

**Comments Template on EIOPA-CP 11/010a and EIOPA-CP 11/010b  
 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance  
 Undertakings and Draft Report on Best Practices by Insurance Undertakings in handling  
 complaints**

**Deadline  
 31 January 2012  
 12:00 CET**

Company name:	Danish Insurance Association (DIA)	
Disclosure of comments:	EIOPA will make all comments available on its website, except where respondents specifically request that their comments remain confidential.  <i>Please indicate if your comments on this CP should be treated as confidential, by deleting the word <b>Public</b> in the column to the right and by inserting the word <b>Confidential</b>.</i>	Public

**Please follow the instructions for filling in the template:**

- ⇒ Do **not** change the numbering in column "Reference", or any other formatting in the file.
- ⇒ Please fill in your comment in the relevant row. If you have **no comment** on a paragraph, keep the row **empty**. Please do not delete rows in the table.
- ⇒ Our IT tool does not allow processing of comments which do not refer to the specific paragraph numbers below.
  - If your comment refers to multiple paragraphs, please insert your comment at the first relevant paragraph and mention in your comment to which other paragraphs this also applies.
  - If your comment refers to sub-bullets/sub-paragraphs, please indicate this in the comment relating to the corresponding paragraph.

**Please send the completed template to [CP-010@eiopa.europa.eu](mailto:CP-010@eiopa.europa.eu), in MS Word Format, (our IT tool does not allow processing of any other formats).**

The paragraph numbers and questions below correspond to document no. EIOPA-CP-11/010a.  
 There is an additional section at the end of the table for general comments on the draft Best Practices Report (document no. EIOPA-CP-11/010b).

**Comments Template on EIOPA-CP 11/010a and EIOPA-CP 11/010b  
 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance  
 Undertakings and Draft Report on Best Practices by Insurance Undertakings in handling  
 complaints**

**Deadline  
 31 January 2012  
 12:00 CET**

Reference	Comment	
General Comment	<ul style="list-style-type: none"> <li>• Danish Insurance Association (DIA) support easy, cheap and independent complaints handling concerning consumers dissatisfaction addressed to their own insurance company.</li> <li>• DIA is convinced that the above mentioned ambition most easily is reached by giving consumers the opportunity to bring insurance complaints to an external body, which is authorized to take formal decision in the conflict, only leaving the parties with the possibility bringing the decision to courts for final decision.</li> <li>• DIA established together with The Danish Consumer Council in 1975 Danish Insurance Complaints Board (DICB). Beside taking decision in approx. 2.000 cases pr. year the maybe most important effect of the scheme is the disciplining effect on the internal complaints handling in Danish insurance companies. Since decisions taken by the DICB are tabled at its website with reference to the insurance company involved, insurers are strongly motivated to reach fair and quick solutions in conflicts with their customers.</li> <li>• On this background DIA suggest that the EIOPA- guidelines should be regarded as an alternative and not a supplement to ADR like the Danish DICB, cf. the recently published Commission proposal for a directive on ADR (SANCO/12360/2011) which includes insurance business.</li> <li>• Our concrete comments to the Consultation Paper are mentioned below.</li> </ul>	
3.1.		
3.2.		
3.3.		
3.4.		
3.5.		
3.6.		
3.7.	Practices concerning complaints – handling in Danish insurance companies varies much. In some companies lack of accept from the consumer lead to review of the case in the group/office earlier involved. In some companies the case is reviewed by the head or another employee in the	

**Comments Template on EIOPA-CP 11/010a and EIOPA-CP 11/010b  
 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance  
 Undertakings and Draft Report on Best Practices by Insurance Undertakings in handling  
 complaints**

**Deadline  
 31 January 2012  
 12:00 CET**

	<p>group/office. In other companies cases are immediately brought to the Complaints management function, an independent function which due to Danish law is mandatory in financial enterprises in Denmark(Regulation 1264 of 8/12-2006).</p> <p>If the obligation for insurance companies to produce statistics and to report number of complaints and complaints-handling to Competent authorities (3.13) are maintained there is a need for a very precise definition of what a "Complaint" is. In that respect DIA suggest the following definition:                  "Complaint means enquiry from a consumer, which after having discussed the problem with the insurance company, still do not agree with the claims handling or the result of this, and on this background wants the case brought for the Complaints management function."</p>	
3.8.		
3.9.		
3.10.		
3.11.		
3.12.		
3.13.	<p>The provided information should be differentiated by (insurance-) classes, which seems to make reference to definitions in the non life directives. Since the bundling and the composition of insurance products for consumers varies much from member state to member state information based on "classes" make no sense for consumers and the public. On this background DIA suggest that the question of differentiation should be left to member states.</p>	
3.14.		
3.15.		
3.16.		
3.17.	Comments are not being sought on this paragraph at this stage	
3.18.	Comments are not being sought on this paragraph at this stage	
3.19.		
Q1. – on Impact		

<b>Comments Template on EIOPA-CP 11/010a and EIOPA-CP 11/010b            Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance            Undertakings and Draft Report on Best Practices by Insurance Undertakings in handling            complaints</b>		<b>Deadline            31 January 2012            12:00 CET</b>
Assessment		
Q2.– on Impact Assessment		
Q3.– on Impact Assessment		
Q4.– on Impact Assessment		
Best Practices Report Comments (EIOPA-CP-11/010b)	No comments	