

## Chapter 9A

### Suitability (MiFID and insurance-based investment products provisions)



9A.1 Application and purpose

**Note:** ESMA has also issued guidelines under article 16(3) of the ESMA Regulation on certain aspects of the MiFID suitability requirements, 28 May 2018/ESMA-35-43-869 (EN).

Application

9A.1.1 R

This chapter applies to a *firm* which provides:

*investment advice or portfolio management in the course of MiFID, equivalent third country or optional exemption business; or*

*investment advice in relation to an insurance-based investment product.*

Effect of provisions marked “UK” for third country investment firms and MiFID optional exemption firms

9A.1.2 R

Provisions in this chapter marked “UK” and including a Note (**Note:**) referring to the *MiFID Org Regulation* apply in relation to *MiFID optional exemption business* as if they were rules.

9A.1.3 G

The effect of ■ GEN 2.2.22AR is that provisions in this chapter marked “UK” also apply in relation to the *equivalent business of a third country investment firm* as if they were rules.

9A.1.4 R

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