

Claims handling and related matters

Nuclear Liability Group
Working Group 1
Recommendations

*Taking nuclear third party liability into the future
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WG 1 Approach

- ▶ Recommendations should
 - remain “non regime–dependent”
 - encompass the whole process of claims management (registration, handling and settlement)
- ▶ Recommendations to be assessed in the light of
 - the community competence in this field
 - the subsidiarity and proportionality principle

WG 1 Recommendations

Recommendation 1

MS to have a claims management system

- ▶ Addressed to MS having nuclear installations on their territories
- ▶ MS to ensure that entities providing financial securities have and maintain an appropriate claims management system

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Recommendation 2

MS to establish a “one stop shop” for claims registration and record

- ▶ MS to designate a (set of) single entity(ies)
 - Registration of all claims
 - Availability of forms in all EU languages
 - May help for damage assessment
- ▶ Mainly addressed to the “Accident State”
- ▶ Should not be permanent but only set up when needed

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Recommendation 3

Establish criteria for EU-wide claims handling communication in the case of an accident

- ▶ EU communication guidelines to recommend information on claims handling for victims

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Recommendation 4

Establish “one single desk” for claims handling

- ▶ MS to set up “one single desk” for claims handling
 - Coordination between stakeholders
 - Centralization of proceedings and recording of payments
 - Follow-up of the availability of the funds
- ▶ Mainly addressed to the “Accident State”
- ▶ Should not be permanent but only set up when needed
- ▶ May be the same entity as the “one stop shop” (reco. 1)
- ▶ Statute to be defined by each MS depending on its administrative organization

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Recommendation 5

Allow for the assessment of insurers abilities
by national authorities

- ▶ MS to provide for the assessment of the insurers
(and other financial securities) technical ability
 - Availability of adequate competence and resources
 - Does not cover the assessment of financial capacities

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Recommendation 6

Set up rules for advance payments on compensation

- ▶ EU guidelines

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Recommendation 7

Clarify how claims management costs are born

- ▶ MS to ensure that
 - insurers provide details on the amount of claims management costs and on who should bear these costs
 - Liability amounts are dedicated to the compensation of damage