



**TANZANIA INSURANCE REGULATORY  
AUTHORITY**

**MAMLAKA YA USIMAMIZI WA BIMA TANZANIA**

**BANCASSURANCE (CONDUCT OF BUSINESS)  
GUIDELINES**

**MIONGOZO YA BENKIBIMA (UENDESHAJI WA  
BIASHARA)**

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SECTION ONE: INTRODUCTION		SEHEMU YA KWANZA: UTANGULIZI	
1.1 <b>Authorization and Powers</b>	These Guidelines are issued pursuant to Section 6 (2) (e) and 11 (a) & (b) of the Insurance Act Cap 394 which mandate the Authority to formulate standards in the conduct of the business of insurance which shall be observed by insurance registrants. The Guidelines are also in line with <b>Regulation 30 of the Insurance (Bancassurance) Regulations, 2019, GN 216</b> which stipulates that the Authority may issue Guidelines for the purpose of implementing the provisions of Bancassurance Regulations.	1.1 <b>Idhini na Mamlaka</b>	Miongozo hii imetolewa kwa mujibu wa Kifungu cha 6 (2) (e) na 11 (a) & (b) cha Sheria ya Bima Sura Na. 394 ambacho kinaigiza Mamlaka kuweka vigezo vya uendeshaji wa shughuli za bima ambavyo vitatakiwa kuzingatiwa na watoa huduma za bima. Miongozo hii pia, inaendana na matakwa ya <b>Kanuni ya 30 ya Kanuni za Benkibima za mwaka 2019, Tangazo la Serikali Na. 216</b> inayobainisha kwamba Mamlaka itatoa Miongozo ili kurahisisha utekelezaji wa <b>Kanuni hizo</b> .
1.2 <b>Citation</b>	These Guidelines may be cited as <b>“Bancassurance (Conduct of Business) Guidelines, 2022”</b>	1.2 <b>Nukuu</b>	Miongozo hii itafahamika kama <b>“Miongozo ya Benkibima (Uendeshaji wa Biashara), 2022”</b>
1.3 <b>Background and Rationale</b>	1.3.1 Introduction of Bancassurance Regulations in 2019 aimed at enhancing distribution, access, and availability of insurance products and services in the Country. This would,	1.3 <b>Usuli na Mantiki</b>	1.3.1 Uanzishwaji wa kanuni za Benkibima mwaka 2019 ulilenga kuboresha usambazaji, ufikiwaji na upatikanaji wa bidhaa na huduma za bima nchini. Hii, pamoja na mambo mengine, ingefanikiwa kupitia

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	<p>among other things, be achieved through promulgation of effective Guidelines on Bancassurance business practices which will enhance distribution of insurance services to the unserved and underserved population.</p> <p>1.3.2 These Guidelines intend to establish an effective regulatory and supervisory system for Bancassurance agents.</p>		<p>utungwaji wa miongozo stahiki ya uendeshaji wa biashara ya Benkiwakala wa Bima ili kuboresha usambazaji wa huduma za bima ziwafikie wananchi ambao hawajafikiwa na waliofikiwa kwa uchache na huduma hizo.</p> <p>1.3.2 Miongozo hii inakusudia kuweka mfumo bora wa udhibiti na usimamizi wa Benkiwakala wa Bima.</p>
<b>1.4 Application and Scope</b>	<p>1.4.1 These Guidelines shall apply to:</p> <ul style="list-style-type: none"> <li>i. Banks operating as Bancassurance agents;</li> <li>ii. Registrants licensed by the Authority to provide insurance services;</li> <li>iii. Auditors of Bancassurance Agents.</li> </ul>	<b>1.4 Matumizi na Mawanda</b>	<p>1.4.1 Miongozo hii itawahusu:</p> <ul style="list-style-type: none"> <li>i. Mabenki yanayotoa huduma za bima kama Benkiwakala wa bima ;</li> <li>ii. Taasisi zilizosajiliwa na kupewa leseni na Mamlaka kutoa huduma za bima;</li> <li>iii. Wakaguzi wa Mahesabu wa Benkiwakala wa Bima.</li> </ul>
<b>1.5 Purpose and Objectives</b>	<p>1.5.1 To establish a mechanism of regulating and supervising activities of Bancassurance agents.</p> <p>1.5.2 To increase penetration, access and availability of Insurance services.</p>	<b>1.5 Lengo na Madhumuni</b>	<p>1.5.1 Kuweka mfumo wa kudhibiti na kusimamia biashara na shughuli zitakazofanywa na Benkiwakala wa bima.</p> <p>1.5.2 Kuongeza wigo, usambazaji na upatikanaji wa huduma za Bima.</p>

