

**INSURANCE  
DISTRIBUTION  
DIRECTIVE (IDD)**

**EIOPA 1ST ANNUAL REPORT ON  
ADMINISTRATIVE SANCTIONS  
AND OTHER MEASURES UNDER  
THE INSURANCE DISTRIBUTION  
DIRECTIVE (IDD)**

EIOPA-BoS-20/743  
14 December 2020



**eiopa**

European Insurance and  
Occupational Pensions Authority

**Table of Contents**

**Executive Summary .....3**  
**1. Introduction .....4**  
**2. Approach taken to prepare this Report.....5**  
**3. Sanctions imposed by NCAs in 2018 and 2019 .....8**  
**Annex – Detailed aggregate information .....13**

## Executive Summary

This Report provides an overview of the administrative sanctions or other measures (hereinafter referred to simply as "sanctions") imposed by national competent authorities (NCAs) under the Insurance Distribution Directive (IDD)<sup>1</sup>. This is EIOPA's first annual report regarding the information on sanctions it is required to publish under the IDD and covers the period from the application of the IDD in 2018 until the end of 2019.

Overall, in 8 Member States, NCAs imposed a total of 1,923 sanctions in this period. Of the sanctions that were administrative pecuniary sanctions, these were of an aggregated value of 945,710 EUR, excluding pecuniary sanctions imposed in one large Member State whose value was not available at the time of reporting.

The vast majority of sanctions (around 75%) were for breaches of the professional and organisational requirements in Article 10, IDD - these requirements cover both basic formalities to be complied with for accessing and maintaining access to the profession, as well as ongoing requirements such as continuous professional development. Around 20% of sanctions were imposed for breaches of the registration requirements in Article 3, IDD.

The most frequent sanctioning measure based on the information reported by each NCA, was to withdraw the registration of the intermediary (around 50% of cases) followed by the use of administrative pecuniary sanctions (around 40% of cases).

It is relevant to note that since some aspects of sanctions remain subject to national law, certain types of IDD breaches may result in a sanction being imposed in one Member State, but a different measure in another Member State. In addition, in some Member States, not all withdrawals of registration of distributors are due to sanctions imposed for breaches of the national provisions implementing the IDD.<sup>2</sup>

In the context of this first report, it can be noted that IDD was applicable in most Member States from 1 October 2018 and therefore IDD sanctions are those that can be imposed for breaches of the national provisions implementing the IDD committed by distributors after 1 October 2018. However, in some Member States, the IDD was only transposed into national legislation during the course of 2019 or 2020. Given this, some NCAs initiated proceedings for IDD sanctions during this period, but did not conclude those proceedings by the end of 2019. In this context, EIOPA would also like to emphasise that the use of sanctions is just one element of the toolbox available to NCAs after carrying out supervisory activities.

---

<sup>1</sup> DIRECTIVE (EU) 2016/97 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 January 2016 on insurance distribution (recast), OJ L26, 2.2.2016, p. 19.

<sup>2</sup> There may be additional national rules regarding registration that are not within the scope of IDD; for example in some Member States a failure to pay taxes or to carry on business for a certain period of time without good reasons results in a withdrawal of the registration.

