

Denmark

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<ul style="list-style-type: none"> • The Danish Financial Business Act, cf. Consolidated Act no. 406 of 29 March 2022 with later amendments (will be out of force for insurance distributors by 31st of December 2023) 	FBA
<ul style="list-style-type: none"> • The Insurance Business Act of 1 June 2023 (enters into force 1st January 2024) 	IBA
<ul style="list-style-type: none"> • The Insurance Intermediary Act no. 337 of 11 March 2022 	IIA
<ul style="list-style-type: none"> • Executive order no. 1779 of 6 September 2021 on good business practices in insurance distribution (bekendtgørelse om god skik for forsikringsdistributører) 	EO-GB
<ul style="list-style-type: none"> • Executive order no. 1113 of 2 June 2021 on professional requirements for insurance companies and insurance intermediaries (kompetencekravsbekendtgørelsen) 	EO-PR
<ul style="list-style-type: none"> • Executive order no. 16 of 4 January 2019 on amendment of the executive order on remuneration policies and remuneration in insurance undertakings and insurance holding undertakings (Bekendtgørelse om lønpolitik og aflønning i forsikringsselskaber, forsikringsholdingvirksomheder og firmapensionskasser) 	EO-RU
<ul style="list-style-type: none"> • Executive order no. 696 of 26 May 2020 on indemnity insurance (bekendtgørelse om forsikringsformidlere, genforsikringsformidlere og accessoriske forsikringsformidlers ansvarsforsikring, garantistillelse og behandling af betroede midler) 	EO-II
<ul style="list-style-type: none"> • Executive order no. 1723 of 16 December 2015 on management and control of insurance companies (ledelsesbekendtgørelsen) 	EO-MC
<ul style="list-style-type: none"> • DFSA procedure on compliance with provisions in Directives addressed to authorities (Forretningsgang for gennemførelse og efterlevelse af myndighedsrelaterede bestemmelser i direktiver) 	DFS procedure

<ul style="list-style-type: none"> Legislative proposal no. 8 on the Insurance Intermediary Act set forth on 4 October 2017 (Act transposing IDD) 	Legislative proposal no. 8
<ul style="list-style-type: none"> Legislative proposal no. 88 on the Insurance Business Act set forth on 29 March 2023 (Act transposing some of IDD) 	Legislative proposal no. 88

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	17(1) IBA § 67 stk. 1 og 2 (enters into force 1 st of January 2024) EO-GB § 4, stk. 1. 17(2) EO-GB §§ 6, 7 og 11. 17 (3) EO-RU § 10, stk. 1 og 2. IBA § 67 stk. 1 og 2 (enters into force 1 st of January 2024)	x	x
Article 18: General information provided by the insurance intermediary or insurance undertaking	EO-GB § 15, stk. 1, nr. 1-3	x	x
Article 19: Conflicts of interest and transparency	19(1), 19 (2) and 19 (3) Relates to insurance intermediaries and not insurance undertakings. 19(4)	x	x

	<p>EO-GB § 15, stk. 1, nr. 6.</p> <p>19(5)</p> <p>EO-GB § 15, stk. 2.</p>		
<p>Article 20: Advice, and standards for sales where no advice is given</p>	<p>20(1)</p> <p>EO-GB § 20, stk. 1 og 2</p> <p>EO-GB § 21, stk. 1.</p> <p>20(2)</p> <p>EO-GB § 22</p> <p>20(3)</p> <p>Relates to insurance intermediaries and not insurance undertakings.</p> <p>20(4)</p> <p>EO-GB § 16, stk. 1</p> <p>20(5)</p> <p>EO-GB § 16, stk. 2</p> <p>EO-GB § 17, stk. 1</p> <p>20(6)</p> <p>EO-GB § 17, stk. 1</p> <p>20(7)</p> <p>EO-GB § 17, stk. 2.</p> <p>20(8)</p> <p>EO-GB § 17, stk. 3.</p>	x	x
<p>Article 21: Information provided by ancillary insurance intermediaries</p>	<p>Relates to insurance intermediaries and not insurance undertakings.</p>		