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	1.5.3 To increase the contribution of the insurance subsector to the Gross Domestic Product (GDP).		1.5.3 Kuongeza mchango wa sekta ndogo ya bima katika pato la taifa (GDP).
1.6 Definitions and Acronyms	<p><b>For the purpose of these Guidelines, the following terms shall be defined as follows:</b></p> <p><b>Act:</b> means the Insurance Act Cap 394</p> <p><b>Agents:</b> This will include all agents and Bancassurance agents as registered by the Authority.</p> <p><b>Authority:</b> means Tanzania Insurance Regulatory Authority established under the Insurance Act.</p> <p><b>Bancassurance:</b> means a mechanism by which banks or financial institutions and insurers collaborate to distribute and market insurance products.</p> <p><b>Bancassurance Agent:</b> means a bank or financial institution licensed by the Authority to conduct bancassurance business under Bancassurance Regulations.</p>	1.6 Maana na Vifupisho vya maneno	<p><b>Kwa madhumuni ya Miongozo hii, tafsiri za maneno zitakuwa kama ifuatavyo:</b></p> <p><b>Sheria:</b> maana yake ni Sheria ya Bima Sura ya 394</p> <p><b>Wakala:</b> Hii itajumuisha Wakala na benkiwakala wote waliosajiliwa na Mamlaka.</p> <p><b>Mamlaka:</b> maana yake ni Mamlaka ya Usimamizi wa Bima Tanzania iliyoanzishwa chini ya Sheria ya Bima.</p> <p><b>Benkibima:</b> ni mfumo ambapo mabenki au taasisi za fedha na makampuni ya bima hushirikiana katika kusambaza na kuuza bidhaa na huduma za bima.</p> <p><b>Benkiwakala wa Bima:</b> maana yake ni benki au taasisi ya kifedha iliyopewa leseni na Mamlaka kutoa huduma za bima kwa mujibu wa Kanuni za Benkibima za mwaka 2019.</p> <p><b>Kamishna:</b> maana yake ni Kamishna wa Bima aliyeteuliwa chini ya Kifungu Namba 7 cha Sheria ya Bima.</p> <p><b>TZS:</b> Maana yake ni Shilingi ya Tanzania.</p>

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	<p><b>Commissioner:</b> means the Commissioner of Insurance appointed under Section 7 of the Insurance Act.</p> <p><b>TZS:</b> Means Tanzania Shillings.</p>		

SECTION TWO: CONDUCT OF BANCASSURANCE BUSINESS		SEHEMU YA PILI: MWENENDO WA BIASHARA YA BENKIBIMA	
2.1 Prohibited Insurance Products	<p>2.1.1 In line with <b>Regulation 7(1) of the Bancassurance Regulations, 2019</b>, a Bancassurance Agent is prohibited to transact insurance products specified under <b>Schedule I</b> of these Guidelines.</p> <p>2.1.2 A Bancassurance Agent involved in insurance products other than those specified under Paragraph 2.1.1 above, shall proceed serving existing business until expiry, period of which shall not exceed 1 year from the effective date of these Guidelines.</p>	2.1 Bidhaa za Bima Zisizoruhusiwa	<p>2.1.1 Ili kuendana na matakwa ya Kanuni ya 7(1) ya Kanuni za Benkibima za mwaka 2019, Benkiwakala wa Bima hataruhusiwa kusambaza bidhaa za bima zilizoainishwa katika <b>Jedwali Na. I</b> la Miongozo hii.</p> <p>2.1.2 Benkiwakala wa Bima aliyeanza kusambaza aina za bima tofauti na zilizoainishwa kwenye Aya ya 2.1.1 hapo juu, ataruhusiwa kuendelea kuhudumia bima husika kwa kipindi ambacho hakitazidi mwaka mmoja kuanzia tarehe ya kuanza kutumika kwa Miongozo hii.</p>
2.2 Collaboration in Intermediation	2.2.1 Without prejudice to requirements under Paragraph 2.1 above, a Bancassurance Agent may,	2.2 Ushirikiano katika Usambazaji	2.2.1 Bila kuathiri matakwa ya Kifungu cha 2.1 hapo juu, Benkiwakala wa Bima anaruhusiwa, baada ya kupata idhini kwa maandishi ya kampuni

<p><b>of Insurance Business</b></p>	<p>upon obtaining the prior written consent of the insurer and on agreed terms:</p> <ul style="list-style-type: none"> <li>(a) Engage an insurance broker as an advisor for complex risks;</li> <li>(b) Engage an insurance broker in designing and distributing innovative insurance products, provided that such products are submitted to the Authority for approval prior to introduction in the market;</li> <li>(c) Collaborate with any registered insurance intermediary in distributing insurance products and services for purposes of enhancing insurance coverage to remote unserved and underserved parts of the country.</li> </ul> <p>2.2.2 An insurer providing consent under 2.2.1 above, shall retain accountability for the products so developed.</p>	<p><b>wa Biashara ya Bima</b></p>	<p>ya bima husika na kwa kuzingatia makubaliano mahsusi:</p> <ul style="list-style-type: none"> <li>(a) Kushirikiana na Dalali wa Bima kama Mshauri Mtaalam wa Bima za majanga tata;</li> <li>(b) Kushirikiana na Dalali wa Bima katika uandaji na usambazaji wa bidhaa za bima bunifu, ambazo itapaswa ziwasilishwe kwa Mamlaka kwa ajili ya kupata idhini kabla ya kupelekwa sokoni;</li> <li>(c) Kushirikiana na mtu wa kati mwingine yeyote aliyesajiliwa katika usambazaji wa bidhaa na huduma za bima kwa lengo la kutanua wigo wa upatikanaji wa huduma za bima katika maeneo ya mbali nchini ambayo hayana huduma hizo au zipo kwa uchache.</li> </ul> <p>2.2.2 Kampuni ya bima iliyotoa idhini chini ya kifungu cha 2.2.1 hapo juu, itawajibika kwa bidhaa zilizoandaliwa.</p>
<p><b>2.3 Geographical Area</b></p>	<p>2.3.1 Cognizant of the key intention of establishment of Bancassurance as means of improving access of insurance services to the remote unserved and underserved population, a Bancassurance Agent shall endeavor to</p>	<p><b>2.3 Maeneo ya Kijiografia</b></p>	<p>2.3.1 Kwa kuzingatia kwamba lengo kuu la uanzishwaji wa Benkibima ni kuboresha upatikanaji wa huduma za bima maeneo ya mbali nchini ambayo hayana huduma hizo au zipo kwa uchache, Benkiwakala wa Bima</p>



