



# XIV WORLD CONGRESS

UNDER THE HIGH PATRONAGE OF THE PRESIDENT OF THE ITALIAN REPUBLIC



# ROME

# DRAFT

28 SEPTEMBER • 2 OCTOBER 2014



# PROGRAMME

## XIV WORLD CONGRESS 2014

### Global trends in insurance law

*Transparency, Arbitration, Preventive Measures, Online Insurance, Discrimination*

#### Sunday 28 September 2014

16.00 - 19.00 Meeting of the AIDA Executive Committee  
19.00 Welcome Cocktail

#### Monday 29 September 2014

##### morning

8.30 Registration opens  
9.00 - 11.30 Meeting of the AIDA Presidential Council  
11.30 - 13.00 **CONGRESS OPENING**

##### Official Welcome

AIDA General Assembly

##### INTRODUCTORY REPORTS

**Mr. Michael Gill** - International President of AIDA

*The Role of AIDA in the World*

**Prof. Paolo Montalenti** - President of AIDA Italian Chapter

*Insurance Law between National Legal Systems and Globalisation*

**Prof. Agostino Gambino** - Honorary President of AIDA

*The Role of AIDA from its Origin until Today*

13.00 - 14.00

Lunch

##### afternoon

14.00 - 16.00

Working Parties (First Session)

- Accumulation of Claims and Subrogation  
Chairperson: **Mr. Enrique José Quintana**  
Topic: *The eventual reinsurer subrogation in property damage insurance*
- Civil Liability

16.00 - 18.00

Working Parties (Second Session)

- Joint meeting for:
  - Consumer Protection and Dispute Resolution*  
Topic: *Codes of Conduct*  
*Distribution of Insurance, State Supervision of Insurance*  
Chairperson: **Prof. Ioannis Rokas**  
Topics: *Insurance Mediation Directive II*  
*Rules and barriers to cross border intermediation*  
*Distribution and management of claims*
  - Credit Insurance
  - Climate Change  
Chairperson: **Mr. Tim Hardy**  
Topics: *Fracking (and mining) - particular legal and coverage problems presented by the extraction of shale gas and other fossil fuels*  
*Flooding - are insurers managing the rising tides?*  
*Agricultural insurances - coping with the threats to food production*

Speakers:

- 1) **Prof. Birgit Kuschke, South Africa**
- 2) **Prof. Joseph Macdougald, USA**
- 3) **Prof. Hilda Esperanza, Colombia**
- 4) **Chris Rodd, Australia**





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**Tuesday 30 September 2014**

morning

9.00 – 9.30

9.30- 12.00

General Introduction: **Prof. Avv. Paolo Montalenti** (Italy)

First Plenary Session: **Transparency**

Chairperson and General Rapporteur: **Prof. Avv. Giovanna Volpe Putzolu** (Italy)

**Prof. Sara Landini**, Sanctions in case of infringement of transparency rules

**Prof. Marco Frigessi di Rattalma**

**Prof. Gianluca Romagnoli**

- Transparency of insurance contract terms (legal requirements, legal consequences of intransparency)
- Pre-contractual Information

Panel Members:

- 1) **Prof. Manfred Wandt**, Professor of Private and Insurance Law, University of Frankfurt, Germany
- 2) Other speaker

12.00 - 13.00

Lunch

afternoon

13.00 - 15.00

Second Plenary Session: **Insurance & Arbitration**

Chairperson: **Prof. Avv. Piero Bernardini** (Italy)

- Is arbitration to be preferred as a method of insurance disputes resolution?
- What are the reasons why arbitration is to be preferred for the resolution of insurance disputes?
- Are there legal limitations to the arbitrability of disputes in the field of insurance?
- Can the insurer initiate an arbitration procedure against a third person?
- Can the award be opposed or enforced against the insurer who was not a party to the arbitration proceedings?
- Are there national arbitration organs with specific competence in insurance and reinsurance disputes?

