

## **Denmark**

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The following abbreviations are used in this document:

• The Danish Financial Business Act, cf. Consolidated Act no. 1140 af 26. September 2017 with later amendments	FBA
• The Insurance Intermediary Act no. 41 of 22. January 2018	IIA
• Executive order no. 455 of 30 April 2018 on good business practices in insurance distribution	EO - GB
• Executive order no. 363 of 26 april 2018 on professional requirements for insurance companies and insurance intermediaries	EO - PR
• Executive order no. 477 of 30 April 2018 on amendment of the executive order on remuneration policies and remuneration in insurance undertakings and insurance holding undertakings	EO - RU
• DFSA procedure on compliance with provisions in Directives addressed to authorities (in Danish: "Forretningsgang for gennemførelse og efterlevelse af myndighedsrelaterede bestemmelser i direktiver")	DFSA procedure
• Legislative proposal no. 8 on the Insurance Intermediary Act set forth on 4 October 2017 (Act transposing IDD)	Legislative proposal no. 8

**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) IIA § 12, stk. 1. EO-GP § 4, stk. 1.  17(2) EO-GP §§ 6, 7 og 11.  17 (3)IIA § 13, stk. 1-2	x	x
Article 18: General information provided by the insurance intermediary or insurance undertaking	EO-GB § 15, stk. 1, nr. 1-4	x	x
Article 19: Conflicts of interest and transparency	19(1) EO-GB § 14, stk. 1, nr. 6-10	x	x

	<p>19(2) EO-GB § 14, stk. 2</p> <p>19(3) EO-GB § 14, stk. 3</p> <p>19(4) EO-GB § 15, stk. 1, nr. 6.</p> <p>19(5) EO-GB § 15, stk. 3.</p>		
Article 20: Advice, and standards for sales where no advice is given	<p>20(1) EO-GB § 20, stk. 1 og 2 EO-GB § 21, stk. 1.</p> <p>20(2) EO-GB § 22</p>	x	x

	<p>20(3)</p> <p>IIA § 16, stk. 1, nr. 5.</p>		
	<p>20(4)</p> <p>EO-GB § 16, stk. 1</p>		
	<p>20(5)</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>		

Article 21: Information provided by ancillary insurance intermediaries	EO-GB § 14, stk. 4	x	x
Article 22: Information exemptions and flexibility clause	<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 guaranty schemes.</p> <p>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>Denmark has used the option to maintain specific information requirements for distributor e.g. information regarding guaranty schemes in § 12 and § 13 the executive order no. 1143 of 15. November 2019 on good business practices for insurance distributors.</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.</p> <p>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)</p>	x	x

	<p>Not to be transposed: obligation for EIOPA</p> <p>22(5) EO-GB § 14, stk. 7, § 15, stk. 4, § 16, stk. 2, § 17, stk. 6 og § 24, stk. 8.</p>		
Article 23: Information conditions	<p>23(1) EO-GB § 3, stk. 1.</p> <p>23(2) EO-RU § 3, stk. 2 og 3</p> <p>23(3) EO-GB § 3, stk. 4</p> <p>EO – GB § 21</p> <p>23(4) EO-GB § 3, stk. 4</p> <p>23(5)</p>	x	x

	EO-GB § 3, stk. 5  23(6) EO-GB § 3, stk. 5.  23(7) EO-GB § 3, stk. 5.		
Article 24: Cross-selling	24(1) EO-GB § 23, stk. 1 og 2  24(2) EO-GB § 23, stk. 3.  24(3) EO-GB § 23, stk. 4.  24(4)	x	x

	<p>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) Provision directed at National Competent Authorities – transposed in DFSA procedure.</p>		
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) Provision directed at National Competent Authorities - transposed in DFSA procedure.</p> <p>25(4) IIA § 14, stk. 3.</p>	x	x



<b>Additional requirements in relation to insurance-based investment products</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
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)	x	x

	Not to be transposed: empowerment Commission		
Article 29: Information to customers	<p>29(1) EO-GB § 34</p> <p>29(2) EO-GB § 35</p> <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>	x	x
Article 30: Assessment of suitability and appropriateness and reporting to customers	<p>30(1) EO-GB § 36</p> <p>30(2)</p>	x	x

