultative Committee for Financial Legislation and Regulation (CCLRF).

Article L. 614-1 of the Monetary and Financial Code

«The Consultative Committee for the Financial Sector is responsible for examining questions relating to the relations between credit institutions, financing companies, electronic

money institutions, payment institutions, investment firms and insurance companies on the one hand, and their respective clients on the other, and for proposing any appropriate measures in relation thereto, in the form, inter alia, of opinions or recommendations of a general nature.

Questions may be referred to the Committee by the Minister for the Economy, by the Autorité de contrôle prudentiel et de résolution, by the organisations that represent the clients and by the professional bodies from which its members are drawn. It may also act on its own initiative at the request of the majority of its members.

The Committee is composed primarily, and in equal numbers, of representatives of credit institutions, payment institutions, investment firms, insurance companies, general agents and insurance brokers on the one hand, and of the clients' representatives on the other.

The composition of the Committee, the conditions of appointment of its members and of its Chair, and its organisational and operating rules, are determined by decree.

The Committee is responsible for monitoring the trend of the fees that credit institutions and payment institutions apply for services provided to individuals for non-business purposes.»

Article L. 614-3 of the Monetary and Financial Code

«The salaried employees who are members of the Consultative Committee for the Financial Sector or of the Consultative Committee for Financial Legislation and Regulation shall be given sufficient time to ensure that they are able to prepare for, travel to and participate in the meetings. Said time shall be treated as effective working time for the calculation of social-security benefit entitlement. Said employees must inform their employer of their appointment, and of each meeting, as soon as they receive the notice to attend.»

3|2 Composition of the CCSF

Article D. 614-1 of the Monetary and Financial Code

The Consultative Committee for the Financial Sector (CCSF)

I. The Consultative Committee for the Financial Sector comprises 32 members and their alternates appointed by Order of the Minister of the Economy:

- a deputy, appointed by the President of the National Assembly;
- a senator, appointed by the President of the Senate;
- eleven representatives of credit institutions, financing companies, investment firms, insurance companies, general agents, insurance brokers and intermediaries in banking transactions and payment services, comprising:
 - four representatives of credit institutions and financing companies;
 - a representative of investment firms;
 - three representatives of insurance companies;
 - a representative of general agents;
 - a representative of insurance brokers;
 - a representative of intermediaries in banking transactions and payment services.
- five representatives of the staff of credit institutions, financing companies, insurance companies and investment firms, appointed after consultation with trade unions at a national level;
- eleven representatives of the clients of credit institutions, financing companies, insurance companies and investment firms, comprising:
 - seven representatives of individual clients;
 - four representatives of institutional and corporate clients;
- three prominent figures appointed on the basis of their competence.

The Chair of the Consultative Committee on the Financial Sector is chosen from among the qualified persons, by order of the Minister of the Economy. The Chair has a General Secretariat responsible for assisting with the exercise of his/her duties.

Committee meetings may be attended by representatives of the state and, at the behest of the Chair, by representatives of any other public authority, including the Banque

de France. They may not participate in the vote.

II. As part of its responsibilities, the Committee may, provided that there is an absolute majority of its members, entrust certain of its members with the task of studying particular questions and, to this end, set up, within the Committee, working or study groups. The Committee may, upon proposal by its Chair, consult with any expert.

III. The Committee meets when convened by its Chair. It may only discuss matters on the agenda appended to notices of meetings. In the event of a tie, the Chair shall have the casting vote.»

IV. The Committee ensures the online publication of information enabling a comparison of the fees applied by the institutions mentioned in the last-but-one paragraph of Article L. 614-1 for the principal services offered to individuals for non-business purposes.

V. Pursuant to the final paragraph of Article L. 614-1, the company or institution in question asks the Chair of the Committee to appoint a mediator and nominates one or more potential candidates for the position.

The Chair sets up a collegial body comprising:

- two representatives of approved consumer associations, who may be regular or alternate members of the Committee;
- two representatives of the company or institution in question, nominated by the company itself.

These representatives are appointed by the Chair of the Committee. The Chair also appoints the alternates for the representatives of the approved consumer associations.

The mediator is appointed by a majority of the representatives present. The Chair or his/her representative attends the debate, but does not cast a vote.

3|3 Other responsibilities of the CCSF

The CCSF intervenes prior to the adoption of certain texts in its fields of competence as defined by law: usury rates (Articles L. 314 6 et seq. of the Consumer Code), the National

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Register of Household Credit Repayment Incidents (Articles L. 715-1 et seq. of the Consumer Code), right to an account banking accessibility charter (Article L. 312 1 of the Monetary and Financial Code), account agreements (Article L. 312 1 1 of the Monetary and Financial Code), banking inclusion and prevention of over-indebtedness charter (Article L. 312 1 1 A of the Monetary and Financial Code), tied sales (Article L. 312 1 2 of the Monetary and Financial Code), non-proprietary names of bank charges

and services (Article L. 314 7 of the Monetary and Financial Code – decree forthcoming), modification or withdrawal of unlawful contractual documents or advertising materials (Article L. 310 8 of the Insurance Code).