# 1. Introduction

- 1.1. Administrative sanctions or other measures (hereafter generally referred to as "sanctions") may be imposed by NCAs when insurance undertakings or insurance intermediaries are in breach of national provisions implementing the IDD.
- 1.2. This Report is drafted pursuant to Article 36(2) of IDD. According to this Article, NCAs shall provide EIOPA annually with aggregated information regarding all sanctions imposed and EIOPA shall publish that information in an annual report.
- 1.3. This Report is divided into the following sections:
  - Section 1 (this section) provides background, including the legislative context;
  - Section 2 describes the approach taken to prepare the Report;
  - Section 3 presents in different summary tables information on sanctions reported;
  - An Annex which includes more detailed aggregate information on sanctions including per Member State individually.
- 1.4. The provisions in Article 36, which provide the basis for this Report, are part of Chapter VII of the IDD. This Chapter sets out an overall framework for how and what types of sanctions can be imposed, and covers *inter alia*:
  - The need for NCAs to have the relevant powers to impose sanctions (Article 31);
  - Procedural aspects, for example, concerning the need for sanctions to be subject to a right of appeal (Article 31);
  - The requirement for sanctions to be published, unless certain conditions are met, such as that the publication jeopardises the stability of financial markets, in which case NCAs may decide to defer publication, not to publish, or publish sanctions on an anonymous basis (Article 32);
  - A non-exhaustive list of the types of breaches of IDD that can result in sanctions, such as a failure of persons to register their distribution activities with the competent authority in the home Member State (Article 33);
  - A non-exhaustive list of the types of sanctions that can be imposed<sup>3</sup>, for instance, administrative pecuniary sanctions, i.e. fines. A distinction is made between the failure to comply with the conduct of business requirements set out in Chapters V and VI, in relation to the distribution of insurance-based investment products and other types of breaches of the IDD. For the former, a longer list of possible sanctions are specified; this includes provisions concerning the maximum amounts of administrative pecuniary sanctions (Article 33)<sup>4</sup>;
  - Requirements for NCAs to report information on sanctions to EIOPA (Article 36).
- 1.5. N.B. The IDD uses the term 'administrative sanctions and other measures'. The same provisions in Chapter VII of the IDD apply to both 'administrative sanctions' and to 'other measures'. Consequently, for the purposes of this

---

<sup>3</sup> It is explicitly recognised in Article 33(4) that Member States may empower competent authorities to provide for additional sanctions or other measures to those listed in this Article.

<sup>4</sup> Nevertheless, in accordance with Article 33(4), Member States may empower competent authorities to impose administrative pecuniary sanctions which are higher than those provided for in this Article.

Report, EIOPA has not made a distinction between whether or not a particular measure, such as a public statement or an order to cease and desist is deemed to be an 'administrative sanction' or 'another measure'. Indeed, recital 65 of the IDD states that '*This Directive should refer to both administrative sanctions and other measures irrespective of their qualification as a sanction or other measure under national law.*'

- 1.6. All article references in this Report are to the Insurance Distribution Directive unless otherwise stated.

## **2. Approach taken to prepare this Report**

- 2.1. This Report compiles the information that has been submitted to EIOPA by NCAs. The information is shown both in aggregate form combining the input from different Member States and individually for each relevant Member State. Given that information has only so far been reported for this first year<sup>5</sup> of application of the IDD, EIOPA considered it premature to identify particular trends or draw wide-ranging conclusions.
- 2.2. This first Report covers the period from the application of the IDD in 2018 to the end of 2019. The IDD was originally due to be applicable from 23 February 2018 and in some Member States, the IDD already applied from that date. However, this application date was amended to allow more time for implementation and Member States needed to apply the IDD at the latest by 1 October 2018.
- 2.3. Taking into account that, in most Member States, IDD was only applicable for several months of 2018, it was decided that EIOPA's first report on sanctions should cover the period until the end of 2019, rather than only until the end of 2018. EIOPA intends for subsequent reports to cover a normal calendar year, with the next Report to be published during 2021 and covering sanctions imposed in 2020.
- 2.4. As stated above in Section 1, NCAs may decide in specified circumstances, not to publish sanctions that they have imposed. However, NCAs are required to report all sanctions to EIOPA, including those that were not published (Article 32(3)). This Annual Report covers all sanctions imposed, including those that were not published, or were published on an anonymous basis by NCAs, since the information in this Report is presented only in aggregate form and therefore no potentially sensitive information is discernible.
- 2.5. Some sanctions may relate to multiple legislative provisions. In this case, NCAs reported each particular sanction separately for each different legislative provision that had been infringed, even if for other purposes, it was presented as a single overall sanction by the NCA, in order to provide an aggregate overview of the different types of breaches of the IDD. However, in order to avoid duplication, such sanctions were only counted once when calculating the total number of sanctions<sup>6</sup>.
- 2.6. For the case of sanctions that were administrative pecuniary sanctions, it was also considered important to avoid duplication in the amounts recorded so that the total value of fines reported would correspond to the total value of fines imposed. Therefore, where an administrative pecuniary sanction was imposed for breaches of multiple legislative provisions, NCAs needed to consider the most appropriate way to allocate the value of the administrative pecuniary sanction to

---

<sup>5</sup> This first Report exceptionally covers a somewhat longer period than a year – see the following paragraphs.

