

## PUBLIC CONSULTATION ON INSURANCE DISPUTE RESOLUTION

December 9, 2025

SUSEP published Notice No. 13/2025, submitting for Public Consultation a draft SUSEP Resolution that establishes the obligation to provide SUSEP with information on conflicts involving insurance contracts resolved through alternative means, as well as their disclosure pursuant to Article 129 of Law No. 15.040/2024, known as the Insurance Contract Law.

Interested parties had until December 24, 2025, to submit suggestions to the draft SUSEP Resolution.

If approved, the draft provides that it shall enter into force on the date of its publication.

Check out the main relevant provisions of the draft SUSEP Resolution below.

### WHAT DOES ARTICLE 129 OF THE INSURANCE CONTRACT LAW SAY?

In insurance contracts subject to the Insurance Contract Law, the parties may agree that disputes shall be resolved through alternative means, including arbitration. Such intention shall be expressly set forth in a written agreement signed by the parties. The resolution of disputes through alternative means shall take place in Brazil and shall be ruled in accordance with Brazilian law.

Disputes and decisions shall be disclosed, without identification of specific details, in a repository that must be easily accessible to interested parties. The supervisory authority of the insurance market shall regulate this disclosure obligation.

### WHAT DOES THE DRAFT SUSEP RESOLUTION SAY?

The draft SUSEP Resolution consists of only 7 articles and regulates the obligation to provide information regarding disputes resolved through alternative means and their disclosure to the public. This obligation applies to dispute resolutions related to insurance contracts, regardless of the parties involved, when carried out through mediation, arbitration, or any other method recognized as an alternative mean of dispute resolution, whether linked to institutional bodies or conducted by independent professionals, as regulated by specific law.

According to the draft SUSEP Resolution:

- The obligation to disclose information on disputes resolved through alternative means, as well as the resulting decisions, shall be expressly included in the dispute settlement agreement, such as the arbitration clause, the arbitration agreement, or equivalent instruments.
- The Chamber responsible for the conflict resolution process, or the equivalent body, shall be responsible for submitting the information to SUSEP for subsequent disclosure.
- The information shall be submitted electronically to SUSEP within 30 days from the resolution of the dispute. Such submission shall be made through the External User Module of the Electronic Information System (SEI), available on SUSEP's website.
- Such information shall be disclosed by SUSEP within 30 days from its receipt, in a repository that shall be made available on SUSEP's website.

## HOW THE INFORMATION WILL BE DISCLOSED?

The draft SUSEP Resolution includes, in its Annex, a model for forwarding information. The information to be submitted shall contain: identification of the Chamber responsible for the dispute resolution process; the group and main line of insurance involved; the resolution method adopted; the claims of each party, with a brief statement of their arguments; the claims of the counterparty, with a brief statement of their arguments; the evidence produced, with a summary list thereof; and a summary of the issued decision or of the agreement entered into between the parties, presented in a concise format containing the final conclusion.

The insurance company or the singular insurance cooperative shall monitor compliance, by the Chamber responsible, with the obligation to submit the information to SUSEP. In cases of coinsurance, the lead co insurer shall be responsible for monitoring the submission of the information to SUSEP.

## CONFIDENTIALITY OF INFORMATION

The information submitted to SUSEP shall not permit the identification of the parties involved in the dispute, nor contains any confidential data. The Chamber responsible for the conflict resolution process, or its equivalent, shall be liable for anonymizing the information prior to its submission to SUSEP.



## CONTACT



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