

EIOPA-IRSG-12-08

14 March 2012

Anti-discrimination Working Group Mandate

I. Background

Following the European Court of Justice (ECJ) ruling on the Test-Achats case on 1 March 2011, in which the ECJ gave insurers until 21 December 2012 to treat individual male and female customers equally in terms of insurance premiums and benefits, and the European Commission's guidelines to Europe's insurance industry to ensure non-discrimination between men and women in insurance premiums, published on 22 December 2011, it is important to evaluate an impact of both regulations. Particularly the impact on underwriting should be examined and analysed.

As identical wording refers to discrimination according to age and disability there is a big concern of potential impact of similar rules on age and disability. It is important to show of the influence on both consumers and insurance industry. To cover this issue, working group is to prepare a presentation and a report about influence of unisex tariffs on insurance market, with special attention paid to underwriting practices, possible outcome banning diversification according to age and disability. Finally working group should monitor and point out changes in European market after 21 December 2012.

This sub-group is organised in respect of the Article 10 of the Rules of Procedures.

II. Tasks of the IRSG ... Working Group

- Task 1 to prepare a report on *Discrimination vs. diversification in insurance: gender, age and disability*
- Task 2 to prepare a presentation on influence of new the ECJ anti-discrimination rule on underwriting
- Task 3 to monitor implementation of European Court of Justice (ECJ) ruling on the Test-Achats case on 1 March 2011
- Any other tasks decided upon by IRSG

III. Expiration of mandate

The mandate of the IRSG **Anti-discrimination** Working Group expires with fulfilment of the task 1, 2 and 3, latest by the end of 2012.

IV. Organisation of work

Anti-discrimination working group is to deliver to a report, a presentation, and a monitoring. The framework of these three documents will be prepared by leader. Then using tracking changes function the text is build up. In the final stage teleconferences are organised to discuss potential issues.

V. Working group lead

- Lead: Marcin Kawiński; [31.12.2012]

VI. Members

- Members:
 - Marcin Kawiński, – PL, academic
 - Creedon, Seamus – IE, User – actuary
 - Kalpala, Asmo – FI, industry representative
 - Menioux, Jean Christophe – FR, industry representative
 - Sadovski, Alexander – BG, academic

VII. Deliverables

- Deliverable 1
- Deliverable 2

IRSG Anti-discrimination Working Group Deliverables	Timeline (Q1 to Q4 2012)	IRSG expected date of approval	Priority High (H), Medium (M), Low (L)
Presentation to full IRSG on influence of new the ECJ anti-discrimination rule on underwriting	Q2 2012		M
Report on Discrimination vs. diversification in insurance: gender, age and disability	Q3 2012		M
Monitoring of implementation of European Court of Justice (ECJ) ruling on the Test-Achats case on 1 March 2011	Q1 2013		H