

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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