The CCSF is sent a copy of the reports drawn up by each mediator (Article L. 316-1 of the Monetary and Financial Code) and by the Banking Mediation Committee (Article L. 615-2 of the Monetary and Financial Code).

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Composition of the CCSF (Decree of 6 April 2017)

Three prominent figures appointed on the basis of their competence

Chair: Mrs Corinne DROMER

Regular members: Mr. Serge MAÎTRE, Secretary General of the AFUB
Mrs Blanche SOUSI, Jean Monnet Professor
European banking and monetary law – Lyon III

Alternate: Mr Pierre-Grégoire MARLY – Dean of the Faculty of Law,
Economics and Management – University of Maine

Alternate: Mr David CHARLET – ANACOFI
Mr Luc MAYAUX, Professor – Lyon III

Regular members

Alternates

1) Proposed by the President of the Senate

Mr Philippe DOMINATI

Mr Yannick BOTREL

2) Proposed by the President of the National Assembly

Mr Dominique BAERT

Mr Olivier CARRÉ

3) As representatives of credit institutions and financing companies;

Mr Laurent BERTONNAUD – BNP Paribas
Mrs Marie LHUISSIER – Groupe Crédit agricole SA
Mrs Sophie OLIVIER – CNCM
Mrs Françoise PALLE-GUILLABERT – ASF

Mrs Marianne AUVRAY-MAGNIN – Société générale
Mr Jean-Marc TASSAIN – La Banque Postale
Mr Nicolas DUHAMEL – BPCE
Mr Alain RICHON – Fédération bancaire française

4) As representatives of investment firms

Mr Pierre BOCQUET – AFECEI

Mrs Pauline LAURENT – AMAFI

5) As representatives of insurance companies

Mr Christophe OLLIVIER – FNMF
Mr Philippe POIGET – FFA
Mrs Angélique SELLIER-LEVILLAIN – FFA

Mr Bertrand BOIVIN-CHAMPEAUX – CTIP
Mr François ROSIER – FFA
Mrs Géraldine VIAL de VUILLEGUERIN – FFA

6) As representatives of general agents

Mr Laurent BOULANGEAT – AGEA

Mr Grégoire DUPONT – AGEA

7) As representatives of insurance brokers

Mr Alain MORICHON – CSCA

Mr Christophe HAUTBOURG – CSCA

8) As representatives of intermediaries in banking transactions and payment services

Mr Hervé HATT – APIC

Mr Jean-Bernard VALADE – AFIB

9) As representatives of the trade unions representing the staff of credit institutions, financing companies, insurance companies and investment firms, at national level

Mrs Raphaëlle BERTHOLON – CFE-CGC
Mr Sébastien BUSIRIS – FEC-FO
Mr Luc MATHIEU – CFDT
Mr Serge-Pierre MONDANI de ROCHELY – CFTC
Mr Aurélien SOUSTRE – FSPBA-CGT

Mr Patrick DELAPORTE – CFE-CGC
Mr Georges de OLIVEIRA – FEC-FO
Mr Damien LAGAÚDE – CFDT
Mrs Karine VIAL-MONTPPELLIER – CFTC
Mr Jean COULTRAP – FSPBA-CGT

10) As representatives of the individual clients of credit institutions, financing companies, insurance companies and investment firms

Mr Alain BERNARD – Secours catholique
Mr Jean BERTHON – FAIDER
Mrs Olga DE SOUSA – UFC - Que Choisir
Mrs Martine DEROBERT – AFOC
Mrs Reine-Claude MADER – CLCV
Mr Patrick MERCIER – ADÉIC
Mr Fabien TOCQUÉ – UNAF

Mr Jean GOUZI – Croix-Rouge
Mr Guillaume PRACHE – Eurofinuse
Mr Pierre CERNESSON – CNAFC
Mrs Ludivine COLY-DUFOURT – ALLDC
Mr François LABRUNIE – Confédération syndicale des familles
Mr Manuel MESSEY – CNAFAL
Mrs Marie-Annick LAMBERT – Familles rurales

11) As representatives of the institutional and corporate clients of credit institutions, financing companies, insurance companies and investment firms

Mr Jean-Michel CHANAVAS – Conseil du commerce de France
Mrs Isabelle DJIAN – MEDEF
Mr Pascal LABET – CGPME
Mrs Nathalie ROY – CNAIS

Mr Xavier DONADIEU de LAVIT – FCD
Mr Christophe LESOBRE – AFTE
Mr Bernard CHANELLE – CCI France
Mrs Stéphanie FRÉZOULS – APCMA