	<p>EO- GB § 37, stk. 1-3.</p> <p>30(3)</p> <p>EO-GB § 37, stk. 4.</p> <p>30(4)</p> <p>EO-GB § 38</p> <p>30(5)</p> <p>EO-GB § 39</p> <p>30(6)</p> <p>Not to be transposed: empowerment Commission</p> <p>30(7)</p> <p>Not to be transposed: obligation EIOPA</p> <p>30(8)</p> <p>Not to be transposed: empowerment EIOPA</p>		
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<b>Scope, registration and organisational requirements</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
Article 1: Scope	<p>1(1)</p> <p>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)</p> <p>IIA § 1, stk. 1. FBA § 1, stk. 1.</p> <p>1(3)</p> <p>IIA § 1, stk. 2.</p> <p>1(4)</p> <p>IIA § 13, stk. 3 EO - RU § 9a, stk. 3 EO-GB § 4, stk. 3. EO-GB § 14, stk. 5. EO-GB § 16, stk. 5</p>	x	x

	EO- GB § 20, stk. 4. EO-GB § 24, stk. 6.  1(5) IIA § 22, stk. 1 FBA § 344, stk. 1.  1(6) IIA § 1, stk. 6 og EO-GB § 1, stk. 5.		
Article 2: Definitions	2(1)(1) IIA § 2, stk. 1, nr. 1 EO-GB § 2, stk. 1, nr. 1. EO-PR § 2, stk. 1, nr. 1.  2(1)(2) IIA § 2, stk. 1, nr. 2 EO-PR § 2, stk. 1, nr. 2	x	x

	<p>2(1)(3)</p> <p>IIA § 2, stk. 1, nr. 3 EO-GB § 2, stk. 1, nr. 3.</p> <p>2(1)(4)</p> <p>IIA § 2, stk. 1, nr. 5 EO-GB § 2, stk. 1, nr. 4</p> <p>2(1)(5)</p> <p>IIA § 2, stk. 1, nr. 4</p> <p>2(1)(6)</p> <p>FBA § 11, stk. 1</p> <p>2(1)(7)</p> <p>FBS § 11, stk. 1</p>		
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	<p>2(1)(8)</p> <p>IIA § 2, stk. 1, nr. 16 EO-GB § 2, stk. 1, nr. 2.</p> <p>2(1)(9)</p> <p>IIA § 2, stk. 1, nr. 6 EO-RU § 5, stk. 2</p> <p>2(1)(10)</p> <p>IIA § 2, stk. 1, nr. 10</p> <p>2(1)(11)</p> <p>IIA § 2, stk. 1, nr. 11</p> <p>2(1)(12)</p> <p>This definition 'branch' (in Danish 'filial') is considered commonly used terms in Danish legal tradition. Therefore, this have not been directly transposed in Danish Regulation. That being said Danish Law is always interpreted in consistency with EU-law.</p> <p>However, the definition is included in the general remarks in section 3.10.1 on page 29 in the proposal no. 8 (Act transposing IDD).</p>		
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	<p>2(1)(13)</p> <p>IIA § 2, stk. 1, nr. 7</p> <p>EO-GB § 2, stk. 1, nr. 5</p> <p>2(1)(14)</p> <p>In relation to the explanation above concerning Article 2(1)(12), the definition 'primary place of business' is also considered a commonly used term in Danish law. Thus, it has not been transposed in the Danish regulation.</p> <p>Furthermore, 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"). Thus, including a legal definition in the Danish Law is not considered relevant.</p> <p>2(1)(15)</p> <p>EO-GB § 2, stk. 1, nr. 6</p> <p>2(1)(16)</p> <p>IIA § 2, stk. 1, nr. 8</p> <p>EO-GB § 2, stk. 1, nr. 7</p>		
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	<p>2(1)(17)</p> <p>IIA § 2, stk. 1, nr. 12 EO-GB § 1, stk. 1, nr. 9.</p> <p>2(1)(18)</p> <p>IIA § 2, stk. 1, nr. 9 EO – GB § 2, stk. 2, nr. 8</p> <p>2(2)</p> <p>IIA § 1, stk. 3. EO-GB § 1, stk. 2.</p>		
Article 3: Registration	<p>3(1)</p> <p>IIA § 5 IIA § 6, stk. 1.</p> <p>3(2)</p> <p>Provision directed at National Competent Authorities – transposed in DFSA procedure.</p>	x	x

