

# UNISONTIMES

HAMBURG | GERMANY | WEDNESDAY - DECEMBER 22, 2021 | THIRD EDITION



New markets and  
technologies –  
Growing together into a promising future



# Introduction

WOLFGANG MERCIER

## **Dear members, dear business friends and partners,**

Another exciting year is coming to an end. A year in which we once again had to deal with many problems, but above all with challenges. And that's what it's all about. To see the last remaining COVID-19 hurdles as challenges and to emerge from this stronger.

We have again started our first business trips abroad and hosted our Independence Day Conference in a hybrid format - in Prague and online - in August this year. We are also looking forward to our next major event in New York City, which we would like to celebrate with you in mid-June 2022.

Our partners worldwide also feel this spirit of optimism and have made it their credo. Some plan to expand their business relations in China and unisonSteadfast is also setting further steps in this direction. We see new activities in our transatlantic relationship with the US. In the health insurance market, there are a number of significant developments and also brand new products being offered through our members

and strategic partners. The Practice Groups are experiencing a new dynamic and new interesting fields have opened up, for example Trade Credit Insurance.

With great support from our Australian partner company Steadfast Group, we are in the process of developing various risk management products and making them available to our members worldwide.

In the area of digitalization, we see various advances and new opportunities for our global unisonSteadfast community in the future. At Christmas, according to the Christian tradition, and at the beginning of the new year, let's please take a step back with big celebrations and keep our distance. Let's promote vaccinations and support all those countries and regions around the world that have not yet been able to have a little protection due to reduced vaccination capacities. For a better future, especially for our children, and with the additional motivation that in a few months we will be able to resume all the activities we love.

I would be very happy if I could welcome you all

to our next conference live in New York City. First of all, I wish you much pleasure and new insights while reading our unisonTimes. Have some peaceful holidays and a good start of the year 2022.

Please stay safe and healthy.

Yours  
Wolfgang Mercier

# Table of Contents

## 4 New Members

### **unisonSteadfast News:**

- 6 New compulsory insurance in production safety
- 8 Member Survey and streamlining billing processes
- 9 iProfileRisk - a game changer for comprehensive location and NatCat assessment

### **Member Information:**

- 11 Malakut Dubai strengthens Middle Eastern operations with a number of strategic hires
- 14 Malakut Russia to strengthen business ties with Chinese market
- 15 F.REGO strengthens its international division with the hiring of renowned international client manager
- 16 Correcol: Corporate Carbon Footprint Measurement
- 17 Intersure and unisonSteadfast announce international partnership alliance

### **Markt- und Produktinformationen:**

- 18 Asertec: Habits.ai
- 19 Britmark: Growth of health insurance market following the COVID-19 pandemic in Ukraine
- 21 Protec Mexico: Protec Salud
- 22 Groupe Roederer: Environmental Liability in France

### **Country Update:**

- 25 Bulgaria/Romania - Balkan Brokers: Employee Benefit information and trends
- 28 France - Diot Est: Employer's Liability in France
- 30 Colombia - Correcol: Acquisition of insurance abroad by Colombian entities
  
- 31 Christmas Greetings
- 32 unisonSteadfast Employees of the Year 2021

# New Members



## Carrion, Laffitte & Casellas, Inc.

<https://www.hubinternational.com/offices/us/>

Based in (City, Country): San Juan, Puerto Rico

No. of employees: 110

Year of establishment: January 1, 2004

Contact Person: Juan J. Del Nido

E-Mail: juan.delnido@hubinternational.com

Languages spoken: Spanish, English

Key services: Broking Services for Large Commercial Accounts

Industry expertise: Financial Lines, Property, Construction & Surety and Employee Benefits

Industry leadership: Banking, Real Estate, Public & Government

Entities

In-house services: Risk Management, Claims and Loss Control

Distinction –

what are you proud of?: Our Claims CAT Team settled over 2,000 claims for about USD 377 million from Hurricanes Irma and Maria

Personal greeting  
to the network:

Welcome to the leading brokerage firm in Puerto Rico!

Your  
ad  
comes  
here!

Please contact:  
[marketing@unisonsteadfast.com](mailto:marketing@unisonsteadfast.com)

unisonSteadfast  
News

## UNISONSTEADFAST, CHINA LIAISON OFFICE

# New compulsory insurance in production safety

WEIYING YANG

As of 1 September 2021, the new Production Safety Act has been implemented. Eight high-risk industries are obliged to take out production safety liability insurance.

According to the new regulations, production and business units in high-risk industries and sectors that have not taken out production safety liability insurance (hereinafter referred to as "safety liability insurance" 安责险) will be fined up to RMB 200,000.

Safety liability insurance (安责险) is a type of compulsory commercial insurance of public interest with a public benefit character, which differs significantly from workers' compensation and other types of commercial insurance.

The insurance cover extends not only to the employees of the companies concerned, but also to accidents and property damage suffered by third parties. In addition, associated costs for rescue and relief measures, accident investigation and legal proceedings are included.

The industry said that safety liability

insurance has an accident prevention function. China's Ministry of Emergency Management (中华人民共和国应急管理部) requires insurance carriers to provide accident prevention services to insured units to help enterprises identify risks and hazards and improve safety management. This would effectively prevent production safety accidents.

The eight high-risk industries covered by compulsory insurance include, in particular:

- mining
- hazardous chemicals
- fireworks
- transport
- construction
- civil explosives
- metal smelting
- fisheries.

What information are required to apply for safety liability insurance?

- specify type of activity and number of employees
- create flow chart of the production process



Shanghai by night, China

- photos of the internal and external environment
- questionnaire for risk assessment
- cumulative limit of indemnity
- maximum amount of compensation per accident
- compensation limit per accident, per employee, for death and disability
- compensation limit per accident, for death and disability of third parties etc.

„Safety liability“ insurance is ultimately a commercial insurance policy paid for by the respective business. Even though the insurance is mandatory, the company has the right to freely choose the insurance provider.

It is estimated that current insurance premiums in the „safety liability“ insurance market amount to around RMB 5 billion.

With the introduction and further development of safety liability insurance as a compulsory insurance, a premium volume of at least RMB 10 billion is expected.

**Contact:**

Weiyang Yang

[weiyang.yang@unisonsteadfast.com](mailto:weiyang.yang@unisonsteadfast.com)

**württembergische**



**Adaptable insurance solutions  
for your companys needs.**

As your partner to SME companies, we offer tailor-made insurance coverage for many target groups. Our versatile industry solutions are as individual as your customers.

[More Information](#)

The advertisement features a man in a light blue suit jacket and white shirt, looking down at his smartphone. He is holding a white coffee cup with a lid in his left hand. The background shows a bright, cloudy sky and a body of water. To the right of the man, there is a vertical strip showing several small portraits of diverse people, suggesting a range of clients or employees. The overall theme is professional and modern.

