

# Netherlands AFM approach to risk based supervision

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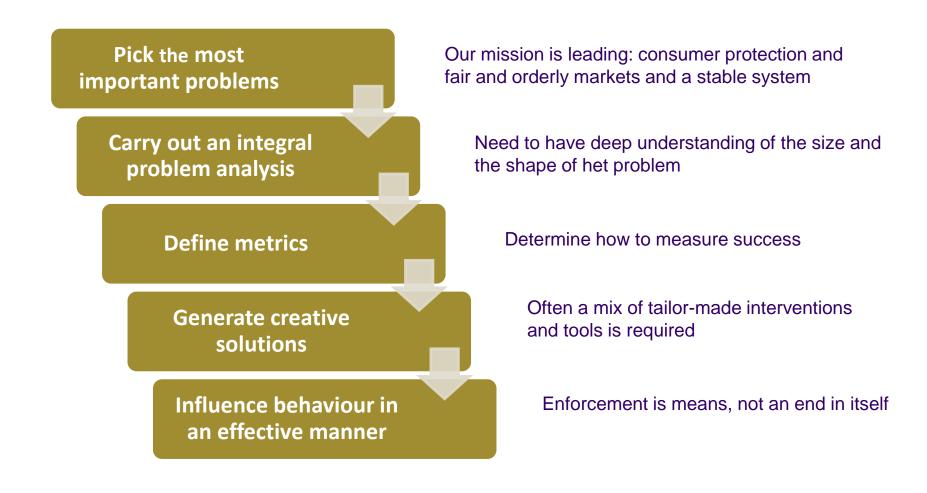


- I. Problem-oriented approach to risk based supervision
- II. How are we organised according to this approach?
- III. AFM risk framework
- IV. Challenges

# Problem-oriented approach to supervision **AFM**

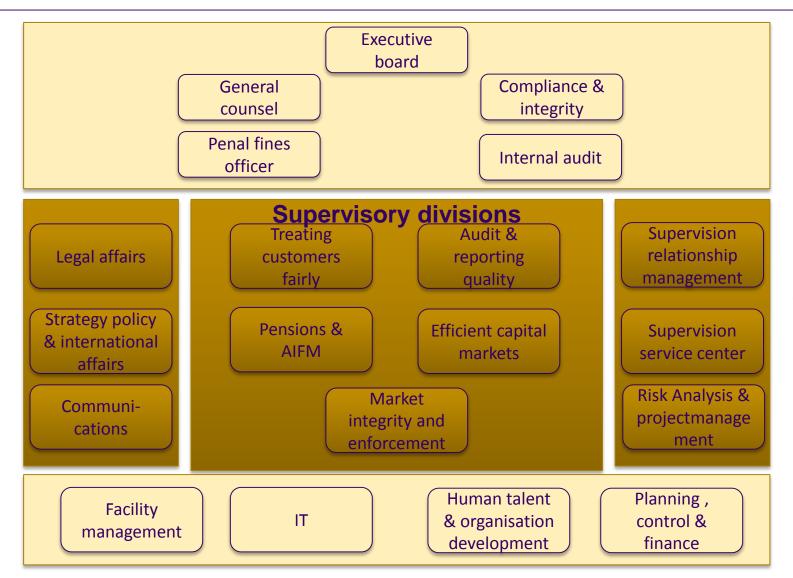
- In selecting which issues to work on and how to organize our work our mission is leading, not the law.
- Our definition of a risk or a problem: every issue or development that (potentially) causes detriment (or can contribute positively) to our desired supervisory outcomes (consumer protection and fair and orderly markets). This could be, for example, a behavioral pattern, 'bad' product, or a flaw in the system.
- We believe that to be effective as a supervisor you need to be organized in such a way that it promotes a broad, multiple level analysis of the market and offers the flexibility to organize your resources around the problems that you detect. Every problem requires a tailor made solution.

# **Detect important problems and solve them AFM**



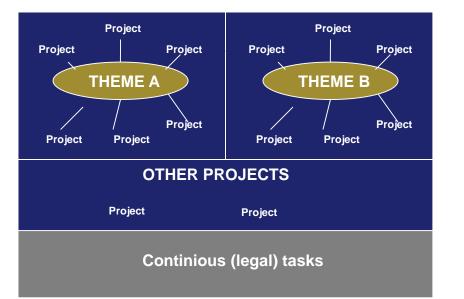
### **Organisational structure**





Supervision

# Supervisory divisions -> themes -> projects AFM



#### Supervisory division

The activities of a supervisory division consists of three 'building blocks':

