

# Submission on discussion document: Insurance contract law review

## Your name and organisation

Name	s 9(2)(a)
Organisation	None

## Regarding consumers' disclosure obligations

Were you aware of your general duty to disclose all material information when applying for insurance, and that the duty goes beyond the specific questions you are asked in your application for insurance?
No
If you were aware of your duty to disclose material information, who informed you of this duty?
<i>[Insert response here]</i>
When applying for insurance, do you understand what material information you need to give the insurer so they can assess the risk of providing you with insurance?
No
Do consumers understand the potential consequences of breaching their duty of disclosure?
No
Have you ever breached your duty of disclosure? What consequences were there for you in terms of the insurance cover you were able to obtain under the policy following the breach?
<i>[Insert response here]</i>

## Regarding conduct of insurers

What do you think fair treatment looks like from both an insurer's and consumer's perspective? What behaviours and obligations should each party have during the lifecycle of an insurance contract that would constitute fair treatment?
<i>[Insert response here]</i>
What has your experience been of the claims handling process? Please comment particularly on:

- information from the claims handler about:
  - timeframes and updates on timeframes
  - reasons for declining the claim (if relevant)
  - how you can complain if declined
- The handling of complaints (if relevant)

*[Insert response here]*

Have you ever been sold an insurance product that was inappropriate for your circumstances? Or are you aware of this happening to others?

*[Insert response here]*

Have you ever felt undue pressure from an insurer or insurance intermediary (such as an insurance broker or salesperson) to buy or renew an insurance policy?

*[Insert response here]*

## Regarding difficulties comparing and changing providers and policies

When considering the purchase of insurance, what sources of information do you draw upon to make your decision? (e.g. comparison websites, talking directly to different insurance providers, talking to an insurance broker or financial adviser)

*Talking to the insurance company representative (call centre)*

How long do you think you typically spend reading an insurance policy before you purchase it?

*Minimal*

Do you think you have a good understanding of the insurance policies you currently hold?

*No*

If not, what is the main barrier to you understanding your insurance policy?

*Long and complicated policy wording*

Have you ever been in a situation where you thought you had a certain level of cover under your policy, but when you went to make a claim found you were not covered? If so, please provide us with a description of the situation.

*[Insert response here]*

Would you like to switch insurance providers? If so, what is your main barrier to switching?

*[Insert response here]*

What, if anything, should the government do to make it easier for consumers to compare and change insurance providers and policies?

*Provide some standard cover that the insurance company is obliged to use.*

## Regarding exceptions from the Fair Trading Act's unfair contract terms provisions

Are you aware of instances where the current exceptions for insurance contracts from the unfair contract terms provisions under the Fair Trading Act are causing problems for consumers? If so, please give examples.

*[Insert response here]*

More generally, are there terms in insurance contracts that you consider to be unfair? If so, why do you consider them to be unfair?

*[Insert response here]*

## Other comments

We welcome any other comments that you may have.

*[Insert response here]*

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