	<p>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)</p> <p>Provision directed at National Competent Authorities – transposed in DFSA procedure.</p> <p>3(4)</p> <p>IAA § 3, stk. 2, nr. 2, 3 og 4.</p> <p>3(4)(6)</p> <p>IAA § 4, stk. 2.</p> <p>IAA § 29, stk. 1, nr. 5 og § 30, stk. 1, nr. 5.</p> <p>3(5)</p> <p>IAA § 3, stk. 4</p> <p>IAA § 4, stk. 3.</p> <p>3(6)</p>		
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	IAA § 3, stk. 3, § 4, stk. 2 IIA § 7, stk. 2.		
Article 10: Professional and organisational requirements	10(1) IIA § 11, stk. 1 og 2  10(2) Executive order no. 363 of 26 April 2018 on professional requirements for insurance companies and insurance intermediaries.  Article 10(2) contains an obligation for the member states to ensure that the professional requirements are transposed in to 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 Executive order no. 363 of 26 April 2018 on professional requirements for insurance companies and insurance intermediarie.  10(3)(1) EO-PR § 3  10(3)(2)	x	x

	<p>Denmark has decided not to allow the insurance or reinsurance distributor to check the good reputation of its employees and where appropriate of its insurance or reinsurance intermediaries. This is considered to be covered by IIA § 10, stk. 2, where the employee is obligated to inform about good reputation upon being hired as an intermediary and also report any changes during the term of employment.</p> <p>10(3)(3) first sentence</p> <p>Denmark will only apply the obligation in article 3(3) paragraph 1 to employees who pursue insurance or reinsurance distribution.</p> <p>This is addressed in the special remarks to paragraph 11 in the IIA, section 8, page no. 56 in proposal no. 8 (Act transposing IDD)</p> <p>10(3)(3) second sentence</p> <p>IIA § 9</p> <p>IIA § 27</p> <p>IIA § 9 implements article 10(3), paragraph 3, second sentence.</p> <p>§ 27 contains a penalty clause to sanction violations/breaches of § 9 (article 10(3), paragraph 3, second sentence).</p> <p>10(3)(4)</p> <p>IIA § 10, stk. 1</p> <p>IIA § 28</p>		
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	<p>10(4)</p> <p>IIA § 3, stk. 2, nr. 3.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(5)</p> <p>IIA § 3, stk. 2, nr. 3 og § 4, stk. 2.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(6)</p> <p>IIA § 3, stk. 2, nr. 4 og § 4, stk. 2.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(7)</p> <p>Not to be transposed: obligations for EIOPA</p> <p>10(8)</p> <p>FBA § 70, stk. 1</p> <p>FBA § 71, stk. 2</p>		
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	EO-PR § 4, stk. 3.		
Article 14: Complaints	Executive order no. 556 of 1. juni 2016 regarding claims handling unit.	x	x
<b>Other themes</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
Not applicable			
Not applicable			
Not applicable			
General good provisions referred to in Article 180 of Solvency II			
<b>Solvency II Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
Contains parts from directive 2002/83/EU and directive 2009/138/EU.	Executive order 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			
<b>Underlying Article from EU legislation, if applicable</b>	<b>Specific national legislative provision(s) and or links to the relevant websites of the Ministries where further information on the rules can be found</b>	<b>FoS</b>	<b>FoE</b>

	Executive order no. 44 of 19. January 2014, Information on fees and other costs for insurance undertakings	<b>x</b>	<b>x</b>
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	<b>x</b>	<b>x</b>
	Executive order no. 1219 of 20. November 2019 on complainant and financial undertakings handling of complaints.	<b>x</b>	<b>x</b>
Contains parts from directive 2012/648/EU.	Order no. 1062 of 19. May 2021, Anti money laundry act.		<b>x</b>

