

1.1 Module 2: Regulation and Financial Planning

1.1.1 Headline information about the module

Module title	Regulation and Financial Planning
Module NFQ level (only if an NFQ level can be demonstrated)	8
Module number/reference	2
Parent programme(s) the plural arises if there are embedded programmes to be validated.	Higher Diploma in Business in Pensions Management Certificate in Business in Pensions, Insurance and Investment
Stage of parent programme	1
Semester (semester1/semester2 if applicable)	1/2
Module credit units (FET/HET/ECTS)	ECTS
Module credit number of units	5
List the teaching and learning modes	PT
Duration of the module	8 weeks
Average (over the duration of the module) of the contact hours per week (see * below)	3

Analysis of required learning effort		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	18
Monitoring and small-group teaching	1:30	18
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		40
Other hours (group project)		49
Work-based learning hours of learning effort		-
Total Effort (hours)		125

Allocation of marks (within the module)					
	Continuous assessment	Supervised project	Proctored practical examination	Proctored written examination	Total
Percentage contribution	20	-	20	60	100%

1.1.2 Module aims and objectives

This module provides a detailed understanding of the regulatory framework pertaining to financial services and intermediaries and the application of the conduct of business provisions to real-life financial planning situations, with reference to holistic strategies, involving retirement provision, pension scheme membership and including voluntary pension contributions.

1.1.3 Minimum intended module learning outcomes

On successful completion of this module, learners are able to:

- (i) demonstrate an enhanced awareness of the current regulatory framework and provisions pertaining to financial services providers and intermediaries in Ireland.
- (ii) assess the key provisions of relevant commercial law, data protection, money laundering legislation and their application in the dealing with consumers in the financial services industry.
- (iii) determine the key provisions contained within Consumer Protection Code and Markets in Financial Instruments Directive Demonstrate an understanding of the fitness and probity standards and how these are applied by the Central Bank.
- (iv) determine the key provisions contained within Consumer Protection Code and Markets in Financial Instruments Directive and the corresponding measures to be taken and professional conduct required in order to minimise legal exposure arising from involvement in this sector.
- (v) utilise their knowledge in the application of the required conduct of business provisions for a given financial planning advice scenario and present and present a comprehensive Suitability statement, appropriate to client needs.

1.1.4 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

This module develops an understanding of the holistic financial needs and encourages learners to listen to and assess what is in the best interests of the customer. Financial advice is also a highly regulated activity and this module teaches the requirements of the Central Bank, Data Protection Commissioner and Financial Services & Pensions Ombudsman when interacting with consumers. This module is designed to give learners the ability to deliver quality advice in a way that protects both the advisor and customer.

This module supports the achievement of MIPLOs: (i), (ii), (iii), (iv), (v), (vi) and (x).

1.1.5 Information provided to learners about the module

Learners are supported with resources to offer structure and guidance which include a set of lecture notes and reading materials as well as a detailed module curriculum that includes the module learning outcomes, a class schedule, the necessary reading material and the assignment strategy. Participants also have access to Moodle, the College's Virtual Learning Environment (VLE).

1.1.6 Module content, organisation and structure

6.2.6.1 Regulatory Bodies and Financial Services Regulation

- Forms of Regulation- Structural, Systemic, Prudential, and Conduct of Business
- Authorisation and registration process, insurance companies, intermediaries
- Actuarial function in a life assurance company
- Central Bank of Ireland
- European System of Central Banks
- Director of Corporate Enforcement
- Data Protection Commissioner
- Financial Services and Pensions Ombudsman
- Consumer Protection Code
- Competition and Consumer Protection Commission
- Insurance Distribution Regulations 2018

- European Union (Insurance and Reinsurance) Regulations 2015
- Pensions Authority

6.2.6.2 Investment Intermediaries Act

- Purpose and key provision. Intermediary classifications,
- Obligations on product producers / intermediaries.
- Appointments and Cancellation
- Handling client's monies.
- Prudential Handbook, inspection

