

Luxembourg, 22<sup>nd</sup> October 2019

**Circular letter 19/17 of the Commissariat aux Assurances concerning the online publication of the form intended to prove professional civil liability cover of insurance or reinsurance brokerage firms and brokers as from 1 January 2020**

Dear Sir or Madam,

Proof of the broker's professional civil liability cover has traditionally been provided by the annual submission of an insurance certificate from the insurer covering this risk and including a series of confirmations relating to this cover.

Experience has shown that some certificates were more complete than others and that on many occasions, the agents of the Commissariat aux Assurances had to request additional information concerning the cover granted.

When transposing Directive (EU) No 2016/97 ("IDD"), it was deemed appropriate to replace these certificates by a declaration, to be downloaded from the Commissariat aux Assurances' website, which the broker must submit to his insurer for signature and return to the Commissariat aux Assurances before 31 January of the relevant year of cover.

Thus, Commissariat aux Assurances Regulation No. 19/01 of 26 February 2019 on the distribution of insurance and reinsurance provides in article 6, paragraph 3, subparagraph 1, taken pursuant to article 290, paragraph 5, of the law of 7 December 2015 on the insurance sector, as follows:

*"(3) In order to provide proof of professional civil liability cover as from 1 January 2020, a broker must have the form "declaration of professional liability insurance cover", to be downloaded from the CAA's website, signed by the insurance undertaking granting the cover referred to in paragraph 1 and submitted annually to the CAA before 31 January of the relevant year of cover."*

As the implementation date of this provision is imminent, the CAA would like to inform Luxembourg brokers that the attached form is now available on the CAA's website under the section "forms" under the name "Declaration of professional liability insurance cover".

For the Executive Committee,

Claude WIRION  
Directeur