

Last chance for EU policymakers to fix data protection rules

Europe's insurers remain extremely concerned about several aspects of proposed EU data protection rules that are due to enter the final stages of discussion by the European institutions, according to Insurance Europe, the European insurance and reinsurance federation.

Today the Council of the EU adopted its general approach on the proposed regulation on the protection and free movement of data. This means that discussions to finalise the rules, called triilogue discussions, can begin between the European Parliament, the Council and the European Commission. Consequently, it is important that insurers' concerns are taken on board during these final discussions to avoid the rules having unintended consequences.

Head of conduct of business at Insurance Europe, William Vidonja, said: "While welcoming the Council's adoption of its general approach, insurers have concerns regarding several aspects of the proposed regulation. These data protection rules were designed with major search engines, online marketers and social media platforms in mind; however, insurers and their consumers could be significantly negatively impacted by them. It is, therefore, crucial that EU policymakers involved in the upcoming triilogue discussions ensure that the final regulation allows insurers to continue delivering their services to consumers."

In particular:

- Insurance Europe is calling for data controllers, such as insurers, to be provided with a legal basis within the rules to process data for fraud detection and prevention purposes.
- The rules need to allow insurers to continue profiling prospective policyholders to both better assess the risks which they are being asked to cover, as well as to detect and prevent fraud.
- The rules must also allow insurers to retain data in order to comply with regulatory and contractual obligations, and for fraud prevention and detection purposes. Insurers must, therefore, be able to reject policyholder requests for data to be deleted in such cases.
- Insurance Europe is calling for a contract to be one of the legal grounds that allows for sensitive data to be processed by insurers. Insurance Europe also supports a narrow health data definition, where administrative information should not be treated as sensitive data.
- Insurance Europe believes that insurers should not be forced to disclose confidential information, eg underwriting criteria, to competitors under the new rules.

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Notes for editors

1. For further information, or to be added to our mailing list, please contact Richard Mackillican, policy advisor communications & PR (tel: +32 2 894 30 69, mackillican@insuranceeurope.eu).
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insurers generate premium income of more than €1 100bn, employ almost one million people and invest more than €8 500bn in the economy.