Panel Members:

- 1) **Prof. Osvaldo Contreras Strauch**, Professor of Commercial Law Diego Portales University, Santiago, Chile
- 2) **Prof. Marcel Fontaine**, Professor Emeritus Catholic University of Louvain, Belgium
- 3) **Sir Bernard Rix**, Retired Lord Justice of Appeal and Professor of International Commercial Law at Queen Mary University of London, UK
- 4) Other speaker

15.00 - 15.15

Short coffee break

15.15 - 17.15

Working Parties (Third Session)

- Reinsurance  
Chairperson: **Mr. Colin Croly**  
Topic: *Follow the Settlements/Fortunes*
- Marine Insurance  
Chairperson: **Mr. Robert Koch**  
General Topic: *Preventive Measures*

*The following issues will be discussed:*

- Costs for searching for lost anchors: Hull or P&I?
- Costs for removing lost cargo: Cargo or P&I? Or none of it, because incurred to avoid a criminal liability?
- Whether the subsidiarity rule in P&I covers prevent recovery of sue and labor from P&I if one and the same act avoids H&M and P&I damage?
- Whether sue and labor requires the primary intention, at least a “co-intention” or no intention at all to save insured property?





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- Costs for sacrificing of insured property to prevent further loss (such as oil pollution, or ransom fee for the piracy)  
Speakers:
  - 1) **Prof. Avv. Giuseppina Capaldo**, Sapienza University of Rome, Italy
  - 2) **Dr. Ozlem Gurses**, Senior Lecturer, University of Southampton, UK
  - 3) **Dr. Maximilian Guth**, Dabelstein & Passehl, Germany
  - 4) **Rodrigo Hayvard B.**, Legal & Compliance, Zurich Insurance Group Ltd., Chile
  - 5) **Prof. Satoshi Nakaide**, Waseda University, Japan

## Wednesday 1 October 2014

### morning

9.00 - 10.30

CILA Meeting  
AIDA Europe Meeting  
AIDA Asia-Pacific Meeting  
ARIAS Meeting

10.30 - 11.00

Coffee break

11.00 - 13.00

Third Plenary Session: **Preventive Measures**

Chairperson: **Prof. Samantha Traves** (Australia)

- Measures that the insured is obliged to take, in order to avoid the occurrence of the insured event
- Concept and the different sorts of measures of prevention
- Ways and degrees of cooperation between insurers and insureds
- Techniques that are used, or required by law, to implement the preventive measures
- Sanctions
- Burden of proof

Panel members:

- 1) **Prof. Rob Merkin**, Professor of Commercial Law, University of Exeter, UK
- 2) **Prof. Anne Pelissier**, Professor in Law, Montpellier University, France
- 3) **Yves Hayaux du Tilly**, Partner and Head of Insurance and Reinsurance Practice, Nader, Hayaux & Goebel, Mexico
- 4) **Prof. Claudio Russo**, Professor of Insurance Law, Sapienza University of Rome, Italy

13.00 - 14.00

Lunch

### afternoon

14.00 - 16.00

Working Parties (Fourth Session)

- Motor Insurance  
Chairperson: **Prof. Sara Landini**  
Topics: Black Boxes  
Ecodriving  
Fraud Prevention
- New Technologies, Prevention & Insurance
- Personal Insurance and Pensions

18.30

Gala Dinner

## Thursday 2 October 2014

### morning

9.00 - 11.00

Fourth Plenary Session: **Online Insurance**

Chairperson: **Prof. Samim Unan** (Turkey)

- Existence of a national legislation or regulation that is specifically dealing with Internet insurance.
- Conclusion of insurance contracts on Internet
- Special information or warnings to be given to the prospective policyholder when concluding online operation
- Special protection of the insured against fraud or concerning the payment of premium
- Special role of insurance intermediaries





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Panel Members:

- 1) **Anna Tarasiuk**, Legal counsel, Member of the Warsaw Bar Association, Poland
- 2) **Prof. Pierpaolo Marano**, Professor of Insurance Law, Catholic University of the Sacred Heart, Milan, Italy
- 3) **Chris Rodd**, Technical Counsel CGU Insurance Australia and Snr. Fellow Faculty of Law. Monash University, Melbourne, Australia

11.00 - 11.30

Coffee break

11.30 - 13.30

Fifth Plenary Session: **Discrimination**

Chairperson: **Prof. Birgit Kuschke** (South Africa)

- Differentiations made in policy conditions and tariff setting on grounds that might be discriminatory in a general sense
- Legislation specifically focusing on discrimination
- Implementation of anti-discrimination rules
- Major cases or decisions

