

## Motor Vehicle Insurance & Repair Industry Code of Conduct

### **CODE ADMINISTRATION COMMITTEE ANNUAL REPORT 2021**

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 2020 to 31 August 2021.

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

Mr Adrian Leopardi continued as the representative of the Office of the NSW Small Business Commissioner as a non-voting observer for the 2021 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 Internal Dispute Resolutions, mediation, and expert determination disputes under the Code.

In total, 78 dispute applications were known to CAC.

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

#### **Dispute details recorded via CAC website for the annual reporting year 2021:**

Internal Dispute Resolutions – **78**  
External Dispute Resolutions –**0**  
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 period in review has continued to be severely impacted by COVID and ongoing restrictions in most states have resulted in a reduction in motor vehicle accidents nationally, which again has impacted directly on the number of disputes for the reporting period. The restrictions have also resulted in a reduction in the number of CAC meeting that took place over the reporting period.

The committee is moving into 2022 with a revised representation from both the Motor Trades Association Australia and Insurance Council Australia and is committed to ensuring the Code continues to assist both repairers and insurers to achieve a balance of fairness in their dealing with each other.

### **Code Administration Committee - December 2021**