



Qatar

FINANCIAL CENTRE
REGULATORY AUTHORITY

MODIFICATION NOTICE

Firm Marsh Qatar LLC
Address Qatar Financial Centre, Office 401, 4th Floor, QFC Tower
Diplomatic Area, West Bay, Doha, Qatar
QFC No. 00085
Notice No. W 0042/09

Financial Services Regulations, article 16 (1) (A)

1 Modifications

The *Assets Rulebook (ASET)* applies to the firm with the modifications mentioned in schedule 1.

2 Commencement

This notice commences on the date it is signed and remains in effect until revoked.

3 Conditions

None.

Phillip Thorpe
Chairman and Chief Executive Officer
Date: 3 December 2009

Schedule 1 Modifications of Assets Rulebook

[1.1] After rule 7.3.1

insert

7.3.1A Other uses for insurance bank accounts

- (1) This rule applies if an *authorised firm* has told a *client* in writing (whether through the *terms of business* of the firm for the *client* or otherwise) that—
 - (a) the firm may pay money owing under *insurance mediation business* transactions (*insurance mediation money*) to an FSA authorised broker; and
 - (b) the legal and regulatory regime applying to FSA authorised brokers is different from that applying to *authorised firms* in the *QFC*; and
 - (c) if the FSA authorised broker fails, the insurance mediation money may be treated in a way different from the way it would be treated if the money were held by an *authorised firm* in the *QFC*; and
 - (d) the *client* may, by written notice, tell the firm that it does not wish any insurance mediation money to be paid to an FSA authorised broker.
- (2) Despite rule 7.3.1 (1) (F) (iii), an *insurance bank account* may be used for the payment of insurance mediation money to an FSA authorised broker if—
 - (a) the payment is for the purpose of entering, on behalf of the *client*, into an insurance contract with an FSA authorised insurer; and
 - (b) the *client* has not given notice to the *authorised firm* that the *client* does not wish insurance mediation money to be paid to an FSA authorised broker; and
 - (c) the *authorised firm* has conducted an appropriate assessment of the FSA authorised broker, having regard to—
 - (i) the broker's capital and financial resources; and
 - (ii) the regulatory and insolvency regimes in the United Kingdom; and
 - (iii) the broker's reputation, regulatory status and history; and
 - (iv) the members of the broker's *group* and their activities; and
 - (v) any other relevant circumstances; and
 - (d) based on the assessment, the *authorised firm* is satisfied that the FSA authorised broker is a suitable person to whom the insurance mediation money may be paid; and
 - (e) there is a written agreement between the *authorised firm* and the FSA authorised broker confirming that—

- (i) the fiduciary duties owed to the firm's *client* are the same as those that would be owed to the *client* if the firm were incorporated and domiciled in the United Kingdom; and
 - (ii) any insurance mediation money paid to the broker will be held in trust by the broker for the *client*; and
 - (iii) the broker will not offset the insurance mediation money against any other liabilities of the broker; and
 - (iv) insurance mediation money paid to the broker will be dealt with by the broker in accordance with applicable client money rules in the FSA's Client Assets Sourcebook (*CASS*); and
 - (v) the insurance mediation money will be paid by the broker to an FSA authorised insurer; and
 - (f) the *authorised firm* has appropriate systems and procedures to ensure that the money is paid by the FSA authorised broker to the FSA authorised insurer and that the broker continues to be a suitable person to whom the insurance mediation money may be paid.
- (3) For this rule:

FSA means the United Kingdom Financial Services Authority.

FSA authorised, in relation to a broker or insurer, means the broker or insurer is—

- (a) domiciled in the United Kingdom; and
- (b) authorised and regulated by the FSA.