

QUESTIONNAIRE FOR AIDA WORLD CONGRESS, RIO, 2018

New Technologies (Autonomous Vehicles and Robots- Cyber Risks- New Technologies and Insurance Process)

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I. DRIVERLESS/AUTONOMOUS VEHICLES AND VESSELS

1 Are there any specific laws already adopted in your jurisdiction, or proposals for laws, relating to liability in tort for injuries inflicted by the use of such vehicles or vessels? If so, please provide a short explanation.

Comment: answers may include the liability of drivers, producers of vehicles and the suppliers of satellite technology.

No, we don't have any specific law or proposal for laws related to driverless vehicles or vessels.

We have only an obligatory law for personal injuries inflicted by the use of vehicles whit drivers.

2. Are there any specific laws already adopted in your jurisdiction, or proposals for laws, relating to compulsory insurance coverage for injuries inflicted by the use of such vehicles or vessels? If so, please provide a short explanation.

Comment: answers may relate to motor vehicle insurance and product liability insurance.

Idem answer 1-

3. How do you envisage the future of personal lines in motor vehicle insurance in the next 5-10 years in your jurisdiction?

Comment: you may wish to comment on the future of motor vehicle insurance and the plans being made by the industry for new products

The branch of motor vehicle insurance is very developed in Uruguay. There are a big competence between the insurance companies. This could be a problem in the middle future because the competence determine the definition of cost under the technical costs.

The new products in this branch are in the way of incorporate the new technologies in particular for the distribution through internet, comparative platforms for cost, virtual subscription, etc.

4. Driverless cars and autonomous vehicles apart, how do you assess the following technological developments that are expected to not only reshape the auto sector but also the

insurance industry around it?

- (a) connected cars (i.e., Internet enabled vehicles, (IEV));
- (b) automated driver assistance systems (ADAS);
- (c) car/ride sharing;
- (d) alternative fuel vehicles.

Comment: answers may include identifying the legal and regulatory regime and provisions in your jurisdiction.

Except for the c), the other aspects have been developed in Uruguay, by the way of imported cars, because we don't have national industry of cars. We have connected cars, ADAS and electrical vehicles are starting to circulate, even taxis that have an specific regulatory regime.

II. CYBER RISKS

5. Identify the concerns have emerged in your jurisdiction as a result of cyber risks. Is there any legislation in place or under consideration that might affect such risks?

Comment: possible matters include cyber-terrorism, hacking, computer or software failure and financial fraud.

We don't have any legislation. Only regulatory regime in order to prevent financial fraud but in the traditional way (against money laundering, terrorism, etc)

6. How has the insurance industry responded to cyber risks? In particular:

(a) do property policies cover losses from cyber risks, or is special insurance required?

No, only in a very special case, whit additional subscription

(b) is insurance and reinsurance readily available?

Yes

(c) are there any special restrictions imposed on cyber risks, e.g. event limits or deductibles?

Yes, the deductibles are usual in this kind of insurance..

III. NEW TECHNOLOGIES AND THE INSURANCE PROCESS

7. To what extent have the availability of new technologies affected the way in which insurance policies are placed? In particular:

(a) has there been any effect on the traditional use of agents and brokers?

(b) has the underwriting process been affected by the availability of information, particularly big data, from sources other than the applicant for insurance?

(c) has the means of providing information to policyholders changed significantly, e.g. are written documents provided or are policyholders directed to websites?

In Uruguay the new technologies are affecting the traditional ways of distribution, that are thought agents and brokers, but slowly because our population is very traditional.

But is clear that Internet is imposing a new age for the insurance marketing and distribution.

The insurance companies have their own webs whit platforms for quote and virtual subscription, etc, and where you can know the general conditions of your insurance.

The problem is that our insurance contract have the solemnity of the written policy.

Nowadays, we have a bill in the Parliament that will change the contract to a consensual one. And in fact, this is the usual way to celebrate the contract, despite the solemnity defined in the Commercial Code dated 1865...

A few brokers have a comparative platform of insurance cost but the population is not used to this way of quoting and subscription, for the moment.

8. To what extent is genetic testing regarded as important by life and accident insurers? Is there any legislation in place or in contemplation restricting requests for genetic information, and are there any relevant rules on privacy that preclude its disclosure?

We don` t have any legislation and the genetic testing is not very extent (only for a very big insured sum in life insurances)

9. Has the assessment of claims been affected by the availability of data. In particular, are there any industry-wide arrangements in place whereby insurers can share information on fraud?

In the bill of the insurance contract we have a chapter related to databases to share information on insurance fraud and whit statistics goals. In this moment this kind of database require, by law, the consent of the insured to include his data in the database

10. Are there any other ways in which the new technologies have affected the insurance process in your jurisdiction?

No.

IV. OTHER NEW TECHNOLOGY RISKS

11. Are there any other particular risks from new the new technologies that have been identified in your jurisdiction? If so, is there any legislation in place or under consideration to regulate them?

The problem of the insurance databases that I have already commented in 9.

This problem is in way of solution whit the bill of insurance contract that will allow this kind of database without the consent of the insured if the objective of the database is the combat of the insurance fraud or for statistics goals.