



Implementation of the “Insurance Gender Directive” Results of Groupe Consultatif Survey

This document summarises the findings of the Groupe Consultatif’s survey into implementation of the “Insurance Gender Directive” based on responses received from 26 member associations. The countries covered by the 26 associations are listed in Appendix 1.

At the dates of submission of the responses received, the Directive had been implemented in 21 of the 26 countries concerned. Of the remaining 5 countries, 2 are not members of the EU, viz. Norway and Croatia. A decision remains on whether or not the Directive will be implemented in these countries and for the purposes of this survey, the current situation has been described. The expected situation following implementation of the Directive has been described in the case of the other 3 countries.

The key findings of the survey are summarised under the following four headings:

- Opt-out Clause
- Data Requirements
- Pricing
- Application of Legislation/Regulation

Full details of the responses received are provided in Appendix 2. The responses received are based on each member association’s understanding of the Directive’s implementation, but it is important to note that these responses do not represent legal interpretations of the implementing legislation.

16 February 2009

1. Opt-out Clause

Thirteen of the twenty six countries have availed of the opt-out clause in the Directive for all types of insurance.

The remaining thirteen countries do not permit the use of gender as a rating factor for at least one type of insurance. Motor insurance is the most common type of insurance that falls into this category with nine countries not allowing gender as a rating factor for motor insurance. Accident insurance is the second most common types of insurance, with four countries not allowing gender as a rating factor for accident insurance.

No country prohibits use of gender as a rating factor for all types of insurance i.e. all countries have availed of the opt-out clause for at least one type of insurance.

In eight countries, there has been a change in policy on use of gender as a rating factor following implementation of the Directive. The biggest changes in policy are in Belgium, Cyprus and the Netherlands.

Prior to the implementation of the Directive in Belgium, gender as a rating factor was permitted for all types of insurance. Following implementation of the Directive, gender is no longer permitted as a rating factor for motor insurance, critical illness insurance and disability/income protection insurance.

Gender as a rating factor is also no longer permitted for these types of insurance in Cyprus. In addition, health insurance and long term care now also fall into this category in Cyprus.

Prior to the implementation of the Directive in the Netherlands, gender as a rating factor was permitted for motor insurance, health insurance and accident insurance (as well as other insurance types). Following implementation of the Directive, gender is no longer permitted as a rating factor for these three types of insurance.

Five countries have chosen to defer, until 21 December 2009, implementation of the measure in the Directive which requires that “costs related to pregnancy and maternity shall not result in differences in individuals’ premiums and benefits” – Cyprus, Ireland, Lithuania, Luxembourg and the UK. (Twenty two of the twenty six countries responded to this question.)

2. Data Requirements

Twenty four countries have decided which bodies will be responsible for compilation, publication and regular updating of data relevant to the use of gender as a rating factor, with two yet to decide (Denmark and Estonia). A variety of different bodies will be involved in the process across member states. The following table summarises the number of occurrences of each of the following types of bodies in the responses received:

	Number of occurrences
Government Department(s)	4
Insurance Regulator	11
National Agency (e.g. National Statistics Office)	8
Actuarial Association	7
Industry Association	8
Individual Companies	7
Other*	1

* *Consumer Insurance Bureau (Sweden)*

The degree of data specification requirements and the process for gathering data varied widely from little or no prescription to detailed requirements with Finland, Sweden and the UK falling into the latter group. Fuller details of requirements are outlined in Appendix 2.

3. Pricing

The opt-out clause in the Directive allows Member States to “permit proportionate differences in individuals’ premiums and benefits where the use of sex is a determining factor in the assessment of risk based on relevant and accurate actuarial and statistical data”.

From a pricing perspective, premium rates and benefits must be supported by the published data in some shape or form in 9 countries with terms such as “proportionate”, “consistent with”, “reasonable having regard to” used in the responses to the survey (although these are not necessarily the terms used in legislation).

In 10 countries, the position seems to be more definitive that insurers do not have to reference the published data for pricing purposes, with the purpose of the data purely being to justify the use of gender as a rating factor.

The position in the remaining 7 countries has yet to be decided.

Overall, the extent to which premium/benefit differentials should reflect the differentials in published data and the extent to which insurers have some freedom/flexibility in pricing remains to be seen in practice and it seems likely from the responses received that different approaches will emerge in different countries.

4. Application of Legislation/Regulation

The survey explored whether national legislation applies at a prudential supervisory level or at a General Good (local consumer protection) level. The results show that the Directive has been implemented in quite different ways across member states:

- Six countries have implemented the Directive as a General Good measure -Estonia, Finland, Norway, Slovenia, Sweden and the UK. In two other countries, this also appears to be the basis of implementation – Germany and Portugal.