<p>Article 22: Information exemptions and flexibility clause</p>	<p>22(1) EO-GB § 1, stk. 3 og 4.</p> <p>22(2) Denmark has used the option to maintain specific information requirements for distributor e.g. information regarding guarantee schemes in EO-GB § 12, stk. 2, nr. 1. The Danish FSA will ensure that the rules are communicated to the customers and to insurance and reinsurance distributors in accordance with the obligation in article 22(4).</p> <p>22(3) Denmark has not used the option regarding insurance undertakings.</p> <p>22(4) Not to be transposed: obligation for EIOPA</p> <p>22(5) EO-GB § 15, stk. 3, § 16, stk. 3 og § 23, stk. 8.</p>	<p>x</p>	<p>x</p>
<p>Article 23: Information conditions</p>	<p>23(1) EO-GB § 3, stk. 1.</p> <p>23(2) EO-GB § 3, stk. 2 og 3</p> <p>23(3) EO-GB § 3, stk. 4</p> <p>23(4) EO-GB § 3, stk. 2</p> <p>23(5)</p>	<p>x</p>	<p>x</p>

	<p>EO-GB § 3, stk. 3</p> <p>23(6) EO-GB § 3, stk. 5.</p> <p>23(7) EO-GB § 3, stk. 6.</p>		
Article 24: Cross-selling	<p>24(1) EO-GB § 23, stk. 1 og 2</p> <p>24(2) EO-GB § 23, stk. 3.</p> <p>24(3) EO-GB § 23, stk. 4.</p> <p>24(4) Not to be transposed: empowerment EIOPA</p> <p>24(5) EO-GB § 23, stk. 7</p> <p>24(6) EO-GB § 20, stk. 3.</p> <p>24(7) Denmark has not used this option.</p>	x	x
Article 25: Product oversight and governance requirements	<p>25(1) IBA § 133, stk. 1-4 (enters into force 1st og January 2024)</p> <p>25(2) Not to be transposed: empowerment Commission</p> <p>25(3) Provision directed at National Competent Authorities - transposed in DFSA procedure.</p>	x	x

	25(4) IBA § 133, stk. 5 (enters into force 1 st of January 2024)		
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 26 contains the scope for chapter VI in IDD (article 27-30). In the transposition of article 27-30, it is clarified that the provisions only apply to insurance distribution within the scope of article 26. Thus, Article 26 is considered transposed with the transposition of Articles 27-30.	x	x
Article 27: Prevention of conflicts of interest	EO-GB § 31, stk. 1 og 2.	x	x
Article 28: Conflicts of interest	28(1) EO-GB § 32, stk. 1 28(2) EO-GB § 32, stk. 2. 28(3) EO-GB § 33 28(4) Not to be transposed: empowerment Commission	x	x
Article 29: Information to customers	29(1) EO-GB § 34 29(2) EO-GB § 36 29(3) In the Danish transposition there are no stricter requirements in respect of the matter covered by article 29. The requirements in article 29 are considered to be sufficient. Thus, we have not used this option.	x	x

	<p>29(4) Not to be transposed: empowerment Commission</p> <p>29(5) Not to be transposed: empowerment Commission</p>		
<p>Article 30: Assessment of suitability and appropriateness and reporting to customers</p>	<p>30(1) EO-GB § 37</p> <p>30(2) EO- GB § 38, stk. 1-4.</p> <p>30(3) EO-GB § 39.</p> <p>30(4) EO-GB § 35</p> <p>30(5) EO-GB § 40</p> <p>30(6) Not to be transposed: empowerment Commission</p> <p>30(7) Not to be transposed: obligation EIOPA</p> <p>30(8) Not to be transposed: empowerment EIOPA</p>	x	x
Scope, registration and organisational requirements			
IDD Article	Specific national legislative provision(s)	FoS	FoE