<sup>6</sup> This means that the total number of sanctions shown for different breaches of IDD does not add up to the total number of sanctions imposed.

each of the legislative provisions that had been infringed. This could have been, for example, by allocating the sanction to the main provision breached, or alternatively dividing the amount of the pecuniary sanction between the different legal provisions.

- 2.7. In addition, for administrative pecuniary sanctions, these may have been imposed and reported to EIOPA in a currency different from the Euro. In this case, information on the equivalent value in Euro is also provided in the tables below (based on foreign exchange reference rates at year-end 2019).
- 2.8. The IDD sets out essential requirements that sanctions need to satisfy, but certain aspects of the sanctioning regime remain subject to national law. In particular, IDD requires Member States to ensure that NCAs have the power to impose sanctions. It does not oblige NCAs to impose sanctions in all cases of a failure to comply with the national provisions implementing IDD. Instead, Member States are subject to a general principle that the use of sanctions shall be 'effective, proportionate and dissuasive'.<sup>7</sup> This means that certain types of breaches may result in a formal sanction being imposed in one Member State, but a different measure in another Member State.
- 2.9. In addition, in some Member States, not all withdrawals of registration of distributors are due to sanctions imposed for breaches of the national provisions implementing the IDD<sup>8</sup>, and these cases are therefore not within the scope of this Report. Similarly, it is relevant to note that **there may be differences between the requirements of the IDD and national legislation on sanctions. For some jurisdictions, this may result in certain NCA activities (e.g. pre-emptive activities) that are reported as sanctions under the national legal framework, not qualifying as a sanction under the IDD.**<sup>9</sup>
- 2.10. Since the IDD provides a non-exhaustive list of sanctions that can be imposed, there can be some scope for interpretation as to whether specific national measures fall within the scope of IDD sanctions. Through discussions with NCAs, EIOPA has sought to promote a consistent approach to the reporting of measures and this will continue to be relevant over time as further experience with IDD sanctions is gathered. At this stage, a number of points can be mentioned:
  - Although this terminology is not used in the IDD, EIOPA understands that the scope of IDD sanctions is limited to "hard" measures taken by NCAs, i.e. formal measures that are directly enforceable and binding. EIOPA considers this to be inherent to the term or concept of sanctions. This interpretation is also supported, for example, by the requirement for sanctions to be subject to a right of appeal, since such a right would not seem applicable in the case of non-binding measures.
  - One area where there can be some scope for interpretation concerns whether a sanction has been imposed for a breach of the *national provisions implementing the IDD*. For example, the fact that a national rule is contained

---

<sup>7</sup> Article 31(1)

<sup>8</sup> There may be additional national rules regarding registration that are not within the scope of IDD; for example in some Member States a failure to pay taxes or to carry on business for a certain period of time without good reasons results in a withdrawal of the registration.

<sup>9</sup> This might be because the sanction, while a formal measure following an infringement, is a "persuasive" rather than strictly enforceable measure, and therefore for example is not subject to a right of appeal as required by the IDD. In this case, an enforceable measure may be used by the NCA if the company or individual does not follow the initial persuasive measure.

within the legislative act that included the national provisions implementing IDD is not of itself decisive. On the other hand, there are considered to be cases where specific national provisions can be within the scope of the national IDD framework, even though it may not be straightforward to identify a single legal hook at EU level, because the specific subject matter is within the scope of IDD.

- Some examples of the types of additional administrative sanctions or other measures that have been used so far by NCAs are orders<sup>10</sup>, warnings, reprimands, and the suspension of a registration<sup>11</sup>.

2.11. Sanctions are reported to EIOPA at the conclusion of administrative proceedings, which may also include appeal processes. Due the considerable time that such proceedings can take, the reporting of sanctions may occur some time after enforcement procedures were initiated or an initial decision was taken by the NCA. For example, **during this period some NCAs may not have finalised any sanctions relating to breaches of IDD national implementing rules committed by distributors, but did initiate IDD proceedings or imposed sanctions relating to breaches of the previous legal framework based on the Insurance Mediation Directive (Directive 2002/92/EC<sup>12</sup>). It can also be noted that in some Member States, the transposition deadline was not met and IDD was only transposed into national legislation during the course of 2019 or 2020.**

2.12. At the same time, as recognised in Article 32(2), IDD, national law may provide for the publication of a sanction, which is still subject to an appeal. In view of this, it is possible that sanctions that are reported to EIOPA and then published in this Annual Report would subsequently be annulled on appeal. Should this case arise in the future, EIOPA will consider how to appropriately reflect this in the figures published.

