Approved
By the Decision of the Presidium of the
League of Insurance Organizations of
Ukraine
dated 2015/06/24
President of the League of Insurance
Organizations of Ukraine
O.F. Filoniuk

PROCEDURE
FOR KEEPING THE LIST OF INSURANCE COMPANIES OF UKRAINE INSURING PEOPLE TRAVELING TO EU/SCHENGEN AREA STATES

I. GENERAL PROVISIONS

1.1. This Procedure is developed within the framework of cooperation between the League of Insurance Organizations of Ukraine (hereinafter referred to as the "LIOU") and the Embassy of the Federal Republic of Germany in Kyiv (hereinafter referred to as the "Embassy of Germany"), which in accordance with the article 48 of EU Visa Code (Cooperation of the Parties to the Schengen Agreement on Local Level by the Consulates of EU member States) is a coordinator within the relations between the consulates and visa centers of EU/Schengen Area states and representatives of the insurance market in terms of exchange of the information about the insurance companies insuring traveling people pursuant to the requirements of the article 15 of EU Visa Code.

1.2. This Procedure shall cover only the insurance companies, which are the members of the League of Insurance Organizations of Ukraine.

1.3. This Procedure is agreed by the consulates and visa centers of EU/Schengen Area states and insurance companies, which are the members of the League of Insurance Organizations of Ukraine.

1.4. This Procedure shall take legal effect on 1 July 2015.

1.5. Terms shall be used in this Procedure in the following definitions:

1.5.1. Applicant shall be an insurance company, which submits the relevant documents to LIOU under the procedure established by the present Procedure.

1.5.2. The list of insurance companies of Ukraine insuring people traveling to EU/Schengen Area states (hereinafter referred to as the "List") shall be an information set about the insurance companies duly authorized to insure people traveling to EU/Schengen Area states (appendix 1).

1.5.3. Medical tourist insurance shall mean voluntary insurance of medical expenses within the framework of the present Procedure.

1.6. Medical tourist insurance shall be done in compliance with the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers.

1.7. The List shall contain the following information:

1.7.1. name of an insurance company;

1.7.2. telephone number of an insurance company;

1.7.3. name of an assisting company, which an insurance company signed a cooperation agreement (agency agreement, commission agreement or others) with;

1.8. list of insurance programs, which are in conformity with the requirements of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers.

1.9. Authenticity of the information submitted to LIOU for inclusion in the List shall be ensured by the head of the relevant insurance company or a person duly authorized to do so.

II. DOCUMENT REVIEW PROCEDURE AND INCLUSION OF INSURANCE COMPANY INTO THE LIST

2.1. The application shall send the documents concerning inclusion in the List to LIOU by mail or personally, or through a person duly authorized by it in compliance with the laws in a file folder.

2.2. Documents submitted by the applicant to LIOU shall:

2.2.1. comply with the requirements of the present Procedure, article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers;

2.2.2. contain true information;

2.2.3. be submitted and contain the information provided for in the present procedure in full.

2.3. The applicant shall submit the following documents to LIOU in order to be included in the List:

2.3.1. application on inclusion in the List, which shall be drafted in compliance with the appendix 2 to the present Procedure;

2.3.2. letter of confirmation according to the appendix 3 of the present Procedure evidencing that travelers are insured in compliance with the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers, namely:

- for a time of travel of an insured person the insurance agreement (policy) of the travelers shall cover the costs, which may arise due to return to Ukraine for medical

reasons, provision of emergency medical aid and/or urgent hospitalization or due to a death over the course of stay (stays) within the territory of EU/Schengen Area states;

- insurance agreement (policy) of the travelers shall be valid on all territory of EU/Schengen Area states within the whole period of stay provided for in the petition of an insured person or a transit given the corridor amounting to 15 days;

- minimum insurance coverage shall equal 30,000 Euro;

- maximum deductible shall amount to 150 Euro;

- front page of the insurance agreement (policy) (a part that shall be filled in) shall contain the following note: Insurance protection shall be provided pursuant to the "Decision of EU Council 2004\17\EG on medical insurance of the travelers" in the language of the policy.

2.3.3. copy of the license for voluntary insurance of medical expenses and voluntary insurance against accidents (if any) certified by the insurer;

2.3.4. copy/copies of the cooperation agreement/agreements (agency agreement, commission agreement or others) with an assisting company covering EU/Schengen Area states which shall be certified by the insurer;

2.3.5. insurance programs on the terms of which insurance agreements of the people traveling to EU/Schengen Area states are made.

2.4. Insurance programs of the people traveling to EU/Schengen Area states shall be in conformity with the requirements of EU Visa Code.

2.5. While reviewing received documents LIOU may apply to the applicant for explanations/clarifications with regard to specific information provided for in the documents submitted.

2.6. LIOU shall have the right to leave the documents submitted by the applicant non-reviewed in case of non-fulfillment of the requirements of paragraph 2.2., as well as in case of a failure to give explanations/clarifications according to paragraph 2.5.

