

Comments Template on EIOPA-CP 13/006a and EIOPA-CP 13/006b Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance Intermediaries and Draft Report on Best Practices by Insurance Intermediaries in handling complaints		Deadline 28 June 2013 12:00 CET
Company name:	BEUC (European Consumers Organisation)	
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 Public in the column to the right and by inserting the word Confidential.</i>	Public
<p>Please follow the instructions for filling in the template:</p> <ul style="list-style-type: none"> ⇒ 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 <u>no comment</u> on a paragraph, keep the row <u>empty</u>. 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. <ul style="list-style-type: none"> ○ 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. <p>Please send the completed template to CP-13-006@eiopa.europa.eu, in MS Word Format, (our IT tool does not allow processing of any other formats).</p> <p>The paragraph numbers and questions below correspond to document no. EIOPA-CP-13/006a. There is an additional section at the end of the table for general comments on the draft Best Practices Report (document no. EIOPA-CP-13/006b).</p>		

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 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance
 Intermediaries and Draft Report on Best Practices by Insurance Intermediaries in
 handling complaints**

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Reference	Comment	
General Comment	While complaints handling within the company (in this case – insurance intermediary) is important and can resolve a number of consumer problems, it is crucial that consumers are also aware of other possibilities to obtain redress, if internal complaint handling fails. In this respect the information about the independent ADR bodies that can deal with insurance disputes has to be provided to consumers clearly and at a right time. We comment on it in more detail below.	
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18.	With respect to data on complaints submitted by insurance intermediaries to the competent authorities, not only the complaints received have to be reported, but also the complaints dealt with in a certain period, the reasons why complaints were declined and the ratio of complaints resolved in	

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	consumer's favour.	
19.		
20.	Point 20 c) ii) is very important, as it is crucial that consumers receive information about possibilities to resolve the dispute outside of the internal complaint handling with the insurance mediator. They have to be informed of the independent third party Alternative Dispute Resolution bodies, together with an explanation on what is the difference between internal complaint handling and an independent third party ADR.	
21.	<p>The time limits to respond to the complaint might be too long and might play a dissuasive part against consumers being vocal regarding their disputes. In addition, in some situations an attempt to resolve the dispute through the internal complaint handling procedure with the insurance intermediary might be a precondition before going to the ADR body. Therefore it is crucial that competent authorities not only check that the time limits set at national level are being adhered to, but also assess whether those time limits are reasonably short and revise them if appropriate. The average time limit to resolve the complaint should be 2 weeks.</p> <p>Regarding point 21 d), we underline again that it is crucial to maintain the obligation for insurance intermediaries to inform consumer about the possibility to turn to the independent ADR body. Even if consumers were provided this information before, they need to receive it again once the decision on their claim is communicated to them.</p>	
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Q1. - on Impact Assessment		
Q2a. - on Impact Assessment		
Q2b. - on Impact		

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Assessment		
Q2c. - on Impact Assessment		
Q2d. - on Impact Assessment		
Q3. - on Impact Assessment		
Best Practices Report Comments (EIOPA-CP-13/006b)		