

# Outline of the Bill Partially Amending the Insurance Business Law

In order to prevent the recurrence of fraudulent insurance claims cases and insurance premium adjustment practices, the system for large-sized shared non-life insurance agencies and insurance companies, etc., will be strengthened and the scope of prohibited acts regarding the conclusion of insurance contracts, etc., will be expanded, with regard to ensuring customer-oriented businesses conduct and realizing a healthy competitive environment.

## Thorough management of customer-oriented business conduct (related to fraudulent insurance claims cases)

### Strengthening the obligation of establishing a system for non-life insurance agencies

- Among non-life insurance agencies, large-sized agencies that handle products from multiple insurance companies (**specific large-sized shared non-life insurance agencies**) are required to **establish the following system**.
  - **Establishing a system to appropriately supervise** concurrent businesses, such as automobile repair, **to ensure that they do not unduly influence the payment of insurance claims**.
  - **Appointment of a compliance officer** (at each branch office) **and a supervisor** (at the head office, etc.)
  - Establishment of a system necessary for the appropriate and prompt handling of complaints.

\*These measures will also apply to life insurance agencies in Cabinet Order.

### Strengthening of obligations for insurance companies, etc. to improve their systems.

- Insurance companies, etc. **are required to establish appropriate management of their operations and other necessary systems**, related to specified insurance agents who are also engaged in businesses, such as automobile repair, **so that the interests of their customer will not be unjustly harmed**.
  - \*To ensure appropriate claims management, monitoring the situation of establishing the abovementioned system of non-life insurance agents engaged in concurrent business and the appropriate separation of claims management department and sales departments will be prescribed in the Cabinet Office Order as specific contents of such obligations for insurance companies, etc.

## Realization of a fair competitive environment (related to insurance premium adjustment practices)

### Prohibition of excessive provision of convenience from insurance companies, etc. to policyholders, etc.

- Current prohibited acts by insurance companies and insurance agents:
  - For the policyholder or the insured [Subject]
  - Offering a discount or rebate on insurance premiums, or any other special advantage [Act]

The following will be **added**:

[Subject]

- **Persons having close relationships with** the policyholder or insured.

\*Cabinet Office Order plans to prescribe the group companies of insurance policyholders, etc.

[Act]

- **Purchasing goods or providing services that are not considered appropriate with regard to accepted business practices** (so-called excessive provision of convenience).

\*Additionally, from the viewpoint of promoting competition in sales, regulations for insurance brokers will be reviewed, including relaxation of regulations such as lowering the minimum amount of deposit [Cabinet Order matters]. At the same time, Cabinet Office Order will establish provisions to allow for additional matters for notification (plans to impose obligations for notification related to incidents of misconduct).

# 保険業法の一部を改正する法律案の概要

保険金不正請求事案と保険料調整行為事案の再発防止を図るため、顧客本位の業務運営を徹底し健全な競争環境を実現する観点から、大規模乗合の損害保険代理店及び保険会社等に対する体制整備を強化するとともに、保険契約の締結等に関する禁止行為について、対象となる行為等の範囲を拡大する。

## 顧客本位の業務運営の徹底（保険金不正請求事案関連）

### 損害保険代理店に対する体制整備義務の強化

- 損害保険代理店のうち、複数の保険会社の商品を扱う（乗合）形態であって規模が大きい代理店（特定大規模乗合損害保険代理店）に対して、下記の体制整備を義務付け

- ・ 自動車修理業などを兼業している場合に、保険金の支払に不当な影響を及ぼさないよう、兼業業務を適切に監視するための体制整備

- ・ （営業所ごとに）法令等遵守責任者、（本店等に）その統括責任者の設置

- ・ 苦情の適切かつ迅速な処理のために必要な体制整備

※生命保険代理店に対しても、政令において上記と同じ措置を規定する予定

### 保険会社等に対する体制整備義務の強化

- 保険会社等に対して、自動車修理業などを兼業している特定保険募集人に関連して、顧客の利益が不当に害されないよう、業務の適切な管理その他の必要な体制整備を義務付け

※内閣府令において、保険金支払管理の適切性確保の観点から、兼業業務に係る損害保険代理店の上記の体制整備状況の監視や、保険金支払管理部门と営業部門の適切な分離等を規定する予定

## 健全な競争環境の実現（保険料調整行為事案関連）

### 保険会社等から保険契約者等への過度な便宜供与の禁止

- 現行では、保険会社や保険募集人が、

- ・ 保険契約者又は被保険者に対して [対象]
- ・ 保険料の割引、割戻しその他特別の利益の提供 [行為]を行うことを禁止しているが、それらに以下を追加

[対象]

- ・ 保険契約者又は被保険者と密接な関係を有する者

※内閣府令において、保険契約者のグループ会社等を規定する予定

[行為]

- ・ 取引上の社会通念に照らし相当であると認められない物品の購入や役務の提供（いわゆる便宜供与）

※その他、販売面での競争促進の観点から、保険仲立人への規制を見直し、供託金の最低金額の引下げ[政令事項]等による規制緩和を図る一方、届出事項を内閣府令により追加可能とする規定を整備（不祥事件に関する届出義務を課す予定）