

# PUBLICATION

---

## European Commission Announces Antitrust Investigation of Irish Auto Insurance Industry

August 31, 2017

**In early July, the European Commission's Competition Unit confirmed that it had carried out unannounced inspections (often referred to as "dawn raids") at the headquarters of several Irish auto insurers and brokers. The EC officials were joined by representatives from the Irish Competition Commission.**

The investigation is reportedly designed to determine whether the entities may have engaged in price fixing with respect to auto insurance premiums in Ireland, which have increased considerably in the last three years. In acknowledging the commencement of the investigation, EU Competition Commissioner Margrethe Vestager noted that the investigation is in its early stages and that the fact that these "raids" had been conducted does not necessarily mean that any insurer had engaged in unlawful conduct. Notably, while insurers in Europe traditionally enjoyed an exemption from the antitrust laws, somewhat comparable to the exemption in the United States (the McCarran Ferguson Act exemption; 15 U.S.C. § 1011 et seq.), the EU "Block Exemption" for insurers was permitted to sunset in March of this year.

Shortly after the Commission announced that these inspections had been conducted, Insurance Ireland, the representative body for the insurers in Ireland, acknowledged that it had also been the subject of an inspection. In a statement, Insurance Ireland stated that it "understands that the inspection at its premises relates to databases concerning claims history information and drivers' penalty points." Other entities that have acknowledged having been the subject of the inspections include Marsh, Aon and Wright Insurance Brokers.