Panel Members:

- 1) **Ian Enright**, Reinsurance Group of America and University of Technology, Australia
- 2) **Yves Thiery**, Senior research fellow, KU Leuven University, Belgium
- 3) **Peggy Sharon**, Senior Partner Levitan, Sharon & CO., Israel
- 4) **Prof. Marco Frigessi di Rattalma**, Professor of European Union Law, University of Brescia, Italy

13.30 - 14.00

OFFICIAL CLOSE

afternoon

14.00 - 15.00

**AIDA General Assembly**

Meeting of the AIDA Presidential Council

**Simultaneous translation will be provided in Italian, English and Spanish.**



## CONGRESS VENUE

Università Europea di Roma  
Via degli Aldobrandeschi 190  
00163 Roma

[www.universitaeuropadiroma.it](http://www.universitaeuropadiroma.it)



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Paid-up capital: 10.000 Euro



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## REGISTRATION FEES

Before 15-07-2014	
Delegate	Euro 580,00
Accompanying Person	Euro 250,00
After 15-07-2014	
Delegate	Euro 650,00
Accompanying Person	Euro 300,00

## REDUCED FEE FOR "JUNIOR" DELEGATES

(under 36 years)	
Before 15-07-2014	
Delegates	Euro 290,00
After 15-07-2014	
Delegates	Euro 325,00

Reduced registration fee will only apply for under **36 years of age.**

Payment of the reduced fee must be kindly made **exclusively by bank transfer.**

All delegates applying for Junior Registration must send a **clear copy of their passport photo page / photo ID to info@aida2014.it**

## PAYMENT AND REGISTRATION

- Credit Card VISA, MASTERCARD, AMEX
- Bank Transfer: IBAN:IT1 8V0103003250000005170865 - BIC:PASCITM1R50

For registration and booking please visit the web site [www.aida2014.it](http://www.aida2014.it)

## LIST OF AFFILIATED HOTELS

### GRAN MELIA VILLA AGRIPPINA LUXURY URBAN RESORT \*\*\*\*\*

double single use	Euro 370
double	Euro 390

### AMBASCIATORI PALACE \*\*\*\*\*

double single use	Euro 215
double	Euro 235

### EXCELSIOR \*\*\*\*\*

double single use	Euro 400
double	Euro 440

### LUDOVISI PALACE \*\*\*\*

double single use	Euro 220
double	Euro 250

### NH MIDAS \*\*\*\*

double single use	Euro 115
double	Euro 125

### SOL MELIÁ \*\*\*\*

double single use	Euro 115
double	Euro 125

The Congress organisation guarantees the transfer from and to European University of Rome – Congress venue- exclusively to the participants that will be accommodated in one of the affiliated hotels.

## CONGRESS SPECIAL EVENTS:

29 September: VISIT TO THE CAPITOLINE MUSEUMS



([www.museicapitolini.org](http://www.museicapitolini.org))

1° October: GALA DINNER at Villa Miani



([www.villamiani.com](http://www.villamiani.com))

## ACCOMPANYING PERSONS PROGRAMME

30 th september: Excursion to Tivoli (Villa Adriana and Villa d'Este)



## BOOKING AGENCY CONTACTS:

info@newgatetoursitalia.com  
booking@newgatetoursitalia.com  
Tel: 06 66 52 77 00  
Fax: 06 66 54 37 46





## POST CONGRESS TOURS

### MINITOUR DELLA SICILIA (5 days – 4 nights) (TAORMINA, AGRIGENTO, PALERMO)

#### 3th October: Catania

Transfer to airport. Boarding to Catania. Arrival and transfer to Taormina. Tour of the Greek theatre and of the Cittadella. Lunch. Soiree, transfer to hotel. Dinner and overnight stay.

#### 4th October: Piazza Armerina / Agrigento

Breakfast in hotel. Tour of the Roman Villa called "Del Casale", well-known for the mosaics of Piazza Armerina. Lunch. In the afternoon, tour of the Temples Valley in Agrigento. Hotel placement and dinner.

#### 5th October: Selinunte / Marsala / Erice

Breakfast in hotel. Departure for the archeological site of Selinunte and tour with a local guide. Transfer and arrival in Marsala and tour of a wine cellar with taste itinerary. Lunch. Transfer and arrival in Erice and scenic suggestive tour. Transfer and arrival in Palermo and hotel placement. Dinner and overnight stay.

