

Directive (EU) 2016/97 of the European Parliament and of the Council of
20 January 2016 on insurance distribution (recast) (Text with EEA relevance)

CHAPTER V

INFORMATION REQUIREMENTS AND CONDUCT OF BUSINESS RULES

Article 23

Information conditions

1 All information to be provided in accordance with Articles 18, 19, 20 and 29 shall be communicated to the customer:

- a on paper;
- b in a clear and accurate manner, comprehensible to the customer;
- c in an official language of the Member State in which the risk is situated or of the Member State of the commitment or in any other language agreed upon by the parties; and
- d free of charge.

2 By way of derogation from point (a) of paragraph 1 of this Article, the information referred to in Articles 18, 19, 20 and 29 may be provided to the customer on one of the following media:

- a a durable medium other than paper, where the conditions laid down in paragraph 4 of this Article are met; or
- b a website where the conditions laid down in paragraph 5 of this Article are met.

3 However, where the information referred to in Articles 18, 19, 20 and 29 is provided using a durable medium other than paper or by means of a website, a paper copy shall be provided to the customer upon request and free of charge.

4 The information referred to in Articles 18, 19, 20 and 29 may be provided using a durable medium other than paper if the following conditions are met:

- a the use of the durable medium is appropriate in the context of the business conducted between the insurance distributor and the customer; and
- b the customer has been given the choice between information on paper and on a durable medium, and has chosen the latter medium.

5 The information referred to in Articles 18, 19, 20 and 29 may be provided by means of a website if it is addressed personally to the customer or if the following conditions are met:

- a the provision of that information by means of a website is appropriate in the context of the business conducted between the insurance distributor and the customer;
- b the customer has consented to the provision of that information by means of a website;
- c the customer has been notified electronically of the address of the website, and the place on the website where that information can be accessed;
- d it is ensured that that information remains accessible on the website for such period of time as the customer may reasonably need to consult it.

6 For the purposes of paragraphs 4 and 5, the provision of information using a durable medium other than paper or by means of a website shall be regarded as appropriate in the context

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of the business conducted between the insurance distributor and the customer if there is evidence that the customer has regular access to the internet. The provision by the customer of an e-mail address for the purposes of that business shall be regarded as such evidence.

7 In the case of telephone selling, the information given to the customer by the insurance distributor prior to the conclusion of the contract, including the insurance product information document, shall be provided in accordance with Union rules applicable to the distance marketing of consumer financial services. Moreover, even if the customer has chosen to obtain prior information on a durable medium other than paper in accordance with paragraph 4, information shall be provided by the insurance distributor to the customer in accordance with paragraph 1 or paragraph 2 immediately after the conclusion of the insurance contract.