

## The Alternative Dispute Resolution offered by CAA

The Alternative Dispute Resolution service offered by the Commissariat aux Assurances (CAA) is a service which aims to find an amicable solution to a complaint against a professional subject to the supervision of the CAA free of charge.

### Who can refer a case to the CAA?

Any **natural persons** acting for purposes outside their commercial, industrial or liberal activity and concerning insurance contracts concluded or negotiated by the natural or legal persons subject to its supervision.

### Before approaching the CAA

The Complaint must have been **previously** submitted **in writing to Colonnade** and the Complainant has not received a reply or a satisfactory reply within **90 days** of the Complaint being sent.

### Is the application admissible?

An application is not admissible in the following cases:

- when the Complaint has already been the subject of a court decision or arbitration award, in Luxembourg or abroad;
- when a Luxembourg or foreign court or arbitrator is seized of the Complaint;
- when the Complaint is referred to another out-of-court complaint settlement body than the CAA, in Luxembourg or abroad;
- where the Complaint has not been lodged within one year of the date on which the Complainant lodged a Complaint with Colonnade;
- where the Complaint concerns Colonnade's commercial policy;
- when the Complaint concerns a product or service other than insurance;
- when the request is abusive, unreasonable or vexatious;
- where the Complaint does not originate from a policyholder, a beneficiary of an insurance contract, an insured person (of Colonnade) or an injured third party in a direct action against Colonnade;
- where the Complaint lodged with Colonnade and the application lodged with the CAA differ in their subject matter and/or grounds.

### How to refer to the CAA?

The request for out-of-court settlement must be submitted in Luxembourg, German, French or English **in written form**, either

- by post to the address of the CAA (7, boulevard Joseph II, L-1840 Luxembourg),
- by fax to the CAA (22 69 10),
- by e-mail ([reclamation@caa.lu](mailto:reclamation@caa.lu)),
- online on the CAA website (form **FR, EN, DE**) by filling the request for alternative dispute resolution form

### The CAA's conclusions

The CAA's reasoned opinion is **not binding** on the parties, who are free, after a reasonable period of reflection, to accept or refuse to follow it. If the parties do not reach an agreement following the issuance of the CAA's reasoned conclusion, they have the possibility to refer the matter to the courts.