---

<sup>10</sup> I.e. different types of orders to an order to cease and desist, such as an order to establish a certain type of internal procedure.

<sup>11</sup> I.e. as opposed to a withdrawal of the registration.

<sup>12</sup> Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation OJ L 9, 15.1.2003, p. 3–10.

### 3. Sanctions imposed by NCAs in 2018 and 2019

- 3.1. This Section presents the information reported to EIOPA on IDD sanctions imposed during the reporting period in summary form using a number of different tables compiling the information across different Member States.
- 3.2. More detailed aggregate information is provided in an Annex, which shows the breakdown per type of sanction and per legislative provision breached, both in a compiled form covering all Member States, as well as individually for each Member State that imposed sanctions separately.
- 3.3. Information was reported to EIOPA by the 30 EU/EEA Member States and by the United Kingdom, which during this period until the end of 2019 was an EU Member State subject to the obligations in the IDD.
- 3.4. The information reported to EIOPA reveals that in 8 Member States, NCAs imposed sanctions under the IDD framework which resulted in a total of 1,923 sanctions. Of the sanctions that were fines, an aggregate value of 945,710 EUR was reported. This number does not include the value of the fines reported for Germany, since it was reported that the value of these fines was not available for the current reporting period.
- 3.5. The first table (Table 1) below provides an overview of the number of sanctions and total amount of fines per Member State.

*Table 1 – Overview of number of sanctions per Member State*

<b>Member State</b>	<b>Total number of sanctions</b>	<b>Total value of fines</b>	<b>No sanctions imposed</b>
Austria			x
Belgium	165	EUR 660,000	
Bulgaria	5	n/a	
Croatia			x
Cyprus			x
Czech Republic			x
Denmark	15	n/a	
Estonia			x
Finland			x
France	117	n/a	



<b>Member State</b>	<b>Total number of sanctions</b>	<b>Total value of fines</b>	<b>No sanctions imposed</b>
Germany	1588	Not available	
Greece			x
Hungary	24	EUR 269,710 [89 million HUF]	
Ireland			x
Italy			x
Latvia			x
Lithuania	2	EUR 8,000	
Luxembourg			x
Malta	7	EUR 8,000	
Netherlands			x
Poland			x
Portugal			x
Romania			x
Slovenia			x
Slovakia			x
Spain			x
Sweden			x
Iceland			x
Liechtenstein			x
Norway			x
United Kingdom			x
<b>Totals</b>	<b>1923</b>	<b>EUR 945,710</b>	

- 3.6. Table 2 below shows how many sanctions were imposed for different types of breaches of the IDD. Given that a high number of sanctions were imposed for certain articles, while for other articles only a limited number of, or no, sanctions were imposed, the breakdown is sometimes provided for a specific paragraph of an article and other times only for a complete chapter of the IDD.
- 3.7. Overall, it is clear that the vast majority of sanctions were imposed for infringements relating to the professional and organisational requirements in Article 10. Within this, infringements related to the training and development requirements<sup>13</sup> and the requirements for professional indemnity insurance played a very significant part.
- 3.8. In addition, a high number of breaches related to the registration requirements in Article 3. A material number of breaches concerned the information requirements and conduct of business rules in Chapter V of IDD and additional requirements for insurance-based investments products (IBIPs) in Chapter VI, but significantly less than the number of sanctions relating to Articles 3 and 10.

*Table 2 – Sanctions per IDD provision breached<sup>14</sup>*

<b>IDD provision</b>	<b>Number of breaches</b>
Registration requirements (Article 3)	394
Exercise of the freedom to provide services (Article 4)	1
Professional and organisational requirements – appropriate knowledge and ability (Article 10(1))	64
Professional and organisational requirements – continuing professional training and development (Article 10(2))	473
Professional and organisational requirements – good repute (Article 10(3))	107
Professional and organisational requirements – professional indemnity insurance (Article 10(4))	458

<sup>13</sup> It can be noted that IDD only sets a minimum standard for ongoing professional training and therefore in some Member States there may be additional requirements that impose a higher standard.