6.2.6.3 Commercial Law

- Contract Law formation, essential term, matter affecting validity, remedies for breach, termination
- Commercial Entities sole trade, partners, companies
- Formation of a company, private vs. public company, legal requirements, financial returns
- Equal Status Acts 2000-2015
- Distance Marketing, unsolicited contact by suppliers, cooling off periods,
- Breach of confidence

6.2.6.4 Data Protection

- General Data Protection Regulation (GDPR)
- Data Protection legislation
- Controllers and Processors
- Principles
- Processing of Personal Information
- Rights of data subjects
- Enforcement and Remedies
- Cross Border data sharing
- Sufficient Guarantee and Data Protection Impact Assessments

6.2.6.5 Anti -Money Laundering / Terrorist Financing

- Applicable law
- Process of Money Laundering
- Obligations on designated persons
- Day to Day impact including penalties
- European and international framework.

6.2.6.6 Investor Compensation scheme

- Investor Compensation Scheme- investment firms, eligibility and making a claim

6.2.6.7 Fitness and probity

- The standards.
- Controlled functions, pre-approval controlled functions
- Due diligence and record keeping
- Minimum Competency Code

6.2.6.8 Consumer Protection Code

- Consumer and Providers
- Key definitions

- General principles – common rules, terms of business, knowing the customer, suitability and complaint handling
- Execution only transactions
- Product specific rules
- Advertising Requirements
- Consumer Protection Act
- Consumer Protection Regulation
- Codes of Conduct
- Direct Marketing Directive
- Payment Accounts Directive

6.2.6.9 Markets in Financial Instruments Directive MIFID

- Introduction
- Investment Firms and Investment Services
- Key Provisions
- MIFID II

6.2.6.10 Integrated Financial Planning Process

- Long-term and short-term financial planning
- Objective driven planning
- Retirement provision
- Protection of individuals
- Protection for dependants

6.2.6.11 Incorporating the application of regulatory requirements

- Role of the Adviser – relationship building/ duty of care
- Recap of financial needs/objectives. Review/Comparison of products
- Fact Finding & identifying inconsistencies
- Prioritising Financial Needs and Objectives
- Review of adequacy of existing products and investment risk
- Identifying and Comparing products. Disclosure of Charges
- Making a recommendation
- Writing a Suitability Statement Structure, Content
- Client Reviews: Frequency, change in personal circumstances and changes in requirements
- Managing unhappy clients, communication skills, appeals and complaints
- Ethical conduct in the advice and sales process.

1.1.7 Module teaching and learning strategy

Programme content is delivered by means of lectures and workshops with prior preparation. Learners are required to read and prepare for classes beforehand with the emphasis on interactive discussions, participative group work and learning by doing in class. Practice problems and case study analysis plays a large part in ensuring that learners understand how accounting is employed in decision-making and the role of management accounting within the wider organisational context.

There is a written exercise in which learners evaluate products on the market and a role play involving presentations to a hypothetical client, whereby Learners practise teamwork and interpretative and communication skills.

1.1.8 Module summative assessment strategy

Learners practise and demonstrate teamwork and interpretative and communication skills in the continuous assessment of the module, which is conducted in two parts:

- The learner prepares an analysis of the insurance needs of a sample client. They investigate and research the existing products on the market which would meet the requirements.
- The learner investigates the existing policies presented as part of the case study and advises on the best course of action.

The final assessment is in the form of a proctored examination, with questions which contain both theoretical and practical elements with all of the learning outcomes assessed in the exam. 60% of the marks are allocated to this piece of the work.

No	Description	MIMLOs	Weighting
1	Client Report and Recommendations	(i), (iii)	20%
2	Client Role play (Interaction with client)	(i), (iii)	20%
3	End of semester examination	(i), (ii), (iv) and (v)	60%