## UNISONSTEADFAST

# unisonSteadfast member survey and streamlining billing processes

MURIEL MERCIER

This year, we again took the opportunity to conduct a survey among our members.

The aim of this survey was, on the one hand, to identify where we should adjust our service portfolio in order to not only meet the needs of our brokers but also to adapt to the constantly changing market situation. Secondly, we wanted to find out which services our members value the most and which ones still have room for improvement.

Thankfully, we received very constructive feedback from many of our members in this regard, which we have already started to process.

We sincerely appreciate your time and are grateful for all the submissions.

Among other things, the current commission settlement processes were described as very time-consuming. As an example, there were repeated delays due to different data pools and permanent corrections. Unfortunately, this had an impact on all parties involved.

In order to make the processes leaner and easier to integrate in day-to-day operations, we decided to **use the billing data from our service brokers**. This means that we request the

statements from our partners on the usual cut-off dates unless we have already received them in advance. We then make any adjustments in uniNet and promptly issue our statements on this basis.

**The changes apply to all policies with an inception date as of January 1, 2022.**

Our project to also offer individual brokers the option to install an API between both our systems remains unaffected by these process modifications.

We are convinced that the above measure will enable us to establish a faster and smoother billing system and to increase data integrity. Please do not hesitate to contact us at **[invoice@unisonsteadfast.com](mailto:invoice@unisonsteadfast.com)** if you have any questions or comments.



STEADFAST RISK GROUP, AUSTRALIA

# iProfileRisk - a game changer for comprehensive location and Nat Cat assessment

NICOLE WILLSON

A new tool helps brokers shift the conversation from a focus on insurance to a wider way of assessing and mitigating risk.

iProfileRisk is a platform that can provide unisonSteadfast brokers with a wider understanding of the insurance risks associated with a particular industry, given the location and natural catastrophe hazards associated with that location. The information is compiled in a detailed report presented in a PDF.

"Let's say you are exploring insurance options for a client located in the iconic Chilehaus building in Hamburg. All you need to do is input the building's location and client's industry into iProfileRisk and in seconds it will provide you with a summary of all the hazards associated with the industry and the building's location," explains Martyn Thompson, Steadfast's Executive General Manager, Corporate Development.

Some common insurance policies

over which iProfileRisk can provide an assessment include:

- Property.
- Professional Liability. Business interruption.
- General liability: premises and operations.
- General liability: products – completed operations.
- Crime.
- Automobile liability.
- Automobile physical damage. Inland marine.
- Workers' compensation or employers' liability.

iProfileRisk covers 14 Swiss Re Nat Cat risk ratings, including bushfire, coastal flood, river flood, tornadoes, earthquake, hail, landslide, lightening, windspeed/cyclones, storm surge – return period, tsunami – return period, volcano, subsidence in France, tropical cyclone and winter storm footprints.



## Steadfast Risk Group offers an end-to-end suite of risk solutions

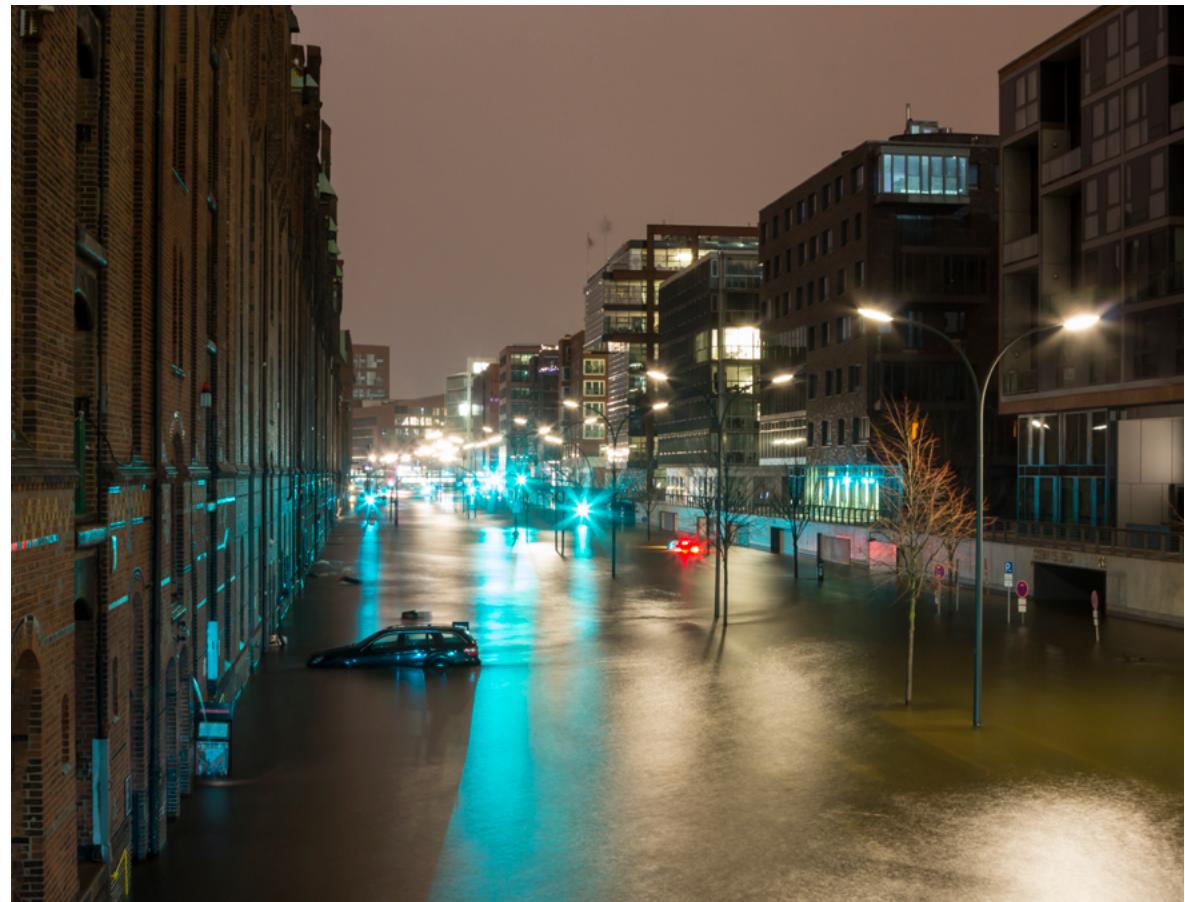
Using data and insights to enable more informed conversations with your clients, better visibility over risks and provide more accurate protection.

Find out how we can help you and your clients:

E: [enquiries@steadfastriskgroup.com.au](mailto:enquiries@steadfastriskgroup.com.au)

Steadfast Risk Group Pty Ltd ACN 104 693 183

Risk services are provided pursuant to terms and conditions available on request, which terms and conditions include exclusions and limitations of liability.



