## INSURANCE DISTRIBUTION RULES ISSUED UNDER THE INSURANCE DISTRIBUTION ACT (CAP. 487)

able of Conten	ts	
ART A – Roistribution	Registration and Enrolment Requirements Applicable under the Act	e Insuranc
-	ne Application Process of Insurance Agents, Insurance Managers and	
1.1	Introduction	1
Part A: Ap	plication Process of Insurance Agents, Insurance Managers and Insurance Brokers	<b></b>
1.2	Manner for submitting an application for registration of individuals in the Ag Managers Register or Brokers Register	
1.3	Scheme of Operations Relating to Enrolment in the Agents List, Managers List of and the Application for Enrolment	
1.4	Scheme of operations	
1.5	Particulars or proof to be included in the scheme of operations	
1.6	Manner of submitting an application for enrolment in the Agents List, Managers I	
	List	
	Additional requirements for an applicant who is an individual	7
1.7	Appointment of a compliance officer	8
1.8	Appointment of a Money Laundering Reporting Officer	9
1.9	Professional Indemnity Insurance Guidelines	10
	Matters concerning Professional Indemnity Insurance	11
	Documentation to be submitted to the competent authority	12
	Information to be forwarded to the competent authority	13
	Extension of the professional indemnity policy	13
Part B: Par	ticulars of persons to be entered in the Agents List, Managers List or Brokers List	
1.10	Particulars of individuals to be entered in the Agents Register, Managers Regis	ter or Broke
	Register	14
1.11	Particulars of persons to be entered in the Agents List, Managers List	
	List	14

Insurance Distribution Rules – Table of Contents

Issued: 12th July 2018

Third Schedule - Additional application details for enrolment in the Agents List or Managers List

**Fourth Schedule** - Application for approval of a cell of a cell company enrolled in the Managers List or Brokers List to carry out insurance distribution activities and, or reinsurance distribution activities

Fifth Schedule - Registration of individuals in the Agents Register, Managers Register or Brokers Register

**Sixth Schedule** - Particulars of local intermediaries carrying out insurance distribution activities and, or reinsurance distribution activities

**Seventh Schedule** - Particulars of foreign companies carrying on insurance distribution activities and, or reinsurance distribution activities

Notes to the Second Schedule, Third Schedule and Fourth Schedule

**APPENDIX I** – Role of Compliance Officers

APPENDIX II - Role of Money Laundering Reporting Officers

Chapter 2:	The Application Process of Tied Insurance Intermediaries and Ancillary			
Insurance Intermediaries				
2.1	Introduction			
2.2	Particulars of Persons to be entered in the Tied Insurance Intermediaries Company Register or			
	the Ancillary Insurance Intermediaries Company Register			
	Procedure for appointing and registering tied insurance intermediaries17			
	Disclosure of information before registration for tied insurance intermediaries18			
	Procedure for appointing and registering ancillary insurance intermediaries18			
	Disclosure of information before registration for ancillary insurance intermediaries18			
	Pre-requisite qualifications			
2.3	Application of Persons to be entered in the Tied Insurance Intermediaries List or the Ancillary			
	Insurance Intermediaries List			
	Pre-Enrolment Qualifications21			
	Manner of application for enrolment in the Tied Insurance Intermediaries List21			
	Manner of application for enrolment in the Ancillary Insurance Intermediaries List22			
2.4	Part B - Particulars of persons to be entered in the Tied Insurance Intermediaries List and the			
	Ancillary Insurance Intermediaries List			

First Schedule - Registration of persons carrying out tied insurance intermediaries activities

**Second Schedule -** Registration of persons carrying out ancillary intermediaries activities with an authorised undertaking

**Third Schedule** - Registration of persons carrying out ancillary intermediaries activities with an enrolled insurance broker

**Fourth Schedule -** Application for Persons to be entered in the Tied Insurance Intermediaries List (in relation to local Insurance Undertakings or enrolled insurance agents)

**Fifth Schedule** - Application by a European Insurance Undertaking or an insurance intermediary registered under Article 3 of the Insurance Distribution Directive (Directive (EU) 2016/97) for enrolment of persons in the Tied Insurance Intermediaries List

**Sixth Schedule** - Application for Persons to be entered in the Ancillary Insurance Intermediaries List (in relation to local Insurance Undertakings or enrolled insurance agents)

**Seventh Schedule** - Application by an Insurance Broker enrolled under the Act for the enrolment of persons in the Ancillary Insurance Intermediaries List

**Eighth Schedule** - Application by a European Insurance Undertaking or an insurance intermediary registered under Article 3 of the Insurance Distribution Directive (Directive (EU) 2016/97) for enrolment of persons in the Ancillary Insurance Intermediaries List

Ninth Schedule - Particulars of persons carrying out tied insurance intermediaries activities

