

Product Intervention and Product Governance Sourcebook

PROD TP 1 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
1.1	PROD 4.5R (in particular, PROD 4.5.1R, PROD 4.5.2R, PROD 4.5.4R(5) and PROD 4.5.7R(2)).	R	For the purposes of giving effect to the <i>rules</i> in PROD 4.5R only, any reference to being subject to a reporting requirement within SUP 16.27R must be read as if SUP 16.27R came into force on 1 January 2021.	From 1 January 2021 to 1 July 2021	1 January 2021
1.2	<i>Rules</i> in PROD 4.2 that will be made or amended by the Non-Investment Insurance: Product Governance, Premium Finance, General Insurance Auto-renewal and Home and Motor Insurance Pricing Instrument 2021	R	Where an existing <i>non-investment insurance product</i> : (1)has, before 1 October 2021, been approved for marketing and distribution in compliance with PROD 4.2; and (2)remains available for distribution (including renewals) or, if not still being marketed or <i>distributed</i> , there are <i>policies</i> under the product that remain in force,	From 1 October 2021 up to and including 30 September 2022	1 October 2021

(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
1.3	PROD TP 1.2	G	<p>the <i>manufacturer</i> must, within 12 <i>months</i> of 1 October 2021, review the product and ensure it meets the fair value requirements in PROD 4.2.</p> <p>The effect of PROD TP1.2 and the requirements in PROD 4.2.14AR to PROD 4.2.14SR is that where the <i>firm</i> is unable to identify that the product or package provides fair value it will need to immediately:</p> <p>(1) cease any distribution of the product, whether directly or through another person, immediately; and/or</p> <p>(2) take any necessary steps to ensure the product will provide fair value in future.</p>	From 1 October 2021 up to and including 30 September 2022	1 October 2021
1.4	Rules in PROD 4.3 that will be made or amended by the Non-Investment Insurance: Product Governance, Premium Finance, General Insurance	R	Where a <i>firm</i> , to which PROD 4.3 applies, <i>distributes</i> an existing <i>non-investment insurance product</i> which was approved for marketing or distribution	From 1 October 2021 up to and including 30 September 2022	1 October 2021

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	Auto-renewal and Home and Motor Insurance Pricing Instrument 2021		before 1 October 2021 under PROD 4.2, it must, within 12 months of 1 October 2021, update its distribution arrangements to comply with the requirements in column (2).		
1.5	PROD 4.6.7R	R	A firm has 12 months from 1 October 2021 to make the determination required by the rule in column (2).	From 1 October 2021 up to and including 30 September 2022	1 October 2021
1.6	PROD 4.6.8R	R	A firm must put in the place the necessary product distribution arrangements required by the rule in column (2) within 12 months of 1 October 2021.	From 1 October 2021 up to and including 30 September 2022	1 October 2021
1.7	PROD TP 1.2 to PROD TP 1.6	G	A firm to which any of PROD TP 1.2 to PROD TP 1.6 apply may elect to apply the guidance in PROD 4.2.34EG in relation to the reviews required.	From 1 October 2021 up to and including 30 September 2022	1 October 2021
1.8	PROD 4	G	A TP firm or a Gibraltar-based firm may rely on processes and arrangements that have been applied to a non-investment insurance prod-	Indefinitely	1 October 2021

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			<p>uct which was approved for marketing or distribution before 1 October 2021 where these comply with requirements equivalent to those in PROD 4 in:</p> <p>(1)(for a <i>TP firm</i>) the <i>TP firm's Home State</i> (or, where applicable, the <i>EEA state</i> where it has the establishment from which the service is provided); or</p> <p>(2)(for a <i>Gibraltar-based firm</i>) Gibraltar.</p>		

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PROD TP 2

Transitional Provisions for Funeral Plan Products

(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
2.1	<i>Rules in PROD 7.2 in relation to an existing funeral plan product</i>	R	<p>Where an <i>existing funeral plan product</i>:</p> <p>(1)has, before 29 July 2022, been available for marketing and distribution; and</p> <p>(2)remains available for distribution,</p> <p>a <i>manufacturer</i> must ensure that the requirements in PROD 7.2 have been met and that it remains appropriate for that product to continue to be marketed and distributed from 29 July 2022.</p>	From 29 July 2022	29 July 2022
2.2	PROD 7.2 and PROD TP 2.1	G	<p>The effect of PROD TP 2.1 and the requirements in PROD 7.2 is that where the <i>manufacturer</i> is unable to demonstrate it has satisfied these requirements, then the <i>manufacturer</i> will need to:</p> <p>(1)cease any distribution of the product, whether directly or through another person, immediately; and/or</p>		

(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
2.3	PROD 7.2	G	<p>(2)take any necessary steps to ensure the product meets the requirements in PROD 7.2, including that it offers fair value before marketing or distributing the product from 29 July 2022.</p> <p>When identifying the necessary product approval process and arrangements and whether the requirements in PROD 7.2 are met, a <i>manufacturer</i> may take into account any previous product governance arrangements, including reviews which the <i>manufacturer</i> (or where there is more than one <i>manufacturer</i>, any other <i>manufacturer</i>) has undertaken and the extent to which these would or would not have complied with <i>PROD</i> requirements.</p>	From 29 July 2022	29 July 2022