Flooded Road in Hamburg, 2016

Risks are categorised in a traffic light system, with high risk covers such as professional indemnity for accountants being in the red zone, whereas other risks such as marine transit for the same industry would be in the green zone. Conversely certain natural catastrophes will necessarily be in the red zone for particular locations, for instance river floods for areas close to a riverbank may be in the red zone, but other risks such as earthquakes may be categorised in the green zone.

"The benefits for brokers are manifest. It allows them to give clients a thorough snapshot for both their industry and location in terms of insurance hazards and the potential for natural catastrophes to affect their specific location. Using the tool, it's easy to deselect cover that's not relevant for the client, for instance inland marine, so when the system produces the final report, irrelevant cover is not included," says Thompson.

"All the information contained in the report can be accessed in an easy-to-read online format. This gives brokers the opportunity to talk clients through the report findings and they can even add their own branding to the final report sent to clients," he adds.

Above all, says Thompson, it's an opportunity to deepen relationships with clients, with many brokers using it as the

centrepiece of their discussions with clients at policy renewal time.

"It gives clients a better understanding of the risks associated with their industry and their business premises, as well as the natural catastrophe risks associated with each location. From there, brokers can talk about how they have addressed particular risks within the context of their renewal report and the insurance arrangements the client should consider."

iProfileRisk can also be used on an ad-hoc basis, for instance if a client is considering buying a new property and wants to assess the risk of natural catastrophes affecting the asset. Equally, it's an especially powerful tool when clients want to assess their risks across multiple sites.

"We've created a tool that's easy and intuitive to use. It also changes the conversation from a focus on insurance to an emphasis on overall risk management," says Thompson.

To access the tool, simply go to [de.iprofilerisk.com](http://de.iprofilerisk.com) and the site will direct you to the appropriate web page for your location. In the first instance, contact [risk@unisonsteadfast.com](mailto:risk@unisonsteadfast.com) to arrange for access to be granted.

# Members Information

MALAKUT, DUBAI

## Malakut Dubai strengthens Middle Eastern operations with a number of strategic hires

ALEXANDER DOLGOPOLOV

Malakut Insurance Brokers continues to expand its offering in the Middle East and Africa with a number of strategic hires. Established in 2009, the Dubai office of Malakut now has 40 professionals of 15 nationalities dealing with Property & Casualty, Employee Benefits, Trade Credit Insurance, Aviation Insurance and Reinsurance brokerage.

### New joiners:

**Michael Plaugmann** is the Associate Director of our Employee Benefits Division with 20+ years' experience in the UK and UAE previously working in Mercer, CIGNA, Inter Global, Aetna and Willis.

**Ayah El Dabbagh** is the Relationship Manager of Trade Credit Division. An experienced banker with 4 years in Trade Credit Insurance, previously working at Euler Hermes, Abu Dhabi Commercial Bank (ADCB) and HSBC.

**Sharif Abdul Hafeez** is the Regional Accounts Director of Trade Credit Division. Previously a A NASDAQ market controller with 12+ years' experience with trade credit risk management, he worked at NASDAQ, Shaalan Group and Euler Hermes.

**Jisoo Kim** is the Relationship Manager in Korean Business Division. Jisoo has 5+ years' experience in Marketing across Korea and Singapore, previously working for Procter &

**“We saw market hardening in most corporate insurance classes over the last 2 years, which resulted in Clients more frequently looking for alternative solutions, generally showing more interest in considering change of Broker. We used this momentum to widen our offering by strengthening each internal center of excellence. Over the last 12 months our team has grown by 25% and we continue hiring to ensure the highest level of service proposition”.**

Alexander Dolgopolov, CEO, Malakut Dubai

Gamble and New Communications in Seoul.

**Ahmed Reyad** is the Property & Casualty Broker in our General Insurance Division. Ahmed has engineering education from Al Ghurair University in UAE and 5 years of experience with direct insurance lines, previously working at ENOC, Arabia Insurance Company and Fujairah National Insurance Company.

**Ray Zabian** is a Reinsurance Broker in the Reinsurance Division. Ray is a recent finance graduate and a volunteer at United Nations Relief and Work Agency in Syria.

**Victor Khaprov** is a Broker Technician in the Aviation Division with a background in aeronautical engineering and general and aviation insurance and reinsurance experience of 4+ years.

**Lilia Yatsyna** is a Broker Technician in the Aviation Division with a background in finance and geology and over 10 years' experience in administration.

“We saw market hardening in most corporate insurance classes over the last 2 years, which resulted in Clients more frequently looking for alternative solutions, generally showing more interest in considering change of Broker. We used this momentum to widen our offering by strengthening each internal center of excellence. Over the last 12 months our team has grown by 25 % and we continue



Alexander Dolgopolov, CEO, Malakut Dubai

hiring to ensure the highest level of service proposition".

#### **Core Classes of Business:**

- Property All Risks
- Construction & Engineering Risks
- Energy Upstream, Downstream and Offshore
- Underground Risks
- Aviation Risks
- Marine Cargo, Hull and P&I
- Terrorism, Political Violence
- Professional Indemnity
- Employee Benefits
- Trade Credit Insurance

#### **Targeting SME and Corporate Clients in the following sectors:**

- Engineering and Construction
- Aviation
- Food & FMCG
- Trading Companies
- Logistics
- Chemical & Pharmaceutical
- Automotive

#### **Geography of clients:**

- United Arab Emirates
- Saudi Arabia
- Bahrain
- Oman
- Qatar
- Kuwait
- Iraq
- Afghanistan
- Pakistan
- Yemen
- Jordan

- Egypt
- Somalia

#### **About Malakut Group:**

Malakut is an international insurance broking group founded in 1999. We provide a range of insurance, reinsurance, employee benefits, risk management and financial services. A combined team of more than 200 professionals provides our clients from different countries the specialist solutions that are prudent, reliable and effective. Our offices are located in Almaty, Dubai, Kiev, Kuala Lumpur, Hanoi, Moscow, Panama City, Tashkent and Zurich.

#### **Contact:**

Alexander Dolgopolov  
CEO, Malakut Dubai  
Board Member, Malakut Group  
[alexander.dolgopolov@malakut.ae](mailto:alexander.dolgopolov@malakut.ae)  
Tel: +971 4 331 3494

1201, 48 Burj Gate  
Downtown, Dubai, UAE  
P. O. Box 487242

[www.malakut.com](http://www.malakut.com)



New members of the Malakut Dubai team (from left to right): Ahmed Reyad; Liliia Yatsyna; Victor Khaprov; Jisoo Kim; Michael Plaugmann; Ayah El Dabbagh; Ray Zabian; Sharif Abdul Hafeez



MALAKUT, RUSSIA

# Malakut to strengthen business ties with Chinese market

TATIANA RAZUVAEVA

Malakut Insurance Brokers appointed Mr. Alexey Efremov as Business Development Director in Eastern Asia.

