

Appendix of FRC, Resolution No. 80 of 2008

GUIDELINE ON DEFINING RELEVANT PERSON TO AN ENTITY RELATED TO INSURER AND INSURANCE INTERMEDIARY

One. General provisions

1.1. The purpose of this guideline is to regulate the relations with respect to supervising and monitoring of a relevant person to undertake inspection on the activities of insurer and insurance intermediaries, define in detail the rights of the Financial Regulatory Commission (hereinafter referred to as the “Commission”) to gather information and to define the relevant person (hereinafter referred to as “relevant person”) of the insurer or insurance intermediaries set out in the Law on Insurance and Law on Insurance intermediaries, respectively.

1.2. “Related entity” shall mean a subsidiary and a holding company or an insurer and former insurer engaged in inspection of insurer activities from the Commission as specified in Article 13 of the Law on Insurance.

1.3. “Related entity” shall mean a subsidiary and a holding company or an insurance intermediary and former insurance intermediary engaged in inspection of insurance intermediary activities from the Commission as specified in Article 8 of the Law on Insurance intermediaries.

TWO. Defining relevant person to an entity related to insurer and insurance intermediary

2.1. “Relevant person” shall mean the following persons related to an entity of an insurer and insurance intermediary as specified in provision 61 of the Law on Insurance and provision 30.1 of the Law on Insurance Intermediary, respectively.

2.1.1. Stakeholders and shareholders;

2.1.2. Head of the Board of directors;

2.1.3. Member of the Board of directors;

2.1.4. Executive directors;

2.1.5. Other persons regarded by the Commission as relevant persons.

2.2. Those mentioned in the provisions 2.1.1, 2.1.2 of this guideline include an insurer and insurance intermediary, or a former insurer and an insurance intermediary or

share capital of their subsidiary and holding company, or an entity owning control package of a share, or an entity who has owned share capital of these companies and control package of a share.

2.3. Those mentioned in the provisions 2.1.3, 2.1.4 of this guideline include an insurer and insurance intermediary, or a former insurer and an insurance intermediary or a head or member as well as former head or former member of the board of directors of their subsidiary and holding company.

2.4. Those mentioned in the provision 2.1.5 of this guideline include an insurer and insurance intermediary, or a former insurer and an insurance intermediary or chief executive director, vice director, general manager, chief accountant or other governing positions of their subsidiary and a holding company, otherwise a former executive director, vice director, general manager, chief accountant or other governing positions.

THREE. Monitoring and liabilities

3.1. The Commission shall oversee the implementation of this guideline and impose liability if the relevant person fails to implement the requirements of the Commission, according to the Law on Insurance and Law on Insurance intermediaries and other applicable laws and regulations.