

## Draft DAB and ACE article

### **New insurance platform celebrates its first birthday**

Professional insurance protection for architects for cross-border activities in Europe

The work carried out in the area of liability insurance within the project group of the ACE (Architects' Council of Europe) "Scope of benefits & liability and insurance" with the GEAAC (Groupement Européen pour l'Assurance des Architectes et des Concepteurs) has already borne fruit. After around two years of joint activity within the ACE project group, the Chair and ACE board member Ruth Schagemann presented a solution developed with the GEAAC representatives at the ACE general meeting in December last year in Brussels which will make cross-border insurance protection easier. Initial experiences have already been gained in this context.

The heterogeneity of the liability situation in European countries and the associated difficult coverage possibilities for architects in cross-border activities has created limitations for the European Commission in terms of European exchanges of services. An insurance solution has therefore been requested which enables architects to claim insurance protection for professional liability risks in Europe simply and without (price) discrimination.

The solution to this problem was developed within the ACE project group with the support of GEAAC representatives.

The GEAAC is an association of professional insurers in the form of insurance companies or cooperatives which are owned by architects from different European countries. The commitments of GEAAC members currently cover France, Spain, Germany, Belgium, Luxembourg and Austria.

The GEAAC member firms have created a Web-based platform which enables insured architects to obtain information on premiums and basic policy details concerning a GEAAC firm in the native language of the architect concerned quickly and easily. Insurance policies applying to building projects according to the law of the "construction country" are to be dealt with by the insurer / broker in the domestic market. Insurance protection and parallel support in case of damage will be obtained in the country in which the construction is completed.

How does this apply to specific cases?

A German architect has been asked to complete a project in France. This is not unusual in regions close to the border. When the architect checks the insurance policy, he / she is annoyed to find that the German insurer does not offer an insurance protection for France in the worst-case scenario. This means that claims presented in France will not be covered by the domestic insurance policy, with the result that a) the project will collapse or b) comprehensive French insurance protection will have to be laboriously sought out.

Thanks to the Web-based platform "Inter-Pol" (-> international policy) created by GEAAC members, a practical solution to this type of problem has been found. The architect's local contact partner will pass the German architect's request on to the French insurer. This initial request will generally be processed within 72 hours. The insurance protection is governed by French law and the architect receives a French insurance policy. In the case of damage occurring in France, the support, advice and important information are provided in German. The premiums correspond to the French levels and the insurance protection covers French claims.

This approach by GEAAC members is a step in the right direction. Not all architects are able to benefit from this mechanism as yet as it will not be extended to other EU member countries until the test phase has been successfully completed.

This shows that many goals which are initially targeted nationally can only be fulfilled based on a constructive, communicative exchange with other states. Even though there is no common legal system in Europe, it is always worth looking for practical solutions.

The solution has already been online for a year and is being used intensively within the GEAAC association. The aim of the project group "Scope of benefits & liability and insurance" and the GEAAC members' organisations is

to attract new member countries and professional representations in order to extend the network, which is free for architects, throughout Europe as a whole.

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