



European Commission DG Internal Markets,
Unit Insurance & Pensions,
For the Attention of Mr. Lukas Bortel,
Spastraat 2,
Brussel,
België

Date: 25 June, 2013

Ref: Green Paper on the Insurance of natural and man-made disasters

Dear Sirs,

On 22 April 2013 the Federation of European Loss Adjusting Experts (FUEDI) was invited by Mr. Lukas Bortel, Legal Officer, to comment on the contents of the Green Paper. In particular the FUEDI view on the final Chapter (5): Loss Adjusting.

FUEDI is a European federation of associations covering the professional services for the loss adjusting / insurance industry. FUEDI is the only European federation, which focuses on the Property & Casualty section of the insurance industry and the members of the member associations support the insurance industry having 7,000 professional loss adjusters and loss adjusting experts registered by the national member associations of FUEDI in Europe.

As a European federation FUEDI regularly visits the EC DG Internal Market, Unit Insurance & Pensions to share and support new developments and objectives.

FUEDI was invited to contribute to the EC conference on Catastrophes in November 2011, where Mr. Michiel Barnier stated that where a European catastrophe insurance would be welcomed also the loss adjusting profession should not be overlooked to support the consumers by its independent loss adjusting services.

In view of the above FUEDI now takes the opportunity to comment on the chapter 5: loss adjusting.

“Question: Are there specific aspects of loss adjusting, which would benefit from more harmonisation? If so, which? Are there practical difficulties for loss adjusters to operate cross-border?”

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The benefit of more harmonisation is important to the consumer to be treated in a fair and just manner. This is particularly important in cases involving Consumers and Small to Medium sized Enterprises.

Throughout most of Europe, Loss Adjusting Associations are members of FUEDI, who support the FUEDI Education Directive, which leads to qualifications known as FUEDI – National Loss Adjusting Expert and FUEDI – European Loss Adjusting Expert.

The essence is that loss adjusters falling within the scope of influence of FUEDI must meet the FUEDI standards and requirements, which in addition to competence include the Code of Conduct which requires Policyholders to be treated fair and justly.

There are some practical difficulties for the loss adjusters when operating cross border and these relate mainly to issues concerning language and culture.

With regard to professional standards and levels of competence one of FUEDI's main objectives is to support national member associations by providing guidance on learning and development.

It is possible for Loss Adjusters to provide instant cross-border services in catastrophe situations and FUEDI assist its member associations in this regard by providing a network for exchange of technical and cultural information.

The 'Freedom of Services' is considered a great advantage to respond to the service needs at the most optimum level. The loss adjusting industry is not restricted by any legal European Passport principle preventing their acting in EU Member States.

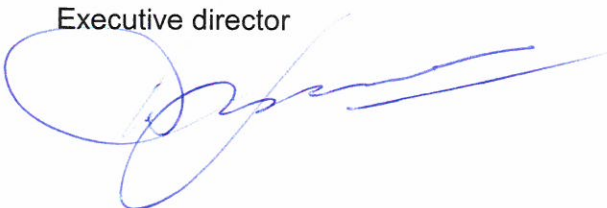
Where European wide standards of services are required, FUEDI supports the position to work and operate freely throughout the EU Member States. Catastrophes require instant service and immediate response whether it is a man-made or a national natural catastrophe, to assist all European consumers.

From a European consumer perspective the loss adjusting services should be managed in such a manner to ensure consumers are treated fairly. Whilst IMD2 was not considered to be the right directive, recognition of the profession could be considered via another directive or legislation.

We believe that the consumers' interests are of utmost importance and therefore the competence of the Loss Adjuster is very important. With this in mind we are of the view that appropriate national qualifications that demonstrate competence should enable Loss Adjusters to work in all EU Member States.

Yours Faithfully,

Henk Grootkerk
Executive director

A handwritten signature in blue ink, appearing to be 'Henk Grootkerk', written over a light blue circular stamp or watermark.