	<p>increase insurance coverage for upcountry residents and retail customers through its well diversified branches network.</p> <p>2.3.2 Subject to Bancassurance Regulations, a Bancassurance agent shall ensure that insurance business is transacted in every branch of the Bank.</p>		<p>anatarajiwa kudhamiria kwa dhati kutanua wigo wa upatikanaji wa huduma za bima ili ziwafikie wakazi wa mikoa yote, hususan wateja wa reja reja kwa kutumia mtandao wao wa matawi ya benki uliosambaa.</p> <p>2.3.2 Kwa kuzingatia Kanuni za Benkibima, Benkiwakala wa Bima atahakikisha biashara ya Bima inafanyika kwenye kila tawi la Benki.</p>
<b>2.4 Remuneration</b>	<p>2.4.1 Bancassurance agents shall be remunerated in accordance with Insurance Act, Regulations and relevant Guidelines.</p> <p>2.4.2 No additional remuneration on top of the maximum commission rates, whether in terms of administration fee, overriding commission or any other fee will be payable to Bancassurance Agent as remuneration for business solicitation.</p>	<b>2.4 Stahiki</b>	<p>2.4.1 Benkiwakala wa Bima atalipwa ujira wake kwa mujibu wa Sheria ya Bima, Kanuni za Bima na Miongozo husika.</p> <p>2.4.2 Hapatakuwa na ujira mwingine wowote utakaolipwa zaidi ya viwango vya ujira vilivyoainishwa, iwe ada za utawala, au aina nyingine yoyote ya ujira itakayolipwa kwa Benkiwakala wa Bima kama malipo ya kupata biashara.</p>
<b>2.5 Acquisition of Business</b>	<p>2.5.1 A Bancassurance agent shall progressively endeavor to admit new insurance business from existing and new customers.</p> <p>2.5.2 For the purpose of 2.5.1 above, the bancassurance agent shall maintain records which</p>	<b>2.5 Upatikanaji wa Biashara mpya.</b>	<p>2.5.1 Benkiwakala wa Bima atafanya juhudi wakati wote kuandikisha biashara mpya ya bima kutoka kwa wateja waliopo na wapya.</p> <p>2.5.2 Kwa kuzingatia 2.5.1 hapo juu Benkiwakala wa Bima ataweka kumbukumbu ambazo, pamoja na</p>

	shall, among other things, specify new businesses acquired from its existing and new customers.		mambo mengine, zitaainisha biashara mpya zilizopatikana kutoka kwa wateja waliopo na wapya.
<b>2.6 Criteria for Selecting Insurers and Business Allocation</b>	<p>2.6.1 Every Bancassurance Agent shall put in place and document an effective and transparent mechanism to facilitate informed and independent choice by the customer of types of insurance covers and identities of insurers to provide such covers.</p> <p>2.6.2 The mechanism referred to under 2.6.1 shall be submitted in writing to the Authority for its records and monitoring within thirty days of commencement of these Guidelines.</p> <p>2.6.3 A Bancassurance agent should not place more than Three Billion Tanzanian Shillings (TZS. 3 BI) or 20 percent of its Gross Written Premium to one insurer provided that any amount in excess shall be subject to prior approval of the Commissioner of Insurance.</p> <p>2.6.4 For the purposes of effecting 2.6.3, a bancassurance agent shall ensure that at least thirty</p>	<b>2.6 Vigezo vya Kuchagua Kampuni za Bima na Mgawanyo wa Biashara.</b>	<p>2.6.1 Kila Benkiwakala wa Bima ataweka kwa maandishi utaratibu stahiki na wenye uwazi kwa lengo la kuwapa wateja uelewa na uhuru katika kuchagua aina za bima na kampuni za bima watakazopenda kukatia bima.</p> <p>2.6.2 Utaratibu unaotajwa katika 2.6.1 utawasilishwa kwa Mamlaka kwa maandishi kwa ajili ya kumbukumbu na ufuatiliaji ndani ya siku thelathini tangu kuanza kutumika kwa miongozo hii.</p> <p>2.6.3 Wakala wa Bankibima hapaswi kuandikisha tozo ghafi ya bima zaidi ya Bilioni Tatu (TZS. 3BI) au zaidi ya asilimia ishirini kwa kampuni moja ya bima, inapohitajika kufanya hivyo ni lazima idhini ya Kamishna wa Bima iwe imetolewa.</p> <p>2.6.4 Kwa ajili ya kutekeleza 2.6.3, Benkiwakala wa bima atahakikisha angalau asilimia thelathini ya Kampuni za bima anazofanya nazo kazi zinamilikiwa kwa kiwango kikubwa na watanzania.</p>

