



Banc Ceannais na hÉireann
Central Bank of Ireland

Eurosystem

General Good Rules

Arising from the Directive (EU)
2016/97 on Insurance
Distribution

2023

Introduction

This document sets out the general good rules in accordance with Article 11 of the Directive (EU) 2016/97 of the European Parliament and of the Council of 20 January 2016 on insurance distribution (IDD), that insurance distributors and reinsurance distributors must adhere to when operating in Ireland on a cross-border basis.

The list of rules provided is indicative and without prejudice to other general good rules, codified or not, which are applicable to regulated entities in Ireland.

The list is updated regularly. It is the responsibility of distributors to know which provisions apply to them and to be aware of any subsequent modifications.

Underlying IDD Provision	Key aspect of the IDD Provision	Corresponding provision of the national legislation/rules introducing a stricter standard than IDD	Hyperlink to where the provision and/or guidance can be found	Description of national legislation/rules	To whom does the general good provision apply?
Article 3	Chapter II Registration Requirements	Section 14 of the Health Insurance Act 1994	http://www.irishstatutebook.ie/eli/1994/act/16/section/14/enacted/en/html#sec14	<p>Section 14 of the Health Insurance Act, 1994 states that in order to carry on the business of health insurance in Ireland, it is necessary for health insurers to be registered with the Health Insurance Authority. An undertaking shall be registered, upon application, if it is the holder of an authorisation (within the meaning of the European Union (Insurance and Reinsurance) Regulations 2015) for the time being in force to carry on non-life insurance business in Ireland and complies with the provisions of the Health Insurance Act 1994.</p> <p>In accordance with Section 14 (4) of the Health Insurance Act 1994, once an undertaking is registered with the HIA, the undertaking is entered into the Registrar of Health Benefit Undertakings, which is maintained by the HIA.</p>	Insurance undertakings
Article 3	Chapter II Registration Requirements	Pension Schemes	http://www.irishstatutebook.ie/eli/1990/act/25/enacted/en/html https://www.pensionsauthority.ie/en/Employers/Cross-border_schemes/	<p>The Pensions Act 1990, as amended (the Pensions Act), only applies to institutions for occupational retirement provision (IORPs) and trust retirement annuity contracts (RACs) registered in Ireland, personal retirement savings account (PRSA) products approved in Ireland or cross-border activity by Irish IORPs in another Member State. If an insurance undertaking or intermediary based in another Member State were to establish an IORP or trust RAC in Ireland, it would have to register a trust-based scheme in Ireland, which would be subject to the Pensions Act (and Revenue (tax) rules). If an Irish IORP wished to receive contributions from another Member State, they must apply to the Pensions Authority for authorisation.</p> <p>If an IORP operating from another Member State wished to receive contributions from Ireland, they would need to be authorised to do so under the IORP II Directive (Directive 2016/2341/EU Directives. As part of authorisation, either in Ireland or in another Member State, the IORP would be obliged to comply with the social and labour laws disclosure and depositary requirements of the host country.</p> <p>If an insurance undertaking or insurance intermediary established in another Member State wishes to offer a PRSA product in Ireland, the entity would have to obtain approval for the PRSA product from the Pensions Authority, and the product would be subject to the requirements of Part X of the Pensions Act.</p>	Insurance intermediaries and insurance undertakings

