

Appendix 1

In this appendix underlining indicates new text and striking through indicates deleted text.



The DFSA Rulebook

Conduct of Business Module

(COB)

3.2 Communication of information and marketing material

General

- 3.2.1** When communicating information to a Person in relation to a financial product or financial service, an Authorised Firm must take reasonable steps to ensure that the communication is clear, fair and not misleading.
- 3.2.2** An Authorised Firm must not, in any form of communication with a Person, including an agreement, attempt to limit or avoid any duty or liability it may have to that Person or any other Person under legislation administered by the DFSA the Regulatory Law 2004 or Rules.
- 3.2.3** Where a Rule in COB requires information to be sent to a Client, the Authorised Firm must provide that information directly to the Client and not to another Person, unless it is on the written instructions of the Client.

Guidance

In Rule 3.2.2, a communication would include a financial promotion, a client agreement, terms of business, financial product terms and conditions, a mandate, power of attorney entered into for the purposes of a financial service or product and any other communication which relates in whole or in part to the provision of a financial service or product.

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7.3 Communication of information and marketing material

General obligation

- 7.3.1** (1) When communicating any information in relation to Insurance Business, Insurance Intermediation or Insurance Management to a Person, an Authorised Firm must take reasonable steps to ensure that the communication is clear, fair and not misleading.
- (2) An Insurer, Insurance Intermediary or Insurance Manager must not, in any form of communication with a Person, including an agreement, attempt to limit or avoid any duty or liability it may have to that Person under legislation administered by the DFSA the Regulatory Law 2004 or Rules.
- (3) An Insurer or Insurance Intermediary must, when providing or directing marketing material to a Retail Client, comply with the requirements in section 3.2, if the marketing material relates to a Direct Long-Term Insurance Contract.

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