

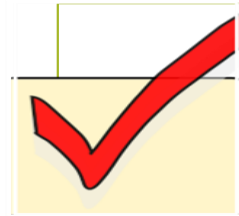


## **IDD – the Polish perspective**

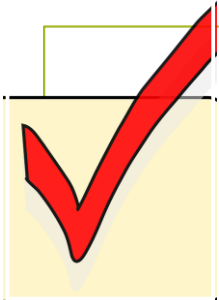
Anna Tarasiuk, radca prawny, partner

**FILIPSKA  TARASIUK**  
KANCELARIA RADCÓW PRAWNYCH

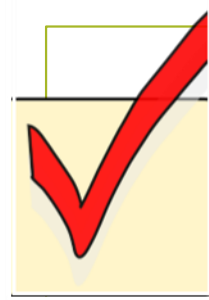
# Story examples:



The Polish manner  
of implementation



The incentive  
issue



The demands and  
needs analysis

# THE POLISH MANNER OF IMPLEMENTATION

---

# The Polish manner of implementation



Example: „employee involved in the distribution“ in the insurance undertaking

# INCENTIVES

---

# Incentives



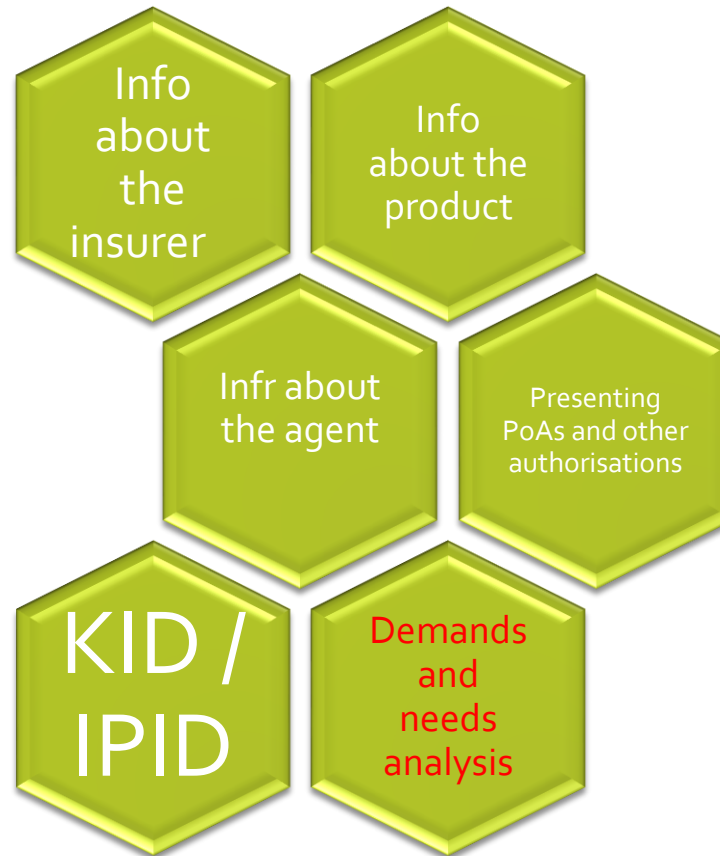
## Article 17.3

Member States shall ensure that insurance distributors are not remunerated or do not remunerate or assess the performance of their employees in a way that conflicts with their duty to act in accordance with the best interests of their customers. In particular, an insurance distributor shall not make any arrangement by way of remuneration, sales targets or otherwise that could provide **an incentive** to itself or its employees to recommend a particular insurance product to a customer when the insurance distributor could offer a different insurance product which would better meet the customer's needs.

# DEMANDS AND NEEDS ANALYSIS

---

# Demands and needs analysis (1)





# Demands and needs analysis (2)

Recital (44): In order to avoid cases of mis-selling, the sale of insurance products should always be accompanied by a **demands- and-needs test on the basis of information obtained from the customer**. Any insurance product proposed to the customer should always be consistent with the customer's demands and needs and be presented in a comprehensible form to allow that customer to make an informed decision.

# Demands and needs analysis (3)

## Article 20 of the IDD

Prior to the conclusion of an insurance contract, the insurance distributor shall specify, **on the basis of information obtained from the customer,** the demands and the needs of that customer and shall provide the customer with objective information about the insurance product in a comprehensible form to allow that customer to make an informed decision.

# Demands and needs analysis (4)



Compulsory insurance ?



Group insurance contracts ?



The manner of performing the test



**Filipska Tarasiuk Kancelaria Radców Prawnych sp. p.**

Al. Jerozolimskie 101 lok. 55

02-011 Warszawa

tel : +48 22 628 23 99

fax : +48 22 628 25 32

email : [info@ftlegal.pl](mailto:info@ftlegal.pl)