In other words, the national requirements apply to insurance sold to domestic residents whether by national or foreign insurers. In contrast, the requirements do not apply to national insurers selling cross border to non-residents.

- One country – the Netherlands – has implemented the Directive as a General Good measure for EEA companies.
- Four countries have implemented the Directive at a prudential supervisory level – Austria, Belgium, Lithuania and Poland.

In these countries, the local requirements apply to national insurers regardless of whether they sell insurance locally to domestic residents or cross border to non-residents. The local requirements do not however apply to foreign insurers selling in to domestic residents on a cross border basis.

- Four countries have implemented the Directive at both national prudential supervisory and General Good levels - Croatia, Cyprus, the Czech Republic and Ireland. Hungary also appears to have implemented the Directive on this basis.

Croatia, Hungary, Ireland and the Czech Republic have availed of the opt-out clause for almost all types of insurance and so, from the perspective of domestic legislation, national insurers in these countries can essentially use gender as a rating factor for both insurance sold to domestic residents and insurance sold cross border to non residents. It may of course be necessary to comply with legislation in the territory of sale where the Directive has been implemented at a General Good level in the territory of sale.

Cyprus has not availed of the opt-out clause for a number of types of insurance (see section 1 above) and so the application of the legislation has a more pronounced effect in Cyprus than in the other four countries listed.

- Three countries have implemented the Directive as a mix of both prudential and General Good measures –Denmark, Latvia and Slovakia.

Taking Latvia as an example, Latvian insurers are subject to Latvian law whether selling to domestic residents or selling cross border to non-residents. Other EEA insurers are however not subject to Latvian requirements if selling cross border into Latvia to Latvian residents, whereas non-EEA insurers are subject to Latvian requirements if selling into Latvia on a third country basis.

Similar comments apply for Denmark except that Denmark has availed of the opt-out clause for all types of insurance, whereas Latvia has not availed of it for motor insurance.

In the case of Slovakia, Slovakian insurers are subject to Slovakian law whether selling to domestic residents or selling cross border to non-residents. Other EEA insurers are also subject to Slovakian requirements if selling cross border into Slovakia to Slovakia residents, whereas non-EEA insurers are not subject to Slovakian requirements if selling into Slovakia on a third country basis.

- The position is less clear for the remaining five countries – Bulgaria, France, Italy, Luxembourg and Spain – based on the responses received (see Appendix 2).

The variety of approaches taken across the different member states creates an unlevel playing field where cross border business is concerned.

Appendix 1 – List of Participating Countries

Austria
Belgium
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Netherlands
Norway
Poland
Portugal
Slovakia
Slovenia
Spain
Sweden
UK

Appendix 2 – Detailed Reponses Received

[See attached spreadsheet]

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION

Implementation

Has the Directive been implemented?	Yes	Yes	Yes	No
-------------------------------------	-----	-----	-----	----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Yes*	No	No	
Life assurance		Yes	Yes	Yes
Critical Illness Insurance		No	Yes	Yes
Disability/Income Protection Insurance		No		Yes
Annuities		Yes	Yes	Yes
Motor Insurance		No	No	
Health Insurance			Yes	Yes
Accident			No	Yes
Long Term Care				
Other				

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	Yes	Yes	
Life assurance		Yes	Yes	Yes
Critical Illness Insurance		Yes	Yes	Yes
Disability/Income Protection Insurance		Yes	Yes	Yes
Annuities		Yes	Yes	Yes
Motor Insurance		Yes	Yes	
Health Insurance		Yes	Yes	Yes
Accident			Yes	Yes
Long Term Care			Yes	
Other				

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION
Comments	* only if gender is a relevant factor			Gender as a rating factor is not applied in Croatia

Has the option to defer the "pregnancy and maternity" measure been availed of? No

No

Data

Who is response for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s)
Insurance Regulator

Yes

Yes

National Agency (e.g. National Statistics Office)

Life (mortality)

No

for life and health insurance

Mortality/Life

Actuarial Association

Life (annuity)

No

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION

Industry Association

No

Individual Companies

No

Other

No

Comments

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION
Specified data requirements (including the form in which it must be published)	All actuarial and statistical data that are relevant, and all updates to these data	No legal provision is provided in this matter in the Belgian law. The above mentioned CBFA published statistics for the first time on its internet site. See enclosed.		

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION

Process for compiling, publishing and updating the required data

Publication on homepage is sufficient. If the data are already published, then also	No legal provision is provided in this matter in the Belgian law.
---	---

a link is sufficient.

By what date must data be published?

1.12.2007

By 20th June 2008 and then every second year. Communication to EU Commission the latest on 21th December 2008.

Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION

To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?