	percent of insurers within its pool have majority Tanzanian shareholding.		
<b>2.7 Product Development &amp; Innovation</b>	<p>2.7.1 Every insurer dealing with bancassurance agents shall collaborate with relevant bancassurance agents to develop at least one new insurance product or upgrade at least one insurance product each year and submit it to the Authority for review and approval prior to introduction in the market.</p> <p>2.7.2 The product referred to under 2.7.1 shall reflect and leverage on banking customers as well as the target market.</p>	<b>2.7 Uandaaji wa Bidhaa na Ubunifu.</b>	<p>2.7.1 Kila kampuni ya bima inayofanya kazi na Benkiwakala wa Bima itashirikiana na Benkiwakala wa Bima husika kutengeneza angalau bidhaa moja mpya ya bima au kuboresha angalau bidhaa moja ya bima kila mwaka na kuwasilisha kwa Mamlaka kwa ajili ya mapitio na idhini kabla ya kupelekwa sokoni.</p> <p>2.7.2 Bidhaa iliyotajwa kwenye 2.7.1 hapo juu, itaakisi matakwa ya wateja wa benki na soko lengwa.</p>
<b>2.8 Marketing of Insurance Products and Services</b>	<p>2.8.1 Marketing initiatives of a Bancassurance Agent shall comply with Regulation 27 (2) of the Bancassurance Regulations 2019 which requires the Bancassurance agent <b><i>“not to give an impression of being the underwriter of the insurance product to its customers and the general public”</i></b>.</p>	<b>2.8 Utangazaji wa Huduma na Bidhaa za Bima.</b>	<p>2.8.1 Juhudi za Benkiwakala wa Bima za kutangaza bidhaa za bima zitakidhi matakwa ya Kanuni ya 27 (2) ya Kanuni za Benkibima za mwaka 2019 inayomtaka Benkiwakala wa Bima <b><i>“kutowaaminisha wateja na umma kwa ujumla kwamba yeye ndiye mmiliki wa bidhaa ya bima anayoitangaza”</i></b>.</p>

	<p>2.8.2 Subject to 2.8.1 above, a Bancassurance Agent, shall at minimum, include the following in every advertisement and insurance-related campaign:</p> <ul style="list-style-type: none"> <li>i) A clear name of the product or service being marketed;</li> <li>ii) Key features of the product or service;</li> <li>iii) Names of the licensed insurance companies within its pool; and</li> <li>iv) A statement that clearly indicates/implies, without ambiguity, that the bancassurance agent is an agent of the insurers referred under iii above:</li> </ul> <p>2.8.3 In order to ensure that the interests of policyholders are adequately protected and the value addition from marketing campaigns and initiatives are adequate; Bancassurance Agents shall file with the Authority the following;</p> <ul style="list-style-type: none"> <li>a. Annual marketing plan in the format prescribed by the Authority by no later than 30<sup>th</sup> November of preceding year.</li> <li>b. The plan referred to under 2.8.3 (a) above shall specify, among other things, activities to be</li> </ul>		<p>2.8.2 Kwa ajili ya ufafanuzi wa 2.8.1 hapo juu, Benkiwakala wa Bima, atajumuisha, kwa uchache mambo yafuatayo katika kila tangazo na kila kampeni ya kutangaza bima:</p> <ul style="list-style-type: none"> <li>i) Jina sahihi la bidhaa au huduma inayotangazwa;</li> <li>ii) Sifa za msingi za bidhaa au huduma;</li> <li>iii) Majina ya kampuni za bima zenye leseni anayofanya nayo biashara; na</li> <li>iv) Kauli inayoonyesha wazi, pasi na shaka, kwamba Benkiwakala wa Bima husika ni mwakilishi wa kampuni za bima zilizotajwa kwenye (iii) hapo juu.</li> </ul> <p>2.8.3 Ili kuhakikisha maslahi ya wakatabima yanalindwa ipasavyo na kwamba uongezaji wa thamani unaotokana na kampeni za utangazaji bidhaa una tija; Benkiwakala wa Bima watawasilisha kwa Mamlaka taarifa zifuatazo;</p> <ul style="list-style-type: none"> <li>a. Mpango wa mwaka wa utangazaji na uelimishaji wa bidhaa na huduma za Bima kabla ya tarehe 30 Novemba ya mwaka uliotangulia;</li> </ul>
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	<p>implemented in each quarter, the measure of performance, the timeframe of the activity, the method of delivery, and its budget.</p> <p>c. A quarterly report on its Marketing Campaigns within thirty days after the end of the quarter under review; and</p> <p>d. The reports required under this part shall be in accordance with the format and manner prescribed by the Authority.</p> <p>2.8.4 Every Bancassurance Agent shall allocate adequate resources for marketing the insurance products and services it transacts.</p>		<p>b. Mpango unaotajwa kwenye 2.8.3 (a) hapo juu utainisha pamoja na mambo mengine, kazi zitakazotekelezwa katika kila robo mwaka, kipimo cha utekelezaji, muda wa utekelezaji, mbinu za utekelezaji pamoja na bajeti husika.</p> <p>c. Taarifa ya kila robo mwaka ya uelimishaji na utangazaji ndani ya siku thelathini baada ya kuisha kwa robo mwaka husika.</p> <p>d. Taarifa zinazohitajika kwa mujibu wa kifungu hiki zitawasilishwa kwa kuzingatia fomu na utaratibu utakaoainishwa na Mamlaka.</p> <p>2.8.4 Kila Benkiwakala wa Bima atatenga rasilimali za kutosha kwa ajili ya utangazaji wa bidhaa na huduma za bima anazotoa.</p>
<p><b>2.9 Management of Branches of a Bancassurance Agent</b></p>	<p>2.9.1 Every branch office of a Bancassurance agent shall be managed by qualified Specified Person duly appointed by the Bancassurance Agent and approved by the Authority in accordance with Regulation 9(1)(c) and (d) of the Bancassurance Regulations.</p> <p>2.9.2 The Specified Person referred to under 2.9.1 above <u>shall be posted</u> at the specified branch of the Bancassurance Agent, and shall at all times</p>	<p><b>2.9 Uendeshaji na Usimamizi wa Matawi ya Benkiwakala wa Bima.</b></p>	<p>2.9.1 Kila ofisi ya tawi ya Benkiwakala wa Bima itasimamiwa na kuendeshwa na Afisa Maalum mwenye ujuzi na elimu stahiki aliyeteuliwa na Benkiwakala wa Bima na kuidhinishwa na Mamlaka kwa mujibu wa Kanuni ya 9(1)(c) na (d) ya Kanuni za Benkibima.</p> <p>2.9.2 Afisa Maalum aliyejatwa kwenye 2.9.1 hapo juu atasimamia masuala ya Benkiwakala wa Bima</p>