**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	<p>17(1)</p> <p>IIA § 12, stk. 1. EO-GP § 4, stk. 1.</p> <p>17(2)</p> <p>EO-GP §§ 6, 7 og 11.</p> <p>17(3)</p> <p>IIA § 13, stk. 1-2 EO-RU § 9 a, stk. 1-2.</p>	x	x
Article 18: General information provided by the insurance intermediary or insurance undertaking	<p>EO-GB § 14, stk. 1, nr. 1-5 EO-GB § 15, stk. 1, nr. 1-4</p>	x	x



<p>Article 19: Conflicts of interest and transparency</p>	<p>19(1) EO-GB § 14, stk. 1, nr. 6-10</p> <p>19(2) EO-GB § 14, stk. 2</p> <p>19(3) EO-GB § 14, stk. 3</p> <p>19(4) EO-GB § 15, stk. 1, nr. 6.</p> <p>19(5) EO-GB § 15, stk. 3.</p>		
<p>Article 20: Advice, and standards for sales where no advice is given</p>	<p>20(1) EO-GB § 20, stk. 1 og 2 EO-GB § 21, stk. 1.</p>	<p>x</p>	<p>x</p>

	<p>20(2)</p> <p>EO-GB § 22</p> <p>20(3)</p> <p>IIA § 16, stk. 1, nr. 5.</p> <p>20(4)</p> <p>EO-GB § 16, stk. 1</p> <p>20(5)</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>		
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	<p>20(8)</p> <p>EO-GB § 17, stk. 3.</p> <p>20(9)</p> <p>Not to be transposed: obligation for EIOPA</p>		
Article 21: Information provided by ancillary insurance intermediaries	EO-GB § 14, stk. 4	x	x
Article 22: Information exemptions and flexibility clause	<p>22(1)</p> <p>EO-GB § 1, stk. 3 og 4.</p> <p>22(2)</p> <p>Denmark has used the option to maintain specific information requirements for distributor e.g. information regarding guaranty schemes.</p> <p>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>	x	x
Article 23: Information conditions	<p>23(1)</p> <p>EO-GB § 3, stk. 1.</p>	x	x

	<p>23(2)</p> <p>EO-RU § 3, stk. 2 og 3</p> <p>23(3)</p> <p>EO-GB § 3, stk. 4</p> <p>EO – GB § 21</p> <p>23(4)</p> <p>EO-GB § 3, stk. 4</p> <p>23(5)</p> <p>EO-GB § 3, stk. 5</p> <p>23(6)</p> <p>EO-GB § 3, stk. 5.</p> <p>23(7)</p>		
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	EO-GB § 3, stk. 5.		
Article 24: Cross-selling	<p>24(1)</p> <p>EO-GB § 23, stk. 1 og 2</p> <p>24(2)</p> <p>EO-GB § 23, stk. 3.</p> <p>24(3)</p> <p>EO-GB § 23, stk. 4.</p> <p>24(4)</p> <p>Not to be transposed: empowerment EIOPA</p> <p>24(5)</p>		

	<p>EO-GB § 23, stk. 7</p> <p>24(6)</p> <p>EO-GB § 20, stk. 3.</p> <p>24(7)</p> <p>Provision directed at National Competent Authorities – transposed in DFSA procedure.</p>		
Article 25: Product oversight and governance requirements	<p>25(1)</p> <p>IIA § 14, stk. 1 og 2.</p> <p>25(2)</p> <p>Not to be transposed: empowerment Commission</p> <p>25(3)</p> <p>Provision directed at National Competent Authorities - transposed in DFSA procedure.</p>	x	x

	25(4) IIA § 14, stk. 3.		
<b>Additional requirements in relation to insurance-based investment products</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
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	x	x

	<p>28(4)</p> <p>Not to be transposed: empowerment Commission</p>		
Article 29: Information to customers	<p>29(1)</p> <p>EO-GB § 34</p> <p>29(2)</p> <p>EO-GB § 35</p> <p>29(3)</p> <p>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)</p> <p>Not to be transposed: empowerment Commission</p> <p>29(5)</p> <p>Not to be transposed: empowerment Commission</p>	x	x