Published data are not binding, but if different data are used, these have to be published by the company. Independent from the Gender Directive the supervisor prescribes an annuity table to be the minimum standard for calculation of annuities. A letter of the supervisor to all insurers (dated 7.12.2005) says that the supervisor expects gender differentiation for term insurance.

Proportionate differences in individual's premiums and benefits where the use of sex is a determining factor in the assessment of risk based on relevant and accurate actuarial and statistical data.

It is not specified in the law.

It is desirable to take into account published data in product pricing but it is not obligatory. If published data are used must be provided to supervisory authority.

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	No	No	Yes
Insurance sold by non-EEA Insurers[3] to residents in your country	No	No	Yes
Insurance sold by national insurers from your country to policyholders resident in other countries	Yes	Yes	Yes
Reinsurance business transacted with national insurers	No	No	Yes

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Austria	Belgium	Bulgaria	Croatia
Association Name	AVÖ Austrian Actuarial Association	ARAB - KVBA	Bulgarian Actuarial Association	CROATIAN ACTUARIAL ASSOCIATION

Comments

National regulation is part of the supervisory law applicable to all Austrian insurance companies by home county control principle.

Other

Please provide any other information of relevance?

Croatia is not a member of EEA so Insurance Gender Directive is not implemented by the legislation. It is difficult to predict what will be implemented in new legislation and when. Recent Insurance Law Amendments didn't implement anything from the Insurance Gender Directive. Some types of insurance (like LTC) are not present at the market.

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society

Implementation

Has the Directive been implemented?	Yes	No	Yes (partly)	Yes
-------------------------------------	-----	----	--------------	-----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Cyprus	Czech Republic	Denmark	Estonia
Life assurance	Yes	Yes	Yes	Yes
Critical Illness Insurance	No	Yes	Yes	Yes
Disability/Income Protection Insurance	No	Yes	Yes	Yes
Annuities	Yes	Yes	Yes	Yes
Motor Insurance	No	Yes	Yes	No
Health Insurance	No	Yes	Yes	Yes
Accident	Yes	Yes	Yes	Yes
Long Term Care	No	Yes	Yes	Yes
Other			Yes	No

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Cyprus	Czech Republic	Denmark	Estonia
Life assurance	Yes	Yes	Yes	Yes
Critical Illness Insurance	Yes	Yes	Yes	Yes
Disability/Income Protection Insurance	Yes	Yes	Yes	Yes
Annuities	Yes	Yes	Yes	Yes
Motor Insurance		Yes	Yes	Yes
Health Insurance	Yes	Yes	Yes	Yes
Accident	Yes	Yes	Yes	Yes
Long Term Care		Yes	Yes	Yes
Other				Yes

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society

Comments
With regards to Accident covers, gender is allowed to be used as a rating factor only for accidental death covers. In fact, gender as a rating factor was allowed for all types of covers before application of the new directive, but companies made use of it only for those covers specified above.

Has the option to defer the "pregnancy and maternity" measure been availed of?	Yes	No	No	No

Data

Who is responsible for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s) Insurance Regulator	Insurances covering death
National Agency (e.g. National Statistics Office)	
Actuarial Association	Insurances covering death

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society
Industry Association	Insurances covering death			
Individual Companies				
Other		If there is not the public statistic source or Industrial association source an insurance company can use (and publish) own statistics for all types of insurances.		
Comments	The collection of raw data is done through the Insurance Companies Association and its regular updating and technical-actuarial analysis is done by the local actuarial association, while the compilation of the results and their publication and regular updating is done by the Insurance Regulator.		To be discussed between insurance regulator, actuarial association and industry association	Not specified so far.

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society
Specified data requirements (including the form in which it must be published)	Although not specified in the law the following requirements have been agreed between the stakeholders: Data must rely on actual claims experience relating to insurance companies' business in Cyprus and cover a minimum number of years. Also, since the business in Cyprus as a whole is relatively small, the data must be given by a very large proportion of the total companies.	Due to no implementation of directive all questions bellow on that page are still under discussion.	To be discussed	Not specified so far.

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society
Process for compiling, publishing and updating the required data	The collection of the raw data is done through the Insurance Companies Association and its regular updating and technical-actuarial analysis is done by the local actuarial association. The results must be presented in two ways: (a) as two crude unit rates, one for male insureds and one for female insureds, and (b) as a table including specific rates for each age from 1 to 75, one set for males and one set for females. The insurance supervisor takes the results and after making relevant compilation, the supervisor does the publication. The same process is repeated after a 2-3 years period in order to assess whether a results updating is required.		To be discussed	Not specified so far.
By what date must data be published?	By 21st December 2007, for the initial results.		To be discussed	Not specified so far.
Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data			We would hope it could be a job for the National Statistics Office!	Not specified so far.