	<p>competently manage the affairs of the branch as per Bancassurance Regulations.</p> <p>2.9.3 Every bancassurance agent shall hire sufficient number of qualified staff to handle its bancassurance operations. It shall be a breach of these Guidelines for an unqualified person to handle insurance operations of a bancassurance agent.</p> <p>2.9.4 The Auditor of the Bancassurance Agent shall carry out regular competence assessment of the Agent's Principal Officer and Specified Persons and shall satisfy himself that each Specified Person maintains the required competences and good conduct, including treating customers fairly, throughout the tenure of their engagement with the Bancassurance Agent.</p> <p>2.9.5 The audit referred to under 2.9.3 above shall include at the minimum:</p> <ol style="list-style-type: none"> <li>a. Verification of qualification certificates acquired at the time of initial engagement and those acquired in the course of time;</li> <li>b. Continuous Professional Development (CPD) programs attended;</li> <li>c. Professional conduct;</li> </ol>		<p>katika tawi husika kwa umahiri kwa mujibu wa Kanuni za Benkibima .</p> <p>2.9.3 Kila Benkiwakala wa Bima atahakikisha anakuwa na idadi ya kutosha ya wafanyakazi wenye sifa katika uendeshaji wa shughuli zake za kibima. Itakuwa ni ukiukwaji wa Miongozo hii kwa mtu asiye na sifa kujihusisha na shughuli za kibima za Benkwakala wa Bima.</p> <p>2.9.4 Mkaguzi wa mahesabu wa Benkiwakala wa Bima atafanya ukaguzi wa mara kwa mara wa Afisa Mkuu na Maafisa Maalum wa Benkiwakala wa Bima ili kujiridhisha kwamba Afisa Mkuu na kila Afisa Maalum anaendelea kuwa na umahiri wa kutosha na mwenengo mwema, ikijumuisha kuwatendea haki wateja, kipindi chote cha mkataba alioingia na Benkiwakala wa Bima; na atawasilisha Taarifa ya Ukaguzi huo kwa Uongozi wa Benkwakala na kwa Mamlaka.</p> <p>2.9.5 Ukaguzi uliotajwa kwenye Kifungu 2.9.3 hapo juu utajumuisha yafuatayo kwa uchache:</p> <ol style="list-style-type: none"> <li>a. Uhakiki wa vyeti vya ujuzi na umahiri vilivyopatikana wakati wa kuanza kazi na baada ya hapo;</li> </ol>
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	<p>d. Adherence to regulatory requirements on treatment of customers before entering into insurance contract, during contract period, and after exit from contract;</p> <p>e. Adherence to Bancassurance Agent's internal Policies and Procedures;</p> <p>f. Handling of customers' insurance claims; and</p> <p>g. Handling of customers' complaints.</p>		<p>b. Programu za kujiendeleza kitaalam alizohudhuria;</p> <p>c. Mwenendo katika taaluma;</p> <p>d. Kuzingatia matakwa ya kisheria kuhusu kushughulikia wateja kabla ya kuingia mkataba wa bima, wakati wa mkataba, na baada ya kuisha kwa mkataba.</p> <p>e. Kuzingatia sera na Taratibu za ndani za Benkiwakala wa Bima;</p> <p>f. Kushughulikia madai ya bima ya wateja; na</p> <p>g. Kushughulikia malalamiko ya wateja.</p>
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<b>SECTION THREE: PROHIBITED PRACTICES</b>		<b>SEHEMU YA TATU: MAKATAZO</b>	
<p><b>3.1 Prohibited Practices</b></p>	<p>3.1.1 A Bancassurance Agent shall at all times observe requirements of Regulation 20 and Regulation 27 of the Bancassurance Regulations regarding prohibited practices;</p> <p>3.1.2 Without prejudice to 3.1.1 above:</p> <p>a. A Bancassurance Agent shall not debit the client's bank account for premium without</p>	<p><b>3.1 Makatazo</b></p>	<p>3.1.1 Wakati wote Benkiwakala wa Bima atazingatia matakwa ya Kanuni ya 20 na 27 ya Kanuni za Benkibima kuhusu matendo yaliyokatazwa;</p> <p>3.1.2 Bila kuathiri maelekezo ya Kifungu 3.1.1 hapo juu:</p> <p>a. Benkiwakala wa bima hatatoa fedha kutoka kwenye akaunti ya benki ya mteja kwa ajili ya</p>