Tenth Schedule - Particulars of persons carrying out ancillary insurance intermediaries activities

Chap	ter 3: C	criteria of Fitness and Properness24
	3.1	Introduction
		Application24
		Definitions
	3.2	Criteria of Fitness and Properness
		Tied Insurance Intermediaries
		Ancillary Insurance Intermediaries
	3.3	Criteria of Fitness and Properness of directors, controllers and senior managers or individuals
		who effectively manage the affairs of an enrolled person
		Fit and proper individuals29
	3.4	Criteria of Fitness and Properness of qualifying shareholders30
		Fit and proper individuals
		Fit and proper bodies corporate
	3.5	Personal Questionnaire
	3.6	Approval of proposed qualifying shareholder, director, controller, senior manager, registered
		person, compliance officer or money laundering reporting officer of an enrolled company32
	3.7	Changes of director, controller, senior manager, registered person, compliance officer or money
		laundering reporting officer of an enrolled company
	3.8	Objection to existing director, controller, senior manager, registered person, compliance office
		or money laundering reporting officer of an enrolled company34

ex - Personal Questionnaire	• • • • • • • • • • • • • • • • • • • •
Own Funds of Persons Enrolled in the Agents List, Managers List or	Brokers Lis
	35
Introduction	35
**	
Own funds of enrolled companies	
• 0	reinsurance
Criteria of Sound and Prudent Management	42
Introduction	42
Criteria of Sound and Prudent Management	42
Application	42
Requirement of Sound and Prudent Management	
• •	
manner activities to be carried out in a sound	1
Knowledge and Ability	46
Introduction	46
A – Criteria for Registration and Enrolment	
Application	46
Intermediaries: Persons registered in the Agents Register, the Managers Register	er or the Broker
Register	47
Criteria for persons who effectively manage the affairs of intermediaries	48
Activity in a managerial capacity	
•	
Application	50
Application  General Requirements for carrying out insurance distribution activities a	
e	Conditions for carrying out insurance distribution activities and activities  Criteria of Sound and Prudent Management.  Introduction

6.7	Knowledge and Ability Requirement	
6.8	Knowledge and Ability Requirement of Relevant Persons and Relevant Employees carrying of	n
	General Business53	
	Legal Aspects53	
	Applicable laws53	
	Claims Handling54	
	The Insurance Sector: knowledge on the insurance market, market participants ar	ıd
	products55	
	Insurance Market55	
	Knowledge on products55	
	Ethics and professional conduct56	
	Business ethics standards56	
	Complaints handling56	
	Assessing client needs	
	Information Disclosure	
	Financial competency	
6.9	Knowledge and Ability Requirement of Relevant Persons and Relevant Employees carrying of	n
	long term business	
	Legal Aspects58	
	Applicable laws58	
	The Insurance Sector: knowledge on the insurance market, market participants ar	ıd
	products59	
	Insurance and other relevant financial services market	
	Knowledge on products60	
	Ethics and professional conduct61	
	Business ethics standards61	
	Conflicts of interest management61	
	Complaints handling61	
	Assessing the client needs	
	Information Disclosure	
	Financial competency63	
6.10	Knowledge and Ability Requirement of Relevant Persons and Relevant Employees selling	ıg
	Insurance-based investment products ("IBIPs")	
	Legal Aspects63	
	Applicable laws63	
	The Insurance Sector: knowledge on the insurance market, market participants ar	ıd
	products64	
	Insurance market	
	Knowledge on products	
	Investment options	
	Ethics and professional conduct	
	Business Ethics standards	
	Conflicts of interest management67	

		Complaints handling	67
		Complaints handling	
		Assessing the client needs requirement	
	C 11	Financial competency	
	6.11	Assessment of Knowledge and Ability of Tied Insurance Intermediaries	•
		Insurance Intermediaries.	
		Tied Insurance Intermediaries	
	- 10	Ancillary Insurance Intermediaries	
	6.12	Internal policies and appropriate internal procedures	
		Record-keeping requirement	
	6.13	Transitional Period	72
Chaj	oter 7: C	ontinuous Professional Development	73
	7.1	Introduction	73
	7.2	Application	
	7.3	Continuous professional development ("CPD")	
	7.4	General requirements	
	7.5	Continuous Professional Development Training	
	,	Structured CPD Training	
		Courses, conferences, seminars, workshops and organised technic	
		meetings	
		Service on technical committees or panels	
		Web-based learning activities	
		Lecture preparation and lecturing.	
		Relevant Insurance Courses	
		In-House Training.	
	7.6	Unstructured CPD Training	
	7.6	Appropriate records  Duration, frequency and proof of Continuous Professional Development	
		, <sub>1</sub> <sub>F</sub> <sub>1</sub>	
Chaj	oter 8: M	Ionies held in a Fiduciary Capacity	82
	8.1	Introduction	82
	8.2	Persons enrolled under article 13 holding monies in a fiduciary capacity	82
		Application	82
		Definitions	
		Requirement to maintain business of insurance intermediaries accounts	83
		All insurance monies are to be paid into business of insurance	
		accounts	
		Only business of insurance intermediaries accounts to be used for payment	
		reinsurers and insureds.	
		Purposes for which business of insurance intermediaries accounts may be u	