<p>Article 30: Assessment of suitability and appropriateness and reporting to customers</p>	<p>30(1) EO-GB § 36</p> <p>30(2) EO- GB § 37, stk. 1-3.</p> <p>30(3) EO-GB § 37, stk. 4.</p> <p>30(4) EO-GB § 38</p> <p>30(5) EO-GB § 39</p> <p>30(6) Not to be transposed: empowerment Commission</p> <p>30(7) Not to be transposed: obligation EIOPA</p>		
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	30(8) Not to be transposed: obligation EIOPA		
<b>Scope, registration and organisational requirements</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
Article 1: Scope	<p>1(1)</p> <p>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)</p> <p>IIA § 1, stk. 1. FBA § 1, stk. 1.</p> <p>1(3)</p> <p>IIA § 1, stk. 2.</p> <p>1(4)</p> <p>IIA § 13, stk. 3 EO - RU § 9a, stk. 3</p>	x	x

	EO-GB § 4, stk. 3. EO-GB § 14, stk. 5. EO-GB § 16, stk. 5 EO- GB § 20, stk. 4. EO-GB § 24, stk. 6.  1(5) IIA § 22, stk. 1 FBA § 344, stk. 1.  1(6) IIA § 1, stk. 6 og EO-GB § 1, stk. 5.		
Article 2: Definitions	2(1)(1) IIA § 2, stk. 1, nr. 1 EO-GB § 2, stk. 1, nr. 1. EO-PR § 2, stk. 1, nr. 1.	x	x

	<p>2(1)(2)</p> <p>IIA § 2, stk. 1, nr. 2 EO-PR § 2, stk. 1, nr. 2</p> <p>2(1)(3)</p> <p>IIA § 2, stk. 1, nr. 3 EO-GB § 2, stk. 1, nr. 3.</p> <p>2(1)(4)</p> <p>IIA § 2, stk. 1, nr. 5 EO-GB § 2, stk. 1, nr. 4</p> <p>2(1)(5)</p> <p>IIA § 2, stk. 1, nr. 4</p> <p>2(1)(6)</p> <p>FBA § 11, stk. 1</p> <p>2(1)(7)</p>		
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	<p>FBS § 11, stk. 1</p> <p>2(1)(8)</p> <p>IIA § 2, stk. 1, nr. 16 EO-GB § 2, stk. 1, nr. 2.</p> <p>2(1)(9)</p> <p>IIA § 2, stk. 1, nr. 6 EO-RU § 5, stk. 2</p> <p>2(1)(10)</p> <p>IIA § 2, stk. 1, nr. 10</p> <p>2(1)(11)</p> <p>IIA § 2, stk. 1, nr. 11</p> <p>2(1)(12)</p> <p>This definition 'branch' (in Danish 'filial') is considered commonly used terms in Danish legal tradition. Therefore, this have not been directly transposed in Danish Regulation. That being said Danish Law is always interpreted in consistency with EU-law.</p>		
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	<p>However, the definition is included in the general remarks in section 3.10.1 on page 29 in the proposal no. 8 (Act transposing IDD).</p> <p>2(1)(13)</p> <p>IIA § 2, stk. 1, nr. 7 EO-GB § 2, stk. 1, nr. 5</p> <p>2(1)(14)</p> <p>In relation to the explanation above concerning Article 2(1)(12), the definition 'primary place of business' is also considered a commonly used term in Danish law. Thus, it has not been transposed in the Danish regulation.</p> <p>Furthermore, 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"). Thus, including a legal definition in the Danish Law is not considered relevant.</p> <p>2(1)(15)</p> <p>EO-GB § 2, stk. 1, nr. 6</p> <p>2(1)(16)</p> <p>IIA § 2, stk. 1, nr. 8</p>		
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	<p>EO-GB § 2, stk. 1, nr. 7</p> <p>2(1)(17)</p> <p>IIA § 2, stk. 1, nr. 12</p> <p>EO-GB § 1, stk. 1, nr. 9.</p> <p>2(1)(18)</p> <p>IIA § 2, stk. 1, nr. 9</p> <p>EO – GB § 2, stk. 2, nr. 8</p> <p>2(2)</p> <p>IIA § 1, stk. 3.</p> <p>EO-GB § 1, stk. 2.</p>		
Article 3: Registration	<p>3(1)</p> <p>IIA § 5</p> <p>IIA § 6, stk. 1.</p> <p>3(2)</p> <p>Provision directed at National Competent Authorities – transposed in DFSA procedure.</p>	x	x