SECTION THREE: PROHIBITED PRACTICES		SEHEMU YA TATU: MAKATAZO	
	<p>the prior written consent of the operator of the account</p> <p>b. No Bancassurance Agent shall act for an insurer outside its approved pool of insurers.</p> <p>c. A Bancassurance Agent shall not engage in unethical or unfair practices which prejudice the rights of the insured or prospect or other registrants.</p> <p>d. A Bancassurance Agent shall not seek to obtain payment other than its remuneration in accordance with Insurance Act.</p> <p>e. The insurer shall not remunerate a Bancassurance Agent an amount which contradicts the commission structure submitted by the insurer and approved by the Commissioner of Insurance.</p> <p>f. No Bancassurance agent shall be allowed to deny servicing a client who is a beneficiary of other banking services but insuring his properties with other insurance registrants on the ground that insurance services must</p>		<p>kulipia ada ya bima bila ridhaa ya kimaandishi ya mmiliki wa akaunti husika.</p> <p>b. Hakuna Benkiwakala wa Bima atakayeruhiswa kufanya biashara na makampuni ya bima nje ya yale aliyoruhusiwa.</p> <p>c. Benkiwakala wa Bima hatajihusisha na vitendo vinavyokiuka maadili au vinavyoathiri haki za mteja wa bima wa sasa au mtarajiwa au watoa huduma.</p> <p>d. Benkiwakala wa Bima hatalipwa malipo zaidi ya ujira stahiki kwa mujibu wa Sheria ya Bima.</p> <p>e. Kampuni ya Bima haitamlipa Benkiwakala wa Bima ujira unaokinzana na viwango alivyowasilisha na kuidhinishwa na Kamishina wa Bima.</p> <p>f. Hakuna Benkiwakala wa Bima atakayeruhusiwa kukataa kumhudumia mteja ambaye ni mnufaika wa huduma nyingine za benki lakini amekata bima za mali zake kwa watoa huduma wengine au kwa sharti kwamba huduma za bima zitolewe</p>



SECTION THREE: PROHIBITED PRACTICES		SEHEMU YA TATU: MAKATAZO	
	<p>be channeled through the agent or a particular insurer.</p> <p>g. A Bancassurance agent shall not advise or coerce a customer to cancel an existing insurance policy from a service provider or underwriter approved by the Authority.</p> <p>h. A Bancassurance Agent shall not use loans provided to a customer to infringe on the freedom of the customer to use the services of other intermediary of his choice or to directly deal with the underwriter.</p> <p>i. A Bancassurance Agent shall not engage in any other practice deemed by the Commissioner of Insurance to be improper or prejudicial to the rights of the insured or prospect or the registrant.</p> <p>j. <b>Not offer different rates, benefits, terms and conditions other than those offered or agreed by the insurer.</b></p> <p>k. <b>Not to disclose consumer confidential information obtained during the transaction.</b></p>		<p>kupitia kwa wakala huyo au kampuni fulani ya bima.</p> <p>g. Benkiwakala wa bima hatamshauri au kumlazimisha mteja kusitisha mkataba wa bima alioingia na mtoa huduma mwingine au kampuni nyingine ya bima iliyoidhinishwa na Mamlaka.</p> <p>h. Benkiwakala wa bima hatatumia mikopo iliyotolewa kwa mteja kuzuia uhuru wa mteja wa kutumia huduma za mtoa huduma mwingine wa bima aliyemchagua au kukata bima moja kwa moja kwa kampuni ya bima.</p> <p>i. Benkiwakala wa Bima hatajikusisha na vitendo vingine vyovyote vitakavyohesabiwa na Kamishna wa Bima kuwa si sahihi au ni dhuluma kwa haki za mteja wa sasa au mtarajiwa au mtoa huduma za bima.</p> <p>j. <b>Kutotoa viwango, mafao, vigezo na masharti tofauti na yaliyotolewa na kukubaliana na kampuni ya bima.</b></p> <p>k. <b>Kutotoa taarifa za siri za mteja.</b></p>

SECTION FOUR: SUPERVISION AND MONITORING		SEHEMU YA NNE: USIMAMIZI NA UFUATILIAJI	
<p><b>4.1 Record Keeping</b></p>	<p>4.1.1 Without prejudice to the requirements of Regulation 15 of the Bancassurance Regulations, A Bancassurance agent shall maintain at minimum the following types of registers;</p> <ul style="list-style-type: none"> <li>a. Premium Register</li> <li>b. Commission Register</li> <li>c. Claims Register and Claim Files</li> <li>d. Complaints Register</li> <li>e. Internal Audit reports</li> <li>f. External Audit reports</li> <li>g. Copies of Insurance Policies</li> <li>h. Financial Statements</li> <li>i. Copies of Agency Agreements</li> </ul> <p>4.1.2 The Authority shall specify the format and manner of maintenance of registers referred to under this part.</p>	<p><b>4.1 Utunzaji Kumbukumbu</b></p>	<p>4.1.1 Bila kuathiri Matakwa ya Kanuni ya 15 ya Kanuni za Benkibima, Benkiwakala wa Bima atatumza kwa uchache aina za rejista zifuatazo;</p> <ul style="list-style-type: none"> <li>a. Rejista ya Ada za Bima</li> <li>b. Rejista ya Ujira</li> <li>c. Rejista ya Madai na Majalada husika</li> <li>d. Rejista ya Malalamiko</li> <li>e. Taarifa ya mkaguzi wa mahesabu ya ndani</li> <li>f. Taarifa ya mkaguzi wa mahesabu wa nje</li> <li>g. Nakala za mikataba ya Bima</li> <li>h. Taarifa za Kifedha</li> <li>i. Nakala za Mikataba ya Uwakala</li> </ul> <p>4.1.2 Mamlaka itaainisha namna ya utunzaji wa rejista zilizoainishwa katika sehemu hii.</p>