<sup>14</sup> The total number of sanctions reported in this table does not add up to the table number of sanctions imposed – see paragraph 2.5

Professional and organisational requirements – other (Article 10) <sup>15</sup>	499
Other organisational requirements (Chapter IV – Articles 14-16)	18
Information requirements and conduct of business rules (Chapter V – Articles 17, 18, and 20)	40
Additional requirements for IBIPs (Chapter VI – Articles 27-30)	51
Other (e.g. national specific provisions)	11
<b>Total</b>	<b>2116</b>

3.9. Table 3 below provides a split by the type of sanction imposed by NCAs. The types of sanctions follow those in paragraphs 2 and 3 of Article 33<sup>16</sup>; the category “other administrative sanctions or measures” captures any other type of sanction not referred to in Article 33, given that the lists are non-exhaustive.

3.10. Overall, the most commonly used measure to address infringements was to withdraw the registration of the intermediary. At the same time, in all but two cases, this sanction was applied for breaches of the registration requirements in Article 3 and the professional and organisational requirements in Article 10. The next most frequently used measure was to impose a pecuniary sanction.

*Table 3 – Types of sanctions*

Type of sanction	Number of sanctions
Public statement	7
Order to cease and desist	135
Withdrawal of registration	1029
Temporary ban on exercise of management functions	0

<sup>15</sup> This category includes a significant number of sanctions which were reported for breaches of Article 10 in general without a specification of the specific paragraphs of this article that were breached. Therefore, this category may also include issues relating to the categories in the previous rows, such as training requirements.

<sup>16</sup> Although Article 33 makes a split between breaches of the additional requirements concerning insurance-based investment products (paragraph 2) and other types of breaches (paragraph 3), given that all of the sanctions listed in Article 33(2) could also be applied in relation to the breaches referred to in points (a) to (d) and (f) of Article 33(1), it was not considered necessary to make a split for the purpose of this aggregate reporting.

Administrative pecuniary sanction	735
Other administrative sanctions or measures	17

3.11. The final summary table (Table 4) shows the total number of and average value of administrative pecuniary sanctions.

*Table 4 – Administrative pecuniary sanctions*

<b>Member State</b>	<b>Total number of administrative pecuniary sanctions</b>	<b>Average value of administrative pecuniary sanctions</b>
Belgium	6	EUR 110,000
Germany	718	Not available
Hungary	9	EUR 29,968
Lithuania	1	EUR 8,000
Malta	1	EUR 8,000

## Annex – Detailed aggregate information

### Compiled information across different Member States

The table below compiles the information for the NCAs that reported sanctions to EIOPA in 8 Member States per type of sanction and legislative provision breached. As above, the types of sanctions follow those in Article 33. The Article references are to a specific point or subparagraph of an Article where possible.

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 3	0	17	22	0	0	0	0
Article 3(1)	2	1	0	0	1	1	€8,000
Article 3(1) subparagraph 1	0	0	0	0	143	0	0

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 3(1) subparagraph 4	0	1	0	0	2	2	€6,061
Article 3(1) subparagraph 6	0	1	0	0	3	3	€6,061
Article 3(4) subparagraph 4	0	44	0	0	0	0	0
Article 3(4) subparagraph 5	0	44	0	0	0	0	0
Article 3(6) subparagraph 2	0	0	0	0	114	0	0
Article 4(1)(b)	0	1	0	0	0	0	0
Article 10	0	0	473	0	1	0	€35,000
Article 10(1)	0	6	55	0	0	3	0
Article 10(2)	0	2	26	0	439	2	0