Article 14	Complaints	Consumer Protection Code 2012 Chapter 10, Errors and Complaints Resolution Provisions 10.7 to 10.12	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	<p>The Code provides for detailed complaints handling and a requirement to record and analyse complaints. Specific timelines for responding to complaints and information requirements are specified.</p> <p>Insurance distributors who are authorised in other Member States are expected to adhere to the national complaint handling procedures provided for in the Consumer Protection Code, when dealing with complaints related to products or services provided to Irish customers on a cross-border basis.</p>	Insurance distributors
Article 18	General information provided by the insurance intermediary or insurance undertaking	Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.12 to 4.14	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	<p>The Consumer Protection Code provides that a regulated entity must draw up its terms of business and provide a copy to the customer prior to providing the first service. The information to be contained in the terms of business includes similar information requirements as outlined in Article 18 of IDD and additional information about the regulated entity.</p> <p>The entity that is arranging the insurance contract, rather than the manufacturer of the insurance product must provide the terms of business. Insurance distributors operating on a cross border basis that deal with consumers must provide terms of business to the consumer before providing its first service to that consumer.</p>	Insurance distributors
Article 18	General information provided by the insurance intermediary or insurance undertaking	Consumer Insurance Contracts Act 2019, Pre-contractual duties of consumer and insurer, Section 8(9)	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 8(9) Every insurer shall, before a contract of insurance is entered into, or renewed, inform the consumer on paper or on another durable medium of the general nature and effect of the pre-contractual duty of disclosure.	Insurance undertakings
Article 19	Conflicts of interest and transparency	Consumer Protection Code 2012 Chapter 3, General Requirements Provisions 3.28, 3.29, 3.30, 3.31, 3.33 to 3.35	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The Code provides that all regulated entities must have a written conflict of interest policy in place to identify and manage conflicts of interest and disclosure to customers in the event that the conflicts of interest cannot be avoided. The Code also provides for further specific conflicts of interest rules for specific situations including remuneration arrangements, suitability requirements, Chinese walls, gifts and rewards and soft commissions. These rules apply to distributors of insurance products other than insurance-based investment products (IBIPs).	Insurance distributors

Article 19(1) (d) and (e)	Conflicts of interest and transparency	Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.58 to 4.61 (information about remuneration)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions relate to information that must be provided to consumers by the regulated entity including the manner in which it should be provided, when it should be provided and what items should be included e.g., disclosures, remuneration information, fees etc.	Insurance distributors
Article 20(1) Article 20(2)	Advice, and standards for sales where no advice is given	Consumer Protection Code 2012 Chapter 5, Knowing the consumer and suitability	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The Consumer Protection Code applies knowing your customer and suitability assessment requirements in relation to all products other than IBIPs	Insurance distributors
Article 20(1) Article 20(2)	Advice, and standards for sales where no advice is given	S.I. No. 74/2007 - Non-Life Insurance (Provision of Information) (Renewal of Policy of Insurance) Regulations 2007 5(1), 6(1) and 6(2)	http://www.irishstatutebook.ie/eli/2007/si/74/made/en/print	The Regulations require a renewal notification to be provided at least 20 days before renewal. In the case of motor insurance, certain specified information must be provided, including whether the policy is comprehensive, third party, fire and theft, or third party only, cost of optional cover, fees and charges, and a certificate of no claims discount awarded.	Insurance distributors
Article 20(1) Article 20(2)	Advice, and standards for sales where no advice is given	Consumer Insurance Contracts Act 2019, Section 12	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	In the case of a non-life insurance contract, Section 12 requires the insurer, when issuing a renewal notice to a consumer, to provide a consumer with a schedule detailing their premiums paid and claims (other than claims under a health insurance contract under Section 2(1) of the Health Insurance Act 1994) made over the previous five years.	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings

