Insurance mediation

2000/0213(COD) - 01/08/2002 - Commission opinion on Parliament's position at 2nd reading

On second reading Parliament adopted thirteen amendments to the Council's common position. They clarify or spell out in more detail certain provisions, without affecting the scope or undermining the fundamental objectives of the proposal. The Commission accepts these amendments. These amendments are as follows: - Clarification of the scope of the proposal. - Recommendation 98/257/EEC to be taken into account by bodies responsible for out-of-court settlement of disputes. - Introduction of a clause of non-discrimination of Community intermediaries in relation to the treatment in a Member State of intermediaries from third countries operating from a third country. - Registration of intermediaries. The register must show the countries in which the intermediary may operate under the rules on freedom of establishment or freedom to provide services. - Registration of intermediaries to be reviewed regularly by competent authority. - Arrangements for checking good repute of insurance and reinsurance intermediaries brought into line with Article 3. - Acquired rights for intermediaries already registered who satisfy requirements concerning training and experience on date of presentation of Commission proposal. - Lodging of complaints. Customers and any other parties concerned, especially consumer associations, may lodge complaints. All complaints must also receive replies. - Insurance intermediaries must inform their customers, in accordance with the arrangements laid down in the Directive - in writing and before conclusion of the insurance contract - that they are entitled to ask for the name of the company or companies with which the intermediary does business. The intermediary must provide the name of the companies if the customer requests them. - Insurance intermediaries must inform their customers, in accordance with the arrangements laid down in the Directive that they are entitled to ask for the names of companies with which the intermediary does business. - The insurance intermediary must provide an objective (impartial) analysis; he must base that analysis on an adequate number of contracts available on the market to be able to recommend, according to his professional criteria, the insurance contract suited to the customer's needs.