



Are there General Good provisions in your country that fall into the categories below? (Yes / No / Leave blank)

SPAIN

General good provisions by categories

	For insurance undertakings	For insurance intermediaries
Special rules for starting and operating business		
Notification & approval of certain products		
Protection of names and titles		
Feasibility study for host MS		
Creating special departments	Yes: <ul style="list-style-type: none"> • Customer support department for undertakings under right of establishment: Orden ECO 734/2004 of 11 March • Representative of motor insurance, for undertakings under freedom to provide services: Article 86(2) of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October 	Yes: <ul style="list-style-type: none"> • Customer support department: Orden ECO 734/2004 of 11 March
Other special rules for starting business	Yes, prohibitions for certain types of undertakings: <ul style="list-style-type: none"> • Article 78(1) 2nd paragraph of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October 	Yes, the prohibitions and obligations established for national intermediaries also apply under right of establishment and freedom to provide services

			<ul style="list-style-type: none"> • Prohibitions: Article 5 of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados • Obligations: Article 6 of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados
	Other		
Adapting to host country market structure			
	Joining an association		
	Joining a guarantee fund		
	Data submission for registers	<p>Yes, registration in the Administrative Register of the DGSFP:</p> <ul style="list-style-type: none"> • Articles 78(6) and 74 of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October <p>Yes, registration of insurance contracts with a death cover:</p> <ul style="list-style-type: none"> • Ley 20/2005, of 14 November, sobre la Creación del Registro de Seguros de Vida con Cobertura de Fallecimiento and its accompanying regulations, approved by Real decreto 398/2007, of 23 March. 	<p>Yes, registration in the Administrative Register of the DGSFP:</p> <ul style="list-style-type: none"> • Articles 66(5) and 52 of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados
	Professional codes of conduct		
	Other	<p>Surcharges payable to the Consorcio de Compensación de Seguros for the coverage of losses stemming from extraordinary events:</p> <ul style="list-style-type: none"> • Texto Refundido del Estatuto Legal del Consorcio de Compensación de Seguros, approved by Real Decreto Legislativo 7/2004, of 29 October (amended by a subsequent number of legal texts) • Reglamento del Seguro de Riesgos Extraordinarios, approved by Royal Decree 300/2004 of 20 February (amended by R.D. 1265/2006, of 8 November) • Resolución del Consorcio de Compensación de Seguros of 31 May 2004 	

		<ul style="list-style-type: none"> Resolución de la Dirección General de Seguros y Fondos de Pensiones of 27 November 2006 	
Content and format of contracts			
	Language rules	Yes: <ul style="list-style-type: none"> Article 8 of Ley 50/1980, of 8 October, del Contrato de Seguro 	Yes: <ul style="list-style-type: none"> Article 43 of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados
	Minimum content for certain products	Yes: <ul style="list-style-type: none"> Article 8 of Ley 50/1980, of 8 October, del Contrato de Seguro 	
	Mandatory level of excess		
	Other		
Disclosure			
	Special pre-contractual information	Yes: <ul style="list-style-type: none"> Articles 53, 60 and 81 of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October. Articles 104 <i>et sequentes</i> of the accompanying regulations, approved by Real Decreto 2486/1998, of 20 November. 	Yes: <ul style="list-style-type: none"> Articles 68, 42 and 43 of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados
	Special information for selected products	Yes: <ul style="list-style-type: none"> Life insurance: Article 105 of the Real Decreto 2486/1998, of 20 November Funeral expenses insurance: Article 105 <i>bis</i> of the Real Decreto 2486/1998, of 20 November Collective insurance: Article 106 of the Real Decreto 2486/1998, of 20 November Contracts formalizing pension commitments: Article 34 of Real Decreto 1588/1999, of 15 of October Motor insurance: Article 130(2) of the Real Decreto 2486/1998, of 20 November Legal expenses insurance: Article 76(f) of Ley 50/1980, of 8 October, del Contrato de Seguro 	
	Other		

Taxation		
Indirect taxes and parafiscal charges	Yes, insurance premiums tax: <ul style="list-style-type: none"> Article 12 of Ley 13/1996 of 30 December, on Medidas Fiscales, Administrativas y del Orden Social, amended by Ley 65/1997, of 30 December, of Presupuestos Generales del Estado para 1998- 	
Tax representative	Yes, for undertakings under freedom to provide services: <ul style="list-style-type: none"> Article 86(1) of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October. Article 135 of the accompanying regulations, approved by Real Decreto 2486/1998, of 20 November. 	
Other		
Other conduct related provisions		
Advice		Yes: <ul style="list-style-type: none"> Article 42(5) of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados Specifically for brokers: Article 42(4) of the Ley 26/2006, of 17 July, de Mediación de Seguros y Reaseguros Privados
Advertising & marketing		
Commissions		
Limitations to the freedom to set premium		
After-sales services (e.g. claims-handling, complaints-handling)	Yes, on complaints handling: <ul style="list-style-type: none"> Orden ECO 734/2004 of 11 March 	Yes, on complaints handling: <ul style="list-style-type: none"> Orden ECO 734/2004 of 11 March
Other		
Special types of insurance		
MPTL	Yes: <ul style="list-style-type: none"> Representative of motor insurance, for undertakings under 	

		freedom to provide services: Article 86(2) of the Texto Refundido de la Ley de Ordenación y Supervisión de los Seguros Privados, approved by Real Decreto Legislativo 6/2004, of 29 October and Article 130(2) of the Real Decreto 2486/1998, of 20 November	
	Travel insurance		
	Other	See section on special information for certain products	
Applicable law			
	Setting applicable law for certain risks	Yes <ul style="list-style-type: none"> Article 107 <i>et sequentes</i> of the Ley 50/1980, of 8 October, del Contrato de Seguro 	
	Setting exclusive jurisdiction		
	Other		

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