Article 20(1) Article 20(2)	Advice, and standards for sales where no advice is given	S.I. No. 126 of 2022 - Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Insurance Requirements) Regulations 2022, Regulations 4 to 11	https://www.irishstatutebook.ie/eli/2022/si/126/made/en/print	Regulations 4 to 11 of these Regulations prescribe the rules in relation to the following activities: (a) setting the subsequent renewal price of a home insurance policy or motor insurance policy; (b) setting the price for any related additional product or service sold to the consumer at the subsequent renewal of a home insurance policy or motor insurance policy.	Insurance distributors
Article 20(1) Article 20(2)	Advice, and standards for sales where no advice is given	S.I. No. 126 of 2022 - Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Insurance Requirements) Regulations 2022, Regulations 12 to 14	https://www.irishstatutebook.ie/eli/2022/si/126/made/en/print	Regulations 12 to 14 of these Regulations apply in respect of non-life insurance policies, and prescribe the rules in relation to the cancellation of automatic renewals and the notification requirements in relation to automatic renewals of policies.	Insurance distributors
Article 20(4)	Advice, and standards for sales where no advice is given	Consumer Protection Code 2012 Chapter 4, Provision of Information Provision 4.22	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	This provision requires regulated entities to provide each consumer with the terms and conditions attaching to a product or service. It also prescribes the manner in which this information must be presented and when it should be supplied.	Insurance distributors
Article 20(4)	Advice, and standards for sales where no advice is given	Consumer Insurance Contracts Act 2019, Section 14, Duties of consumer and insurer at renewal, Section 14(6)	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 14(6) requires the insurer to notify the consumer in plain language of any alteration to the terms and conditions of their policy in a reasonable time before renewal (and, in any event, no later than 20 working days before renewal).	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings

<p>Article 20(7) subparagraph 2</p>	<p>Advice, and standards for sales where no advice is given - Insurance Product Information Document (IPID)</p>	<p>S.I. No. 229/2018 - European Union (Insurance Distribution) Regulations 2018 Regulations 34(8)</p>	<p>http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print</p>	<p>Member State Discretion (exercised) on the provision of the IPID together with other information.</p>	<p>Insurance distributors</p>
<p>Article 21</p>	<p>Information provided by ancillary intermediaries</p>	<p>Consumer Protection Code 2012 Chapter 3, General Requirements Provisions 3.28, 3.29, 3.33 to 3.35 Chapter 4, Provision of Information Provisions 4.12 to 4.14</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7</p>	<p>Ancillary intermediaries are required to comply with the same national requirements on conflicts of interest, provision of information (terms of business) and knowing your customer and suitability for non-life products as other insurance distributors.</p>	<p>Ancillary intermediaries</p>
<p>Article 22(2), subparagraphs 1 and 2</p>	<p>Information exemptions and flexibility clause</p>	<p>Consumer Protection Code 2012 Chapter 3, General Requirements Provisions 3.28, 3.29, 3.33 to 3.35 Chapter 4, Provision of Information Provisions 4.12 to 4.14</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7</p>	<p>Member State Discretion (exercised): Additional conflict of interest and information requirements contained in the Consumer Protection Code 2012 apply to the distribution of insurance products other than IBIPs.</p>	<p>Insurance distributors</p>

Article 24(7)	Cross-selling	Consumer Protection Code 2012 Chapter 3, General requirements, Provisions 3.20 to 3.23 (bundling and contingent selling)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	Member State Discretion (exercised): The Consumer Protection Code provides more specific rules on cross selling including specific rules on bundling and contingent selling.	Insurance distributors
Article 27	Prevention of conflicts of interest	Consumer Protection Code 2012 Chapter 3, General requirements, Provision 3.28, 3.29, 3.33 to 3.35	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance distributors
Article 27	Prevention of conflicts of interest	Consumer Protection Code 2012 Chapter 3, General requirements, Provision 3.31	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance intermediaries and ancillary insurance intermediaries
Article 28	Conflicts of interest	Consumer Protection Code 2012 Chapter 3, General requirements, Provisions 3.28, 3.29, 3.33 to 3.35	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance distributors

