

## Motor Vehicle Insurance & Repair Industry Code of Conduct

### **CODE ADMINISTRATION COMMITTEE ANNUAL REPORT 2020**

The Motor Vehicle Insurance and Repair Industry Code of Conduct (Code) has been in operation since 1<sup>st</sup> September 2006. The Code is voluntary in all states and territories of Australia, other than New South Wales where it is mandatory.

The Code Administration Committee (CAC), which is made up of three appointees from the Motor Trades Association of Australia (MTAA LTD.) and three appointees from the Insurance Council of Australia (ICA) is responsible for the administration, monitoring and promotion of the Code. In accordance with Section 13.2 (c) of the Code, the CAC has produced this Annual Report, for the period of 1 September 2019 to 31 August 2020.

#### **Meeting of the CAC**

Representing the Insurance Council Australia:

- Mr Peter Hartman – Allianz Insurance;
- Mr Brett Wallace – Suncorp Insurance, and
- Mr Troy Johns – Insurance Australia Group

Representing the Motor Trades Association Australia:

- Mr John Guest – Victorian Automotive Chamber of Commerce
- Mr Brian Cowan - Cronulla Smash Repairs
- Mr Richard Dudley (Chairman) – Motor Trades Association Australia; and

Mr Adrian Leopardi continued as the representative of the Office of the NSW Small Business Commissioner as a non-voting observer for the 2020 reporting period.

#### **Review of the Code**

Nil

#### **Dispute Resolution under the Code (Internal Dispute Resolution/Mediation/Expert Determination)**

While the CAC is required to report annually on mediation disputes, with the agreement of all parties it has been, and will continue to be, the CAC's intention where possible to report on both Internal Dispute Resolutions, mediation and expert determination disputes under the Code.

In total, 61 internal Dispute applications were known to CAC.

The following is a breakdown of the source of these recorded disputes (i.e., how they become being known to CAC):

#### **Dispute details recorded via CAC website for the annual reporting year 2020:**

Internal Dispute Resolutions – **60**  
External Dispute Resolutions – **1**  
Determinations – **0**



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### **Role of CAC in Dispute Resolution**

Signatories to the Code are reminded that the Code Administration Committee plays no part in resolving disputes between insurers and repairers, beyond its responsibility to establish and maintain an easily accessible dispute resolution mechanism to support the Code.

Repairers unable to resolve a dispute with an insurance company at the local level can find details for access to Internal Dispute Resolution, mediation and determination options on the Code website ([www.abrcode.com.au](http://www.abrcode.com.au)), or can contact their local trade association for further assistance.

The CAC plays no direct role in the dispute resolution process, or its outcome of systemic non-compliance with the Code on a company or industry wide basis is identified, either by repairers or insurers, such issues can be elevated to the CAC for consideration

The CAC also serves as a consultative body where questions arise as to the correct interpretation of any clause in the Code.

### **Summary**

The 2020 reporting period has been a year of disruption across the repair industry. The ongoing uncertainty and restrictions have impacted repair volumes, which as seen a fall in the number of disputes lodged via the CAC website for the period.

While there has been a reduction in the number of disputes the CAC remains committed to the Code and ensuring both repairers and insurers continue to achieve a balance of fairness in their dealings with each other as we continue to navigate through the uncertainty across the industry.

### **Code Administration Committee - December 2020**