<p>Article 1: Scope</p>	<p>1(1) For insurance companies the purpose of the Directive is described in the general remarks in the introduction (1. Indledning) in legislative proposal no. 88 (Act transposing some of IDD) p. 78.</p> <p>1(2) IIA § 1, stk. 4. FBA § 1, stk. 1 (until 31st of December 2023) IBA § 1, stk. 1 (enters into force 1st of January 2024).</p> <p>1(3) Relates to insurance intermediaries and not insurance undertakings.</p> <p>1(4) IIA § 13, stk. 3 IBA § 145, stk. 3 (enters into force 1st of January 2024) EO - RU § 10, stk. 3 EO-GB § 4, stk. 3. EO-GB § 16, stk. 4 EO- GB § 20, stk. 4. EO-GB § 23, stk. 6.</p> <p>1(5) IIA § 22, stk. 1 og 3 IIA § 26, stk. 1. FBA § 344, stk. 1 (until 31st of December 2023) IBA § 259 (enters into force 1st of January 2024).</p> <p>1(6) IIA § 1, stk. 6 EO-GB § 1, stk. 5.</p>	<p>x</p>	<p>x</p>
<p>Article 2: Definitions</p>	<p>2(1)(1) IIA § 2, stk. 1, nr. 1 EO-GB § 2, stk. 1, nr. 1. EO-PR § 2, stk. 1, nr. 1.</p>	<p>x</p>	<p>x</p>

2(1)(2)
IIA § 2, stk. 1, nr. 2
EO-PR § 2, stk. 1, nr. 2

2(1)(3)
IIA § 2, stk. 1, nr. 3
EO-GB § 2, stk. 1, nr. 3.

2(1)(4)
IIA § 2, stk. 1, nr. 5
EO-GB § 2, stk. 1, nr. 4

2(1)(5)
IIA § 2, stk. 1, nr. 4

2(1)(6)
FBA § 11, stk. 1(until 31st of December 2023)
IBA § 9, stk. 1, nr. 1 (enters into force 1st of January 2024).

2(1)(7)
FBA § 11, stk. 1 (until 31st of December 2023)
IBA § 9, stk. 1, nr. 1 (enters into force 1st of January 2024).

2(1)(8)
IIA § 2, stk. 1, nr. 13
EO-GB § 2, stk. 1, nr. 2.

2(1)(9)
IIA § 2, stk. 1, nr. 6
EO-RU § 5, stk. 2
IBA § 9, stk. 1, nr. 41 (enters into force 1st of January 2024).

2(1)(10)
IIA § 2, stk. 1, nr. 10
IBA § 9, stk. 1, nr. 33 (enters into force 1st of January 2024)

2(1)(11)

IIA § 2, stk. 1, nr. 11
IBA § 9, stk. 1, nr. 34 (enters into force 1st of January 2024)

2(1)(12)
IIA § 2, stk. 1, nr. 14
FBA § 5, stk. 1, nr. 19 (until 31st of December 2023)
IBA § 9, stk. 1, nr. 16 (enters into force 1st of January 2024)

2(1)(13)
IIA § 2, stk. 1, nr. 7
EO-GB § 2, stk. 1, nr. 5
FBA § 5, stk. 1, nr. 17 (until 31st of December 2023)
IBA § 9, stk. 1, nr. 15 (enters into force 1st of January 2024)

2(1)(14)
IIA § 2, stk. 1, nr. 15

The definition is only used once the Directive in one provision, which is directed at National Competent Authorities. Provisions directed only to national competent authorities are transposed incorporation in the "Procedure on compliance with provisions in Directives addressed to authorities" (in Danish: "Forretningsgang for gennemførelse og efterlevelse af myndighedsrelaterede bestemmelser i direktiver").

