

<b>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</b>		<b>Deadline            28 June 2013            12:00 CET</b>
Company name:	Dutch Association of Insurers (Verbond van Verzekeraars)	
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
<p><b>Please follow the instructions for filling in the template:</b></p> <ul style="list-style-type: none"> <li>⇒ Do <b>not</b> change the numbering in column "Reference", or any other formatting in the file.</li> <li>⇒ 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.</li> <li>⇒ 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"> <li>○ 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.</li> <li>○ If your comment refers to sub-bullets/sub-paragraphs, please indicate this in the comment relating to the corresponding paragraph.</li> </ul> </li> </ul> <p><b>Please send the completed template to <a href="mailto:CP-13-006@eiopa.europa.eu">CP-13-006@eiopa.europa.eu</a>, in MS Word Format, (our IT tool does not allow processing of any other formats).</b></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  
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Reference	Comment	
General Comment		
1.	<p>The introduction of these guidelines give the Dutch Association of Insurers the opportunity to clarify the current situation on complaint handling by insurers. We have a closed system to handle complaints and end disputes between customers and insurers. First of all, all our members have a internal complaint handling system (compulsory). A complaint should first be handled by the insurer himself (mandatory). Herefor guidelines have been made called 'guidelines for internal compliant handling procedures' (for the complaints management policy). See for more information: <a href="https://www.verzekeraars.nl/overhetverbond/zelfregulering/Documents/Richtlijnen_voor_interne_klaachtenbehandeling.pdf">https://www.verzekeraars.nl/overhetverbond/zelfregulering/Documents/Richtlijnen_voor_interne_klaachtenbehandeling.pdf</a>. In case of a lasting conflict an independent and free complaints procedure may be invoked through submitting the complaint to the Financial Services Complaints (named Kifid). Kifid is established by market parties by self-regulation, within the framework of legal requirements in the Financial Services Act. The Kifid is currently the only disputes agency recognised by the Minister of Finance and is totally independent. Kifid is mandatory for all our members (for all license holding financial institutes to be exactly). The Kifid consists of the Financial Services Ombudsman and the Financial Services Disputes Committee. The Financial Services Ombudsman will first try to mediate between the insurer and the consumer. Mediation is free of charge. When parties are not satisfied with the judgment of the Ombudsman, the Financial Services Disputes Committee can render a (for the insurer binding) decision on the dispute (with the opportunity of appeal for both parties). See for more information about Kifid: <a href="http://www.kifid.nl">www.kifid.nl</a>. We believe that the insurance industry with the internal complaint handling system and Kifid has a comprehensive and effective system of complaint handling/ alternative dispute resolution for the customer.</p>	<b>Public</b>
2.		
3.		
4.		
5.		
6.		
7.		
8.		

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9.		
10.		
11.		
12.		
13.	Kifid is also mandatory for all insurance intermediaries in the Netherlands.	<b>Public</b>
14.		
15.	Part of the complaint handling procedure is the designation of a complaints officer. Basically no one treats his complaints about himself. Depending on the size of the organization a complaint handling department is desirable. Each insurer has a clear definition of 'complaint'. And communicates clearly to the customer about the procedure. The insurer also makes the customer aware of ADR by Kifid.	<b>Public</b>
16.	See above.	
17.	Insurers register the number and the nature of the complaints. Kifid does the same.	<b>Public</b>
18.	See 1.	
19.	See 1.	
20.	See 1, 15 and 17.	
21.	See 1, 15 and 17	
22.		
23.		
24.		
25.		
26.		
Q1. - on Impact Assessment	See 1. In the Netherlands an effective complaint handling/ ADR system is provided.	
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)	We believe that these guidelines should create a <u>minimum standard</u> that guarantees the customer of a effective and honest ADR-system.	<b>Public</b>