Article 29	Information to customers	S.I. No. 15/2001 - Life Assurance (Provision of Information) Regulations, 2001, Regulations 6 and 10	http://www.irishstatutebook.ie/eli/2001/si/15/made/en/print	The Life Assurance (Provision of Information) Regulations 2001 (the Life Regulations) provide for the provision of a pre-contractual disclosure document to prospective clients in advance of buying life assurance products, including insurance-based investment products. This pre-contractual disclosure document must be personalised to the particular circumstances of the prospective policyholder. It should be noted that this document is required in addition to the generic key information document that is required under the PRIIPs Regulation.	Insurance intermediaries and insurance undertakings
Article 29	Information to customers	S.I. No. 15/2001 - Life Assurance (Provision of Information) Regulations, 2001, Regulations 7 and 8	http://www.irishstatutebook.ie/eli/2001/si/15/made/en/print	The Life Assurance (Provision of Information) Regulations 2001 (the Life Regulations) provide for the provision of a pre-contractual disclosure document to prospective clients in advance of buying life assurance products, including insurance-based investment products. This pre-contractual disclosure document must be personalised to the particular circumstances of the prospective policyholder. It should be noted that this document is required in addition to the generic key information document that is required under the PRIIPs Regulation.	Insurance undertakings
Article 29(1) subparagraph 3	Standardised information	S.I. No. 229/2018 - European Union (Insurance Distribution) Regulations 2018 Regulations 41(6)	http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print	Member State Discretion (exercised) These Regulations refer to the information which must be provided to customers by insurance intermediaries or insurance undertakings who are distributing IBIPs stating that this information can be provided in a standardised format.	Insurance distributors such as intermediaries and insurance undertakings
Article 29(3) subparagraph 1 and 2	Remuneration restriction on IBIPs	S.I. No. 229/2018 - European Union (Insurance Distribution) Regulations 2018, Commissions, fees and non-monetary benefits paid in respect of independent advice Regulation 40(1) and (2)	http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print	Member State Discretion (exercised): 40(1) Insurance distributors providing advice in relation to insurance-based investment products on an independent basis shall return to customers or offset against fees to be paid by customers, any fees, commissions, or non-monetary benefits paid or provided by any third party or person acting on behalf of a third party in relation to the services provided to that customer as soon as reasonably possible after receipt. 40(2) Insurance distributors shall formulate and implement a policy to ensure that any fees, commission or non-monetary benefits paid or provided by any third party, or a person acting on behalf of a third party, in relation to the provision of independent advice are allocated and transferred to each individual customer.	Insurance distributors such as intermediaries and insurance undertakings
Article 29(3) subparagraph 4	Independent advice	Consumer Protection Code 2012 Chapter 4, Provision of Information Provision 4.16	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The Code sets out the criteria for the use of the term 'independent' by regulated entities.	Insurance distributors

Article 29(3) subparagraph 4	Independent advice	SI 229 of 2018 (European Union) Insurance Distribution Regulations Regulation 39(6)	http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print	39(6) Where an insurance intermediary provides advice on an insurance-based investment product and informs a customer that such advice is provided on an independent basis, the intermediary shall assess a sufficient range of insurance products available on the market which shall be sufficiently diverse with regard to their type and product providers to ensure that the customer's objectives can be suitably met and shall not be limited to insurance products issued or provided by entities having close links with the intermediary.	Insurance distributors
Article 30	Assessment of suitability and appropriateness and reporting to customers	Consumer Protection Code 2012 Chapter 5, Knowing the consumer and suitability	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The Consumer Protection Code applies knowing your customer and suitability assessment requirements in relation to all products other than IBIPs.	Insurance distributors
Article 30(5) subparagraph 1	Post-contractual information	Consumer Protection Code 2012 Chapter 6, Post-Sale Information, Provisions 6.1, 6.2, 6.13, 6.14, 6.15, 6.16, 6.18, 6.19	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out additional information that must be provided by a regulated entity, e.g., where a material change to its terms of business occurs, information that must be provided to consumers when using a vehicle in another Member State, notification procedures where there are increases in charges and information on penalty charges.	Insurance distributors
Not addressed in the IDD	General Principle	Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.25 and 3.25A (remuneration)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	Provision 3.25 sets out the entities that may be paid a fee, commission or other remuneration in respect of the provision of regulated activities. Provision 3.25A sets out further requirements and restrictions in relation to remuneration.	Insurance distributors

