

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Insurance Mediation Directive (Miscellaneous Amendments) Regulations 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

2003 No. 1473

The Insurance Mediation Directive (Miscellaneous Amendments) Regulations 2003

PROSPECTIVE

PART 2

PASSPORTING

Passport rights—definitions

2.—(1) In section 425(1) of the Act (expressions relating to authorisation elsewhere in the single market)(1), in paragraph (a), after ““insurance directives””, insert ““insurance mediation directive””.

(2) In Schedule 3 to the Act (EEA passport rights)(2)—

(a) in paragraph 1 (the single market directives)—

(i) at the end of sub-paragraph (c), omit “and”; and

(ii) at the end of sub-paragraph (d), insert—

“; and

(e) the insurance mediation directive.”;

(b) after paragraph 4, insert—

“The insurance mediation directive

4A. “The insurance mediation directive” means the European Parliament and Council Directive of 9th December 2002 on insurance mediation (No.2002/92/EC).”;

(c) in paragraph 5 (EEA firm)—

(i) for “head office”, substitute “relevant office”;

(ii) at the end of sub-paragraph (c), omit “or”; and

(iii) at the end of sub-paragraph (d), insert—

“; or

(e) an insurance intermediary (as defined in Article 2.5 of the insurance mediation directive), or a reinsurance intermediary (as defined in Article 2.6) which is registered with its home state regulator under Article 3.”;

(d) after paragraph 5, insert—

(1) Amended by S.I.2000/2952.

(2) Amended by the Enterprise Act 2002 (c. 40) Schedule 25, S.I. 2000/2952 and S.I. 2001/1376.

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“5A. In paragraph 5, “relevant office” means—

- (a) in relation to a firm falling within sub-paragraph (e) of that paragraph which has a registered office, its registered office;
 - (b) in relation to any other firm, its head office.”;
- (e) for paragraph 6 (EEA authorisation), substitute—

“6. “EEA authorisation” means—

- (a) in relation to an EEA firm falling within paragraph 5(e), registration with its home state regulator under Article 3 of the insurance mediation directive;
 - (b) in relation to any other EEA firm, authorisation granted to an EEA firm by its home state regulator for the purpose of the relevant single market directive.”;
- (f) in paragraph 7 (EEA right), for “head office”, substitute “relevant office”;
- (g) after paragraph 7, insert—

“7A. In paragraph 7, “relevant office” means—

- (a) in relation to a person who has a registered office and whose entitlement is subject to the conditions of the insurance mediation directive, his registered office;
 - (b) in relation to any other person, his head office.”;
- (h) in paragraph 10 (UK firm), for “head office”, substitute “relevant office”; and
- (i) after paragraph 10, insert—

“10A. In paragraph 10, “relevant office” means—

- (a) in relation to a firm whose EEA right derives from the insurance mediation directive and which has a registered office, its registered office;
- (b) in relation to any other firm, its head office.”.

Commencement Information

II Reg. 2 in force at 14.1.2005, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations power to modify conferred by [2023 c. 29 s. 3 Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)
- reg. 2 coming into force by [S.I. 2003/1473 reg. 1\(1\)](#)