SECTION FOUR: SUPERVISION AND MONITORING		SEHEMU YA NNE: USIMAMIZI NA UFUATILIAJI	
<p><b>4.2 Operational Manuals</b></p>	<p>4.2.1 A bancassurance agent shall develop, document and maintain an operational manual covering major areas of its operations.</p> <p>4.2.2 Subject to 4.2.1 above, the operational manual of a bancassurance agent shall at minimum provide detailed procedures for the following areas of its operations:</p> <ul style="list-style-type: none"> <li>a. Underwriting;</li> <li>b. Claims handling;</li> <li>c. Complaints handling; and</li> <li>d. Marketing.</li> </ul>	<p><b>4.2 Miongozo ya Uendeshaji</b></p>	<p>4.2.1 Benkiwakala wa Bima ataandaa na kuweka kwa maandishi mwongozo unaohusiana na uendeshaji wa maeneo muhimu ya biashara yake.</p> <p>4.2.2 Kwa kuzingatia 4.2.1 hapo juu, Mwongozo wa Uendeshaji wa Benkiwakala wa Bima utabainishwa utaratibu stahiki kwa katika maeneo yafuatayo:</p> <ul style="list-style-type: none"> <li>a. Uandikishaji bima;</li> <li>b. Ushughulikiaji wa madai;</li> <li>c. Ushughulikiaji malalamiko; na</li> <li>d. Masoko</li> </ul>
<p><b>4.3 Off-site and On-site Inspections</b></p>	<p>4.3.1 Pursuant to Section 142 of the Insurance Act, the Authority shall carry out regular and special inspections on Bancassurance Agents. This is also in line with Regulation 29 of the Bancassurance Regulations 2019.</p>	<p><b>4.3 Kaguzi za Ndani na Nje.</b></p>	<p>4.3.1 Kwa mujibu wa Kifungu cha 142 cha Sheria ya Bima, Mamlaka itafanya kaguzi za mara kwa mara na kaguzi maalum za Benkiwakala wa Bima. Hii pia ni kwa mujibu wa Kanuni ya 29 ya Kanuni za Benkibima za mwaka 2019.</p> <p>4.3.2 Kwa madhumuni ya 4.3.1 hapo juu, Benkiwakala wa Bima atatoa taarifa zifuatazo kwa Mamlaka:</p>

SECTION FOUR: SUPERVISION AND MONITORING		SEHEMU YA NNE: USIMAMIZI NA UFUATILIAJI	
	<p>4.3.2 For purposes of 4.2.1 above, a Bancassurance Agent shall avail to the Authority the following:</p> <ul style="list-style-type: none"> <li>a. Its business records for the period under review in line with Regulation 15 of the Bancassurance Regulations 2019 and part 4.1 above;</li> <li>b. Documentary evidence relating to its compliance with the Insurance Act, Bancassurance Regulations, other relevant laws, and these Guidelines;</li> <li>c. Documentary evidence of qualifications of the Principal Officer and his regular involvement in the management of the agency's business as per Regulation 10 of the Bancassurance Regulations 2019;</li> <li>d. Documentary evidence of qualifications of the Specified Persons and their regular involvement in management of the agency's branches operations as per</li> </ul>		<ul style="list-style-type: none"> <li>a. Taarifa zote za biashara kwa kipindi husika kwa mujibu wa Kanuni ya 15 ya Kanuni za Utoaji wa Huduma za Bima kupitia benki na sehemu ya 4.1 hapo juu;</li> <li>b. Ushahidi wa kimaandishi unaoonyesha kuzingatia Sheria ya Bima, Kanuni za Utoaji wa Huduma za Bima kupitia benki, Sheria nyingine husika, na Miongozo hii;</li> <li>c. Ushahidi wa kimaandishi wa sifa za kitaaluma za Afisa Mkuu na usimamizi wa mara kwa mara wa biashara ya Benkiwakala wa Bima kwa mujibu wa Kanuni ya 10 ya Kanuni za Utoaji wa Huduma za Bima kupitia benki;</li> <li>d. Ushahidi wa kimaandishi wa sifa za kitaaluma za Maafisa Maalum na usimamizi wa mara kwa mara wa matawi ya Benkiwakala wa Bima kwa mujibu wa Kanuni ya 9 ya Kanuni za Utoaji wa Huduma za Bima kupitia benki ;</li> <li>e. Sera na Taratibu zinazohusiana na utekelezaji wa Kanuni ya 20 ya Kanuni za Utoaji wa</li> </ul>

SECTION FOUR: SUPERVISION AND MONITORING		SEHEMU YA NNE: USIMAMIZI NA UFUATILIAJI	
	<p>Regulation 9 of the Bancassurance Regulations 2019;</p> <p>e. Policies and procedures in place for implementation of Regulation 20 of Bancassurance Regulations (Prohibition of Tied Selling);</p> <p>f. Any other information deemed relevant.</p> <p>4.3.3 The Authority shall determine the scope of inspections carried out under these Guidelines;</p> <p>4.3.4 Without prejudice to 4.2.3 above, the Authority may carry out separate inspections targeting a Bancassurance Agent’s specific line of business or specific branch office (s).</p> <p>4.3.5 The Authority’s Offsite inspections will be based on the quarterly and annual filings submitted to the Authority or any other relevant information deemed to be important by the authority.</p> <p>4.3.6 Every Bancassurance Agent shall have policies and procedures as well as</p>		<p>Huduma za Bima kupitia benki (Katazo la Ulazimishaji Biashara);</p> <p>f. Taarifa nyingine yoyote itakayohitajika.</p> <p>4.3.3 Mamlaka itaamua wigo wa kaguzi zitakazofanyika chini ya Miongozo hii;</p> <p>4.3.4 Bila kuathiri 4.2.3 hapo juu, Mamlaka inaweza kufanya kaguzi zinazolenga aina fulani ya biashara ya Benkiwakala wa Bima au inayolenga tawi au matawi fulani ya Benkiwakala wa Bima.</p> <p>4.3.5 Kaguzi za nje ya ofisi za Mamlaka zitatokana na ritani zilizowasilishwa na Benkiwakala kwa kila robo mwaka na mwaka mzima au taarifa nyingine itakayohitajika na Mamlaka.</p> <p>4.3.6 Kila Benkiwakala wa Bima atatakiwa kuwa na sera na taratibu pamoja na rasilimali za kutosha za kubaini na kushughulikia majanga yanayoweza kuikumba biashara yake ya bima.</p>

