

Malta

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For insurance **undertakings**

General good provisions regulating insurance distribution in addition to those set out in the Insurance Distribution Directive (Article 11(2))

Information requirements and conduct of business rules

IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 17: General principle	<u>Conduct of Business Rulebook:</u> R.1.2.7 to R.1.2.10 R.1.2.12 to R.1.2.41 R.1.2.42 to R.1.2.44 R.1.2.47 to R.1.2.52 R.1.2.65 to R.1.2.68 R.1.2.53 R.1.2.13, R.1.2.45	X X X X X X	X

<p>Article 18: General information provided by the insurance intermediary or insurance undertaking</p>	<p><u>Conduct of Business Rulebook:</u></p> <p>R.1.3.7 to R.1.3.9 R.1.3.6 and R.1.3.10 R.1.3.22</p> <p>R.1.4.9 to R.1.4.10 R.1.4.13 to R.1.4.16 R.1.4.18, R.1.4.19, R.1.4.20 R.1.4.22 to R.1.4.27</p>	<p>X X X X X X</p>	<p>X X X X X X</p>
<p>Article 19: Conflicts of interest and transparency</p>	<p><u>Conduct of Business Rulebook:</u></p> <p>R.1.5.10</p>	<p>X</p>	<p>X</p>
<p>Article 20: Advice, and standards for sales where no advice is given</p>	<p><u>Conduct of Business Rulebook:</u></p> <p>R.4.1.5 to R.4.1.6 R.4.1.8 to R.4.1.12 R.4.1.14 to R.4.1.23 R.4.1.24 and R.4.1.46</p>	<p>X X X X</p>	<p>X X X X</p>
<p>Article 21: Information provided by ancillary insurance intermediaries</p>			

Article 22: Information exemptions and flexibility clause	For the purposes of this Article: (a) For the purposes of Article 22(2): MT has not made the provision of advice mandatory for the sales of any insurance products or for certain types of insurance products. (b) For the purposes of Article 22(3): MT has not limited or prohibited the acceptance or receipt of fees, commissions or other monetary benefits as contemplated in this sub article.	x	X
Article 23: Information conditions	<u>Conduct of Business Rulebook:</u> R.1.1.2 to R.1.1.4 R.1.1.10 to R.1.1.16	X X	X X
Article 24: Cross-selling			
Article 25: Product oversight and governance requirements			
Additional requirements in relation to insurance-based investment products			
IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 26: Scope of additional requirements	The specific national provisions indicated above in the context of Articles 17,18,19 and 20 would also apply in the context of the distribution of insurance based investment products		

Article 27: Prevention of conflicts of interest			
Article 28: Conflicts of interest			
Article 29: Information to customers	<p><u>Conduct of Business Rulebook:</u></p> <p>R.4.3.6</p> <p>With reference to Article 29(3)</p> <p>(a) For the purposes of Article 29(2): MT has not limited or prohibited the acceptance or receipt of fees, commissions or other monetary benefits as contemplated in this sub article.</p> <p>(b) MT has not made the provision of advice mandatory for the sales of insurance based investment products or for certain types thereof.</p>	X	X
Article 30: Assessment of suitability and appropriateness and reporting to customers	<p><u>Conduct of Business Rulebook:</u></p> <p>R.4.4.104 to 4.4.117</p>	X	X

Scope, registration and organisational requirements

IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 1: Scope			
Article 2: Definitions			
Article 3: Registration			
Article 10: Professional and organisational requirements			
Article 14: Complaints			
Other themes			
IDD Article	Specific national legislative provision(s)	FoS	FoE
Not applicable	Conduct of Business Rulebook: R.4.5.7 – R.4.5.9	X	X
Not applicable	Insurance Rules: Chapter 9 paragraph 9.4		X
Not applicable	Insurance Rules: Chapter 9 paragraph 9.7.1		X
	Insurance Rules: Chapter 9 paragraph 9.9.1		X
General good provisions referred to in Article 180 of Solvency II			

Solvency II Article	Specific national legislative provision(s)	FoS	FoE
Other general good provisions (not related to IDD and Solvency II), such as money-laundering and taxation provisions, which are relevant for insurance distributors doing cross-border business			
Underlying Article from EU legislation, if applicable	Specific national legislative provision(s) and or links to the relevant websites of the Ministries where further information on the rules can be found	FoS	FoE
	Taxation Requirements: Duty on Documents and Transfers Act International Tax Unit: Malta Business Registry: https://cfr.gov.mt/en/inlandrevenue/itu/Pages/International-Taxation.aspx		X
	Corporate Registration Requirements: Companies Act - Part XI Malta Business Registry: www.mbr.mt		X
	Anti Money Laundering Legislation: Prevention of Money Laundering Act and Prevention of Money Laundering and Funding of Terrorism Regulations Financial Intelligence and Analysis Unit: https://fiaumalta.org/		X