2(1)(15)
EO-GB § 2, stk. 1, nr. 6

2(1)(16)
IIA § 2, stk. 1, nr. 8 EO-GB § 2, stk. 1, nr. 7
IBA § 9, stk. 1, nr. 38 (enters into force 1st of January 2024)

2(1)(17)
IIA § 2, stk. 1, nr. 12
EO-GB § 1, stk. 1, nr. 9.

2(1)(18)
IIA § 2, stk. 1, nr. 9
EO - GB § 2, stk. 2, nr. 8

	<p>2(2) IIA § 1, stk. 3. EO-GB § 1, stk. 2.</p>		
Article 3: Registration	<p>3(1) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(2) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(3) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(4) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(4)(6) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(5) Relates to insurance intermediaries and not insurance undertakings.</p> <p>3(6) Relates to insurance intermediaries and not insurance undertakings.</p>	x	x
Article 10: Professional and organisational requirements	<p>10(1) FBA § 43, stk. 7 (until 31st of December 2023) IBA § 70, stk. 1 og 2 (enters into force 1st of January 2024) EO-PR</p> <p>10(2) Article 10(2) contains an obligation for the member states to ensure that the professional requirements are transposed into the national law. It is the individual member states right to</p>	x	x

determine how the professional requirements are transposed. The Danish transposition of article 10(2) is transposed in EO-PR.

10(3)(1)
EO-PR § 3

10(3)(2)
Denmark has decided not to allow the insurance or reinsurance distributor to check the good repute of its employees and where appropriate of its insurance or reinsurance intermediaries. This is considered to be covered by EO-PR § 3, stk. 2 and IIA § 10, stk. 2, where the employee is obligated to inform about good repute upon being hired and also report any changes during the term of employment.

10(3)(3) first sentence
Denmark will only apply the obligation in article 3(3) paragraph 1 to employees who pursue insurance or reinsurance distribution.
For insurance companies it is addressed in the special remarks to paragraph 70 in the IBA, section 6, page no. 222 in legislative proposal no. 88 (enters into force 1st of January 2024).

10(3)(3) second sentence
FBA § 64 (until 31st of December 2023)
FBA § 251, stk. 1, 2 og 5 (until 31st of December 2023)
IBA § 105 (enters into force 1st of January 2024).
IBA § 171 og § 280 (enters into force 1st of January 2024).
IBA § 105 (and FBA § 64) implements article 10 (3), paragraph 3, second sentence and IBA § 171 and § 280 (and FBA § 251, stk. 1, 2 and 5) contains a penalty clause to sanction violations/breaches of § 105.

10(3)(4)
Relates to insurance intermediaries and not insurance undertakings.

10(4)
Relates to insurance intermediaries and not insurance undertakings.

10(5)
Relates to insurance intermediaries and not insurance undertakings.

	<p>10(6) Relates to insurance intermediaries and not insurance undertakings.</p> <p>10(7) Not to be transposed: obligations for EIOPA</p> <p>10(8) FBA § 70, stk. 1, 3 og 6 (until 31st of December 2023) FBA § 71, stk. 1 og 3 (until 31st of December 2023) IBA § 95, stk. 1, 3, 4 og 6 (enters into force 1st of January 2024) EO-MC § 3, stk. 1, nr. 2, § 5, § 9 og § 14 EO-PR § 4, stk. 3.</p>		
Article 14: Complaints	Executive order no. 1219 of 20 November 2019 on complainant and financial undertakings handling of complaints.	x	x
Other themes			
IDD Article	Specific national legislative provision(s)	FoS	FoE
...	...		
General good provisions referred to in Article 180 of Solvency II			
Solvency II Article	Specific national legislative provision(s)	FoS	FoE
Contains parts from directive 2002/83/EU and directive 2009/138/EU.	Executive order no. 1132 og 17 November 2006 and no. 1284 of 27. November 2017 information on life insurance contracts	x	x