#### 6th October: Palermo / Monreale

Breakfast in hotel. In the morning, tour of the old town centre, of Palermo's Cathedral and of the Palatine Chapel, Tour of the Monreale Closter and of the Cathedral. Lunch. Back to the hotel, dinner and overnight stay

#### 7th October: Palermo

Breakfast, transfer to the airport. Boarding to Rome. Arrival and transfer to the hotel. End of the tour.

### NAPOLI , POMPEI, CAPRI E COSTIERA

#### AMALFITANA (3 days – 2 nights)

#### 3th October

Meeting with the assistant and the bus in the hotel and departure for Naples. Short scenic tour ending in the boarding area to Capri. Arrival in the gorgeous island and guided minitour (Marina Grande, Anacapri, Capri). Lunch in restaurant. In the afternoon, weather permitting, it will be possible to visit the famous Grotta Azzurra (optional entrance). Later on, return to Naples by hydrofoil. Transfer in the hotel. Dinner and overnight stay.

#### 4th October

Breakfast in hotel. Meeting with the local guide and departure for the tour of the Costiera Amalfitana main destinations (Positano, Amalfi). Stop for the lunch. Ravello. In the late afternoon, return to Naples. Dinner and overnight stay.

#### 5th October

Breakfast in hotel. Transfer to Pompei, meeting with the local guide and visit to the Excavates of this flourishing, ancient, Roman city, totally destroyed by the Vesuvio volcano's burst in 79 a.D. Lunch in restaurant. In the afternoon, return to Rome.

### MINITOUR DELLA TOSCANA Tuscany mini-tour (SIENA, FIRENZE, AREZZO) (3 giorni – 2 notti)

#### 3th October

Meeting with the assistant and departure by bus to Siena. Short tour of the old town centre where you can see the magnificent Cathedral and piazza del Campo (where the Palio horse race takes place) with the Mangia tower. Lunch in restaurant. In the afternoon, travelling to Florence. Dinner and overnight stay.

#### 4th October

Breakfast in hotel. Meeting with the local guide and departure for the tour of the main monuments of the city: Santa Maria del Fiore with the Basilica, Giotto's bell tower and the Baptistery, piazza della Signoria, Ponte Vecchio. Lunch in restaurant. In the afternoon, transfer to Pisa for the guided scenic tour (Pisa tower, Cathedral and Baptistery). Return to Florence in the evening. Dinner and overnight stay.

#### 5th October

Transfer to Arezzo, meeting with the local guide and tour of the ancient city, which was Etruscan in the beginning, then Roman military district, and after that it became free municipality, to finally become a county seat. Lunch in the local restaurant. In the afternoon, return to Rome. End of the tour.

### REGULAR TOURS - PROPOSTE INDIVIDUALI (BASE MINIMA 1 PAX) con guida multilingue

1. Classic Rome	€ 39.00
2. Imperial Rome with entrance to Colosseum	€ 53.00
3. Vatican Museums	€ 61.00
4. Christian Roma	€ 47.00
1+2+ Full day Rome with lunch	€ 120.00
3+4+ Full day Rome with lunch	€ 134.00
5. Papale Audience	€ 37.00
6. Tivoli	€ 62.00
7. Ancient Ostia	€ 55.00
8. Rome by night	€ 43.00
9. Rome by night with dinner	€ 85.00
10. Assisi/Orvieto	€ 97.00
11. Napoli/Capri	€ 135.00
12. (Blue Grotto Optional - payment cash)	€ 28.00
13. Napoli/Pompei	€ 120.00
14. Napoli 2 days (Naples, Pompei, Sorrento, Capri)	€ 316.00
in single	€ 365.00
15. Florence	€ 150.00

Panoramic Rome Open Bus Tour daily ticket € 18.00

Panoramic Rome Open Bus Tour 24 hours ticket € 22.00

Panoramic Rome Open Bus Tour 48 hours ticket € 31.00

children 3-7 years old discount 10%

**FOR REGISTRATION AND BOOKING PLEASE  
VISIT THE WEB SITE [www.aida2014.it](http://www.aida2014.it)**



