

#1

COMPLETE

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Page 3

Q1

What is your name, organisation and email address?

Name	Ants Hawes
Company	N/A
Email Address	Privacy of natural persons

Q2**Personal**

Are you responding in a business or personal capacity?

Q3**Yes**

Can we include your name or other personal information about submissions that we may publish?

Q4**Yes**

We intend to upload submissions to our website. Can we include your submission on the website? Note we may need to edit comments to remove personal information when publishing submissions.

Q5**No, I do not wish for my submission to be kept confidential**

You may ask us to keep your submission, or parts of your submission, confidential. If so, you need to provide reasons and grounds under the Official Information Act 1982 for consideration.

Page 4: Consumer understanding of Insurance policies

Q6

Yes

Do you think the proposed new duty for insurers to write and present insurance policies in a “clear, concise and effective manner” will help consumers better understand insurance policies?

Q7

Unsure

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Page 5: Unfair contract terms

Q8

Option A

Refer to this summary, which option in relation to unfair contract terms do you support?

Q9

No

Do you have any feedback on the detail of the options?

Page 6: Disclosure of information to insurers

Q10

Yes,

Do you have any comments on how the Bill deals with disclosure of information to insurers?

Please comment below:

INSURERS NEED TO GIVE CLEAR GUIDELINES TO EXACTLY WHAT INFORMATION THEY ARE SEEKING.

Q11

No

Do you have any other comments about the summary document that you wish to make?

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, April 22, 2022 8:46:10 PM
Last Modified: Friday, April 22, 2022 8:59:46 PM
Time Spent: 00:13:35
IP Address: 158.140.240.87

Page 3

Q1

What is your name, organisation and email address?

Name	Anonymous
Email Address	Privacy of natural persons

Q2

Personal

Are you responding in a business or personal capacity?

Q3

No

Can we include your name or other personal information about submissions that we may publish?

Q4

No

We intend to upload submissions to our website. Can we include your submission on the website? Note we may need to edit comments to remove personal information when publishing submissions.

Q5

You may ask us to keep your submission, or parts of your submission, confidential. If so, you need to provide reasons and grounds under the Official Information Act 1982 for consideration.

Yes, please keep my submission/part of my submission confidential for the following reasons. If relevant, please outline the relevant part.

Other (please specify):

Don't share my email publicly, have entered name as anon

Page 4: Consumer understanding of Insurance policies

Q6

Do you think the proposed new duty for insurers to write and present insurance policies in a "clear, concise and effective manner" will help consumers better understand insurance policies?

No,

Please comment below:

The insurers interpretation isn't likely to consider the range reading age and literacy in the nz population, they need to cater to everyone including new migrants, English second language speakers etc

Q7

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Unsure,

If yes, what additional requirements would you like to see?:
If there are to be summary tables, so that all insurers had to make policies more easily comparable that's a start, also ensuring the length of the document is minimised and no fishhooks

Page 5: Unfair contract terms

Q8

Refer to this summary, which option in relation to unfair contract terms do you support?

Option A

Q9

Do you have any feedback on the detail of the options?

Please comment below:

Could also consider requiring simple language, and that "hidden or fine print" clauses intending to impact on key terms and conditions be considered unfair

Page 6: Disclosure of information to insurers

Q10

Do you have any comments on how the Bill deals with disclosure of information to insurers?

Yes,

Please comment below:

Many people dont intentionally mislead, it needs to put onus on the individual being able to refer insurance companies to previous insurers for details rather than rely on the consumers recall. Otherwise it discriminates against those with brain injury or similar conditions

Q11

Do you have any other comments about the summary document that you wish to make?

No

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 26, 2022 9:50:08 AM
Last Modified: Wednesday, April 27, 2022 2:32:09 PM
Time Spent: Over a day
IP Address: 119.224.55.141

Page 3

Q1 Respondent skipped this question

What is your name, organisation and email address?

Q2 Personal

Are you responding in a business or personal capacity?

Q3 No

Can we include your name or other personal information about submissions that we may publish?

