

## **Register of insurance, reinsurance and ancillary insurance intermediaries**

### **Section E - Collaborators of the intermediaries registered under sections A, B, D and F of the register or in the enclosed list**

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## **Registration requirements**

**(articles 22 and 23 of IVASS Regulation no. 40/2018)**

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### **Natural person**

- must enjoy full rights as citizens;
- must fulfil good repute requirements;
- must have acquired professional training adequate to the contracts mediated and to the activity pursued;
- must not be enrolled in the Register of loss adjusters;
- must not be civil servants under a full-time contract of employment or a part-time contract when the working hours exceed half of the working hours of a full-time contract;
- must not have any close links with natural or legal persons which could prevent the exercise of the supervisory tasks by IVASS in accordance with the provisions of article 109 (4-sexies) of the Code.

### **Companies**

- must have their head office in Italy;
- must neither be public bodies nor entities or companies controlled by public bodies;
- not conduct business, directly or indirectly, through another company;
- have entrusted responsibility for mediation to at least one natural person registered under section E of the Register;
- must not have any close links with natural or legal persons which could prevent the exercise of the supervisory tasks by IVASS in accordance with the provisions of article 109 (4-sexies) of the Code.

## **Methods of registration**

**(art. 25 of IVASS Regulation no. 40/2018)**

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The intermediary (who is applying for registration or is already recorded in sections A, B, D or F or in the Enclosed List) who intends to use collaborators operating outside their premises must submit to IVASS a specific application by filling in the [PDF electronic](#)

[form](#), which shall be downloaded, filled in off-line, digitally signed and sent as an attachment by certified electronic mail (PEC) **exclusively** to the address [istanze.rui@pec.ivass.it](mailto:istanze.rui@pec.ivass.it).

In the application for registration submitted to IVASS in accordance with the current provisions on stamp duties, the applicant undertaking shall state that it has verified that the persons to be registered under section E have paid the administrative charge of € 168.00.

**Please note that** The employees and collaborators of the intermediaries registered under section E of the Register need not be registered if they pursue business only at the premises of the latter.

### **Professional training**

**(articles 86 and seq. of IVASS Regulation no. 40/2018)**

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Professional training shall consist in the attendance, in the twelve months preceding the filing of the application for registration or the start of the activity, at courses of no less than 60 hours, delivered in class or through equivalent means (videoconference; webinar; e-learning).

At the end of the professional training courses, participants shall pass a final test in class to verify the knowledge acquired. If participants pass the test they will be awarded a certificate.

The professional training acquired remains valid for the reinstatement under sections C or E of the RUI if the period of inactivity does not exceed five years.

### **Professional update**

**(art. 89 of IVASS Regulation no. 40/2018)**

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Natural persons enrolled under section E of the Register shall **annually** update their professional knowledge and ability. The professional update shall be carried out starting from 1 January of the year following enrolment in the RUI or the start of the distribution activities.

Professional update shall consist in the attendance at courses of no less than 30 hours per year, delivered in class or through the equivalent means defined in article 91.

In the case of an ancillary insurance intermediary registered in section E, the duration of the professional update may not be less than 15 hours per year.

The professional update shall aim at enriching and increasing knowledge, expertise and professional skills, also with regard to the type of activities carried out and to the products mediated, to the evolution of the reference laws and to the prospects for the future development of the activities in question.

At the end of the professional update courses, participants shall pass a final test to verify the knowledge acquired. If participants pass the test they will be awarded a certificate.

## **Moving from one section to another** **(art. 34 of IVASS Regulation no. 40/2018)**

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### **Natural person**

Intermediaries registered in section E, when they fulfil the registration requirements envisaged for their section of destination, may apply to be registered:

1. in section A or B, by submitting an application by filling in the [PDF electronic form](#), which shall be downloaded, filled in off-line, digitally signed and sent as an attachment by certified electronic mail (PEC) **exclusively** to the address [istanze.rui@pec.ivass.it](mailto:istanze.rui@pec.ivass.it).

In the application for registration it must be stated that the obligations relating to the payment of stamp duties have been fulfilled.

The application must be accompanied by the notification of termination of the collaboration relation given by the intermediary on whose behalf business was conducted or, in its absence, the [notification of termination of the collaboration relation](#), made by the collaborator, conforming to the [PDF electronic form](#) available on IVASS' website.

2. to section C, by filling in the [notification of termination of the collaboration relation](#) with the intermediary, to be attached to the application for registration in section C that the undertaking - proposing to use these collaborators – will submit, by using the [PDF electronic form](#).

## Companies

Companies registered in section E may apply to be registered in another section, when they fulfil the registration requirements envisaged for their section of destination, by submitting an application for registration by filling in the [PDF electronic form](#), which shall be downloaded, filled in off-line, digitally signed and sent as an attachment by certified electronic mail (PEC) **exclusively** to the address [istanze.rui@pec.ivass.it](mailto:istanze.rui@pec.ivass.it). In the application for registration it must be stated that the obligations relating to the payment of stamp duties have been fulfilled.

