

SUMMARY OF THE MEETING OF MOTOR INSURANCE WORKING GROUP IN PARIS (MAY 19-2010)

The meeting of the Motor Insurance Working Group at the XIII World Congress was held Wednesday 19 May at the presence of President of AIDA Michael Gill and of Vice President Eduardo Mangialardi .

The Chairman of the Group Armando Zimolo was flanked by the Vice Chairman Otto Csurgo and by the Secretary General Aurelio Anselmo. The Vice Chairman Dieter Pscheidl was engaged in a contemporary meeting of the Serbian Society for Insurance Law in Belgrade.

Dr. Zimolo, after the approval of the minutes of the prior meeting in Zurich the 22 of October 2009, presented with a series of slides in power point the normative and economic contents of the last up-to-date version of the comparative study on “Normative and Management Characteristics of Motor Third Party Liability Insurance in the World”, that has been published, with the sponsorship of AVUS Group, in a book reserved to the members of the Presidential Council and to the participants to the plenary meeting of the Group, and recorded in cd delivered to the other delegates to the Congress.

The study has been the main engagement of the Motor Insurance Working Group. At the beginning the research started with a questionnaire sent to the AIDA National Sections and was enlarged progressively to the other Countries, asking information to supervisory authorities, leading companies, embassies in Rome.

The report published and presented in Paris considers the normative and market situation of 194 Countries and also of federated American States, of the Provinces and Territories of Canada and of the States and Territories of Australia that all have autonomous legal systems for the insurance activity.

Offering a contribution of knowledge of the international scenario of Motor Insurance legislation, the aim of the study is that to be an element useful for AIDA proposal to favour a process of legislative harmonization, encouraging the application of similar criteria for the evaluation and the settlement of bodily and material claims, a larger protection for the weaker parties in a road accident (pedestrians, cyclists, disabled, children, elderly people), prevention measures and campaigns aimed at fostering safe driving, interventions all necessities in a sector that is the load-bearing element of the free circulation of persons and properties and that involves the citizens both for the responsibilities of everyone driving a vehicle and for the right to have a prompt indemnity becoming a victim in a road accident.

While the basic study will be up-to-date in the future every four years to present it at the next world congresses the Standing Committee decided – dr. Zimolo remembered- to study in deep with a new international comparative research the topic of “Victims’ Protection”, on the basis of a questionnaire regarding the legislative measures for the safeguard of the weaker parties, the direct settlement, the field of activity of the Guarantee Funds, the covering extension of the international insurance certificate for the travels abroad.

Short reports about the first answers received to the 30 questions posed on the four topics were done by the same dr. Zimolo, by dr. Kiss, dr. Legendre, dr. Ketzler. Prof. Anselmo gave explanation of the recent Italian law on the arbitration in insurance.

Pursuing in the agenda dr.Zimolo referred to have given the task of coordinate the Latin- American sub Group, that was constituted in the meeting of Montevideo, to the lawyer Marco Aurelio Moreira, having Mrs Patricia Jaramillo Salgado renounced to the appointment in consequence of her next transfer in France, leaving Colombia . Dr. Moreira, together with Mr Marcus Frederico Fernandes , Chairman of the Motour Group of the Brazilian section of AIDA, has informed about the working purposes of the Sub-Group with a first comparative study between the Countries of Mercosur and European Union on the topic of victims' protection.

The Chairman of the Group announced the intention to propose the appointment of the function of Vice Chairman, with dr. Pscheidl and dr. Csurgo, to dr. François Werner, General Manager of the French Guarantee Fund and the aim to constitute in the next years other Sub-Groups for Arab Countries, Africa, Asia, Oceania, North America, giving to the Motor Insurance Working Group a larger international structure.

The next meeting will be in Lisbon in November at the occasion of the meeting of the Presidential Council.

A meeting of the Latin-American Sub- Group will be in Asuncion in April 2011 at the CILA Congress.