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Cyprus	Czech Republic	Denmark	Estonia
Association Name	CYPRUS ASSOCIATION OF ACTUARIES	Czech actuarial association	Den Danske Aktuaforening	Estonian Actuarial Society
To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?		Due to no implementation of directive the rules are still under discussion.	To be discussed	The difference in premium rates between men and women due to usage of gender as a rating factor must be proportional to the impact of the gender factor in the published data.

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	Yes	No	Yes
Insurance sold by non-EEA Insurers[3] to residents in your country	Yes	Yes	Yes
Insurance sold by national insurers from your country to policyholders resident in other countries	Yes	Yes	No
Reinsurance business transacted with national insurers	Yes	No	Yes

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country

Cyprus

Czech Republic

Denmark

Estonia

Association Name

CYPRUS ASSOCIATION OF
ACTUARIES

Czech actuarial association

Den Danske Aktuaforening

Estonian Actuarial Society

Comments

Other

Please provide any other information of relevance?

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS

Implementation

Has the Directive been implemented?	Yes	Yes	Yes	Yes
-------------------------------------	-----	-----	-----	-----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Yes	No	Yes	Yes
Life assurance		Yes		
Critical Illness Insurance		Yes subject to conditions*		
Disability/Income Protection Insurance		Yes		
Annuities		Yes		
Motor Insurance		Yes subject to conditions*		
Health Insurance		Yes		
Accident		Yes subject to conditions*		
Long Term Care		Yes subject to conditions*		
Other				

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	Yes	Yes	Yes
Life assurance				
Critical Illness Insurance				
Disability/Income Protection Insurance				
Annuities				
Motor Insurance				
Health Insurance				
Accident				
Long Term Care				
Other				

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS

Comments

* when relevant and precise actuarial and statistical data establish that the sex is a determining factor in the evaluation of the risk of insurance.

Has the option to defer the "pregnancy and maternity" measure been availed of?	No	No	Yes (ended 21/12/2007 in Germany)	No
--	----	----	-----------------------------------	----

Data

Who is response for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s)	Yes (1)		
Insurance Regulator	Yes (2)	Yes	
National Agency (e.g. National Statistics Office)	Yes (1)		
Actuarial Association	Yes (2)	Yes	

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS
Industry Association		Yes (2)	Yes (GDV, PKV)	
Individual Companies	all type of insurance	Yes (3)	Yes	for all types of insurance where gender is a rating factor (or having impact on the benefit)
Other				

Comments

(1) The data are collected from Statistic and Economic National Agency or statistic offices in departments in the ministries. the ministry for finances publishes the decrees. (2) Concerning annuities, the legal mortality table has been established by a collaboration between the industry and the Institut des Actuaire and agreed by the insurance regulator. (3) Companies are allowed to use their own data to calculate their mortality tables. These mortality tables must be validated by an independent actuary approved for this purpose by the Institut des Actuaire.

The supervisory body also collects data yearly to prepare a country report to the Commission. These data are not as detailed as the data made publicly available by the companies.

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS
Specified data requirements (including the form in which it must be published)	Companies must do a risk analysis, which includes a statistical part and a summary part. From summary part must come out at least: 1. in which products or class of insurance and customer groups company uses gender as a pricing factor. 2. Has gender an influence to premiums or to benefits or to both in product or class of insurance in the question 3. what kind of influence the gender has. 4. To which and what kind of statistics the use of gender as a pricing factor is based on. Among other: realiser and client of the research or data collection, population and sample to which the research or data is based on. To which years of data the conclusions are based on, From where the research or the data can be found in case they are public. 5. Which are the conclusions based on data and research used can be made about gender as an actuarial factor The summary part must be published on company's web site Additional to summary part from statistical part must come out: 1. Scale and reliability of the statistics used 2. Based on statistics used, differences caused by gender and st	No specific form	There are no specific requirements in which form the data has to be published. According to the law, the medium used for publishing has to be durable, widespread and easy to access.	It is not specified by law or any other regulation.

