Insurance mediation

2000/0213(COD) - 20/09/2000 - Legislative proposal

PURPOSE : to lay down rules for the taking-up and pursuit of the activities of insurance and reinsurance mediation. CONTENT : the proposal for a Directive establishes a legislative framework designed to ensure a high level of professionalism and competence among insurance intermediaries. A single registration system for intermediaries will facilitate cross-border activities by way of freedom of etsablishment and freedom to provide services. The proposal also guarantees a high level of protection of customers' interests. The proposal focuses on the objectives which should be attained in order to reconcile insurance mediation with the internal market while properly protecting insurance customers. The Commission considers that it is better to rely as much as possible on mutual recognition among the Member States rather than trying to harmonise in detail the methods of control actually used. At present, only Directive 77/92/EEC contains binding provisions on insurance intermediaries. However, its scope is limited since it does not harmonise the professional qualifications required of persons working as agents or brokers. The Directive does not prevent the Member States from laying down specific provisions on access to and pursuit of these activities, or indeed from not doing so, and in fact Member States have adopted widely differing rules. In addition, the aim of the proposal for a Directive may be summed up as follows: - to guarantee that all persons (natural and legal) taking up and pursuing the activity of insurance or reinsurance mediation have been registered on the basis of a minimum set of professional requirements. Registered intermediaries will be able to operate in other Member States by availing themselves of the freedom to provide services or by establishing a branch. Member States may add to the professional requirements laid down in the Directive, but only for the intermediaries that they register. The proposal also sets minimum requirements as regards the arrangements for, and content of, the information which the insurance intermediaries must make available to their potential customers. It should be noted that this proposal for a Directive is based on the approach put forward by the Commission in Recommendation 92/48/EEC and takes up the principles outlined there. The Commission believes that this approach will make it possible to achieve the objectives pursued by means of measures tailored to those objectives.