



Banc Ceannais na hÉireann
Central Bank of Ireland

Eurosystem

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

2019

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, insurers and reinsurers 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 10(1) and (2)	Professional and Organisational Requirements (knowledge and competence)	The Central Bank Reform Act 2010 Fitness and Probity Part 3, Chapter 2, Controlled Functions.	http://www.irishstatutebook.ie/eli/2010/act/23/enacted/en/html https://www.centralbank.ie/docs/default-source/regulation/how-we-regulate/authorisation/fitness-probity/guidance-on-fitness-and-probity-standards.pdf?sfvrsn=6	<p>The Fitness and Probity Regime applies to persons who perform certain senior management roles or specific functions, which are set out in the Regulation. The Fitness and Probity Standards 2014 provide that a regulated entity must not assign controlled functions (CFs) to persons who cannot demonstrate compliance with the fitness and probity standards.</p> <p>The Regulations do not limit the definition of CF to the performance of functions in a regulated financial service provider authorised, licensed or registered by the Central Bank. Part 3 applies to the performance of CFs in the State irrespective of whether the CF is performed by a regulated financial service provider authorised, registered or licensed by the Central Bank or by another EEA competent authority.</p>	Insurance intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	<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 such as intermediaries, insurance undertakings, and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
Article 17(1)	General Principle	The Central Bank Reform Act 2010 Fitness and Probity Part 3, Chapter 2, Controlled Functions.	http://www.irishstatutebook.ie/eli/2010/act/23/enacted/en/html https://www.centralbank.ie/docs/default-source/regulation/how-we-regulate/authorisation/fitness-probity/guidance-on-fitness-and-probity-standards.pdf?sfvrsn=6	<p>The Fitness and Probity Regime applies to persons who perform certain senior management roles or specific functions, which are set out in the Regulation. The Fitness and Probity Standards 2014 provide that a regulated entity must not assign controlled functions (CFs) to persons who cannot demonstrate compliance with the fitness and probity standards.</p> <p>The Regulations do not limit the definition of CF to the performance of functions in a regulated financial service provider authorised, licensed or registered by the Central Bank. Part 3 applies to the performance of CFs in the State irrespective of whether the CF is performed by a regulated financial service provider authorised, registered or licensed by the Central Bank or by another EEA competent authority.</p>	Insurance distributors such as intermediaries, insurance undertakings and reinsurance undertakings.

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	<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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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 3.36	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings, ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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. These requirements do not apply to distributors of IBIPs.	Insurance distributors such as intermediaries and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	The Consumer Protection Code applies knowing your customer and suitability assessment requirements in relation to all products other than IBIPs	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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 15 days before a non-life insurance policy is due for 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. Stricter rules will be introduced in November 2019, which stipulate that a renewal notification must be provided at least 20 days before renewal. Furthermore, additional information on the breakdown of premium will be required for both new business and renewal business. Insurers will also be required to provide last year's premium to consumers on their renewal notice.	Insurance intermediaries and insurance undertakings.
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
Article 20(7) subparagraph 2	Advice, and standards for sales where no advice is given - Insurance Product Information Document (IPID)	S.I. No. 229/2018 - European Union (Insurance Distribution) Regulations 2018 Regulations 34(8)	http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print	Member State Discretion (exercised) on the provision of the IPID together with other information.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

Article 21	Information provided by ancillary intermediaries	Consumer Protection Code 2012 Chapter 3, General Requirements Provisions 3.28, 3.29, 3.33 to 3.36 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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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.	Ancillary intermediaries
Article 22(2), subparagraphs 1 and 2	Information exemptions and flexibility clause	Consumer Protection Code 2012 Chapter 3, General Requirements Provisions 3.28, 3.29, 3.33 to 3.36 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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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.	Insurance distributors such as intermediaries and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3))
Article 27	Prevention of conflicts of interest	Consumer Protection Code 2012 Chapter 3, General requirements, Provision 3.28, 3.29, 3.33 to 3.36	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3))

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance undertakings.
Article 28	Conflicts of interest	Consumer Protection Code 2012 Chapter 3, General requirements, Provisions 3.28, 3.29, 3.33 to 3.36	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	The requirements as set out in these provisions will be retained for all products except for IBIPs	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3))
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, insurance undertakings