Not addressed in the IDD	Information to customers when quoting for insurance business	Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.30 to 4.40	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	The Consumer Protection Code provisions 4.30-4.40 require very specific information to be disclosed to consumers when quoting for insurance business and prior to the conclusion of the insurance contract	Insurance distributors
Not addressed in the IDD	Requirement to ask specific questions at the pre-contractual stage	Consumer Insurance Contracts Act 2019, Pre-contractual duties of consumer and insurer, Section 8(3)	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 8(3) Where the insurer requests the consumer at the pre-contractual stage to provide information to the insurer, the insurer shall be under a duty to ask specific questions, on paper or on another durable medium, and shall not use general questions.	Insurance undertakings
Not addressed in the IDD	Duties of disclosure at renewal and requirement to ask specific questions	Consumer Insurance Contracts Act 2019, Duties of consumer and insurer at renewal, Sections 14 (1) - (5)	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Sections 14 (1) - (5) set out the rules relating to the duty of disclosure at renewal stage. Under the Act, a consumer will only be required to provide updated or additional information at renewal where the insurer specifically requests this information.	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings
Not addressed in the IDD	The IDD does not contain any rules referring to telephone contact with consumers	Consumer Protection Code 2012 Chapter 3, General requirements Provisions 3.40, 3.41, 3.42, 3.43, 3.44, 3.45 (telephone contact)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions concern communication with the consumer via telephone.	Insurance distributors

Not addressed in the IDD	The IDD does not contain any rules referring to regulatory disclosures.	Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.4, 4.7, 4.8, 4.9, 4.10, 4.11 (Regulatory Disclosure Statement)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	There are no provisions relating to the regulatory disclosure statement in the IDD. These provisions prescribe the format, position and use of the disclosure statement.	Insurance distributors
Not addressed in the IDD	The IDD does not contain any rules relating to vulnerable consumers.	Consumer Protection Code 2012 Chapter 3, General requirements Provision 3.1 (vulnerable consumers)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.1 Where a regulated entity has identified that a personal consumer is a vulnerable consumer, the regulated entity must ensure that the vulnerable consumer is provided with such reasonable arrangements and/or assistance that may be necessary to facilitate him or her in his or her dealings with the regulated entity.	Insurance distributors
Not addressed in the IDD	The IDD does not contain rules relating to the name of the product or service.	Consumer Protection Code 2012 Chapter 3, General requirements Provision 3.2 (Product or service description)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.2 A regulated entity must ensure that the name of a product or service is not misleading in terms of the benefits that the product or service can deliver to a consumer.	Insurance distributors

Not addressed in the IDD	The IDD does not contain rules relating to receipts.	Consumer Protection Code 2012 Chapter 3, General requirements Provision 3.5 (receipts)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.5 A regulated entity that is in direct receipt of a payment from or on behalf of a consumer for a financial product or service must provide that consumer with a receipt. This receipt must include the following information: a) the name and address of the regulated entity; b) the name of the consumer who provided the payment, or on whose behalf the payment is provided; c) the value of the payment received and the date on which it was received; d) the purpose of the payment; and e) in the case of an insurance intermediary, that the acceptance by the insurance intermediary of a completed insurance proposal does not itself constitute the effecting of a policy of insurance, where relevant.	Insurance distributors
Not addressed in the IDD	The IDD does not contain rules relating to duty of care.	Consumer Protection Code 2012 Chapter 3, General requirements Provision 3.8 (duty of care)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.8 A regulated entity must not, in any communication or agreement with a consumer (except where permitted by applicable legislation), exclude or restrict, or seek to exclude or restrict: a) any legal liability or duty of care to a consumer which it has under applicable law or under this Code; b) any other duty to act with skill, care and diligence which is owed to a consumer in connection with the provision to that consumer of financial services; c) any liability owed to a consumer for failure to exercise the degree of skill, care and diligence that may reasonably be expected of it in the provision of a financial service.	Insurance distributors
Not addressed in the IDD	The IDD does not contain rules relating to changes in business.	Consumer Protection Code 2012 Chapter 3, General requirements, Provision 3.10 (notice to consumers)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.10 Where a regulated entity intends to amend or alter the range of services it provides, it must give notice to affected consumers at least one month in advance of the amendment being introduced.	Insurance distributors