	Approved short term assets	86
	Insurance transactions assets and liabilities	87
	Accounting records	88
8.3	C	
	fiduciary capacity	_
	Application	
	Requirement to maintain Tied Insurance Intermediaries Accounts and Anc	
	Intermediaries Accounts	•
	All insurance monies are to be paid into Tied Insurance Intermediarie	
	Ancillary Insurance Intermediaries Accounts	
	Only Tied Insurance Intermediaries Account or Ancillary Insurance	
	Account to be used for payments in relation to insurance transaction	
	Receipts	91
8.4	4 Compliance with Section 8.3 of this Chapter	92
Chapter 9	9: Fidelity Bond	93
9.1	1 Introduction	02
9.1 9.2		
9.3		
9.4		
9.5	Tr r	
9.6	6 Changes in the fidelity bond	96
Chapter	10: Information to be provided to the competent authority for	Supervisory
Purposes.		97
10.	0.1 Introduction	07
10.		
10.		
10.	distribution activities, (the "business statements")	
	Form and content of the business statements	
	Manner in which the business statements are to be verified	
	Date by which the business statements are to be forwarded to authority	=
Fir	rst Schedule - Business of Insurance Intermediaries Statements	
	econd Schedule - Reports accompanying the Statements relating to the business stribution activities and, or reinsurance distribution activities	s of insurance
Chapter 1	11: Provisions applicable to specific insurance and reinsurance interme	e <b>diaries</b> 99
11.	.1 Introduction	99

1	1.2	Commercial business which may be carried out by Insurance Agents and	Insurance
		Brokers	
		The specified business	
	1.3	Business of Insurance Not Subject to Tied Insurance Intermediaries Activities	
1	1.4	Ancillary Insurance Intermediaries.	
		Application	
		Definitions	
		Requirements	
		Appointment of an Ancillary Insurance Intermediary	
		General Business	
		Long term Business	
		Appointment by an Enrolled Insurance Broker	
		Fair Analysis	
		Possible appointments of an ancillary insurance intermediary	
		Conditions on the appointment of an ancillary insurance intermediary	
		Knowledge and Ability	104
		Continuous Training	104
1	1.5	Provisions applicable to Tied insurance Intermediaries and Ancillary	Insurance
		Intermediaries	105
		Records	
		Transmission of Findings on On-site inspections	
		Appointment Letters of Tied Insurance Intermediaries and Ancillary	
		Intermediaries	
		Compliance with Section 11.5 of this Chapter	107
S	Second (	hedule - Business of insurance not subject to tied insurance intermediaries activities  Schedule - Business of insurance not subject to ancillary insurance intermediaries ac  ssuing and Registration of Underwriting Agreements	
1	2.1	Introduction	108
	2.2	Application	
	2.3	Underwriting agreements.	
	2.4	Restrictions and limitations	
	2.5	Provisions to be included in underwriting agreements	
	2.6	Provisions to be excluded from underwriting agreements	
	2.7	Underwriting agreements issued by insurance agents.	
	2.8	Lloyd's	
	2.9	Registration of underwriting agreements	
1	2.10	Application of the Insurance Business Act	112
		e - Application by an enrolled person for registration of an underwriting agreement the Distribution Act	t under the
Chapter	· 13: C	omputer Link Arrangements	113

	13.1	Introduction
	13.2	Application
	13.3	Definitions
	13.4	Restrictions and limitations
	13.5	Provisions to be included in computer link arrangements
	13.6	Provisions to be excluded from computer link arrangements
	13.7	Computer link arrangements granted by insurance agents
	13.8	Notification of computer link arrangements116
	13.9	Application of the Insurance Business Act
Cha	pter 14:	Persons qualified to make use of the word "Insurance"
	14.1	Introduction
	14.2	Application118
	14.3	When use of the word "insurance" is made by virtue of the Act
	14.4	When use of the word "insurance" is made by virtue of recognition by the competent
		authority119
	14.5	Institutes of repute recognised by the competent authority
	14.6	When use of the word "insurance" is made by permission of the competent
		authority121
	14.7	Constituted bodies representing insurance market operators or insurance professionals or
		practitioners
	14.8	Definition of the word "insurance"
Cha	pter 15:	Introducers
	15.1	Introduction
	15.2	Application
	15.3	Definitions
	15.4	Appointment of Introducers
	15.5	Conditions applying to Introducers
	15.6	Obligations of licence holders
	15.7	Persons who cannot act as introducers