<p>Article 29(3) subparagraph 1 and 2</p>	<p>Remuneration restriction on IBIPs</p>	<p>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)</p>	<p>http://www.irishstatutebook.ie/eli/2018/si/229/made/en/print</p>	<p>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.</p>	<p>Insurance distributors such as intermediaries, insurance undertakings</p>
<p>Article 29(3) subparagraph 4</p>	<p>Independent advice</p>	<p>Consumer Protection Code 2012 Chapter 4, Provision of Information Provisions 4.16 and 4.17</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>The Code sets out the criteria for the use of the term 'independent' by regulated entities.</p>	<p>Insurance distributors such as intermediaries and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>
<p>Article 29(3) subparagraph 4</p>	<p>Independent advice</p>	<p>SI 229 of 2018 (European Union) Insurance Distribution Regulations Regulation 39(6)</p>	<p>https://www.finance.gov.ie/wp-content/uploads/2018/06/SI-229-of-2018-European-Union-Insurance-Distribution-Regulations-2018.pdf</p>	<p>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.</p>	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>
<p>Article 30</p>	<p>Assessment of suitability and appropriateness and reporting to customers</p>	<p>Consumer Protection Code 2012 Chapter 5, Knowing the consumer and suitability</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>The Consumer Protection Code applies knowing your customer and suitability assessment requirements in relation to all products other than IBIPs.</p>	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
Not addressed in the IDD	General Principle	Consumer Protection Code 2012 Chapter 3, General Requirements Provision 3.25 (remuneration)	https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	This provision sets out the entities that may be paid a fee, commission or other remuneration in respect of the provision of regulated activities.	Insurance distributors such as intermediaries, insurance undertakings, ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	The Consumer Protection Codes 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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions concern communication with the consumer via telephone.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

<p>Not addressed in the IDD</p>	<p>The IDD does not contain rules relating to duty of care.</p>	<p>Consumer Protection Code 2012 Chapter 3, General requirements Provision 3.8 (duty of care)</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>
<p>Not addressed in the IDD</p>	<p>The IDD does not contain rules relating to changes in business.</p>	<p>Consumer Protection Code 2012 Chapter 3, General requirements, Provision 3.10 (notice to consumers)</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>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.</p>	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>
<p>Not addressed in the IDD</p>	<p>The IDD does not contain rules relating to changes in business.</p>	<p>Consumer Protection Code 2012 Provision 3.11 (notification of changes to business)</p>	<p>https://www.centralbank.ie/docs/default-source/regulation/consumer-protection/other-codes-of-conduct/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</p>

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	<p>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.</p> <p>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:</p> <p>a) the urgency of the situation; and</p> <p>b) the time necessary for the consumer to absorb and react to the information provided.</p>	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the timeframes and procedures that regulated entities must follow when issuing rebates to consumers.	Insurance distributors such as intermediaries, 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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the procedures that must be followed by a regulated entity when handling or processing claims.	Insurance distributors such as intermediaries, 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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the procedures that must be followed by a regulated entity when handling or processing claims.	Insurance distributors such as intermediaries, 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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These provisions set out the rules and procedures that must be followed by regulated entities when advertising their products.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
Not addressed in the IDD	The IDD does not refer to levies	Central Bank Act 1942 (Section 32D) Regulations 2013	http://www.irishstatutebook.ie/eli/2013/si/359/made/en/print 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 2013. The government gave the power to raise such a levy to the Bank Commission under the Central Bank Reform Act, 2010.	Insurance distributors such as intermediaries, insurance/ ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

<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: § 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> <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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</p>	<p>A regulated entity must ensure that all instructions from or on behalf of a consumer are processed properly.</p>	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4</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: 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>	<p>Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).</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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These Provisions set out the rules and procedures that must be followed by regulated entities when conducting personal visits to consumers.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	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 such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	These Provisions set out the rules and procedures for the effective handling of errors which affect consumers	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).

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/4-gns-4-2-7-cp-code-2012.pdf?sfvrsn=4	This Chapter sets out General Principles that regulated entities must comply with in all their dealings with customers.	Insurance distributors such as intermediaries, insurance undertakings and ancillary intermediaries (who are not exempted from IDD under the criteria set down under Article 1(3)).
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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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T: +353 (0)1 224 6000
www.centralbank.ie



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