Alexey graduated from the Institute of Foreign Languages as the assistant-translator in Chinese and English. He worked at the Chinese Language Department of the Institute of Foreign Languages, studied at Nanjing University (China), and in 1998 started his career in insurance. Prior to joining Malakut he worked as a Head of the Representative office of SOGAZ Insurance Company in Beijing, China.

Alexey's professional background and first-hand knowledge and experience of Chinese insurance market will improve Malakut's capability to serve Chinese clients in Russia / CIS and beyond and will further strengthen

business relationships with Chinese insurance market.

If you have any query, please contact Mr. Alexey Efremov.

**Contact:**

[Alexey.Efremov@malakut.ru](mailto:Alexey.Efremov@malakut.ru)

Mobile: +7 917 545 16 85

WeChat: +186 1817 09 30



Beijing, China

F.REGO, PORTUGAL

# F.Rego strengthens its international division with the hiring of experienced international client manager

TIAGO ALVES

Despite the current challenges for the global economy, F. REGO has been growing its teams investing in junior and senior professionals.

Following the growth of the portfolio of international clients and the ever-evolving client needs, the company has enhanced its commitment towards the international area with the hiring of Ana Bandeira.

Ana has several years of expertise in the insurance sector, was previously the leader of the international division of another broker and will strengthen the International Department of the Lisbon Office.

Throughout the past years, F. REGO has developed great expertise in the international area, being able to support its current clients' growth, as well as expanding

the client portfolio with multinational corporations. F. REGO perceives this area as a strategic axe of the company's growth in the coming years.

**Contact:**

Luis Vicente

[luis.vicente@frego.pt](mailto:luis.vicente@frego.pt)



Ana Bandeira, Client Manager, F.Rego

CORRECOL, COLOMBIA

# Corporate Carbon Footprint Measurement

FABIAN ROJAS

The Fenalco Solidario Colombia Corporation certified Correcol in January 2021 for the Measurement of the Corporate Carbon Footprint, this certification is granted to companies with environmental commitment.

**Commitment to Social Responsibility**  
The Fenalco Solidario Colombia Corporation granted us recognition on November 21, 2016 for our commitment to Social Responsibility. This certification is granted to companies that have systems that help strengthen social sustainability.

The behavior patterns are always framed in the respect and transparency values. We agree with the statement that culture influences the working habits. We have noticed that our colleagues from Europe and America are very fast responsive.

**Contact:**

Fabian Rojas  
[FRojas@correcol.com](mailto:FRojas@correcol.com)



INTERSURE, USA

# Intersure & unisonSteadfast Announce International Partnership Alliance

RUTH MANKA

Ruth Manka, Executive Director of Intersure Ltd., is excited to announce our new strategic alliance with unisonSteadfast. Our newly formed partnership strengthens both organizations' global footprints and provides an exciting platform for future growth.

Intersure's North American members were equally thrilled to welcome Wolfgang Mercier, President and CEO of unisonSteadfast, to our recent Principal & Leadership Meeting in Nashville, Tennessee. During our time together we explored the many facets of designing and developing a winning sales team and culture that combined create the critical elements for organizational excellence and organic growth. Along with the rich conversation and plentiful takeaways, we were thrilled to learn more about the exciting support team and tools offered within unisonSteadfast. A special heartfelt thank you

to Wolfgang for joining us for this interactive event. We look forward to our continued friendship and expanded partnership possibilities as we grow together!

Intersure is a North American premier peer network representing over \$8B in written premium and over 4,000 employees.

**Contact:**

Ruth Manka, Executive Director  
[Ruth@intersure.com](mailto:Ruth@intersure.com)  
+1 804.819.9293



# Market and Product information

ASERTEC, ECUADOR

## Habits.ai

ANTONELLA MEDINA

Asertec, an insurance broker with more than 30 years in the market and ranked among the top 3 in Ecuador, created a strategic alliance with Habits.ai, aiming at consolidating the wellness ecosystem and offer corporate clients an innovative solution for their employees' health care.

Habits is a B2B wellness and productivity platform. Through artificial intelligence, gamification, and behavioral science, Habits' goal is to create cultures of well-being, increasing employee engagement, productivity, loyalty, and health.

The main benefits of Habits for companies include:

- Optimize the budget of the organizations, due to economic losses derived from the lack of commitment and health problems of the employees.
- Increase productivity, ensuring that employees are more efficient. Based on different studies, it has been shown that people with better health conditions are 31% more productive and sell 37% more than their co-workers.

Features and differentiation for each user:

Habits offers a personalized technological solution that allows reaching each of the

company's employees to improve their habits during periods of 28 days. During this time, the user focuses on reinforcing a habit and increasing their levels of emotional, physical, and mental well-being.

Based on behavioral science, Habits developed its CARE model, made up of 4 pillars: Connect, Activate, Recharge & Eat Real. All activities, courses and challenges are created with the purpose of reinforcing each of these phases. On the other hand, Ana, a virtual coach, guides the user on how to improve their habits in order to achieve different goals: steps per day, cardio points, hours of sleep, among others.

Finally, the gamification system ensures the user's engagement with the program and their commitment to meet their goals. Thanks to the challenges created for employees, the strengthening of teamwork and a culture of collaboration is evidenced. The digital transformation has made wellness platforms like Habits an essential part of insurance and healthcare programs for companies.

For more information, please contact us:  
<https://www.asertec.com.ec/habits/>

# What is Habits.ai?

The App that helps to improve well-being and productivity

It changes habits through challenges and activities using the following pillars:



## Connect



## Activate



## Recharge



## Eat Real



It's time to improve people's quality of life!

BRITMARK, UKRAINE

## Growth of Health Insurance Market following the COVID-19 Pandemic in Ukraine

ZAKHAR BIBLYY

The beginning of 2020 has been a turning point not only for individual brokers but for the country's insurance providers as a group. Not only did they transform their inner processes but they had to rebuild their products as well to account for coronavirus-related risks. The COVID-19 pandemic became a dual force, leading to a great increase in losses and business interruption, while also becoming a driver of growth for medical and health insurance products.

The Ukrainian market was no exception as it was forced to adapt to all the changes provoked by the COVID-19 pandemic. A classical medical insurance coverage did not cover diagnosis and treatment of COVID-19, because according to the Order of the Ministry of Health Protection of Ukraine dated February 25th 2020, COVID-19 was to be considered an extremely dangerous infection, something

which is a direct exclusion from an ordinary policy. Only a few insurers at that time covered laboratory diagnostics and even fewer covered symptomatic treatment.

An increase in demand for insurance for coronavirus diseases made insurance companies start offering new products that would allow citizens of Ukraine to protect themselves financially. The first products of coverage against COVID-19 illness were so-called «compensation» policies. Having bought this policy, insured people were able to claim a certain reimbursement following confirmation of diagnosis.

Reimbursement varied from EUR 100 to EUR 400 for a single case of illness and up to several thousand euros in lethal cases. The loss ratio of these early policies has rarely fallen below 100% and turned out to

be highly unprofitable for the insurers.