Not addressed in the IDD	The IDD does not contain rules relating to changes in business.	Consumer Protection Code 2012 Provision 3.11 (notification of changes to business)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	3.11 Where a regulated entity intends to cease operating, merge with another, or to transfer all or part of its regulated activities to another regulated entity it must: a) notify the Central Bank immediately; b) provide at least two months' notice to affected consumers to enable them to make alternative arrangements; c) ensure all outstanding business is properly completed prior to the transfer, merger or cessation of operations or, alternatively in the case of a transfer or merger, inform the consumer of how continuity of service will be provided following the transfer or merger; and d) in the case of a merger or transfer of regulated activities, inform the consumer that their details are being transferred to the other regulated entity, if that is the case.	Insurance distributors
Not addressed in the IDD	General requirement	Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.1 and 4.2	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	4.1 A regulated entity must ensure that all information it provides to a consumer is clear, accurate, up to date, of presentation must not disguise, diminish or obscure important information. 4.2 A regulated entity must supply information to a consumer on a timely basis. In doing so, the regulated entity must have regard to the following: a) the urgency of the situation; and b) the time necessary for the consumer to absorb and react to the information provided.	Insurance distributors
Not addressed in the IDD	The IDD does not contain any rules referring to rebates and claims processing	Consumer Protection Code 2012, Chapter 7, Rebates and Claims Processing Provisions 7.1 and 7.2	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the timeframes and procedures that regulated entities must follow when issuing rebates to consumers.	Insurance distributors such as intermediaries and insurance undertakings
Not addressed in the IDD	The IDD does not contain any rules referring to rebates and claims processing	Consumer Protection Code 2012, Chapter 7, Rebates and Claims Processing Provision 7.3 to 7.5	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	An insurance intermediary who assists a consumer in making a claim must on receipt of the completed claims documentation, transmit such documentation to the relevant regulated entity within one business day	Insurance intermediaries and ancillary insurance intermediaries

Not addressed in the IDD	The IDD does not contain any rules referring to rebates and claims processing	Consumer Protection Code 2012, Chapter 7, Rebates and Claims Processing Provisions 7.6 and 7.7	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the procedures that must be followed by a regulated entity when handling or processing claims.	Insurance distributors such as intermediaries and insurance undertakings
Not addressed in the IDD	The IDD does not contain any rules referring to rebates and claims processing	Consumer Protection Code 2012, Chapter 7, Rebates and Claims Processing Provision 7.8	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	An insurance intermediary who assists a consumer in making a claim must on receipt of the completed claims documentation, transmit such documentation to the relevant regulated entity within one business day	Insurance intermediaries and ancillary insurance intermediaries
Not addressed in the IDD	The IDD does not contain any rules referring to rebates and claims processing	Consumer Protection Code 2012, Chapter 7, Rebates and Claims Processing Provision 7.9 to 7.21	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the procedures that must be followed by a regulated entity when handling or processing claims.	Insurance distributors such as intermediaries and insurance undertakings
Article 17(2)	The IDD does not contain detailed rules referring to advertising	Consumer Protection Code 2012 Chapter 9, Advertising Provisions 9.1 to 9.9	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors
Article 17(2)	The IDD does not contain detailed rules referring to advertising	Consumer Protection Code 2012 Chapter 9, Advertising Provisions 9.11 to 9.18	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors

Article 17(2)	The IDD does not contain detailed rules referring to advertising	Consumer Protection Code 2012 Chapter 9, Advertising Provisions 9.32 to 9.35	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors
Article 17(2)	The IDD does not contain detailed rules referring to advertising	Consumer Protection Code 2012 Chapter 9, Advertising Provisions 9.36 to 9.38	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors
Article 17(2)	The IDD does not contain detailed rules referring to advertising	Consumer Protection Code 2012 Chapter 9, Advertising Provisions 9.39 to 9.52	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors
Not addressed in the IDD	The IDD does not contain these specific rules on records and compliance.	Consumer Protection Code 2012, Chapter 11, Records and Compliance Provisions 11.1 to 11.10	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These provisions set out the records and compliance procedures that apply to all regulated entities. This includes what information should be recorded, how long this information is to be retained and details on complaints analysis.	Insurance distributors
Not addressed in the IDD	The IDD does not refer to levies	Central Bank Act 1942 (Section 32D) Regulations 2022	https://www.irishstatutebook.ie/eli/2022/si/426/made/en/print#:~:text=(1)%20All%20regulated%20entities%20are,or%20before%20the%20due%20date. https://www.centralbank.ie/regulation/how-we-regulate/fees-levies/industry-funding-levy	The Regulations referred to are the Central Bank Act 1942 (Section 32D) Regulations 2022. The government gave the power to raise such a levy to the Central Bank Commission under the Central Bank Reform Act, 2010.	Insurance distributors

<p>Not addressed in the IDD</p>	<p>The IDD does not specifically refer to classes of insurance. These requirements are in accordance with the Non-Life Directives and Solvency II Directive provisions on motor insurance</p>	<p>EU Motor Insurance Directive 2000/26/EC, Articles 5 and 6</p> <p>Section 78 Road Traffic Act, 1961, Provisions relating to Motor Insurers' Bureau of Ireland. 78.</p>	<p>Further information is available from the Motor Insurers' Bureau of Ireland (MIBI): The Motor Insurers' Bureau of Ireland (MIBI) 5 Harbourmaster Place, North Dock, Dublin 1 Ireland § Tel. +353 (0)1 676 9944 § Email: info@mibi.ie § Website: http://www.mibi.ie</p> <p>https://publications.europa.eu/en/publication-detail/-/publication/c401d051-6cc0-48e7-a166-ce22af00fc1e/language-en</p> <p>http://www.irishstatutebook.ie/eli/1961/act/24/section/78/enacted/en/html</p>	<p>In relation to Class 10 (Motor Vehicle Liability), the Insurer must in accordance with the Non-Life Directives and Solvency II Directive provisions on motor insurance:</p> <ul style="list-style-type: none"> § appoint a claims representative in Ireland; § become a member and participate in the financing of the Motor Insurers' Bureau of Ireland and of the Guarantee Fund; and § sign the Declined Cases Agreement and Declined Cases Supplemental Agreement. <p>The Motor Insurers' Bureau of Ireland (MIBI) is a non-profit-making organisation registered in Ireland. The company was established in 1955 by the then Government and those companies underwriting motor insurance in Ireland. The first MIBI Agreement was signed in 1955 with the most recent Agreement signed in 2009 between the Minister for Transport and MIBI</p> <p>As Compensation Body, which is provided for under EU Motor Insurance Directive 2000/26/EC, MIBI investigates claims made by Irish residents involved in a road traffic accident, which has occurred in another EU Member State.</p> <p>All companies underwriting motor insurance in Ireland must be members of MIBI, as provided for under Section 78 Road Traffic Act, 1961 and fund MIBI by means of payment of an annual levy contribution.</p>	<p>Insurance undertakings</p>
<p>Not addressed in the IDD</p>	<p>General requirement</p>	<p>Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.3</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7</p>	<p>A regulated entity must ensure that all instructions from or on behalf of a consumer are processed properly.</p>	<p>Insurance distributors</p>
<p>Not addressed in the IDD</p>	<p>General requirement</p>	<p>Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.7</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7</p>	<p>Where a regulated entity deals with a person who is acting for a consumer under a power of attorney, the regulated entity must:</p> <ul style="list-style-type: none"> a) obtain a certified copy of the power of attorney; b) ensure that the power of attorney allows the person to act on the consumer's behalf; and c) operate within the limitations set out in the power of attorney. 	<p>Insurance distributors</p>