- Projects that are clustered around a specific overarching supervisory theme. These themes have a medium-term horizon (typically 2-5 years).
- 'stand-alone' projects that do not fit within the strategic objectives of the themes (this includes firmspecific projects)
- Continious (legal) tasks we have to perform (inspections at accountants, approval of prospectuses)



Themes	<ul> <li>Once a year the Executive Board decides on the supervisory themes</li> <li>Strategy &amp; Policy and International Affairs team leads this process</li> </ul>
Projects	<ul> <li>Twice a year we prioritize projects within the supervisory divisions</li> <li>Supervisory divisions are responsible for their project portfolio</li> <li>Risk Analysis team assists with the prioritization process and puts risks on the</li> </ul>
	agenda
Staffing	<ul> <li>Project Management team assists the divisions with the staffing of the projects</li> </ul>

### **Risk framework (whole process)**



• Within team RA: from idea to well developed risks



• Within the Supervisory division: from risk to intervention



### Identifying the risk or the problem



#### Ad hoc signals

- Observations account managers large institutions
- Publications in the media
- Signals we receive through consumers
- Complaints by market participants

#### **Pro active research**

- Research by team Risk Analysis

#### **Structural analysis**

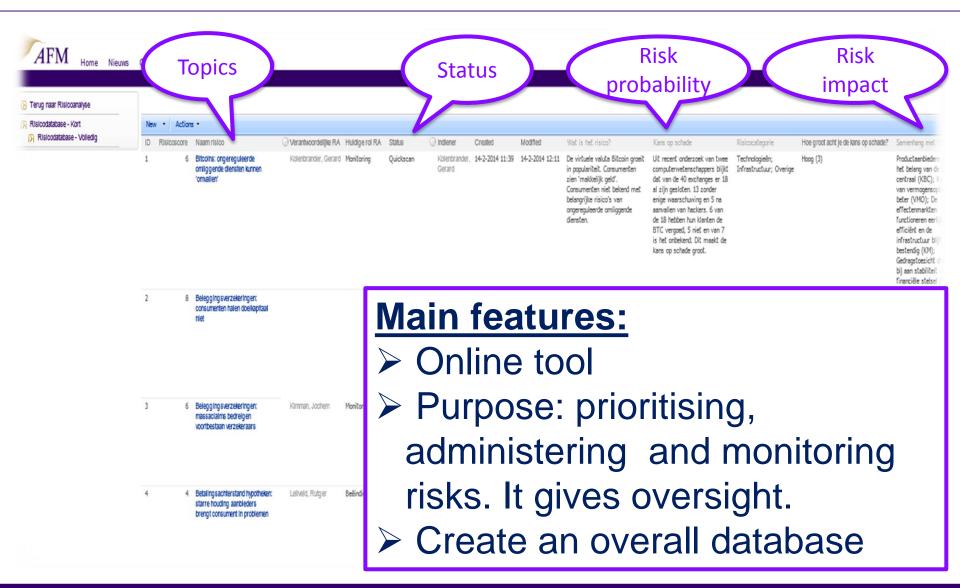
- Business Intelligence tools
- Signal database analysis
- Self Assessments (questionnaires)

#### Other departments within the AFM

- License distribution
- Supervisory Service centre
- Transparency and information supervision
- Strategy, Policy & international affairs

### Add risks to the long list

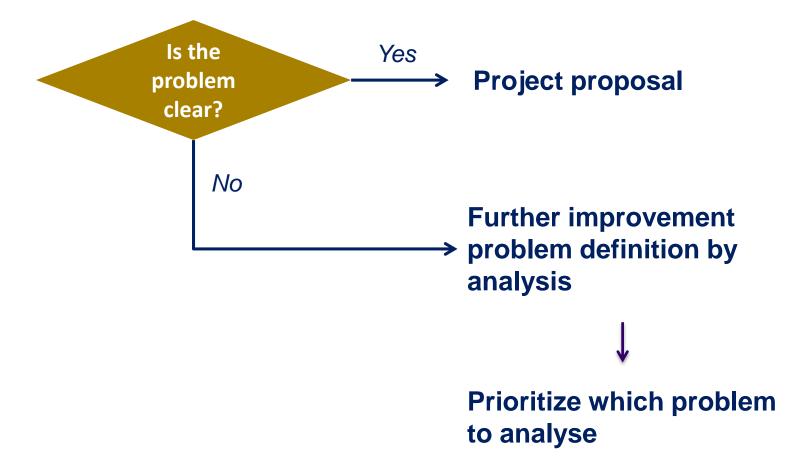




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### Qualifying the risk or the problem







Two types of analysis:

- Quick scan: typically days of work to get more insight in a problem
- Report: typically weeks of work to understand a market or dig deeper into a problem to get it clear

Goal of the analysis is to put it on the internal agenda (or to take it of)

The analysis consist of:

- Analysis on internal data
- External sources of research
- Input from other supervisors (central bank)
- Interviews

### **Features of the Quick Scan**



### Gerard Kolenbrander) November 2013

Quick Seam from the Risk Analysis Team are brief analyses of potential risks. Their purpose is to promote internal discussion, and thay are intended solely for internal use. The Risk Analysis Team is always willing to provide further information about Quick Seam. Other Quick Seam can be found on central. Mexick/Analysia/Parameter.