For insurance intermediaries

General good provisions regulating insurance distribution in addition to those set out in the Insurance Distribution Directive (Article 11(2))

Information requirements and conduct of business rules

IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 17: General principle	<p><u>Conduct of Business Rulebook:</u></p> <p>R.1.2.7 to R.1.2.10 R.1.2.13 to R.1.2.41 R.1.2.42 to R.1.2.46 R.1.2.47 to R.1.2.52 R.1.2.65 to R.1.2.68</p> <p>R.1.2.12 R.1.5.23</p>	<p>X X X X X</p>	<p>X X X X X</p> <p>X X</p>
Article 18: General information provided by the insurance intermediary or insurance undertaking	<p><u>Conduct of Business Rulebook:</u></p> <p>R.1.3.7 to R.1.3.9 R.1.3.22 R.1.3.6 and R.1.3.10</p> <p>R.1.4.9 to R.1.4.10 R.1.4.13 to R.1.4.16 R.1.4.18 , R.1.4.19, R.1.4.20 R.1.4.22 to R.1.4.27</p>	<p>X X</p> <p>X X X X X</p>	<p>X X X</p> <p>X X X X X</p>

Article 19: Conflicts of interest and transparency	<u>Conduct of Business Rulebook:</u> R.1.5.10	X	X
Article 20: Advice, and standards for sales where no advice is given	<u>Conduct of Business Rulebook:</u> R.4.1.5 to R.4.1.6 R.4.1.8 to 4.1.12 R.4.1.14 to R.4.1.23 R.4.1.24 and R.4.1.46	X X X X	X X X X
Article 21: Information provided by ancillary insurance intermediaries			
Article 22: Information exemptions and flexibility clause	For the purposes of this Article: (a) For the purposes of Article 22(2): MT has not made the provision of advice mandatory for the sales of any insurance products or for certain types of insurance products. (b) For the purposes of Article 22(3): MT has not limited or prohibited the acceptance or receipt of fees, commissions or other monetary benefits as contemplated in this sub article.		
Article 23: Information conditions	<u>Conduct of Business Rulebook:</u> R.1.1.2 to R.1.1.4 R.1.1.10 to R.1.1.16	X X	X X
Article 24: Cross-selling			

Article 25: Product oversight and governance requirements			
Additional requirements in relation to insurance-based investment products			
IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 26: Scope of additional requirements			
Article 27: Prevention of conflicts of interest			
Article 28: Conflicts of interest			
Article 29: Information to customers	<p><u>Conduct of Business Rulebook:</u> R.4.3.6</p> <p>With reference to Article 29(3)</p> <p>(a) For the purposes of Article 29(2): MT has not limited or prohibited the acceptance or receipt of fees, commissions or other monetary benefits as contemplated in this sub article.</p> <p>(b) MT has not made the provision of advice mandatory for the sales of insurance based investment products or for certain types thereof.</p>	X	X

Article 30: Assessment of suitability and appropriateness and reporting to customers	Conduct of Business Rulebook: R.4.4.104 to 4.4.117	X	X
Scope, registration and organisational requirements			
IDD Article	Specific national legislative provision(s)	FoS	FoE
Article 1: Scope			
Article 2: Definitions			
Article 3: Registration			
Article 10: Professional and organisational requirements			
Article 14: Complaints			
Other themes			
IDD Article	Specific national legislative provision(s)	FoS	FoE
Not applicable	Conduct of Business Rulebook: R.4.5.7 – R.4.5.9	X	X

Not applicable	Insurance Distribution Rules - Chapter 11 Paragraphs 11.3.2 and 11.4.6	X	X
General good provisions referred to in Article 180 of Solvency II			
Solvency II Article	Specific national legislative provision(s)	FoS	FoE
...	...		
Other general good provisions (not related to IDD and Solvency II), such as money-laundering and taxation provisions, which are relevant for insurance distributors doing cross-border business			
Underlying Article from EU legislation, if applicable	Specific national legislative provision(s) and or links to the relevant websites of the Ministries where further information on the rules can be found	FoS	FoE
...	...		