The most difficult task for the insurance carriers was to properly assess the cost of the risk because of the lack of relevant statistical data of the illness. In due time, having received the necessary data about the frequency of COVID-19 illnesses, the underwriters amended their calculations, their estimations became more accurate and premiums for such products rose swiftly.

Although the so-called «compensation» policies provided a financial cushion, they did not provide for the organization of medical treatment, which costs a lot in Ukraine. For this reason, as of the second half of 2020 insurance companies have offered endorsements to current programs of voluntary medical insurance: individual or corporate limits for diagnostics and treatment of COVID-19, or symptomatic treatment within the insurance limit. This allowed the insured to receive necessary medical help such as consultations, laboratory and instrumental diagnostics and medical supplies.

The individual yearly limit varies from EUR 70 to EUR 200 per person. Corporate limits depend on the quantity of insured personnel per client. Individual limits may seem low, but in the majority of cases it is enough to receive the necessary medical treatment, while in severe cases that

require hospitalization treatment expenses are paid by the government of Ukraine. The COVID-19 pandemic not only expanded the line of insurance products, but also helped the medical insurance business of Ukraine grow. The National Association of Ukrainian Insurers reported that the first 9 months of 2021 showed a 32.4% increase in medical insurance premiums if compared to the same period in 2020.

Correspondingly, insurance claims showed a 40.3% increase. Insurance claims grew faster than insurance premiums not only because of the high sickness rate but also due to the fact that general medical prices rose as well.

Many employers, in an effort to demonstrate concern for the health and wellbeing of their staff, are now implementing medical insurance plans in addition to other secondary benefits. Companies that already had this kind of insurance from previous years are endorsing it not simply to cover additional options for diagnostics and treatment of COVID-19, but to provide psychological help and preventative check-ups.

Although medical insurance in Ukraine showed wonderful growth in the past year, less than 5% of the total population of the country have an insurance policy. This demonstrates the great potential of the market and potential future demand for

quality coverage of medical services. For this reason, a lot of insurance companies are dedicating more of their time to developing personal medical insurance policies.

In connection to the above it has become clear that clients are now more predisposed to switch providers of insurance services (insurance companies and brokers alike).

This happens for the following reasons:

- Insurance companies are operating at limited capacity due to the recent exponential increase in insured clients which is higher than the employment rate of qualified staff. This results in difficulties when organizing prompt medical assistance, causing dissatisfied clients to change their insurer.
- Medical facilities are also limited in their resources, introducing further barriers to organizing the client's visit to a doctor.
- COVID-19 also helped digitalize the Ukrainian medical industry. Online medical examination, which used to be considered science fiction before the pandemic, is now commonplace and highly popular with both doctors and patients. It is now often used for simple cases or follow-up checks.

Therefore, despite the challenges of the pandemic, the medical insurance market of Ukraine managed not only to retain but also to successfully grow in volume. Such unbridled growth also provided future opportunities for development. There is a chance that health insurance will be accepted as the best social solution for every employer in Ukraine.

#### **Contact:**

Vitaliy Lebedovskiy

[vlebedovskiy@brit-mark.com](mailto:vlebedovskiy@brit-mark.com)

PROTEC, MEXICO

# PROTEC Salud

JUAN BUENDIA

When the COVID-19 Pandemic started, PROTEC looked for something different to offer to our clients, considering the new situation we were all experiencing. So PROTEC developed an online application where clients could buy insurance coverage for COVID medical expenses. In Mexico, insurance policies had an exclusion for any claims due to a pandemic, but as it happens in most places, this exclusion was written off on all medical expenses policies.

Another innovation PROTEC has launched is a telemedicine app on your telephone, given that everyone was at home and nobody wanted to go to a hospital. PROTEC made an strategic alliance with a company that has a network of doctors that provide medical consultations via telemedicine. Thanks to this co-operation, we developed the “PROTEC Salud” app. The product is inexpensive, easy to use and it can be for a family of 5 or it can be individual. PROTEC is giving it to our group medical clients, to minimize goings to doctors and/ or hospitals. We have 8 specialties and a General Doctor, 24/7, 365 days. It is a unique product as when a consultation is made, they open a file for the patient, so in case they need a 3 AM

consultation the doctor in turn at that time can access the patient's file. Different from other similar services, all cases are seen until the patient is well.

PROTEC thinks this helps our clients and it will be used more and more as insured's get used to the service, also that the service is provided almost instantly as there is minimal wait for a doctor to answer.

**Contact:**

Luis Herrera

[luis.herrera@protec.com.mx](mailto:luis.herrera@protec.com.mx)



GROUPE RODERER, FRANCE

# Environmental Liability in France

CÉLINE COGNAT-SCHMIDLIN

In France, as abroad, your activity, whatever its nature, can generate environmental risks, that's to say risks toward human and natural environment. Your liability may thus be incurred and controlling the risks related to this liability regime is essential to ensure the legal security of your business.

In France, the legal and regulatory context was strengthened a few years ago, in particular through Environmental Liability and Ecological Damage. These two regimes are aimed at a threat to the environment, i.e. natural elements, soil, water, protected natural areas.  
In addition to these schemes, there is also a liability scheme for damage caused to third parties (= those caused to humans): an activity other than yours or damage to

someone other than you.

It is therefore necessary to understand what these three liability plans cover and how it's possible to cover them through one or more insurance contracts.

## 1. Environmental damage caused to third parties and their insurance coverages

When your activity is likely to be the cause of pollution that would cause in your neighbourhood (private individuals, professional or leisure activities, etc.) property damage (damage to a neighbour's property), bodily (such as a neighbour's hospital costs) and / or immaterial (such as additional costs caused by the need to supply drinking water by another means),



it is necessary to analyse the need to take out an “environmental civil liability” guarantee.

#### **The scope concerned**

All firms are likely to take out such a guarantee if they can cause this type of damage.

It will be necessary to distinguish the different types of pollution likely to occur:

- “accidental” pollution, that is to say that which manifests itself without delay between pollution and the accident and
- “gradual” pollution, that is to say those that manifest themselves gradually between pollution and the accident.

#### **The insurance coverages to consider**

Accidental pollution can be covered through a “general civil liability” contract that covers your activities for all material, immaterial or personal damage that you may cause to a third party.

Depending on their potential impacts on the environment, some activities may fall under an administrative classification system “ICPE” (Facilities Classified for Environmental Protection). This regime leads most insurers to exclude from the benefit of this type of contract establishments presenting serious risks to the environment (those subject to “Registration” or “Authorization”) and

makes it necessary to find an alternative solution through a specific insurance contract.

In addition, gradual pollution can only be covered through specific contracts, namely “environmental civil liability”.