Q4 Yes

We intend to upload submissions to our website. Can we include your submission on the website? Note we may need to edit comments to remove personal information when publishing submissions.

Q5 No, I do not wish for my submission to be kept confidential

You may ask us to keep your submission, or parts of your submission, confidential. If so, you need to provide reasons and grounds under the Official Information Act 1982 for consideration.

Page 4: Consumer understanding of Insurance policies

Q6 Yes

Do you think the proposed new duty for insurers to write and present insurance policies in a “clear, concise and effective manner” will help consumers better understand insurance policies?

Q7

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Yes,

If yes, what additional requirements would you like to see?:

We would like to see further information provided by insurers to consumers particularly regarding complaints or issues regarding insurance claims. In a situation we were involved in with ^{Commercial Information} asked for copies of the insurers complaint process and policy guidelines for handling complaints and we received in writing from our insurer emails stating that they did not have to offer a complaint process and did not have to disclose copies of their policy guidelines to their customers. We asked for direct contact with our insurer, complaint process, independent mediation, independent arbitration and referral to the Insurance Ombudsman to discuss issues with our claim and all were refused in writing by our insurer. They stated that if we had a complaint regarding our insurance claim and wanted to discuss it with them we would have to file proceedings against them in the High Court. This was our only option. In our opinion this is not good enough as most people cannot afford the hundreds of thousands of dollars to take an insurance company to Court just to discuss a complaint regarding their claim.

Page 5: Unfair contract terms

Q8

Refer to this summary, which option in relation to unfair contract terms do you support?

Option A

Q9

Do you have any feedback on the detail of the options?

No

Page 6: Disclosure of information to insurers

Q10

Do you have any comments on how the Bill deals with disclosure of information to insurers?

No

Q11

Do you have any other comments about the summary document that you wish to make?

Yes,

Please comment below:

We would like to see insurance contract law more strongly covered by the Bill of Rights, Contract Law and the Consumer Guarantees Act. We would also like to see the Fair Insurance Code become law rather than just a voluntary guideline with no legal standing and we would like to see an independent Insurance Ombudsman and a process for dealing with complaints that involved mediation and communication rather than High Court action as the only solution

#5

COMPLETE

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Page 3

Q1

What is your name, organisation and email address?

Name	DAVID SPRINGER
Company	Insurance Design Ltd
Email Address	Privacy of natural persons

Q2**Business**

Are you responding in a business or personal capacity?

Q3**Yes**

Can we include your name or other personal information about submissions that we may publish?

Q4**Yes**

We intend to upload submissions to our website. Can we include your submission on the website? Note we may need to edit comments to remove personal information when publishing submissions.

Q5**No, I do not wish for my submission to be kept confidential**

You may ask us to keep your submission, or parts of your submission, confidential. If so, you need to provide reasons and grounds under the Official Information Act 1982 for consideration.

Page 4: Consumer understanding of Insurance policies

Q6

No

Do you think the proposed new duty for insurers to write and present insurance policies in a “clear, concise and effective manner” will help consumers better understand insurance policies?

Q7

No

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Page 5: Unfair contract terms

Q8

Option B

Refer to this summary, which option in relation to unfair contract terms do you support?

Q9

No

Do you have any feedback on the detail of the options?

Page 6: Disclosure of information to insurers

Q10

Do you have any comments on how the Bill deals with disclosure of information to insurers?

Please comment below:

The Government is looking to reform New Zealand's insurance contract law. One of the amendments being considered is to Section 9 of the Insurance Law Reform Act 1977. Section 9 of the Insurance Law Reform Act 1977 provides for late notice of claims to insurers. The clause basically means an insurer can not decline your claim because of late notification unless the delay in notifying the insurer has caused them prejudice. If the proposed reform is made this clause will not apply to claims made policies. Professional Indemnity (PI) insurance is a claims made policy. Why is Section 9 vital to us? It is a requirement of a PI policy to notify the Insurer of (a) a claim, or (b) a circumstance which may give rise to a claim. A claim can be relatively easy to identify and hence notify at the right time to your insurers. A circumstance that may give rise to a claim can be very difficult to identify. For example, a client expresses dissatisfaction with an outcome, suggesting that they have suffered a loss. Is that something that should be notified to your insurers or not? Due to the difficulty in determining what is a circumstance, notifications occur where it is determined that it should have been made at an earlier time. This difficulty becomes a problem where different insurers are involved. For example, you notify a possible claim to Insurer A. It is determined that you should have notified this matter 3 years earlier (when Insurer B was your insurer). Insurer A will decline the claim against you because the claim relates to a prior period and therefore does not trigger their policy. Insurer B however must defend the claim (unless the delay has caused prejudice) – this is the current protection the Act provides. However due to the proposed amendment Insurer B will be able to decline the claim due to the late notification. You would therefore be uninsured for a claim against you, simply because you did not understand what constitutes a "circumstance". Late notifications of circumstances to PI insurers are common and mostly arise because the Insured party did not understand that a situation should have been notified to insurers as circumstance. We have had an example where the 'late notification' applied to two claims 4 years after the notification should have been made. This situation that led to two claims, was an offhand comment made by the claimant. Fortunately for our client, the current law applied and the Insurer defended our client against both claims. What will be the impact of the change Section 9 of the Insurance Law Reform Act 1977 As noted above, the first and obvious impact is that many companies and individuals will be uninsured for what is otherwise a valid claim. This is a serious concern in it's own right, and we believe against the objectives for the reforms stated by the

Insurance Contracts Bill Consultation Survey

Ministry of Business, Innovation & Employment (MBIE). If this change occurs, we believe that PI insurance in NZ less will be less competitive. Those that purchase PI insurance will be correctly worried about this law change & late notification of claims. Hoping to avoid the situation, we have detailed above, they will be hesitant about changing insurers. This reluctance to change insurers, will lead to higher premiums charged by insurers and more restrictive cover.

Q11

No

Do you have any other comments about the summary document that you wish to make?

#9

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 3

Q1

What is your name, organisation and email address?

Name	Nigel Maxey
Email Address	Privacy of natural persons

Q2**Personal**

Are you responding in a business or personal capacity?

Q3**Yes**

Can we include your name or other personal information about submissions that we may publish?

Q4**No**

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Q5**No, I do not wish for my submission to be kept confidential**

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Page 4: Consumer understanding of Insurance policies

Q6

Yes

Do you think the proposed new duty for insurers to write and present insurance policies in a “clear, concise and effective manner” will help consumers better understand insurance policies?

Q7

Unsure

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Page 5: Unfair contract terms

Q8

Option A

Refer to this summary, which option in relation to unfair contract terms do you support?

Q9

No

Do you have any feedback on the detail of the options?

Page 6: Disclosure of information to insurers

Q10

No

Do you have any comments on how the Bill deals with disclosure of information to insurers?

Q11

No

Do you have any other comments about the summary document that you wish to make?

#10

COMPLETE

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Time Spent: 00:49:03
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Page 3

Q1

What is your name, organisation and email address?

Name	Richard Johnstone
Company	Left Bank Chambers
Email Address	Privacy of natural persons

Q2**Business**

Are you responding in a business or personal capacity?

Q3**Yes**

Can we include your name or other personal information about submissions that we may publish?

Q4**Yes**

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Page 4: Consumer understanding of Insurance policies

Q6

Yes

Do you think the proposed new duty for insurers to write and present insurance policies in a “clear, concise and effective manner” will help consumers better understand insurance policies?

Q7

No

Would further requirements on how insurance policies are presented or the information insurers must publish be helpful?

Page 5: Unfair contract terms

Q8

Option A

Refer to this summary, which option in relation to unfair contract terms do you support?

Q9

No

Do you have any feedback on the detail of the options?

Page 6: Disclosure of information to insurers

Q10

No

Do you have any comments on how the Bill deals with disclosure of information to insurers?

Q11

No

Do you have any other comments about the summary document that you wish to make?
