



Room document
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INSURANCE AND E-COMMERCE

Meeting of Member States' national experts on e-commerce and insurance held in Brussels on 26th February 2002

The working group was established by decision of the Insurance Committee Meeting on 27-28 November 2001. Its objective is to identify issues raised by e-commerce insurance in order to achieve a fully functioning internal market for insurance services and to ensure further convergence between insurance and e-commerce legislation.

The E-commerce Directive (Art. 3) provides for the non application of the “internal market clause” (*i.e.* ‘*the country of origin regime*’) to e-commerce insurance business. This derogation covers insurance activities but not the activities of insurance intermediaries. The ultimate aim is the removal of the current derogation for insurance so that insurance is fully aligned with other financial sectors, thus facilitating cross-border e-commerce in insurance whilst ensuring proper consumer protection.

The first meeting of the working group was devoted to a general discussion on the basis of IC document MARKT/2049/01. A first analysis of the different issues identified in the IC document was made, covering inter alia: conditions for the conduct of e-commerce insurance business on a cross-border basis (notification procedures, premium taxes, claims representative, etc), advertising, pre-contractual information to customers, contractual issues and law applicable to e-insurance contracts, insurance intermediaries and e-commerce.

It has been decided to conduct a more detailed analysis for the following aspects: advertising, pre-contractual information, contractual and contractual issues and law applicable. A questionnaire drawn up by the Commission's services on these issues has been sent out to Member States. This will serve as the basis for the preparation by the Commission's services of a working document for a second meeting to be held in June.