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS
Process for compiling, publishing and updating the required data	The risk analysis must be done regularly and at least once in five years. The risk analysis must be delivered to the Insurance Supervisory Authority at least one month before using gender as a pricing factor.	Concerning the prospective tables of life annuities the profession gathered data which were treated by the institute of the actuaries and were validated by the controlling authority. The other mortality tables were drawn up by the organism of the national statistics. They were published by the ministry for finances.	According to the law, the required data will be updated on a regularly basis. A process in itself is not prescribed. Usually, the compiling, publishing and updating of the required data will be done by members of DAV, GDV and PKV.	The relevant data must be published first with the publishing of the 2007 year annual report or after a new product is introduced (which uses the gender as a rating/benefit factor) and it must be updated and published yearly by the insurance companies.
By what date must data be published?	The summary part must be published before selling products in which gender is a pricing factor.	Government	Data must be up-to-date; there is no fixed date for publication.	Firstly at 31 of May 2008, and it shall be made available permanently, and shall be updated yearly.
Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data	Insurance Supervisory Authority compiles and publishes a summary which companies use gender as pricing factor and in which products or class of insurance they are using it.	The companies can use tables of experiment in mortality, incapacity and disability. They are calculated by the company on its own data, certified by an approved actuary. This approval is given by a selection committee commission d'agr3ement of the Institute of the actuaries after hearing of the actuary candiidat to approval.		It would be useful and it helped the level playing field to have a European standard about the publication of these data.

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS
To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?	The premium rates/benefits differences must be consistent with the statistical difference.		Not specified. Insurers are allowed to take account of own data for product pricing purposes. If the resulting premium rates/benefits are different, it is sufficient to refer to the public data.	Insurers have to publish the data that have been actually used for rating/benefit purposes.

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	Yes	Yes	
Insurance sold by non-EEA Insurers[3] to residents in your country	Yes	Yes	
Insurance sold by national insurers from your country to policyholders resident in other countries	No		Yes
Reinsurance business transacted with national insurers	Yes		

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Finland	France	Germany	Hungary
Association Name	the actuarial Society of Finland	Institut des Actuaire	Deutsche Aktuarvereinigung e.V.	HAS

Comments

Other

Please provide any other information of relevance?

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija

Implementation

Has the Directive been implemented?	Yes	Yes	No	Yes
-------------------------------------	-----	-----	----	-----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	No	Yes	No	
Life assurance	Yes	Yes	Yes	Yes
Critical Illness Insurance	Yes	Yes	Yes	Yes
Disability/Income Protection Insurance	Yes	Yes	Yes	Yes
Annuities	Yes	Yes	Yes	Yes
Motor Insurance	Yes	Yes	No	No
Health Insurance	Yes	Yes	Yes	Yes
Accident	No	Yes	Yes	Yes
Long Term Care	Yes	Yes	Yes	n/a
Other	Yes		Yes	n/a

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	Yes	Yes	
Life assurance	Yes	Yes	Yes	Yes
Critical Illness Insurance	Yes	Yes	Yes	Yes
Disability/Income Protection Insurance	Yes	Yes	Yes	Yes
Annuities	Yes	Yes	Yes	Yes
Motor Insurance	Yes	Yes	Yes	No
Health Insurance	No	Yes	Yes	Yes
Accident	Yes	Yes	Yes	Yes
Long Term Care	Yes	Yes	Yes	n/a
Other				n/a

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija

Comments	Ireland	Italy	Latvia	Lithuania
	Any other forms of life insurance that may fall within Classes I, III or IV of Annex I to Directive 2002/83/EC. Therefore, for example, accident insurance underwritten as supplementary insurance in addition to life assurance could use gender as a rating factor, while stand-alone accident insurance written by a non-life insurer could not. It should also be noted that Irish Health Insurance legislation requires community-rated premiums to be applied in respect of Irish consumers; therefore gender can only be a rating factor where Irish insurers are marketing to non-Irish consumers (and gender differentiation in health insurance premiums is permitted in the local market). See comment above in relation to community rating in Irish health insurance – there were otherwise no explicit restrictions on gender as a rating factor prior to the draft legislation		Any type of insurance in case the tariff difference can be proved by statistical and actuarial data	

Has the option to defer the "pregnancy and maternity" measure been availed of?	Ireland	Italy	Latvia	Lithuania
	Yes	No	No	Yes

Data

Who is responsible for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s)	Ireland	Italy	Latvia	Lithuania
Insurance Regulator	All	Yes	Yes	No All types of insurance
National Agency (e.g. National Statistics Office)				No
Actuarial Association			Yes	No

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija
Industry Association			Yes	No
Individual Companies				No
Other			Yes	No
Comments			Cabinet of Ministers responsible for approving a list of insurance types where the gender parameter in rating is allowed. Once per five years Ministry of Welfare, Ministry of Finance, Insurance Regulator and Industry association evaluates the necessity for exemption and give proposals to Cabinet of Ministers if changes needed. Ministry of Welfare publishes statistical and actuarial data in their home page.	

