

Insurance: Conduct of Business

ICOBS TP 2 Other Transitional Provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
1	ICOBS 4.5.1 G	R	Expired		
2	ICOBS 4.5	R	Expired		
3	ICOBS 6A.2.1R(1) to (3)	R	<p>A <i>firm</i> need not comply with ICOBS 6A.2.1R(1) to (3) in relation to an automatic renewal of an agreement for an optional additional product which was entered into on or before 31 March 2016 provided:</p> <p>(1) the automatic renewal of the agreement is on substantially the same terms. The phrase “on substantially the same terms” is to be interpreted in the same way as in ICOBS 6A.2.1R (10)(b) and (c).</p> <p>(2) on the occasion of the first automatic renewal on or after 1 April 2016, the <i>firm</i> takes reasonable steps to ensure that the <i>customer</i> is informed:</p> <p>(a) that the renewal of the agreement is optional;</p> <p>(b) that the <i>customer</i> may elect not to renew the agreement; and</p> <p>(c) of the effect of the non-renewal of the agreement, if any, on the <i>non-investment insurance contract</i>; and</p> <p>(3) the procedure to be used by <i>customers</i> for electing not to renew the agreement pays due regard to the interests of <i>customers</i> and treats them fairly.</p>	From 1 April 2016	On 1 April 2016
4	ICOBS 2.5.2AR	R	An <i>insurer</i> need not comply with ICOBS 2.5.2AR for contracts entered into or variations agreed before 1 August 2017.	From 1 August 2017	On 1 August 2017
5	ICOBS 6A.6	R	A <i>firm</i> need not comply with ICOBS 6A.6 for contracts entered into before 1 January 2022.	From 1 January 2022	1 January 2022
6	ICOBS 6B.2.60R	R	<p>This transitional rule applies to a <i>firm</i> which is required to provide an attestation under ICOBS 6B.2.60R.</p> <p>The first attestation must be submitted on or before 31 March 2022.</p>	From 1 January 2022 to 1 April 2022	1 January 2022

				The first attestation relates only to a <i>firm's</i> compliance on the date when ICOB5 6B comes into force (and not to a reporting period).		
7	ICOB5 6B	R	(1)	This transitional rule applies to a <i>firm</i> which is required to comply with ICOB5 6B.	From 1 January 2022 to 1 April 2022	1 January 2022
			(2)	Where a <i>firm</i> so elects, it need not implement the <i>rules</i> in ICOB5 6B by 1 January 2022, but the <i>firm</i> must: <ul style="list-style-type: none"> (a) implement the <i>rules</i> by 17 January 2022; and (b) comply with paragraphs (3) and (4). 		
			(3)	<ul style="list-style-type: none"> (a) This paragraph applies to all <i>home insurance</i> and <i>motor insurance</i> renewal notices prepared between 1 January 2022 and 16 January 2022 inclusive. (b) A <i>firm</i> must by 28 February 2022 calculate the <i>equivalent new business price</i> in accordance with ICOB5 6B for all renewal notices that this paragraph applies to which were accepted by the <i>customer</i>. (c) Where the <i>equivalent new business price</i> is lower than the price the <i>customer</i> was offered to <i>renew</i> their product, the <i>firm</i> must automatically repay the difference between what the <i>customer</i> actually paid and what the <i>customer</i> should have paid to the <i>customer</i>, using, wherever practical, the same method as the <i>customer</i> used to pay for the <i>policy</i>. 		
			(4)	The first attestation provided by a <i>firm</i> under ICOB5 6B.2.60R and ICOB5 TP. 2.6R must include the following: <ul style="list-style-type: none"> (a) a statement of whether the <i>firm</i> made the election in this transitional <i>rule</i>; (b) if the <i>firm</i> made the election, a statement that the <i>firm</i> has made all repayments required by this transitional <i>rule</i>; and (c) if the <i>firm</i> made the election, the number of <i>customers</i> affected and total amount of repayments made. 		
8	ICOB5 6.2.6R and ICOB5 6.5.1R.	R	(1)	This transitional <i>rule</i> applies to a <i>firm</i> which is required to comply with ICOB5 6.2.6R or ICOB5 6.5.1R.	From 1 January 2022 to 1 March 2022	1 January 2022

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- (2) Where a *firm* so elects, it need not comply with the rules in ICOBS 6.2.6R or ICOBS 6.5.1R by 1 January 2022, but the *firm* must:
- (a) implement the rules by 17 January 2022; and
 - (b) comply with paragraph (3).
- (3)
- (a) This paragraph applies to all communications sent to *customers* between 1 January 2022 and 16 January 2022 inclusive, except communications sent in connection with private health or medical insurance and pet insurance.
 - (b) A *firm* must, by 28 February 2022, provide the information required by ICOBS 6.2.6R and ICOBS 6.5.1R to all *customers* of the *firm* who hold a current *policy* with the *firm* but who did not receive the required information because the *firm* made the election under paragraph (2).
 - (c) The information must be provided in writing or another *durable medium*.

