



AIDA – Association Internationale de Droit des Assurances  
The International Insurance Law Association

## **IVth AIDA EUROPE CONFERENCE**

**Testing Times, Uncertain Outcomes:  
How Are Insurers and Reinsurers Expected to Measure Up?**



**LONDON - 13/14 SEPTEMBER 2012**

**A Two-day International Insurance Law Conference at  
Grange Tower Bridge Hotel, 45 Prescott Street, London E1 8GP**

in association with the

**British  
Insurance  
Law  
Association**



PROGRAMME HIGHLIGHTS INCLUDE:

- Regulation in a fast changing world – financial and political
- Harmonization and changes in insurance contract law
- Solvency II
- Compliance with sanctions and anti money laundering/terrorism requirements
- Examination of Topics for 2014 AIDA World Congress, Rome
  - Arbitration,
  - Preventive measures,
  - Transparency, conflicts of interest and intermediary remuneration
  - Discrimination and insurance
  - On-line insurance
- Latest developments in claims and what is on the horizon
- Hot issues/cases and liability trends from different jurisdictions

Included in the Conference, AIDA Working Parties on:

- **Accumulation of Claims and Subrogation**
- **Civil Liability**
- **Climate Change**
- **Consumer Protection**
- **Credit Insurance**
- **Distribution of Insurance Products:** *The Most Innovative Rules of the draft Intermediary Directive 2 and the On-line Insurance Mediation*
- **Marine**
- **New Technologies**
- **Reinsurance:** *Legal Issues regarding Facultative Contracts and Bias of Arbitrators in Reinsurance Arbitrations*
- **State Supervision:** *EIOPA – Risks and Challenges for State Supervision in Europe – A Discussion from the Perspective of Different Jurisdictions*

Full agendas will be placed on the website before the conference

Keynote  
Address:

Karel van Hulle, Head of Unit for Insurance and Pensions DG  
Internal Market and Services European Commission, Brussels



**THURSDAY 13 SEPTEMBER 2012**

Morning

08.30 – 09.00                    AIDA Europe General Assembly  
Location: Bartholomew Suite, Grange Tower Bridge Hotel, 45 Prescott Street, London E1 8GP

08.30 -12.00                    **CONFERENCE REGISTRATION OPENS**  
**Location: Gallery, Grange Tower Bridge Hotel, 45 Prescott Street, London E1 8GP**

09.15 – 17.15                    **AIDA WORKING PARTY MEETINGS AT GRANGE TOWER BRIDGE HOTEL**

09.15 – 11.45                    Accumulation of Claims and Subrogation - *Chairman, Enrique José Quintana, Buenos Aires*  
Consumer Protection – *Chairman, Dr Samim Unan, Istanbul*  
Marine Insurance – *Chairman, Professor Robert Koch, Hamburg*  
Reinsurance – *Chairman, Colin Croly, London*

12.00 – 14.30                    Civil Liability – *Chairman, Osvaldo Contreras-Strauch, Santiago de Chile*  
Climate Change – *Chairman, Tim Hardy, London*  
State Supervision – *Chairman, Dr Gunne Baehr, Cologne*

14.00 – 15.30                    **CONFERENCE REGISTRATION**  
**Location: Gallery, Grange Tower Bridge Hotel, 45 Prescott Street, London E1 8GP**

14.45 – 17.15                    Credit Insurance – *Chairman, Louis Habib-Deloncle, Geneva*  
Distribution of Insurance Products – *Chairman, Professor Ioannis Rokas, Athens*  
New Technologies – *Chairman, Joaquin Alarcon, Madrid*



18.30 – 20.00

**CONFERENCE REGISTRATION**

**Location: Two Temple Place, London WC2R 3BD**

18.30 – 20.00

**PRE-CONFERENCE DRINKS RECEPTION**

**Location: Two Temple Place, London WC2R 3BD**

*Built to elaborate specifications by William Waldorf Astor, the first Viscount Astor, in 1895 as his residence and estate office, Two Temple Place affords the grandeur of a state occasion with the intimacy of a private house party in a unique location next to the Inns of Court, overlooking the River Thames.*

*Only recently restored and made open to the public, it memorably displays outstanding workmanship and architecture of the late-Victorian period.*

**[www.twotempleplace.org](http://www.twotempleplace.org)**

All conference delegates and registered accompanying persons are welcome to attend



**FRIDAY 14 SEPTEMBER 2012 – AIDA EUROPE CONFERENCE, GRANGE TOWER  
BRIDGE HOTEL, 45 PRESCOT STREET, LONDON E1 8GP**

08.15 – 08.45

Registration and Coffee

08.45

Welcome

Colin Croly, Chairman, AIDA Europe/Professor Robert Merkin, President, BILA

09.00 – 10.00

Keynote Speeches:

**Karel van Hulle**, Head of Unit for Insurance and Pensions, DG Internal Market and Services, European Commission, Brussels

10.00 – 11.15

**Responding to Regulation in a Fast-Changing World: Financial and Political:**

Chairman: Prof Dr Herman Cousy, Members of AIDA Presidential Council and Vice-Chairman AIDA Scientific Council, Leuven

**(1) Changes in insurance contract law and regulation regimes for consumer redress**

Insurance Contract Law Reform/Restatement of European Insurance Contract Law

**(2) Compliance with Sanctions and Anti-Money- Laundering/Terrorism Requirements**

US/EU Distinctions

Compliance/penalties/practicalities/contractual provision issues/Data protection/Privacy/Sanctions inconsistencies

**Presentations/Questions/Panel Discussion** on the above topics as well as practical implications of Solvency II and any other Regulatory/Compliance Issues:

Speakers:

Christian Felderer, CEO Hub Zurich & Hub General Counsel, SCOR Global P&C General Counsel



Professor Dr Helmut Heiss, Chairman of the Project Group  
“Restatement of European Insurance Contract Law” and Zurich  
University, Zurich  
Sean McGovern, Director, North America – General Counsel, Lloyd’s,  
London  
Karel van Hulle, Head of Unit for Insurance and Pensions DG Internal  
Market and Services European Commission, Brussels

11.15 – 11.35

Coffee/Tea Break

11.35 – 12.45

**All Roads Leading to Rome?  
2014 World Congress, Rome Topics:**

Chairman: Professor Jerome Kullmann,  
Vice-President, AIDA Presidential Council and Chairman, AIDA  
Scientific Council, Paris

**(1) Arbitration – Procedure and Law:**

Arbitration as the product of more than one country ...Bermuda Form  
– the best of both (all) worlds?

Speaker:

Richard Jacobs QC, Barrister at Essex Court Chambers, London

**(2) Preventive Measures:**

Effective provision and coverage for managed risks –  
pitfalls where boundaries between insured/uninsured risks  
become blurred.

Speaker:

Jerome Kullmann, Professor at the University Paris-Dauphine  
Director of the *Institut des Assurances de Paris*, University of Paris  
I - Panthéon-Sorbonne, Paris



**(3) Transparency, Conflicts of Interest and Intermediary Remuneration:**

Speaker:

Paolo Montalenti, President AIDA Italy, Turin

**(4) Discrimination and Insurance:**

Effects of *Test Achats*

National legislation and market responses

Gender, genes and other contestible measures of premium risk and rating in private motor/medical/life products

**(5) On-line insurance:**

Speaker: Dr Samim Unan, AIDA Turkey, Chairman, Consumer Protection and Dispute Resolution Working Party, Istanbul

12.45 – 14.00

Lunch

14.00 – 15.40

**The View from the Claims Front Line - Latest Developments and the Next Big Claims?**

Chairman: Michael Gill, President AIDA, Sydney

Speakers:

David Kendall, Partner, Edwards Wildman Palmer UK LLP, Vice Chairman, BILA, London

Peter Kochenburger, Executive Director, Insurance Law Center, University of Connecticut School of Law, Connecticut

Joachim Krane, Chief Claims Officer, Continental Europe & Asia, XL Insurance, Zurich

David Nayler, Executive Director, Head of UK Legal & Claims Practice Group, Financial Services Group, Aon Limited, London

Chris Rodd, Technical Counsel, CGU Insurance, Melbourne



The legal issues involved and how is industry to prepare itself.

- Impact of Third Party Funding/Class Actions/ Claim Management Company/Contingency Fee/ATE insurance governance
- Changes in regimes for consumer redress
- Contracting out/ Implications of precedent-free dispute resolution
- Climate/Natural Catastrophes
- Major Business Interruption/Consequential Loss /Supply/Political Risk Claims
- New Products/Risks eg. cyber risks, renewable energy
- Financial Institutions
- Chronic Fiscal Imbalances
- Fraud

*“Life on the front line“ for a claims manager*

*The legal issues arising*

15.40 – 16.00

Tea Break

16.00 – 17.15

### **Hot Issues/Cases and Liability Trends: What’s Hot?**

#### **What Next?**

Chairman: Professor Robert Merkin, President BILA and Consultant, Norton Rose, London

Quickfire Updates of Legal Issues presently of greatest concern in different jurisdictions. Comparative Review of trends in liability, legislation and reform

#### **Speakers:**

Torben Bondrop, Partner, Plesner, Copenhagen

Slobodan Jovanovic, Vice-President, Association for Insurance Law of Serbia, Belgrade

José Maria Muñoz Paredes, Partner J&A Garrigues, Commercial Law Professor, University of Oviedo, Oviedo

Anna Tarasiuk-Flodrowska, Attorney-at-Law, Counsel at Hogan Lovells (Warszawa) LLP