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija
Specified data requirements (including the form in which it must be published)	The draft legislation does not specify the precise requirements, but merely includes a provision whereby the relevant Minister may make regulations prescribing the form, frequency of publication and content of data required to be compiled, published and maintained. No draft of any such regulations has as yet been made public.	Very accurate and reliable statistical and actuarial data	Detailed report understandable for wide public, the statistical and actuarial data based on which the decision is made.	No explicit specification (Insurance Supervision Commission regulation N-118 from Dec28, 2006)

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija
Process for compiling, publishing and updating the required data	Not yet prescribed.	By the Supervisory Authority (ISVAP)	The process is not set up yet; however, the idea is to use independent source of collecting and processing data; the publishing foreseen in home page of Ministry of Welfare. The evaluation must be done once per five years.	No explicit method specification (Insurance Supervision Commission regulation N-118 from Dec28, 2006). Common mathematical statistics routines are to be used. Investigation is repeated on annual basis. Insurance supervisions decision to recognise gender as substantial risk factor is to be published on supervision's web site.
By what date must data be published?	Not yet prescribed.	On yearly basis	Not defined	Investigation report consisting from Data (Data sources) used, statistical procedures applied and results obtained
Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data				

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija

To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?

The draft legislation does not lay down any prescribed relationship between the published data and the actual pricing of an insurer, except that it must be "... reasonable having regard to the data or other relevant factors". Effectively, as long as the type of insurance permits gender-differentiated premiums, any difference may be applied in the pricing basis, as the "...other relevant factors" are nowhere defined.	The data must justify the differences in premiums and benefits. So any difference is permitted only if is supported by reliable statistical and actuarial data (controlled by the supervisory Authority)	The published data are only to show the difference. It is not mandatory for insurers to use the same data in the calculations.	No regulation
---	--	--	---------------

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	Yes	Not speciiied	No	No
Insurance sold by non-EEA Insurers[3] to residents in your country	Yes	Not speciiied	Yes	n/a
Insurance sold by national insurers from your country to policyholders resident in other countries	Yes	Not speciiied	Yes	Yes
Reinsurance business transacted with national insurers	Yes	Not speciiied	No	Yes

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Ireland	Italy	Latvia	Lithuania
Association Name	Society of Actuaries in Ireland	Instituto Italiano Attuari	Latvian association of Actuaries	Lietuvos aktuariju draugija

Comments

The draft legislation does not specify its applicability in terms of the location or regulatory jurisdiction of the insurer / reinsurer. The answers above are an interpretation of the legislation's silence in this respect which should not be taken as a formal legal opinion.

Other

Please provide any other information of relevance?

The relevant change in the law on insurance companies and their supervision are to be approved by the parliament.

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society

Implementation

Has the Directive been implemented?	Yes	Yes	No	No
-------------------------------------	-----	-----	----	----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Yes	No	No	Yes
Life assurance		Yes	Yes	
Critical Illness Insurance		n/a	No	
Disability/Income Protection Insurance		Yes	Yes	
Annuities		Yes	Yes	
Motor Insurance		No	No	
Health Insurance		No	No	
Accident		No	No	
Long Term Care		n/a		
Other				

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	No	No	Yes
Life assurance		Yes	Yes	
Critical Illness Insurance		n/a	No	
Disability/Income Protection Insurance		Yes	Yes	
Annuities		Yes	Yes	
Motor Insurance		Yes	No	
Health Insurance		Yes	No	
Accident		Yes	No	
Long Term Care		Yes		
Other				

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society
Comments				

Has the option to defer the "pregnancy and maternity" measure been availed of?	Yes	No
--	-----	----

Data

Who is response for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s) Insurance Regulator	All Types of Insurance	
National Agency (e.g. National Statistics Office)		Yes Life products, annuities in Motor TPL
Actuarial Association		Yes

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening
			Poland
			Polish Actuarial Society

Industry Association

Yes

Yes

Individual Companies

Other

Comments

It is still not yet decided if the directive has to be implemented in Norway who is not a part of EU, just the economic area. The answers are therefore related to the current situation in Norway.

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society
Specified data requirements (including the form in which it must be published)	Not yet specified	n/a		

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society

Process for compiling, publishing and updating the required data

n/a

By what date must data be published?

n/a

Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data

In Poland only Life Tables are published. Using them is not obligatory. They are published once a year.

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society
To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?		Companies are autonomous on product pricing. Only after product introduction the supervisor may intervene when rules are misinterpreted.	None	There are no restrictions. Companies can use their own life tables.

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country ^[1] to residents in your country	Yes	Yes	Yes
Insurance sold by other EEA insurers ^[2] to residents in your country	Yes	Yes	No
Insurance sold by non-EEA Insurers ^[3] to residents in your country	n/a	Yes	No
Insurance sold by national insurers from your country to policyholders resident in other countries	n/a		Yes
Reinsurance business transacted with national insurers	n/a		Yes

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Luxembourg	Netherlands	Norway	Poland
Association Name	Association Luxembourgeoise des Actuaire (ALAC)	Het Actuarieel Genootschap	Den Norske Aktuarforening	Polish Actuarial Society

Comments

Other

Please provide any other information of relevance?

