

DISCRIMINATION

CHAIRMAN : PROFESSOR BIRGIT KUSCHKE

QUESTIONNAIRE

1) Give a short description of the evolution of insurance practice in your country, as regards differentiations made in policy conditions and tariff setting on grounds that might be discriminatory in a general sense

Please,

- identify the insurance branches (insurance of persons, motorcar insurance, etc.)
- identify the grounds : gender, age, etc..
- identify the techniques used : exclusions, premium tariffs, deductible, selection, etc.

2) Legislation specifically focusing on discrimination

- fundamental or constitutional rights
- other legislation :
 - general
 - specific to insurance (or financial services or other services)
- specific regulations (from official or non-official entities, bodies or institutions : insurance supervision authorities, specific authorities with competence for discrimination matters)
 - insurance industry codes of conduct
 - other

3) Implementation of anti-discrimination rules

Are there any institutions or official bodies that regulate, control or decide on discrimination issues in your country ? Specifically, are there any courts or institutions having specific jurisdiction as regards complaints of discrimination ?

4) Please describe very succinctly major cases or decisions that were taken by

- courts
- instances with specific jurisdiction
- institutions or bodies within the insurance industry

5) For EU Member States

Does the Court of justice decision of 1 March 2011 in the *Test Achat* case have an impact on legislation and/or practice in your country? Briefly explain the actual problems that are created by the judgment.