Bitcoins: survey of features and risks

#### Key Points

AFM

- This Quick Scan provides an overview of the Bitcoin phenomenon. It discusses the risks for consumers related to the wider adoption of Bitcoins.
- Section 3 describes the main risks. Relevant in this context is that Bitcoin is still in its inflacey. A
  consequence of this is the emergence of significant risks relating to unstable platforms (collapse of
  parties, resulting in the expersion of consumers' Bitcoind), lack of ulquidity (prior emainplustion),
  consumers' limited knowledge about security (viruses and hacking), and overpricing (bubble
  tormation).
- Owing to the lock of efficient payment systems and the absence of accessible likeoin invextment products, adoption is currently low, so that the impact is limited. The probability of something going wrong, such as a platform cicking down or digital wallets being hacked is large. Despite the rapid developments involving flickoin, it is unlikely that this will rapidly lead to significant damage affecting consumers or comparies in the Netherlands.
- The purpose of this document is to encourage internal discussion. Our proposal is to have wideranging consultation, based partly on this Quick Scan, to decide whether the AFM should address the Bitcoin issue turther and how it should monitor developments.

For the main sections of this document, we have treated the key features of Bitcoins as being familiar to readers. In case some are not immediately familiar with features such as mining, 21 milion or paer-to-paer transactions, an introduction to Bitcoins is provided in Appendix 1.

Section 1 describes the relevant features of Bitcoin, and section 2 discusses the legal framework. Section 3 sets out the major risks. Finally, section 4 contains the recommendations from the Risk Analysis Department.

1 The features of virtual money and how Bitcoins relate to it

1.1 Three levels of virtual currency: Bitcoin is an open scheme with (limited) impact on the real economy

It seems as if Bitcoin is dominating today's digital currency picture. At the same time however, other digital currencies have appeared on the market as well. Some, Litecoins being one exemple, derive thom Bitcoins and are therefore based largely on the same principles. Others have a different basis. Although this Quick Scan focuses on Bitcoins, it is worth distinguishing a number of categories. The ECB uses three<sup>1</sup>.

1. Closed virtual currency schemes

Under this heading are those currencies that scarcely impact the real economy. They are mostly so-called imgene only currencies, which have value solely which is computer game. An example is the well-known game World of Warcraft (WoW), where WoW Gold is employed as the unit of currency. It can only be earned by

http://www.ecb.europa.eu/pub/pdf/other/virtualcurrencyschemes201210en.pdf

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### Main features:

- Should contain:
  - Key points; summary
  - Clear definition of risks
  - Proposal for follow up
- Balance between adequacy and effort
- Low key instrument to:
  - Spread/gather knowledge
  - Facilitate internal discussion
  - Put risks on the internal agenda

### **Determining the project portfolio**



#### A4tje: Vragenlijst tbv het prioriteren van problemen/risico's

Titel	Titel probleem/project
Contactpersoon	Naam contactpersoon ivm beschikbaar stellen meer achtergrondinformatie
2. Probleem/risico	
Wat is het probleem/risico?	Formuleer het probleem/risico zo specifiek mogelijk.
Wat is de omvang van het probleem/risico?	Kwantificeer voor zover mogelijk het probleem/risico. Maak bijvoorbeeld gebrui van kwantitatieve gegevens over marktomvang, evt. marktfalen, # signalen etc.
Hoe ziet de ontwikkeling van dit probleem/risico er uit?	Benoem hoe lang het probleem/risico al bestaat en hoe je denkt dat het zich verder gaat ontwikkelen (met en zonder ingrijpen van de ons).
Op welke wijze is dit	Noem zoveel mogelijk stakeholders voor wie dit probleem/risico schadelijk is of
probleem/risico schadeliik en voor wie?	kan zijn en beschrijf de wijze waarop deze stakeholders betrokken zijn bij dit probleem.