	<p>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)</p> <p>Provision directed at National Competent Authorities – transposed in DFSA procedure.</p> <p>3(4)</p> <p>IAA § 3, stk. 2, nr. 2, 3 og 4.</p> <p>3(4)(6)</p> <p>IAA § 4, stk. 2.</p> <p>IAA § 29, stk. 1, nr. 5 og § 30, stk. 1, nr. 5.</p> <p>3(5)</p> <p>IAA § 3, stk. 4</p> <p>IAA § 4, stk. 3.</p> <p>3(6)</p>		
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	IAA § 3, stk. 3, § 4, stk. 2 IIA § 7, stk. 2.		
Article 10: Professional and organisational requirements	10(1) IIA § 11, stk. 1 og 2  10(2) Executive order no. 363 of 26 April 2018 on professional requirements for insurance companies and insurance intermediaries.  Article 10(2) contains an obligation for the member states to ensure that the professional requirements are transposed in to 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 Executive order no. 363 of 26 April 2018 on professional requirements for insurance companies and insurance intermediarie.  10(3)(1) EO-PR § 3  10(3)(2)	x	x

	<p>Denmark has decided not to allow the insurance or reinsurance distributor to check the good reputation of its employees and where appropriate of its insurance or reinsurance intermediaries. This is considered to be covered by IIA § 10, stk. 2, where the employee is obligated to inform about good reputation upon being hired as an intermediary and also report any changes during the term of employment.</p> <p>10(3)(3) first sentence</p> <p>Denmark will only apply the obligation in article 3(3) paragraph 1 to employees who pursue insurance or reinsurance distribution.</p> <p>This is addressed in the special remarks to paragraph 11 in the IIA, section 8, page no. 56 in proposal no. 8 (Act transposing IDD)</p> <p>10(3)(3) second sentence</p> <p>IIA § 9</p> <p>IIA § 27</p> <p>IIA § 9 implements article 10(3), paragraph 3, second sentence.</p> <p>§ 27 contains a penalty clause to sanction violations/breaches of § 9 (article 10(3), paragraph 3, second sentence).</p> <p>10(3)(4)</p> <p>IIA § 10, stk. 1</p> <p>IIA § 28</p>		
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	<p>10(4)</p> <p>IIA § 3, stk. 2, nr. 3.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(5)</p> <p>IIA § 3, stk. 2, nr. 3 og § 4, stk. 2.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(6)</p> <p>IIA § 3, stk. 2, nr. 4 og § 4, stk. 2.</p> <p>Executive order no. 481 of 3 May 2018 on indemnity insurance</p> <p>10(7)</p> <p>Not to be transposed: obligations for EIOPA</p> <p>10(8)</p> <p>FBA § 70, stk. 1</p> <p>FBA § 71, stk. 2</p> <p>EO-PR § 4, stk. 3.</p>		
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Article 14: Complaints	Executive order no. 556 of 1. juni 2016 regarding claims handling unit.	x	x
<b>Other themes</b>			
<b>IDD Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
Not applicable	<p>Section 16 in the Insurance Intermediary Act (order no. 378 of 2. April 2020) 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 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</p>	x	x

	activity that do not meet the requirements in paragraph 1 in the same legal entity. Any such activity must be carried out in a different legal entity from the independent insurance intermediary. The activity must be designated so that it cannot be confused with the independent insurance intermediary. Paragraph 3. An independent insurance intermediary may not place insurance contracts with undertakings to which the intermediary has close links.		
Not applicable			
General good provisions referred to in Article 180 of Solvency II			
<b>Solvency II Article</b>	<b>Specific national legislative provision(s)</b>	<b>FoS</b>	<b>FoE</b>
...	...		
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			
<b>Underlying Article from EU legislation, if applicable</b>	<b>Specific national legislative provision(s) and or links to the relevant websites of the Ministries where further information on the rules can be found</b>	<b>FoS</b>	<b>FoE</b>
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.	Order no. 426 of 3. May 2017, Marketing Practices Act	<b>x</b>	<b>x</b>

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