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
...	Executive order no. 44 of 19 January 2014, Information on fees and other costs for insurance undertakings	x	x
Contains parts from directives: 2005/29/EC, 84/450/EC, 97/7/EC, 2006/114/EC, 1999/44/EC, 98/6/EC, 2006/123/EC, 2002/58/EC, 2009/136/EC, 2002/22/EC, 2002/58/EC, 2008/48/EC, 2014/17/EU. Regulation 2006/2004/EU, 1093/2010/EU	Order no. 426 of 3. May 2017, Marketing Practices Act	x	x
Contains parts of directive 2022/65/EF	Order no. 1237 of 9 November 2015, the Insurance Contracts Act	x	x
	Executive order no. 1219 of 20 November 2019 on complainant and financial undertakings handling of complaints.	x	x
Contains parts from directive 2012/648/EU.	Order no. 1062 of 19 May 2021, Anti money laundry act.		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	17(1) IIA § 12, stk. 1. EO-GB § 4, stk. 1. 17(2) EO-GB §§ 6, 7 og 11. 17(3) IIA § 13, stk. 1-2 EO-RU § 9 a, stk. 1-2.	X	x
Article 18: General information provided by the insurance intermediary or insurance undertaking	EO-GB § 14, stk. 1, nr. 1-5	x	x
Article 19: Conflicts of interest and transparency	19(1) EO-GB § 14, stk. 1, nr. 6-10 19(2) EO-GB § 14, stk. 2 19(3) EO-GB § 14, stk. 3 19(4) Relates to insurance undertakings and not insurance intermediaries.	x	x

	19(5) Relates to insurance undertakings and not insurance intermediaries.		
Article 20: Advice, and standards for sales where no advice is given	20(1) EO-GB § 20, stk. 1 og 2 EO-GB § 21, stk. 1. 20(2) EO-GB § 22 20(3) IIA § 16, stk. 1, nr. 5. 20(4) EO-GB § 16, stk. 1 20(5) EO-GB § 17, stk. 1 20(6) EO-GB § 17, stk. 1 20(7) EO-GB § 17, stk. 2. 20(8) EO-GB § 17, stk. 3. 20(9) Not to be transposed: obligation for EIOPA	x	x
Article 21: Information provided by ancillary insurance intermediaries	EO-GB § 14, stk. 4	x	x

<p>Article 22: Information exemptions and flexibility clause</p>	<p>22(1) EO-GB § 1, stk. 3 og 4.</p> <p>22(2) Denmark has used the option to maintain specific information requirements for distributor e.g. information regarding guarantee schemes in EO_GB § 13, stk. 1, nr. 3 and § 14, stk. 1, nr. 12. The Danish FSA will ensure that the rules are communicated to the customers and to insurance and reinsurance distributors in accordance with the obligation in article 22(4).</p> <p>22(3) Denmark has used the option to issue stricter rules for intermediaries who market themselves as independent. Among these rules is a ban on commission in IIA chapter 5. The Danish FSA will ensure that the rules are communicated to the customers and to insurance and reinsurance distributors in accordance with the obligation in article 22(4).</p> <p>22(4) Not to be transposed: obligation for EIOPA</p> <p>22(5) EO-GB § 14, stk. 7, § 16, stk. 3 og § 23, stk. 8.</p>	<p>x</p>	<p>x</p>
<p>Article 23: Information conditions</p>	<p>23(1) EO-GB § 3, stk. 1.</p> <p>23(2) EO-GB § 3, stk. 2 og 3</p> <p>23(3) EO-GB § 3, stk. 4</p> <p>23(4) EO-GB § 3, stk. 2</p> <p>23(5)</p>	<p>x</p>	<p>x</p>