2.7. On the basis of the information submitted by the applicant LIOU shall provide the Embassy of Germany with the information regarding conformity of the insurance programs and agreement of such company with the requirements of the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers.

2.8. As soon as the consulates and visa centers of EU/Schengen Area states agree on the issue concerning inclusion of the applicant into the List, the Embassy of Germany shall inform LIOU about it accordingly and send an updated List to the consulates and visa centers of the Schengen Agreement member states and update the List on the webpage of the Embassy http://www.kiew.diplo.de /Vertretung/kiew/uk/05/Visa/Antragstellungen/Reisekrankenversicherung.html.

2.9. LIOU shall inform the insurance company about inclusion of it into the List and update the List on the official website of LIOU http://uainsur.com/zakonodavstvo/schengen/.

2.10. The basis to decline inclusion in the List shall be the following:

2.10.1. untrustworthiness of the data (information) in the documents submitted by the applicant to be added to the List;

2.10.2. non-compliance of the insurance agreement and/or programs of the people traveling to EU/Schengen Area states with the requirements of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers.

2.11. In case of changes in the data provided for in the documents submitted for inclusion in the List (license, name, contact details, assisting company, insurance programs) the applicant shall provide LIOU with the information in the written form about the changes and the relevant evidencing documents within the period of 15 business days since the day of such changes. Updated data shall be provided by LIOU to the Embassy of Germany for the purpose of notification of the consulates and visa centers of EU/Schengen Area states.

2.12. Before the twentieth day of each current month LIOU shall collect the information regarding the insurance companies, which submitted documents to be added into the List, information stipulated in the paragraphs 2.5., 2.11., 4.2., 5.1. and other information related to the List. Before the end of a current month LIOU shall provide such information (if any) to the Embassy of Germany. An updated List shall be published on the webpage of the Embassy of Germany, LIOU and shall be distributed among the consulates and visa centers of EU/Schengen Area states before the fifteenth day of the month following the one which such information was provided in.

III. REPORTING

3.1. Insurance company included in the List shall on quarterly basis within 15 business days after closing the period provide LIOU in the written form with the information concerning statistical data on voluntary insurance of medical expenses and on insurance of the people against accidents (if any) who travel abroad for a relevant reporting period in compliance with the appendix 4 to the present Procedure.

3.2. A failure to provide the information may be deemed to be a concealment of unsatisfactory financial condition by the insurance company and serve as the basis to give recommendations to the Embassy of Germany to exclude it from the List.

IV. EXCLUSION OF INSURANCE COMPANY FROM THE LIST

4.1. The basis to exclude from the List shall be the following:

4.1.1. systematic ungrounded refusals from payment of an insurance compensation under the relevant insurance agreements (policies) of travelers during a year, who got under control of the Embassy of Germany, consulates or visa centers of EU/Schengen Area states;

4.1.2. discovering insurance agreements of travelers, who do not meet the requirements of the insurance program, which were provided within the information required for inclusion in the List;

4.1.3. temporary suspension (limitation) of the validity period of the license for voluntary insurance of medical expenses and/or against accidents (if any);

4.1.4. canceling (withdrawal) the license for voluntary insurance of medical expenses and/or against accidents;

4.1.5. appointment of an interim administration and/or commencement of the procedure to approve an insurance company as a bankrupt;

4.1.6. termination of the validity period of the relevant cooperation agreement (agency agreement, commission agreement or others) with an assisting company the information regarding which is submitted by the insurance company to be included in the List, and a failure of the insurance company to provide the information concerning a new agreement with an assisting company;

4.1.7. non-provision of the information pursuant to the paragraph 3.1. of the Procedure within the period of two quarters;

4.1.8. grounded (multiple) complaints of visa applicants (insurers, insured) against illegal actions of an insurance company or its representatives (insurance agents).

4.2. In case of receipt of the information about the fact that an insurance company does not have any criterion specified in the Procedure (assistance, insurance program, license, etc.) or non-compliance of an insurance agreement (policy) and/or program (programs) with the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers from one of the parties or from the Embassy of Germany, LIOU shall apply to the relevant insurance company with a request to check the information.

4.3. If within 15 business days since the day of request by LIOU an insurance company fails to provide another information, the insurance company shall be deemed to be the one which insurance programs do not meet the requirements of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers, and LIOU shall recommend the consulates and visa centers of EU/Schengen Area states through the Embassy of Germany to exclude it from the List.

V. RE-INCLUSION OF INSURANCE COMPANY IN THE LIST

5.1. In case of elimination of violations on the basis of which a decision was made on exclusion of the insurance company from the List, at least 30 days since the time of exclusion from the List the applicant shall provide LIOU with a written application on re-inclusion in the List together with the documents evidencing elimination of violations on the basis of the form pursuant to the appendix 5 of this Procedure.