## **2. Environmental damage caused to the Environment and their insurance coverages**

### **Environmental liability**

The regulation was established following the European Directive 2004/35 of April 21st 2004 on the prevention and compensation of environmental damage. It was transferred into French law by a law of August 1st 2008, introducing the articles L160-1 to L165-2 of the Environmental Code.

#### **Legal Definition**

This liability regime is aimed to repair serious damage to the environment or preventing the imminent threat of such damage.

These include direct and indirect measurable environmental damage that :

- creates a risk of serious damage to human health due to soil contamination

(for example: pollution of agricultural soils, irrigation water, spreading of contaminated sewage sludge ... which can adversely affect crops and therefore pose a great risk to food security)

- seriously affects the state of water (example: a fire in a factory leads to a large discharge of polluted extinguishing waters into a stream, causing the death of fish species and the destruction of surrounding flora)
- seriously affects protected species and natural housings (example: spilled hydrocarbons reaching a nature reserve)
- affects the functions performed by soils, waters and species and habitats for the benefit of one of these natural resources or for the benefit of the public (example: fishing is prohibited, harvests are impossible ... following serious damage to the environment).

It is the competent administrative authority, namely the Prefect, that may seek the responsibility of the operator who would have caused such a threat or such damage to the environment.

Repairable damages consist of repair in kind and not financial, that is to say :

- in the event of imminent threats of damage, the operator may have to take preventive measures without delay to prevent pollution or reduce its effects,
- in the event of damage, he has to take all measures to stop pollution or reduce its effects, such as the remediation of a groundwater table or the reintroduction of a damaged species.

The limitation period for this liability action is 30 years from the event giving rise to the damage.

#### **Improve your insurance coverage**

This type of liability can be covered by means of an own contract “environmental civil liability”. It is not included in the general civil liability contract.

#### **Ecological damage**

It was established by a law of August 8, 2016 and is provided for in articles 1246 to 1252 of the Civil Code. It is therefore specific to French law.

#### **Legal Definition**

This is a significant damage to the elements or functions of ecosystems, or to the collective benefits that humans derive



## Independence Day Conference 2022

# Advancing Together

13–15 June, 2022  
New York City

**unisonSteadfast Independence Day Conference returns in June 2022 - to celebrate the reunion of our international community from all across the globe in one of the most fascinating cities in the world.**

**Join us for the IDC 2022 in New York City!**

**Registration is open now.**



from the environment.

Any person with standing and interest in acting as the State, local authorities, associations, etc. can apply for compensation for ecological damage.

It may be a repair in kind requested from the operator of the activity or of financial nature.

Its limitation period is 10 years from the day on which the holder of the action knew or should have known about the manifestation of the ecological damage.

Improve your insurance coverage

Here again, it is a specific contract, "environmental civil liability", that can cover this type of damage. General civil liability does not provide for this type of repair.

Our advice is to determine if your activity is concerned by a necessary coverage of environmental risks

If your activity is

- near an establishment receiving public - such as a hospital, a nursery, shops;
- near a field, a water collection structure,
- near a river, a pond, a lake, a groundwater table, the coastline,
- near a national park, a natural area

(field, forest), a Natura 2000 zone,

- assumes the manufacture, handling, transportation of products likely to spread,
- gives off smoke, a substance,
- has an oil tank,
- is subject to the system of classified installations,
- involves the manufacture, use, release, packaging, transport of chemical or phytosanitary products,
- water treatment on your site

It's time to check if you are well covered. Please send us your questions, requests for quotes or requests for additional information to our contacts below!

**Contact:**

Céline Cogniat-Schmidlin  
[cschmidlin@roederer.fr](mailto:cschmidlin@roederer.fr)

# Country Update

BALKAN INSURANCE BROKERS, BULGARIA AND ROMANIA

# Employee benefits market information and trends

SEBASTIAN ARCUSI

## **Bulgaria**

Speaking of Bulgaria's Employee Benefits market, you need to bear in mind that it is 78.5% concentrated on Health insurance. The main reason is that the Health system in Bulgaria is suffering substantial deficiencies and companies have this opportunity to compensate for these by contracting personalized Health plans for their entire staff. Following the 2008 - 2009 World Financial Crisis and its dire consequences for the long-term investments, Life Endowment & Pension plans are not that popular. Still there are companies which care enough to re-establish the habit of setting aside long-term savings on behalf of their employees. Food vouchers (64% of the companies use such benefit), company phone, company car (66% of the companies), free work-hours

parking etc. are possible, yet the instability in the minimum wages regulation has made it difficult to predict if such expenditures will prove reasonable to procure.

Back to the most popular form of investing in own staff- Health plans: Most companies would choose to sign a 100% company-paid support, although insurers allow it for employees to bear some percentage of the financial burden. In total, the Bulgarian market reported for some EUR 50 million annual gross written premium in 2020. The Romanian market follows similar trends.

## **Romania**

At the end of 2020, the Health insurances reached a volume of Gross Written Premiums of EUR 90 million, according

to the data of the Financial Supervisory Authority (FSA), the reported premiums almost tripled in the past five years. The effervescence and potential of Health Insurance can be seen in the growth of the volume of premiums written in the last five years. The highest growth of the health insurance segment was registered in 2018, of about 60.5%, the GWP reaching in that year a value of almost EUR 70 million. The context created by the COVID-19 pandemic facilitated a proactive focus on health insurance. This aspect was also observed in the volume of premiums registered at the end of 2020, but also in the way in which the market continued to actively promote this type of insurance. Health insurance came to represent about 4% of the total volume of gross premiums written by the insurance market at the end of 2020: EUR 2.3 billion. Almost following the 2020 trend, Health insurance accumulated in the first half of 2021 Gross Written Premiums of approximately EUR 57.7 million, increasing by 8% compared to the same period of 2020.

Although slowing down it's increase in the first three months of 2021, it gained back strength in the second half of 2021. Also for the last 5 years the two-digit dynamics of Health Insurance makes it the "Crown Jewel" of the Romanian Insurance Market.

#### **Balkan Insurance Brokers as facilitator for Employee benefits:**

Our services include but are not limited to:

#### **1. Health insurance tailor-made solutions:**

What makes us an outstanding facilitator for EB is not just our flexibility or the tailored solutions we can guarantee for our clients. And yes - of course we can negotiate the best terms for just any company and preference. What really makes a difference is that we are willing to get involved in the entire process of implementing the plan, as the company employees see it work for them, regardless of the particular circumstances. If we need to detail what this claim is all about, then it's worth mentioning that our specialized department is capable of:

- Personal informal consultancy;
- Setting up appointments for physical check-ups and specialized tests be they laboratory analysis or bodily scanning (e.g. NMR etc.);
- Reviewing the paperwork to help employees apply for reimbursement of medical expenditures;
- Follow-up in the process;
- Arranging for vaccination / annual check-ups;

#### **2. Health Insurance application** for facilitating the HR departments and company employees in using their benefits.

Via this application, the employees can see and track their benefits in terms of health insurance food vouchers, sports subscription, private kindergarten vouchers, etc.