3. Krachtenveld			
ls er aandacht vanuit de maatschappij voor dit probleem/risico?	Te denken valt aan p belangenorganisaties	olitieke of media aanda wordt gevoerd etc.	A.
Als wij niets met dit	Denk bijvoorbeeld aa	n toekomstige '	.n, reputatierisico. Nog
probleem/risico doen,	even de haunting que	stions: 1 - V	A er wel was, waarom heb
hoe groot is de kans op	je niks gezien? 3 - Als	stions: 1 - V je het w	om heb je dan niks gedaan (of
haunting questions?	niet opgelost)?		
		- S`_	
4. Strategie			
Op welke wijze past dit onderwerp in de strategie van de onze organisatie?	Geef aan bij we!* strategie.	P:	o hoort en hoe dit past bij de
Heeft dit probleem/risico	Beschr	e waarin dit prob	leem/risico past en de wijze waarop
verband met andere problemen/risico's?	het p.	/band houdt met and	iere problemen.

5. Doelstellingen, activiteiten en verwachte effecten						
Doelstellingen	Beschrijf de doelstellingen van het project.					
Activiteiten	Geef san weike activiteiten (op hoofdlijnen) nodig zijn om het probleem/ het markträlen kleiner te maken (indien van toepszing: specificeer hoe er rekening gehouden wordt met het krachtenveld (wens of juist weerstand) vanuit de mastschappij/externe stakeholders)					
Verwachte concrete effecten	Beschrijf welke effecten (op het probleem / belanghebbenden, etc) voortvloeien uit de activiteiten. Geef ook aan hoe, en wanneer, deze effecten inzichtelijk worden gemaakt.					

6.0	Capaciteit					
Aa	ntal medewerkers	Geef een indicatie van het aantal medewerkers, en het percentage van hun tijd,				
		dat voor het project beschikbaar moet zijn.				
Ту	pe medewerkers	Geef hier het type medewerker aan dat het project kan uitvoeren. Van belang kunnen zijn de kennisgebieden, senioriteit en mogelijke projectrollen voor de				
		medewerkers.				
Aa	ntal maanden	Geef hier de verwachte/benodigde looptijd van het project aan.				

	De Ghanese Viag: Samenvatting Voorstel Prioriteitensessie September 2		Prioritering						*	
Nr. A4tje	Titel A4ge		Type project	Aantal	Be	trokken	afdelin	gen	Ŧ	3
		T of a discore		mws	V mee	8	feam C	Team D	ejoud ya	Doofloogh mrd)
21	Het rode tractortje	11	technische analyse	3 x 0,25	Ě	2	1	Ĕ	nu (okt 2012)	5
23	De nieuwe eendenvijver	11	visie	4 x 0,25	2	1		1	nu (okt 2012)	4
11	Een erg winderige dag	11	technische analyse	5 x 0,25	1	1	2	1	nu (okt 2012)	6
2	Vrolijk varken vroeg uit de veren	11	verkenning en visie	4 x 0,25	2	1	1		na A4tje 23 (dus feb 2013)	6
1	Erna en Bert	10	verkenning	3 x 0,25	1	1	1			4
6	Het oude houten hek	10	technische analyse	2 x 0,5		1		1		6
19	Anton vangt een vis	10	technische analyse	5 x 0,25			2	3	na A4tje 11 (dus april 2013)	
28	Baber is jurig	10	verkenning	5 x 0,25	3	1	1			6
14 en 20	Bij Kiki thuis	9	verkenning	4 x 0,25		1	2	1		3
Totaal a	antal fte's betrokken afdelingen bij prioritering alle groene projecten				3,00	2,50	2,50	2,00		
9	Christoffel en de Columbus	8	regulier toezicht	3 x 0,25			1			3
4	Circus Ondersteboven	8	technische analyse	2 x 0,5, 2 x 0,25 (SBI		1		1		5
12	Cornelis de Neushoorn	8	regulier toezicht en beïnvloeding	2 × 0,5			2			3
22	Het konijnenboekje	8	verkenning en visie	3 x 0,25	1	1			na 2	12
29	Het meisje dat alleen maar witte chocolade lust	8	verkenning	2 x 0,25						5
24	Het eigenwijze eendje	7	visie	2 × 0,5				1		6
7	Kîppetje Tok	6	verkenning	2 x 0,25						4
10	De zeven postbodes	6	regulier toezicht	3 x 0,25			2			2
17	De koe ging over de berg	6	regulier toezicht	2 x 0,25						24
2	Vijf brandwoermannetjes	5								
	Thomas is de wolken	5								
	Menser de hond	5								
2	Mula aan zoo	5 5								
	Sam de brandweerkat									
	R kan vlingen	4								
10	Hondje cigerwijs	- 4		1						





- Putting risks on the internal agenda that do not fit in one of the supervisory divisions
- Flexible staffing
- Usage of data in supervision



## **Questions?**