SECTION FOUR: SUPERVISION AND MONITORING		SEHEMU YA NNE: USIMAMIZI NA UFUATILIAJI	
	adequate resources to manage risks inherent in their insurance business.		
4.4 Sanctions for Non-Compliance	<p>4.4.1 The penalty for non compliance is in respect of the Bank, its directors, officers or employees.</p> <p>4.4.2 Leaving out other penalties and actions prescribed by laws, the regulator may impose one or more of the following sanctions</p> <ul style="list-style-type: none"> <li>i. Money penalty in such amount as may be determined by the regulator on the Bank or financial instions or directors, officer or employees responsible for non-compliance;</li> <li>ii. Suspension from enging in Bancassurance business;</li> <li>iii. Suspension from office of the defaulting director, officer or employee from any activity related to transaction of insurance business;</li> </ul>	4.4 Hatua na adhabu	<p>4.4.1 Adhabu kwa kutofuata sheria ni kwa Benki, wasimamizi wake, maafisa au wafanyikazi.</p> <p>4.4.2 Pamoja na adhabu na hatua zingine kama zilivyobainishwa kwenye sheria, Mamlaka inaweza kuchukua hatua moja au zaidi kati ya zifuatazo.</p> <ul style="list-style-type: none"> <li>i. Adhabu ya fedha kwa kiasi ambacho kitaamuliwa na Mamlaka kwa Benki au Taasisi za kifedha au Wakurugenzi, Afisa au wafanyakazi waliobainika kukiuka sheria;</li> <li>ii. Kusimamishwa kujihusisha katika biashara ya Wakala wa Benkibima;</li> <li>iii. Kuzuiwa kwa Mkurugenzi, Afisa au Mfanyakazi wa Benki aliyekiuka sheria kujishughulisha na biashara ya bima;</li> <li>iv. Kufutwa kwa leseni ya Uwakala wa Benkibima.</li> </ul>

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	iv. <b>Revocation of bancassurance licence.</b>		
1.1. <b>Legal Enforcement</b>	Any person who contravenes the provisions of these Guidelines commits an offence and shall be subject to regulatory sanctions by the Commissioner of Insurance as per the Insurance Act Cap 394.	4.4 <b>Utekelezaji wa Kisheria</b>	Mtu yeyote atakayekiuka masharti ya Miongozo hii atakuwa ametenda kosa na atachukuliwa hatua na Kamishna wa Bima kwa mujibu wa Sheria ya Bima Sura Na. 394.

<b>SECTION FIVE: REVIEW, EFFECTIVE DATE AND APPROVAL OF GUIDELINES</b>		<b>SEHEMU YA TANO: MAPITIO, TAREHE YA KUENZA KUTUMIKA NA IDHINI YA MIONGOZO</b>	
<b>5.1 Review of Guidelines</b>	5.1.1 These Guidelines shall be reviewed once in every three years for improvement. 5.1.2 Notwithstanding 5.1.1 above, the Commissioner may review these Guidelines as and when need arises.	<b>5.1 Mapitio ya Miongozo</b>	5.1.1 Miongozo hii itapitiwa kila baada ya miaka mitatu kwa ajili ya maboresho. 5.1.2 Bila kuathiri 5.1.1 hapo juu, Kamishna anaweza kufanya mapitio ya Miongozo hii wakati wowote itakapohitajika.
<b>5.2 Effective date</b>	These Guidelines shall come into force on the 1 <sup>st</sup> October, 2022.	<b>5.2 Tarehe rasmi ya kuanza kutumika</b>	Miongozo hii itanza kutumika rasmi tarehe 1 Oktoba, 2022.
<b>5.3 Approval</b>	Approved by:  ..... <b>Dr. Baghayo A. Saqware Commissioner of Insurance</b>	<b>5.3 Idhini</b>	Imeidhinishwa na:  ..... <b>Dkt. Baghayo A. Saqware Kamishna wa Bima</b>



<b>SCHEDULE 1: PROHIBITED CLASSES OF BUSINESS FOR BANCASSURANCE AGENTS</b>		
1	Engineering Insurance	
	(I) Nonrenewable (one-off) covers	
	a)	Contractors All Risks
	b)	Erection All Risks
	c)	Contractors All Risks
	d)	Advance Loss of profit
	(II) Renewable covers	
	a)	Contractors' Plant and Equipment Insurances
	b)	Boiler and Pressor Vessel Explosion Insurances
	c)	Machinery Breakdown
	d)	Loss of profit following Machinery breakdown
	e)	Deterioration of Stock Insurance
	f)	Low voltage and Electronic Equipment Insurance
2	Liability Insurances	
	a)	Commercial General Liability Insurance
	b)	Product Liability and Product recall Insurances
	c)	Directors & Officers Liability Insurances
	d)	Professional Liability Insurances (including medical errors/omission)
	e)	Pollution and Environment impairment Insurance
	f)	Libel and slander Insurances
3	Energy Insurance	
	a)	Oil Insurances
	b)	Gas insurances
	c)	Renewable Energy Risks
4	Financial lines	
	a)	Bankers Blanket Bonds

	b)	Electronic Computer Crimes
	c)	Financial institutions Professional Risks
	d)	Cyber Security and data breach risks
5	Marine insurance	
	a)	Hull and Machinery Insurances
	b)	Cargo Insurances
	c)	Protection & Indemnity (P & I) Insurance
6	Aviation insurances	
	a)	All Aviation Risks