	<p>EO-GB § 3, stk. 3</p> <p>23(6) EO-GB § 3, stk. 5.</p> <p>23(7) EO-GB § 3, stk. 6.</p>		
Article 24: Cross-selling	<p>24(1) EO-GB § 23, stk. 1 og 2</p> <p>24(2) EO-GB § 23, stk. 3.</p> <p>24(3) EO-GB § 23, stk. 4.</p> <p>24(4) Not to be transposed: empowerment EIOPA</p> <p>24(5) EO-GB § 23, stk. 7</p> <p>24(6) EO-GB § 20, stk. 3.</p> <p>24(7) Denmark has not used this option.</p>	x	x
Article 25: Product oversight and governance requirements	<p>25(1) IIA § 14, stk. 1 og 2.</p> <p>25(2) Not to be transposed: empowerment Commission</p> <p>25(3)</p>	x	x

	Provision directed at National Competent Authorities - transposed in DFSA procedure. 25(4) IIA § 14, stk. 3.		
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 26 contains the scope for chapter VI in IDD (article 27-30). In the transposition of article 27-30, it is clarified that the provisions only applies to insured distribution within the scope of article 26. Thus, Article 26 is considered transposed with the transposition of Articles 27-30.	x	x
Article 27: Prevention of conflicts of interest	EO-GB § 31, stk. 1 og 2.	x	x
Article 28: Conflicts of interest	28(1) EO-GB § 32, stk. 1 28(2) EO-GB § 32, stk. 2. 28(3) EO-GB § 33 28(4) Not to be transposed: empowerment Commission	x	x
Article 29: Information to customers	29(1) EO-GB § 34 29(2) EO-GB § 36	x	x

	<p>29(3) In the Danish transposition there are no stricter requirements in respect of the matter covered by article 29. The requirements in article 29 are considered to be sufficient. Thus, we have not used this option.</p> <p>29(4) Not to be transposed: empowerment Commission</p> <p>29(5) Not to be transposed: empowerment Commission</p>		
<p>Article 30: Assessment of suitability and appropriateness and reporting to customers</p>	<p>30(1) EO-GB § 37</p> <p>30(2) EO- GB § 38, stk. 1-4.</p> <p>30(3) EO-GB § 39</p> <p>30(4) EO-GB § 35</p> <p>30(5) EO-GB § 40</p> <p>30(6) Not to be transposed: empowerment Commission</p> <p>30(7) Not to be transposed: obligation EIOPA</p> <p>30(8) Not to be transposed: obligation EIOPA</p>	<p>x</p>	<p>x</p>

Scope, registration and organisational requirements

IDD Article			
Article 1: Scope	<p>1(1) For insurance intermediators the purpose of the Directive is described in the general remarks in the introduction (1. Indledning) in legislative proposal no. 8 (Act transposing IDD) p. 17-18.</p> <p>1(2) IIA § 1, stk. 1.</p> <p>1(3) IIA § 1, stk. 2.</p> <p>1(4) IIA § 13, stk. 3 EO - RU § 10, stk. 3 EO-GB § 4, stk. 3. EO-GB § 14, stk. 5. EO-GB § 16, stk. 4 EO- GB § 20, stk. 4. EO-GB § 23, stk. 6.</p> <p>1(5) IIA § 22, stk. 1 og 3 IIA § 26, stk. 1.</p> <p>1(6) IIA § 1, stk. 6 EO-GB § 1, stk. 5.</p>	x	x
Article 2: Definitions	<p>2(1)(1) IIA § 2, stk. 1, nr. 1 EO-GB § 2, stk. 1, nr. 1. EO-PR § 2, stk. 1, nr. 1.</p> <p>2(1)(2) IIA § 2, stk. 1, nr. 2</p>	x	x

