

News Release

Contacts:

Missy DeAngelis

Guy Carpenter

1.917.937.3118

missy.deangelis@guycarp.com

Jennifer Ainslie

Guy Carpenter

44.207.357.2058

jennifer.ainslie@guycarp.com

Caroline Harris

Prosek Partners

1.212.279.3115 ext. 222

charris@prosek.com

Guy Carpenter Report Details European Legislative Developments for Casualty Insurance Market

New York, September 12, 2012 – Guy Carpenter & Company, LLC, the leading global risk and reinsurance specialist and a member of Marsh & McLennan Companies (NYSE: MMC), today issued its semiannual analysis of key European legislative developments affecting the casualty insurance industry.

Produced in collaboration with law firm Heuking Kühn Lüer Wojtek and its network of legal experts across Continental Europe, the report analyzes the most impactful and significant legislative changes and judicial developments across 11 jurisdictions, which include:

- **Austria** - Discussion of whether a “right to direct litigation” (RDL) in cases of co-insurance would constitute the waiver of an insured party’s right to legal protection under Austrian law
- **Belgium** - Revised guidelines from the European Commission show a significant improvement in the risk assessment and managing of product recalls and other corrective actions
- **France** - French authorities have become more inclined to apply the precautionary principle in recent cases, which forces manufacturers to track scientific advances of products introduced to the market and recall them if their safety is questionable
- **Germany** - Federal Court of Germany ruled that a breach of contractual incidental obligation due to gross negligence can release an insurer from its payment obligations
- **Italy** - Court ruling requires companies to put solid fire and industrial injury prevention measures in place, along with an effective compliance program, to avoid corporate liability
- **The Netherlands** - New export control legislation encourages companies involved in commercial transactions for dual-use items (military products also used for civil purposes) to make a detailed analysis of their far-reaching responsibilities
- **Norway** - Analysis of recent Supreme Court rulings involving casualty law including decisions on motor liability, occupational damage, and recourse action against a county authority
- **Poland** - Supreme Court enacts more stringent rules in establishing due compensation in vehicle holders’ insurance market
- **Spain** - Exploration of the impact of significant reforms made to the Spanish Criminal Code surrounding the criminal liability of companies on directors and officers coverage
- **Sweden** - Case study examines Sweden’s three-tiered model for compensation of occupational injuries and potential for double compensation under the existing structure
- **Switzerland** - The current ban on retroactive insurance is likely to be removed from The Swiss Insurance Contract Act, which is currently being revised

The full report, *Recent Legislative and Judicial Developments in Continental Europe Affecting the Casualty Insurance Industry*, is now available for download at www.gccapitalideas.com.

Guy Carpenter Report Details European Legislative Developments for Casualty Insurance Market

September 12, 2012

QUOTE

Morley Speed, Managing Director, Guy Carpenter & Company, LLC

“Once again, we have found that the legislative and judicial developments impacting the casualty sector across Europe are widely-diverse and unique to each localized jurisdiction. That said, regardless of which market or country we look at, what remains consistent across the board is the need to be well-informed and attuned with the ever-changing requirements and regulations relevant to your business in order to strategically manage risk and avoid liability.”

TAGS/KEYWORDS

Guy Carpenter, EU, Europe, legislation, insurance, reinsurance, casualty

About Guy Carpenter

Guy Carpenter & Company, LLC is a global leader in providing risk and reinsurance intermediary services. With over 50 offices worldwide, Guy Carpenter creates and executes reinsurance solutions and delivers capital market solutions* for clients across the globe. The firm’s full breadth of services includes line-of-business expertise in agriculture; aviation; casualty clash; construction and engineering; excess and umbrella; life, accident and health; marine and energy; medical professional liability; political risk and trade credit; professional liability; property; retrocessional reinsurance; surety; terrorism and workers compensation. GC Fac® is Guy Carpenter’s dedicated global facultative reinsurance unit that provides placement strategies, timely market access and centralized management of facultative reinsurance solutions. In addition, GC Analytics®** utilizes industry-leading quantitative skills and modeling tools that optimize the reinsurance decision-making process and help make the firm’s clients more successful. For more information, visit www.guycarp.com.

Guy Carpenter is a wholly owned subsidiary of [Marsh & McLennan Companies](#) (NYSE: MMC), a global team of professional services companies offering clients advice and solutions in the areas of risk, strategy and human capital. With 52,000 employees worldwide and annual revenue exceeding \$10 billion, Marsh & McLennan Companies is also the parent company of [Marsh](#), a global leader in insurance broking and risk management; [Mercer](#), a global leader in human resource consulting and related services; and [Oliver Wyman](#), a global leader in management consulting. Follow Guy Carpenter on Twitter [@GuyCarpenter](#).

*Securities or investments, as applicable, are offered in the United States through GC Securities, a division of MMC Securities Corp., a US registered broker-dealer and member [FINRA/SIPC](#). Main Office: 1166 Avenue of the Americas, New York, NY 10036. Phone: (212) 345-5000. Securities or investments, as applicable, are offered in the European Union by GC Securities, a division of MMC Securities (Europe) Ltd., which is authorized and regulated by the Financial Services Authority. Reinsurance products are placed through qualified affiliates of Guy Carpenter & Company, LLC. MMC Securities Corp., MMC Securities (Europe) Ltd. and Guy Carpenter & Company, LLC are affiliates owned by Marsh & McLennan Companies. This communication is not intended as an offer to sell or a solicitation of any offer to buy any security, financial instrument, reinsurance or insurance product. **GC Analytics is a registered mark with the U.S. Patent and Trademark Office.

###