VI. LIABILITY OF THE PARTIES

6.1. LIOU shall not bear any liability against the consulates and visa centers of EU/Schengen Area states for activities of insurance companies with regard to insurance of the people traveling to EU/Schengen Area states.

6.2. This List shall be informative and recommendatory.

6.3. The Embassy of Germany and LIOU shall not bear any liability against the insurance companies for exclusion from the List.

6.4. In case of any discrepancies, disputable issues, complaints, etc., from the consulates and/or visa centers of EU/Schengen Area states or from insurance companies, the parties shall decide on those through their respective coordinators (LIOU and Embassy of Germany) by holding negotiations, mutual consultations and official correspondence.

Appendix 1
to the Procedure for Keeping the List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

No.	Name of insurance company	Telephone number of insurance company	Name of assisting company	Insurance programs, which are in conformity with the requirements of the article 15 EU of Visa Code and Decision of EU Council 2004\17\EG

Appendix 2
to the Procedure for Keeping the List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

APPLICATION
on inclusion in the List of Insurance Companies of Ukraine insuring people traveling to EU/Schengen Area States

Applicant _____
(name of organization in Ukrainian)

_____
(name of organization in English)

_____
(Code according to EDRPOU)

_____
(location)

_____
(telephone)

Please include in the List of insurance companies of Ukraine insuring people traveling to EU/Schengen Area states.

The following documents are attached to the application:

1. Letter of confirmation stating that the people traveling to EU/Schengen Area states are insured in compliance with the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers.
2. Copy of the licenses for voluntary insurance of medical expenses and voluntary insurance against accidents (if any) certified by the insurer.
3. Copy/copies of the cooperation agreement/agreements (agency agreement, commission agreement or others) with an assisting company covering EU/Schengen Area states which shall be certified by the insurer.
4. Insurance programs on the terms of which insurance agreements of the people traveling to EU/Schengen Area states are made.

We commit to provide LIOU with the written information on quarterly basis within 15 business days after closing a reporting period concerning statistical data on voluntary insurance of medical expenses and voluntary insurance of the people against accidents (if any) who travel abroad for a relevant reporting period.

We agree to fulfill the Procedure for keeping the List of insurance companies of Ukraine insuring people traveling to EU/Schengen Area states approved by the decision of the Presidium of LIOU dated 24 June 2015. We confirm that _____ Insurance Company shall not state any claims against the activities of LIOU concerning keeping of the aforementioned List.

__ _____ 20____ _____ (_____)

L.S. (signature) (initials, surname)

Appendix 3
to the Procedure for Keeping the List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

We confirm that the traveler insurance agreement (policy) of _____ Insurance Company corresponds to the requirements of the article 15 of EU Visa Code and Decision of EU Council 2004\17\EG on medical insurance of the travelers, namely:

- for a time of travel of an insured person it shall cover the costs, which may arise due to return to Ukraine for medical reasons, provision of emergency medical aid and/or urgent hospitalization or due to a death over the course of stay (stays) within the territory of EU/Schengen Area states;
- traveler insurance agreement shall be valid on all territory of EU/Schengen Area states within the whole period of stay provided for in the petition by an insured person or a transit given the corridor amounting to 15 days.
- minimum insurance coverage shall equal 30,000 Euro;
- maximum deductible shall amount to 150 Euro;
- front page of the policy (a part that shall be filled in) shall contain the following note: *Insurance protection shall be provided pursuant to the "Decision of EU Council 2004\17\EG on medical insurance of the travelers" in the language of the policy.*

__ _____ 20____ _____ (_____)

L.S. (signature) (initials, surname)

Appendix 4
to the Procedure for Keeping the List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

Performance indicators of insurance company on insurance of travelers

Indicator	_____ (reporting period)			
	Insurance of medical expenses		Insurance against accidents	
	TOTAL	Including states of Schengen Area and EU	TOTAL	Including states of Schengen Area and EU
Insurance premiums, thous. UAH				
Insurance payments, thous. UAH				
Quantity of insured, persons				
Quantity of applications by the insured (insurers) regarding actual insured event, persons				
Quantity of settled insurance events, pcs.				

__ _____ 20___ _____ (_____)

L.S. (signature) (initials, surname)

Appendix 5
to the Procedure for Keeping the List of Insurance Companies of Ukraine Insuring People Traveling to EU/Schengen Area States

APPLICATION
on re-inclusion in the List of Insurance Companies of Ukraine insuring people traveling to EU/Schengen Area States

Applicant_____
(name of organization in Ukrainian)

_____
(name of organization in English)

_____
(Code according to EDRPOU)

_____
(location)

_____
(telephone)

Due to elimination of violations on the basis of which it was decided to exclude _____ Insurance Company from the List of insurance companies of Ukraine insuring people traveling to EU/Schengen Area states, namely, _____, we are asking to re-include in the List.

The following documents are attached to the application:

1. Documents evidencing elimination of violations.

__ _____ 20____ _____ (_____)

L.S. (signature) (initials, surname)