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 10(2) subparagraph 2	0	0	0	0	2	2	€18,183
Article 10(3)	0	3	93	0	0	1	0
Article 10(3) subparagraph 1	0	3	5	0	0	2	0
Article 10(4)	0	32	426	0	0	0	0
Article 10(6)	1	1	1	0	22	0	0
Article 14	0	1	0	0	1	0	€3,030
Article 15	0	7	1	0	0	0	0
Article 15(1)	0	4	1	0	0	0	0
Article 16	0	1	0	0	2	0	€325,000
Article 17	0	1	0	0	0	0	0
Article 17(1)	4	5	0	0	1	5	€4,000
Article 17(2)	0	4	0	0	2	1	€13,091
Article 17(3)	0	3	0	0	2	2	€121,219
Article 18(a)	0	4	0	0	1	0	€6,061

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 18(b)	0	1	0	0	0	0	0
Article 20(1)	0	1	0	0	1	0	€3,030
Article 20(3)	0	1	0	0	1	0	€9,091
Article 27	0	1	0	0	6	6	€39,396
Article 28(1)	0	1	0	0	0	6	0
Article 29(1) (c)	1	0	0	0	0	1	0
Article 29(2)	0	4	0	0	6	6	€39,396
Article 30(1)	0	1	0	0	1	1	€3,030
Article 30(4)	0	1	0	0	0	0	0
Article 30(5)	0	2	0	0	2	0	€6,061
Article 33(1)(b)	0	1	0	0	3	0	€300,000
Article 5 Delegated	0	3	0	0	0	0	0



Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Regulation 2017/2359 <sup>17</sup>							
Section 16 of the Danish Law implementing IDD <sup>18</sup>	1	3	0	0	0	0	0
<b>Totals<sup>19</sup></b>	<b>7</b>	<b>135</b>	<b>1029</b>	<b>0</b>	<b>735</b>	<b>17</b>	<b>€945,710</b>

<sup>17</sup> COMMISSION DELEGATED REGULATION (EU) 2017/2359 of 21 September 2017 supplementing Directive (EU) 2016/97 of the European Parliament and of the Council with regard to information requirements and conduct of business rules applicable to the distribution of insurance-based investment products, OJ L 341, 20.12.2017, p. 8–18.

<sup>18</sup> Denmark has specific supplementary requirements for independent distributors.

<sup>19</sup> The totals represent the actual number of sanctions imposed. Since some sanctions related to multiple infringements, this total is different to the sum of values in the columns.

Information per Member State individually

The tables below show the same aggregate information as provided in the previous sub-section for each relevant Member State individually.

**a) Belgium**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration <sup>20</sup>	Temporary ban on exercise of management functions	Administrative pecuniary sanction <sup>21</sup>	Other administrative sanctions or measures <sup>22</sup>	
Article 3	0	17	22	0	0	0	0
Article 3(1)	0	1	0	0	0	0	0
Article 3(4) subparagraph 4	0	44	0	0	0	0	0

<sup>20</sup> Under this heading are reported "withdrawals of the registration as (re)insurance intermediary".

<sup>21</sup> All reported administrative pecuniary sanctions are settlement decisions.

<sup>22</sup> Other measures comprises "suspensions of registration to carry on the registered activities".

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration <sup>20</sup>	Temporary ban on exercise of management functions	Administrative pecuniary sanction <sup>21</sup>	Other administrative sanctions or measures <sup>22</sup>	
Article 3(4) subparagraph 5	0	44	0	0	0	0	0
Article 4(1)(b)	0	1	0	0	0	0	0
Article 10	0		0	0	1	0	€35,000
Article 10(1)	0	6	28	0	0	3	0
Article 10(2) IDD	0	2	26	0	0	2	0
Article 10(3)	0	3	22	0	0	1	0
Article 10(3) subparagraph 1	0	3	5	0	0	2	0
Article 10(4)	0	32	5	0	0	0	0
Article 15	0	7	1	0	0	0	0
Article 15(1)	0	4	1	0	0	0	0
Article 16	0	1	0	0	2	0	€325,000
Article 17	0	1	0	0	0	0	0
Article 17(2)	0	3	0	0	0	0	0

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration <sup>20</sup>	Temporary ban on exercise of management functions	Administrative pecuniary sanction <sup>21</sup>	Other administrative sanctions or measures <sup>22</sup>	
Article 17(3)	0	3	0	0	0	0	0
Article 29(2)	0	3	0	0	0	0	0
Article 30(4)	0	1	0	0	0	0	0
Article 33(1)(b)	0	1	0	0	3	0	€300,000
Article 5 Delegated Regulation 2017/2359	0	3	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>118</b>	<b>36</b>	<b>0</b>	<b>6</b>	<b>5</b>	<b>€660,000</b>

**b) Bulgaria**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 10(4)	0	0	5 <sup>23</sup>	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

---

<sup>23</sup> These withdrawals of registration were also the result of breaches of other provisions of Bulgarian national law and not only breaches relating to Article 10(4), IDD.