Parliament Palace in Bucharest

The application enables the employees to apply for medical specialist's examinations and preventive check-ups (compulsory for companies). This platform is loaded with a broad list of medical specialists and practitioners;

**3. Mental Health support:** Balkan Insurance Brokers provides extensions to Health Insurance contracts for psychological help and consultations during the on-going COVID times;

What is new in our region is the arrangement for a mental health specialist to be involved in maintaining a proper work environment in interested companies

**4. COVID tests and vaccinations:** Balkan provides assistance for organizing test and vaccination procedures for company employees;

**5. Life & Pension contracts.** The 3rd pillar of the Pension insurance in Bulgaria is a hot topic, as nowadays the first retired person will start using it.;

Despite the prejudices against some other forms of EB, we are willing to get involved in the decision-making process where we can contribute to the informed and detailed reasoning pro and con all options to design a suitable and financially justified EB strategy, where there is low probability of missing essential aspects, thus deeming it incomplete.

**Contact:**

BULGARIA:

Viara Kuncheva

+359 882 447 701

[vkuncheva@zbkbalkan.com](mailto:vkuncheva@zbkbalkan.com)

ROMANIA:

Sebastian Arcusi

+40(723)677056

[s.arcusi@zbkbalkan.com](mailto:s.arcusi@zbkbalkan.com)



Aerial view of Sofia, Bulgaria

DIOT, FRANCE

# Employer's Liability

ALFRED MATTERN

Accidents at work are brought about by countries' economic development and industrial activities. It exists in traditionally industrialized countries like in the EU, the US, Japan, etc. and newly developed countries like China. Historically, accidents at work began to be regulated in France in late 19th century. The act of April 9, 1898 first provided for employers' limited strict liability. Later, recovery was instead granted by Social Security to all those who were injured while performing the job regardless of any establishment of liability on the part of their employers. Exception: The employer who commits gross negligence or an intentional tort causing his employee's accident at work is subject to full liability to him.

## **The employer's gross negligence or intentional tort**

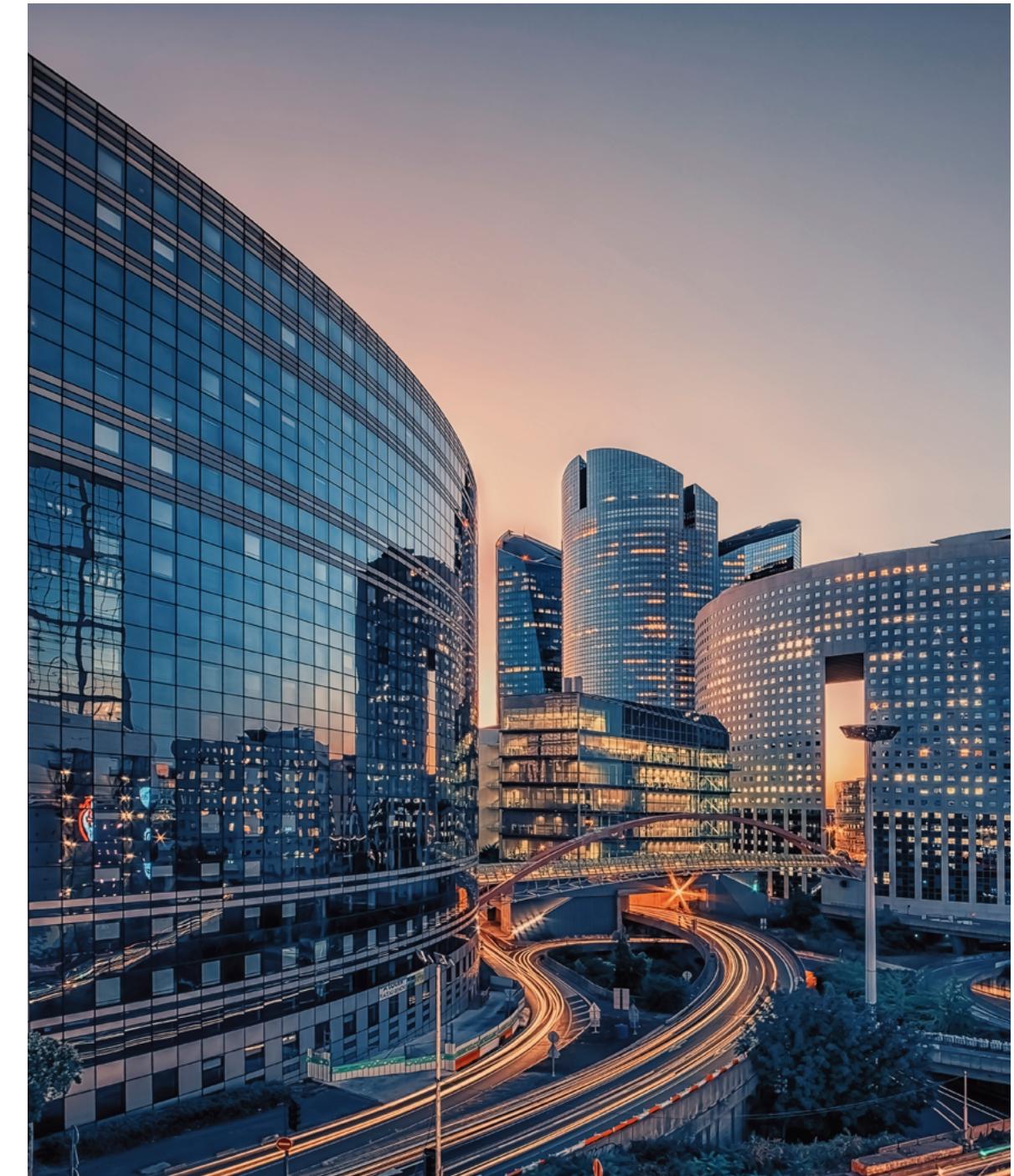
Art. L 452-1 of the Social Security Code reads: "if an accident arises from the employer's gross negligence or his duly authorized agent, the victim or his family members may seek additional compensation as further described in the code." Gross negligence applies in case the

employer knew or should have known that his misconduct would cause such damage that actually occurred to his employee and did not take any precautionary measures to prevent it. Examples of employers' gross negligence are:

- Violating safety regulations or public health authorities' rulings and, as a result, the employee gets hurt.
  - Entrusting an employee with the performance of tasks which the employee is not skilled for or fall outside his job descriptions. The employee fails to properly perform the job and consequentially gets hurt.
- The employer's intentional tort is, for instance, battery. Then, Social Security may recover all the benefits paid to the employee from the employer (Art. L 452-5 of the Social Security Code).