It is still not yet decided if the directive has to be implemented in Norway who is not a part of EU, just the economic area. The answers are therefore related to the current situation in Norway.

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES

Implementation

Has the Directive been implemented?	Yes	Yes	Yes	Yes
-------------------------------------	-----	-----	-----	-----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Yes	Yes	No	Yes
Life assurance			Yes	
Critical Illness Insurance			Yes	
Disability/Income Protection Insurance			Yes	
Annuities			Yes	
Motor Insurance			No	
Health Insurance			Yes	
Accident			Yes	
Long Term Care			Yes	
Other				

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	Yes		Yes
Life assurance			Yes	
Critical Illness Insurance			Yes	
Disability/Income Protection Insurance			Yes	
Annuities			Yes	
Motor Insurance			It wasn't forbidden	
Health Insurance			It wasn't forbidden	
Accident			It wasn't forbidden	
Long Term Care				
Other				

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES

Comments			[Where Yes] Insurance companies may in the process of selection, risk assessment and pricing of life insurance, accident insurance and health insurance taken into account gender as a rating factor if this is a relevant factor which could be proved by statistical data.	
----------	--	--	--	--

Has the option to defer the "pregnancy and maternity" measure been availed of?	No	No	No	No
--	----	----	----	----

Data

Who is response for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s)	No			
Insurance Regulator	No	All Types of Insurance where gender is used as a rating factor		
National Agency (e.g. National Statistics Office)	No		Statistical Office of the Republic of Slovenia	ALL KIND OF BASIC STATISTICS THAT CAN BE USED FOR INSURANCE IN GENERAL
Actuarial Association	No			

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES
Industry Association	No			
Individual Companies	Yes			OWN EXPERIENCE IN ALL INSURANCES
Other	No			
Comments			Statistical Office of the Republic of Slovenia is responsible for all types of insurance.	

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES
Specified data requirements (including the form in which it must be published)		Secondary legislation which will specify data requirements will enter into force at the end of year 2008. Insurance companies will be obliged to report to Insurance regulator data on frequency and incurred losses where gender is used as a rating factor. The statements will be in excel format.	The Statistical Office of Republic of Slovenia publishes complete life tables or abridged life tables of Slovenia population. Complete life tables includes Number of observed people S_x , Number of observed deaths ${}_nD_x$, Probability of dying ${}_nq_x$, Smoothed probability of dying ${}_nq_x^s$, Probability of surviving ${}_np_x$, Number of surviving l_x , Number of deaths ${}_nd_x$, Number of person-years ${}_nL_x$, Total number of person-years N_x , Life expectancy e_x . Abridged life tables includes Age, Death rate ${}_nm_x$, probability of dying ${}_nq_x$, Number of surviving l_x , Number of person-years ${}_nL_x$, Total number of person-years ${}_nN_x$, Life expectancy e_x .	NONE AS FAR AS WE KNOW

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES
Process for compiling, publishing and updating the required data		Insurance regulator (National Bank of Slovakia) is responsible for compiling, publishing and updating of obtained data. Process of publishing and updating data is not known yet.	The abridged life tables of Slovenian population are produced every three years, and Complete life tables every seven years.	INTERNAL PROCEDURES OF NATIONAL STATISTICAL BUREAU AND INTERNAL PROCEDURES OF THE INDIVIDUAL COMPANIES

By what date must data be published?

Legislation doesn't impose date for publishing.

Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES
To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?		There is no obligation for insurers to use published data for product pricing purposes.	Insurer is not obliged to take into account the published life tables. The life tables produced by Statistical Office of Republic of Slovenia are used to verify that the gender as a rating factor is relevant factor.	THE USE OF PUBLISHED DATA IS NOT MANDATORY AND ITS USE AND CHOICE IS THE RESPONSIBILITY OF THE ACTUARIAL DEPARTMENT

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	Yes	Yes	Yes/No
Insurance sold by non-EEA Insurers[3] to residents in your country	No	Yes	Yes/No
Insurance sold by national insurers from your country to policyholders resident in other countries	Yes	No	Yes/No
Reinsurance business transacted with national insurers		No	

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Portugal	Slovakia	Slovenia	Spain
Association Name	Portuguese Institute of Actuaries	Slovak Society of Actuaries	Slovenian Association of Actuaries	INSTITUTO DE ACTUARIOS ESPAÑOLES
Comments			Insurance sold by national insurers from Slovenia to policyholders resident in other countries should follow the provisions of that country.	FOREIGN POLICY HOLDER AND INSURANCE COMPANY CAN CHOOSE FOR THE APPLICATION OF THE LOCAL LAW IN THE COUNTRY OF ANY OF THEM

Other

Please provide any other information of relevance?

