# Clear Fair and Not Misleading Checklist for Financial Promotions (Financial promotions ICOBS 2.2)

When a person communicates information including a financial promotion it must be clear, fair and not misleading. If at a later date it is decided that the communication is not meeting this requirement, then it must be withdrawn and anyone that is known to be relying on its approval notified accordingly.

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| Name of financial promotion: |  |
| Publication Name: |  |
| Publication Type: |  |
| Name of person at the firm responsible for approval: |  |

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| --- | --- | --- | --- | --- |
| Observation | Yes / No | Approved by | Date | Review Date |
| If this is Marketing, is it clearly marked as such? |  |  |  |  |
| Does the financial Promotion include the firm’s registered name? |  |  |  |  |
| Does the financial Promotion include contact details for the firm? |  |  |  |  |
| Does the financial promotion meet the clear fair and not misleading rule?  As an indication of what is clear fair and not misleading a firm should consider:-  The customer’s knowledge of the contract of insurance to which the information relates.  Using materials and design (including paper size, colour, font type and font size, tone and volume) to present the information legibly and accessibly, and in a balanced way;  Using emphasis sparingly; and  Not using differential font sizes or positioning so that the impact on a customer of some information (e.g. significant conditions, exclusions or charges) is likely to be materially less than other provisions, parts or pages of the document. |  |  |  |  |
| Does the financial promotion make any pricing claims that indicate or imply that the firm can reduce a premium, provide the cheapest premium or reduce customers’ costs? |  |  |  |  |
| If the financial promotion makes a pricing claim:-   * Is it consistent with the result that the majority of respondents can expect to achieve?   or   * Is the percentage of respondents who can expect to achieve the saving prominently stated? |  |  |  |  |
| If the financial promotion makes any claims regarding levels of cover:-  Does the financial promotion state prominently the basis for any claimed benefits and any significant limitations? |  |  |  |  |
| Does the financial promotion name an Insurer? |  |  |  |  |
| If the financial promotion names an Insurer has the Insurer approved the financial promotion? |  |  |  |  |
| If any third party logos have been used has written permission been obtained. (note we must not use the FCA Logo) |  |  |  |  |
| Does the financial promotion comply with other relevant legislative requirements, including the Consumer Protection from Unfair Trading Regulations 2008 and the Business Protection from Misleading Marketing Regulations 2008, Advertising Standards Authority and applicable advertising codes (CAP), GDPR, Data Protection Act 2018 and PECR? |  |  |  |  |
| Does the Financial Promotion include the statutory status disclosure ***Authorised and Regulated by the Financial Conduct Authority?*** |  |  |  |  |
| Has the firm included a link to the FCA Website [www.fca.org.uk](http://www.fca.org.uk)? (not a requirement) |  |  |  |  |
| Has the financial promotion been added to the archive of financial promotions? |  |  |  |  |
| Has the firm noted to whom they have sent the financial promotion.  (this may not be possible with name awareness advertising in local directories or magazines) |  |  |  |  |
| Is consent required to send this financial promotion and if so has proper consent been obtained and can it be evidenced. (please explain in the comments section below) |  |  |  |  |
| Has an expiry date been included on the financial promotion? |  |  |  |  |
| Has a review date been set for the financial promotion? (not required for a one off document) |  |  |  |  |
| **Comments** | | | | |