	<p>EO-PR § 2, stk. 1, nr. 2</p> <p>2(1)(3) IIA § 2, stk. 1, nr. 3 EO-GB § 2, stk. 1, nr. 3.</p> <p>2(1)(4) IIA § 2, stk. 1, nr. 5 EO-GB § 2, stk. 1, nr. 4</p> <p>2(1)(5) IIA § 2, stk. 1, nr. 4</p> <p>2(1)(6) FBA § 11, stk. 1 (until 31st of December 2023) IBA § 9, stk. 1, nr. 1 (enters into force 1st of January 2024).</p> <p>2(1)(7) FBA § 11, stk. 1 (until 31st of December 2023) IBA § 9, stk. 1, nr. 1 (enters into force 1st of January 2024).</p> <p>2(1)(8) IIA § 2, stk. 1, nr. 13 EO-GB § 2, stk. 1, nr. 2.</p> <p>2(1)(9) IIA § 2, stk. 1, nr. 6</p> <p>2(1)(10) IIA § 2, stk. 1, nr. 10</p> <p>2(1)(11) IIA § 2, stk. 1, nr. 11</p> <p>2(1)(12) IIA § 2, stk. 1, nr. 14.</p>		
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	<p>2(1)(13) IIA § 2, stk. 1, nr. 7 EO-GB § 2, stk. 1, nr. 5</p> <p>2(1)(14) IIA § 2, stk. 1, nr. 15.</p> <p>2(1)(15) EO-GB § 2, stk. 1, nr. 6</p> <p>2(1)(16) IIA § 2, stk. 1, nr. 8 EO-GB § 2, stk. 1, nr. 7</p> <p>2(1)(17) IIA § 2, stk. 1, nr. 12 EO-GB § 1, stk. 1, nr. 9.</p> <p>2(1)(18) IIA § 2, stk. 1, nr. 9 EO – GB § 2, stk. 2, nr. 8</p> <p>2(2) IIA § 1, stk. 3. EO-GB § 1, stk. 2.</p>		
Article 3: Registration	<p>3(1) IIA § 5 IIA § 6, stk. 1.</p> <p>3(2) Provision directed at National Competent Authorities – transposed in DFSA procedure. Denmark has decided not to register all the natural persons in an insurance or reinsurance intermediary or ancillary insurance intermediary who pursue the activity or insurance or reinsurance distribution. We believe it is sufficient to register the companies.</p> <p>3(3) Provision directed at National Competent Authorities – transposed in DFSA procedure.</p>	x	x

3(4)(1), 3(4)(2) and 3(4)(3)

Not to be transposed: obligation for EIOPA

3(4)(4)

IIA § 3, stk. 2, nr. 2, 3 og 4.

IIA § 9, § 10 og § 11

EO-PR

3(4)(5)

IIA § 7, stk. 1 og 2

IIA § 22, stk. 1 og § 26, stk. 1

3(4)(6)

IIA § 4, stk. 2.

IIA § 29, stk. 1, nr. 5 og § 30, stk. 1, nr. 5.

If Denmark, as a home Member State, removes an insurance, reinsurance and ancillary insurance intermediaries who cease to fulfil the requirements laid down in Article 10 from the register, Denmark will inform the host Member State of such removal. This is a provision directed at National Competent Authorities and has therefore been transposed in DFSA procedure.

3(5)

IIA § 3, stk. 5

IIA § 4, stk. 4.

3(6)

IIA § 3, stk. 2, nr. 5 og nr. 6

IIA § 3, stk. 3,

IIA § 4, stk. 2

IIA § 7, stk. 2.