The application must be accompanied by the notification of termination of the collaboration relation given by the intermediary on whose behalf business was conducted or, in its absence, the [notification of termination of the collaboration relation](#), made by the collaborator itself, conforming to the [PDF electronic form](#) available on IVASS' website.

## **Termination of the collaboration relation and removal from the register (art. 30 of IVASS Regulation no. 40/2018)**

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In all cases of termination of the collaboration relationship, the intermediary registered in sections A, B, D or F or in the Enclosed List, who uses the services of the subjects registered under section E, must inform IVASS accordingly, within **30 working days** from the date of termination, by using the [PDF electronic form](#), which shall be downloaded, filled in off-line, digitally signed and sent as an attachment by certified electronic mail (PEC) **exclusively** to the address [istanze.rui@pec.ivass.it](mailto:istanze.rui@pec.ivass.it).

In the absence of such notification, the subjects registered under section E may send IVASS, on paper or by filling in the [PDF electronic form](#), a [notification of termination of the collaboration relation](#).

In the event that the intermediary registered in sections A, B, D or F or in the Enclosed List does not notify the termination of the collaboration relationship with the intermediary registered in section E within the time limit prescribed by the law, the latter can send IVASS the statement enclosed to the above-mentioned annexes.

IVASS shall **automatically** remove the collaborator, among other cases, in the case of:

- if the collaborator has been struck off the register pursuant to article 324 (1, d) of the Code;
- loss of one of the registration requirements;
- subsequent incompatibility (registration in the national List of loss adjusters, civil servants under a full-time contract of employment or a part-time contract when the working hours exceed half of the working hours of a full-time contract);
- in case of notification of termination of the relationship, except when the subject pursues the activity for other intermediaries.

**Please note:** when filling in the Table enclosed to the [PDF electronic form](#) used to notify the termination of the collaboration relationship with a subject registered under section E, the item “lawful revocation” must be ticked exclusively when the intermediary to be removed has infringed the rules of behaviour laid down in legislative decree no. 209/05 and in the implementing regulations issued by IVASS.

## **Reinstatement**

**(articles 31 and 32 of IVASS Regulation no. 40/2018)**

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Intermediaries who have been removed may be **reinstated** in sections A, B, D or F or in the Enclosed List at the request of the intermediary using them, by filling in the [PDF electronic form](#), which shall be downloaded, filled in off-line, digitally signed and sent as an attachment by certified electronic mail (PEC) exclusively to the address [istanze.rui@pec.ivass.it](mailto:istanze.rui@pec.ivass.it).

In the application for registration submitted to IVASS in accordance with the current provisions on stamp duties, the applicant intermediary shall state that it has verified that the persons to be registered under section E have paid the administrative charge of € 168.00.

**Please note that** For the purposes of the reinstatement of the natural person in section E of the register, the professional qualification requirement upon which the first registration

had been made shall remain valid, provided that the application for reinstatement be submitted within five years of the removal.

Therefore, the removed collaborators who are natural persons may be reinstated provided that they have attended a professional update of at least 30 hours, if the reinstatement application has been submitted no later than 5 years from the date of the removal. They shall carry out the professional training referred to in article 86 of the regulation, if the application for reinstatement is submitted 5 years after the removal,.

The intermediary removed from the register after a final conviction or bankruptcy may be reinstated if the conditions under article 114 of the Code are met.

The natural persons who have been struck off the register may be reinstated, after at least 5 years from the removal, provided that they fulfil all the registration requirements envisaged for their section of destination, and after they have repeated the initial training.

## **Pre-contractual information**

### **(art. 56 of IVASS Regulation no. 40/2018)**

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Intermediaries, including those registered in section E, shall make available to the public in their premises, also using technological equipment, information printed in bold characters and conforming to the model envisaged in Annex 3, illustrating the main behavioural obligations imposed on intermediaries.

Before policyholders sign a proposal or, when not envisaged, an insurance contract, intermediaries shall deliver them:

- copy of a statement, conforming to the model envisaged in [annex 4](#);
- in case the proposal is being offered away from business premises or in case the pre-contractual steps are accomplished via distance communication techniques a statement, conforming to the model envisaged in [annex 3](#);
- pre-contractual and contractual information documents envisaged by the current provisions.

In case of renewal or of conclusion of further contracts with the same intermediary the annexes 3 and 4 shall be delivered or sent to the policyholder only if there are any variations in the information contained in it.

The above documentation may be sent to the policyholder, at his/her express request, by using distance communication techniques or through the Internet.

Annex 4 contains a special section dedicated to the intermediaries operating within the premises of the principal intermediary and of the intermediary registered in section E, which are not required to be enrolled in the Register.

### **Information on remunerations (art. 57 of IVASS Regulation no. 40/2018)**

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In the pre-contractual information provided to the policyholder, intermediaries registered in section E shall also disclose information on the remuneration received from the intermediary on whose behalf they pursue business, in relation to the specific contract distributed.

Information shall concern the nature of the remuneration and, if they are paid a fee by the customer, also the relevant amount or the method for calculating it.

**Please note that:**

**For further information on the provisions relating to rules of behaviour, conflicts of interests, advised and non-advised sale, segregation of assets and distance mediation see sections A, B, D or F.**