**c) Denmark**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 17(1)	3	5	0	0	0	3	0
Section 16 of the Danish Law implementing IDD <sup>24</sup>	1	3	0	0	0	0	0
<b>Totals</b>	<b>4</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>

<sup>24</sup> Denmark has specific supplementary requirements for independent distributors.

**d) France**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 10(1)	0	0	18	0	0	0	0
Article 10(3)	0	0	12	0	0	0	0
Article 10(4)	0	0	87	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>117</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**e) Germany**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 3(1) subparagraph 1	0	0	0	0	143	0	not available
Article 3(6) subparagraph 2	0	0	0	0	114	0	not available
Article 10	0	0	473	0	0	0	0
Article 10(1) <sup>25</sup> et seq.	0	0	9	0	0	0	0
Article 10(2)	0	0	0	0	439	0	not available
Article 10(3)	0	0	59	0	0	0	0

<sup>25</sup> This is recorded as Article 10(1) in the table compiling information across different Member States



Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 10(4)	0	0	329	0	0	0	0
Article 10(6)	0	0	0	0	22	0	not available
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>870</b>	<b>0</b>	<b>718</b>	<b>0</b>	<b>not available</b>

**f) Hungary**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	Value of the imposed sanctions
Article 3(1) subparagraph 4	0	1	0	0	2	2	€6,061 (2 million HUF)
Article 3(1) subparagraph 6	0	1	0	0	3	3	€6,061 (2 million HUF)
Article 10(2) subparagraph 2	0	0	0	0	2	2	€18,183 (6 million HUF)
Article 14	0	1	0	0	1	0	€3,030 (1 million HUF)
Article 17(1)	0	0	0	0	0	2	0
Article 17(2)	0	1	0	0	1	1	€9,091 (3 million HUF)
Article 17(3)	0	0	0	0	2	2	€121,219 (40 million HUF)
Article 18(a)	0	4	0	0	1	0	€6,061 (2 million HUF)

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	Value of the imposed sanctions
Article 18(b)	0	1	0	0	0	0	0
Article 20(1)	0	1	0	0	1	0	€3,030 (1 million HUF)
Article 20(3)	0	1	0	0	1	0	€9,091 (3 million HUF)
Article 27	0	1	0	0	6	6	€39,396 (13 million HUF)
Article 28(1)	0	1	0	0	0	6	0
Article 29(2)	0	1	0	0	6	6	€39,396 (13 million HUF)
Article 30(1)	0	1	0	0	1	0	€3,030 (1 million HUF)
Article 30(5)	0	2	0	0	2	0	€6,061 (2 million HUF)
<b>Totals</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>7</b>	<b>€269,710 [89 million HUF]</b>

**g) Lithuania**

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures <sup>26</sup>	
Article 17(1)	0	0	0	0	1	0	€4,000
Article 17(2)	0	0	0	0	1	0	€4,000
Article 29(1)(c)	0	0	0	0	0	1	0
Article 30(1)	0	0	0	0	0	1	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>€8,000</b>

<sup>26</sup> The other measure was a "warning"

### h) Malta

Legal Basis	Type of administrative sanction or other measure						Monetary amount of administrative pecuniary sanctions
	Public statement	Order to cease and desist	Withdrawal of registration	Temporary ban on exercise of management functions	Administrative pecuniary sanction	Other administrative sanctions or measures	
Article 3(1)	2	0	0	0	1	1	€8,000
Article 10(6)	1	1	1	0	0	0	0
<b>Totals</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>€8,000</b>

**EIOPA**

Westhafen Tower, Westhafenplatz 1

60327 Frankfurt – Germany

Tel. + 49 69-951119-20

[info@eiopa.europa.eu](mailto:info@eiopa.europa.eu)

<https://www.eiopa.europa.eu>