Not addressed in the IDD	General requirement	Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.9	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	A regulated entity must ensure that all warning statements required by this Code are prominent i.e. they must be in a box, in bold type and of a font size that is at least equal to the predominant font size used throughout the document or advertisement.	Insurance distributors
Not addressed in the IDD	General requirement	Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.24 (payment protection insurance)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	Where a regulated entity offers payment protection insurance in conjunction with a loan, the regulated entity must: a) exclude the payment protection premium from the initial repayment estimate of the loan advised to the consumer and advise the consumer of the amount of the premium separately; and b) use separate application forms for the payment protection insurance and for the loan.	Insurance distributors
Not addressed in the IDD	General requirement	Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.37 to 3.39 (personal visits and contact with consumers)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These Provisions set out the rules and procedures that must be followed by regulated entities when conducting personal visits to consumers.	Insurance distributors
Not addressed in the IDD	General requirement	Consumer Protection Code 2012 Chapter 4, Provision of information Provision 4.3	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	A regulated entity must ensure that, where it communicates with a consumer using electronic media, it has in place appropriate arrangements to ensure the security of information received from the consumer and the secure transmission of information to the consumer	Insurance distributors

Not addressed in the IDD	Complaints	Consumer Protection Code 2012 Chapter 10, Error and complaints resolution Provisions 10.1 to 10.6	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	These Provisions set out the rules and procedures for the effective handling of errors which affect consumers	Insurance distributors
	General Principles	Consumer Protection Code 2012 Chapter 2, provisions 2.1 to 2.11	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/unofficial-consolidation-of-the-consumer-protection-code.pdf?sfvrsn=edd0811d_7	This Chapter sets out General Principles that regulated entities must comply with in all their dealings with customers.	Insurance distributors
Not addressed in the IDD	Provision of completed application form and interpretation of certain terms	Consumer Insurance Contracts Act 2019, Section 10	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 10 sets out the rules relating to the provision of the completed application or proposal form, where relevant, as well as the interpretation of certain terms.	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings
Not addressed in the IDD	Cancellation of contract of insurance	Consumer Insurance Contracts Act 2019, Section 13	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 13 sets out the rules which apply when an insurer is cancelling a contract of insurance.	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings
Not addressed in the IDD	Claims Handling	Consumer Insurance Contracts Act 2019, Sections 16 - 18	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	Section 16 (Claims handling: duties of consumer and insurer), Section 16A (Mutual duties of disclosure in claims handling) Section 16B (Disclosure of deductions from claim settlement), Section 17 (Limitations on deferring payment of claim until completion of works, etc., in case of property contracts) and Section 18 (Proportionate remedies and claims handling) deal with the issue of claims handling and the duties of both the consumer and insurer with regards to same.	Insurance undertakings, and, where applicable, insurance intermediaries acting on behalf of insurance undertakings

Not addressed in the IDD	Consumer Insurance Contracts: General	Consumer Insurance Contracts Act 2019, Sections 7, 8, 9, 11, 15, 19, 20, 21, 22, 23, 24, 25, 26	https://www.irishstatutebook.ie/eli/2019/act/53/enacted/en/html	The Act contains a number of other provisions which apply to contracts of insurance within scope of the Act. These provisions deal with insurable interest (Section 7), pre-contractual duties of consumer and insurer (Section 8), proportionate remedies for misrepresentation (Section 9), the right to withdraw from contract of insurance by notice (Section 11), post-contractual duties of consumer and insurer (Section 15), representations by consumer and terms that reduce the risk being underwritten (replacing insurance warranties) (Section 19), unfair and onerous terms (Section 20), rights of a third party to a contract to claim against an insurer (Sections 21 and 22), subrogation rights under insurance contracts (section 23-25) and the effect of failure to comply with the Act (Section 26).	Insurance undertakings, and, in the respect of Section 11, where applicable, insurance intermediaries acting on behalf of insurance undertakings
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IMPORTANT NOTE: This list is indicative and without prejudice to other general good rules, codified or not, which are applicable to regulated activities in Ireland. It is the responsibility of distributors to know which provisions apply and to be aware of any subsequent modifications.

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