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)

Implementation

Has the Directive been implemented?	Yes	Yes
-------------------------------------	-----	-----

Opt-out Clause

Is gender as a rating factor allowed following implementation of the Directive for the following types of insurance?

All Types of Insurance	Yes	Yes
Life assurance		
Critical Illness Insurance		
Disability/Income Protection Insurance		
Annuities		
Motor Insurance		
Health Insurance		
Accident		
Long Term Care		
Other		

For completeness, please specify where gender as a rating factor was allowed prior to implementation of the Directive?

All Types of Insurance	Yes	Yes
Life assurance		
Critical Illness Insurance		
Disability/Income Protection Insurance		
Annuities		
Motor Insurance		
Health Insurance		
Accident		
Long Term Care		
Other		

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)

Comments	*, The legislation does not specify insurance type. However, statistics will be published only for the following: Life, Disability(incl Critical Illness), Annuities, Motor, Health
----------	---

Has the option to defer the "pregnancy and maternity" measure been availed of?	No	Yes
--	----	-----

Data

Who is responsible for compilation, publication and regular updating of data relevant to the use of gender as a rating factor?

Government Department(s)	None	See comment
Insurance Regulator	None	
National Agency (e.g. National Statistics Office)	None	
Actuarial Association	None	CMI has published mortality, critical illness and income protection: http://www.actuaries.org.uk/knowledge/cmi/gender

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)
Industry Association	All	ABI has published motor and medical insurance: www.abi.org.uk/gender
Individual Companies	None	Some but not reviewed/collated, e.g. http://uk.virginmoney.com/cancer-cover/faq.html
Other	All	
Comments	Consumers Insurance Bureau (financed by the industry)	HM Treasury have legislative responsibility for ensuring that (appropriate) data is published (for all types of insurance) but are not actually publishing data themselves. Bodies shown above are that (are known to) have actually published data, but this is voluntary (and there might be others!)

Please provide a brief description of the following:

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)
Specified data requirements (including the form in which it must be published)	Data should if possible be insurance related. A version which could be read by the layman should be published.	Documented in guidance from HM Treasury (March 2008): http://www.hm-treasury.gov.uk/media/8/C/consult_insurance070308.pdf Vary by product line and very prescriptive

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)
Process for compiling, publishing and updating the required data	Compiled by the Swedish Research Council for Actuarial Science (FTN), a scientific committee under the Industry Association. Published by the Swedish Consumers Insurance Bureau, a consumer organisation financed by the insurance industry. Updated by FTN.	Again covered by HM Treasury guidance but little prescription. Onus is on insurers to rely on relevant, accurate data; e.g. data must show "recent differences" but does not define recent. Requirements for reviews also vary by product line

By what date must data be published?	Not specified	30 June 2008 for products already in existence (where gender is used as a rating factor). Within 6 months of first policy being written for new product lines. Nil of note.
--------------------------------------	---------------	---

Please provide any additional comments that you think are relevant with regard to compilation, publication and regular updating of data

Pricing

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country	Sweden	UK
Association Name	Svenska Aktuarieföreningen	Faculty and Institute of Actuaries (UK Actuarial Profession)

To what extent must insurers take account of the published data for product pricing purposes i.e. setting premium rates and/or benefits?

Insurers could differentiate if data points to differences. The rates do not have to show the same difference.

As with many aspects of the guidance this is not entirely clear! Guidance directs towards highly-aggregated data, so legal view is that pricing does not need to reflect the published data itself, as long as the data the insurer relies on is a subset of the aggregated data. The legislation also states pricing must be "proportionate" to the data, without defining proportionate; but does say that other factors affect premium rates, not just gender.

Application of Legislation/Regulation

To which of the following does your national legislation/regulation apply?

Insurance sold by national insurers in your country[1] to residents in your country	Yes	Yes
Insurance sold by other EEA insurers[2] to residents in your country	Yes	Yes
Insurance sold by non-EEA Insurers[3] to residents in your country	Yes	Yes
Insurance sold by national insurers from your country to policyholders resident in other countries	No	No
Reinsurance business transacted with national insurers	No	Yes

[1] Insurers whose head office is in your country i.e. who are regulated for prudential supervisory purposes in your country

[2] Insurers whose head office is located in another EEA country

[3] Insurers whose head office is located outside of the EEA

Groupe Consultatif Survey on Implementation of the "Insurance Gender Directive"

Respondent

Country

Sweden

UK

Association Name

Svenska Aktuarieföreningen

Faculty and Institute of Actuaries (UK
Actuarial Profession)

Comments

Other

Please provide any other information of relevance?