3(7)

§ 3, stk. 2, nr. 6

<p>Article 10: Professional and organisational requirements</p>	<p>10(1) IIA § 11 EO-PR</p> <p>10(2) Article 10(2) contains an obligation for the member states to ensure that the professional requirements are transposed into the national law. It is the individual member states right to determine how the professional requirements are transposed. The Danish transposition of article 10(2) is transposed in EO-PR</p> <p>10(3)(1) EO-PR § 3</p> <p>10(3)(2) Denmark has decided not to allow the insurance or reinsurance distributor to check the good repute of its employees and where appropriate of its insurance or reinsurance intermediaries. This is considered to be covered by EO-PR § 3, stk. 2 and IIA § 10, stk. 2, where the employee is obligated to inform about good repute upon being hired and also report any changes during the term of employment.</p> <p>10(3)(3) first sentence Denmark will only apply the obligation in article 3(3) paragraph 1 to employees who pursue insurance or reinsurance distribution. For insurance intermediaries it is addressed in the special remarks to paragraph 11 in the IIA, section 8, page no. 56 in legislative proposal no. 8.</p> <p>10(3)(3) second sentence IIA § 9 IIA § 27 IIA § 9 implements article 10(3), paragraph 3, second sentence. § 27 contains a penalty clause to sanction violations/breaches of § 9 (article 10(3), paragraph 3, second sentence).</p> <p>10(3)(4) IIA § 10, stk. 1 IIA § 28 IIA § 10 implements article 10(3), paragraph 4.</p>	<p>x</p>	<p>x</p>
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	<p>§ 28 contains a penalty clause to sanction violations/breaches of § 10 (article 10(3), paragraph 4.</p> <p>10(4) IIA § 3, stk. 2, nr. 3. EO-II</p> <p>10(5) IIA § 3, stk. 2, nr. 3 og § 4, stk. 2. EO-II</p> <p>10(6) IIA § 3, stk. 2, nr. 4 og § 4, stk. 2. EO-II</p> <p>10(7) Not to be transposed: obligations for EIOPA</p> <p>10(8) Relates to insurance undertakings and not insurance intermediaries.</p>		
Article 14: Complaints	Executive order no. 556 of 1 June 2016 regarding claims handling unit.	x	x
Other themes			
IDD Article	Specific national legislative provision(s)	FoS	FoE
...	<p>Section 16 in IIA) contains the Danish requirements to independent intermediaries:</p> <p>Section 16. To be able to call itself an independent insurance intermediary or insurance broker or use other designations that give the impression that the insurance intermediary is independent, an insurance intermediary must meet the following conditions: 1) The insurance intermediary must only represent the customer and act in the interests of each customer and may not be influenced by their own or third party interests. 2) The insurance intermediary may not receive commission or other remuneration from an insurance distributor in connection with</p>		

	<p>an individual customer relationship unless the commission received is forwarded in full directly to the customer. 3) The insurance intermediary may not, directly or indirectly, have links to an insurance distributor that may create doubt about the insurance intermediary's independence from other insurance distributors' interests that are not a consequence of the undertakings' mutual ownership structure. 4) The insurance intermediary's employees may not, via employment or any other form of link to other insurance distributors or associated Group companies, be dependent on the interests of insurance distributors. 5) The insurance intermediary must give advice based on an analysis of an adequate number of the insurance contracts available on the market to permit the intermediary advise the customer on the insurance contract that best meets the customer's needs. Paragraph 2. The insurance intermediary may not carry out other forms of insurance distribution Paragraph 3. The insurance intermediary may not place insurance contracts or customer savings in companies, which the insurance intermediary has close links with.</p>		
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
Contains parts from directives: 2005/29/EC, 84/450/EC, 97/7/EC, 2006/114/EC, 1999/44/EC, 98/6/EC, 2006/123/EC, 2002/58/EC, 2009/136/EC,	Order no. 426 of 3. May 2017, Marketing Practices Act	x	x

<p>2002/22/EC, 2002/58/EC, 2008/48/EC, 2014/17/EU. Regulation 2006/2004/EU, 1093/2010/EU</p>			
	<p>Executive order no. 1219 of 20. November 2019 on complainant and financial undertakings handling of complaints.</p>	<p>x</p>	<p>x</p>
<p>Contains parts from directive 2012/648/EU.</p>	<p>Order no. 1062 of 19. May 2021, Anti money laundry act.</p>		<p>x</p>