## **The assessment of full recovery to the employee**

The employee may claim from his employer additional permanent disability benefits equal to the difference between his rate of lost earnings granted by Social Security and his disability rating (Art. L 452-2 of



La Défense, business district in Paris

the Social Security Code). He may receive pain and suffering damages from his employer for the past and future physical pain he sustains (Art. L 452-3 of the Social Security Code). The medical expert report will assess the rate of pain and suffering on a 0 - 7 scale. Then, it will be up to the employee to assess his damages, based on the full amount of compensation which courts usually award for such pain and suffering, multiplied by the rate set by the medical expert report. This leaves some leeway and is different from the opposite approach that compensates injuries based only on an evaluation of permanent impairments such as provided by a doctor association's guidelines or a "bareme" like in Spain. He may be awarded damages for his disfigurement (Art. L 452-3 of the Social Security Code). He is entitled to damages for the loss of enjoyment of life, i.e., the mental distress resulting from the loss of the ability to enjoy a specific activity that he used to do and cannot do anymore (Art. L 452-3 of the Social Security Code). The employee may be compensated for his loss or diminishment of career plans (Art. L 452-3 of the Social Security Code). In addition, if the employee's disability rating amounts to 100%, he receives a monthly lump sum equal to the amount of the minimum monthly wage (Art. L 452-3 of the Social Security Code).

### **The employer's liability insurance**

This non-mandatory coverage is often provided as part of the general liability insurance policy. However, the scope, amount or deductibles of the coverage may vary from one insurer to another. The following are generally covered:

- legal assistance and defense before the criminal courts, the Social Security courts and the higher courts (courts of appeal, Court of Cassation);
- increase of annuities;
- payment of damages not covered by the Social Security Code. However, the following are not covered:
- fines and other criminal penalties;
- the increase in the "accident at work" contribution rate paid to the Regional Health Insurance Fund (CRAM) and the special contribution to the accident at work prevention fund;
- criminal prosecution for violations of labor laws not resulting from an occupational accident;
- intentional misconduct by the employer or its legal or statutory representatives.

### **How is an inexcusable fault case managed?**

It must be done in permanent and confidential partnership between the company manager and his insurer, especially from the first observations.

Before the Social Security Court, the investigation takes place in two phases:

- the conciliation hearing, which allows the possibilities of an amicable agreement to be explored;
- the judgment hearing, whose decisions may be appealed to the Court of Appeal and, if necessary, to the Court of Cassation.

Our advice

The evolution of jurisprudence has led to an increase in the number of claims and recognitions of inexcusable fault, but also in their cost for companies. It is therefore more important than ever to be well insured for this risk. Moreover, given the importance of the human and financial stakes, it is essential that the company implements a prevention of work-related accidents by :

- carrying out a rigorous assessment of the existing risks in the company (in particular by drafting the now mandatory "single document")
- setting up a prevention plan;
- informing and training employees
- formalizing the delegation of authority within the company.

Since 2001, companies have been required to draw up a "single document" listing the risks associated with their activities and the preventive measures taken or to be taken. This document makes it possible to check whether the company has taken

all the necessary measures to ensure the health and safety of its employees.

This assessment allows the employer to be fully aware of the dangers inherent to his activity and to take the appropriate preventive actions.

### **Contact:**

Alfred Mattern

[amattern@diot.com](mailto:amattern@diot.com)

## CORRECOL, COLOMBIA

# Acquisition of insurance abroad by Colombian entities

ENRIQUE ACEVEDO SCHWABE

An issue currently discussed on the market is the acquisition or purchase of insurance abroad by Colombian entities whose assets are in the country, and specifically regarding the tax and fiscal treatment of the insurance premium and the corresponding tax, which is necessary for the proper orientation with respect to the concerns of the associates and/or clients.

In this regard, having analyzed, with the support of tax experts, different concepts of the Colombian tax administration issued in view of tax and fiscal regulations, mainly the articles 121 and 437-2 of the Colombian Tax Statute (Estatuto Tributario Colombiano) that established that policyholders are exposed to double payment situations, since on the one hand they must cover insurers abroad the premium costs plus the corresponding tax (VAT); and on the other, they must pay and subsequently declare to the Colombian tax

administration the same concepts so that they can be deductible from income and taxes.

According to article 121 of the Colombian Tax Statute, the insurance premium is an expense that obviously does not constitute for its beneficiary (foreign insurer) taxable income in Colombia and, therefore, cannot be referred to as withholding at the national source. Not having the character of income or being the basis for the application of a source in favor of the Colombian State, the insurance premium paid abroad is not deductible for income for clients in Colombia. There is no causal relationship between the payment made and the eventual deduction.

Regarding the VAT tax, according to article 437-2 (numeral) ET, the policyholder must withhold from the foreign insurer the amount of tax collected on the premium, which may be equal to or different from



Bocagrande district in Cartagena, Colombia

## COUNTRY UPDATE

that collected in Colombia that is 19 %. If the foreign tax is less than 19 %, the difference must be covered by the policyholder in Colombia.

On the tax side, the policyholder in Colombia does not obtain savings and is exposed to making a double VAT payment, either total or partial (depending on the percentage of tax abroad).

The foregoing suggests that it is necessary to study the situation very well before suggesting to Colombian resident clients the contracting of their insurance abroad, either through direct contracting or through their headquarters.

I hope that the above will help clarify the doubts or concerns that the network affiliates may have in this regard, and we would be grateful for updating the changes that you consider pertinent in the reports shared with the network affiliates.

### Contact:

Enrique Acevedo Schwabe

[EAcevedo@correcol.com](mailto:EAcevedo@correcol.com)



# EMPLOYEE OF THE YEAR 2021

MAILIN MÜHLHEIM



# EMPLOYEE OF THE YEAR 2021

MARTA PODKOWINSKA



**Editorial Team:**

Melinda Keller  
(Editor-in-Chief)  
Marta Podkowinska (Design)  
Polina Balko  
Rolf Diekhoff  
Oliver Koops  
Muriel Mercier  
Wolfgang Mercier  
Weiying Yang

[info@unisonsteadfast.com](mailto:info@unisonsteadfast.com)

unisonSteadfast AG  
Chilehaus C, Burchardstr. 13  
D-20095 Hamburg  
Tel. +49 (0)40 - 8090729 - 0  
Fax +49 (0)40 - 8090729 - 99

unisonSteadfast Corp.  
200 S Wacker Drive, Suite 3100  
Chicago | IL 60606, USA  
Tel. +1 (847) 343 2513  
Fax +49 (0) 40 80 90 729 99

unisonSteadfast China HLO  
2/F Hamburg House  
No.399 Baotun Road  
Shanghai 200011 | PR China  
Cell +86 180 1700 2502

**Environmental Please:** Think before  
you print!

**Disclaimer:** Information appearing in  
unisonTimesTM is checked for  
technical accuracy, but is not intended  
to provide a basis of knowledge upon  
which advice could be given.

unisonSteadfast accepts no  
responsibility for any loss occasioned  
to any person acting or refraining  
from action as a result of the material  
included in this magazine.