International Regulatory Initiatives

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Consumer Regulation: Australia v UK

Is there a case for more regulation in Australia when it comes to treating our customers fairly?

• Can we learn from the UK and Europe?

Issues playing out in both Australia and the UK

• Unfair contract terms
• Discrimination in insurance contracts.
• Privacy and use of data
Unfair contract terms

Protracted debate about applying UCT to insurance in Australia

Two reasons why UCT laws should not cover insurance:

1. Consumers already have strong regulatory protection against unfair terms and unfair conduct
2. UCT laws are ill suited to the insurance context.

UK situation offers a cautionary tale

• Lack of clarity and certainty in drafting
• Doesn’t offer consumer protection over and above that already under Insurance Contract Act.
Discrimination, privacy and pricing

**Price = risk**
- Ability to discriminate central to assessment of risk and accurate pricing

**EU Gender Directive**
- European insurers can no longer consider gender when calculating insurance premium rates and any benefits
- Women are now facing higher premiums for car and life insurance.

**Anti-Discrimination Legislation Consolidation in Australia**

**Privacy and discrimination**
- Balance privacy protection with ability to use information for legitimate purposes.
- Access to data means better, more tailored products and pricing.
- Telematics and motor insurance in the UK