

# NAVAS&CUSÍ FILES LAWSUIT FOR "BAD PRACTICES" OF INSURERS

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**Navas&Cusí has filed a complaint with the European Parliament "due to the bad practices committed by insurance companies in Spain"**



The law firm Navas&Cusí, which specialises in EU law, has filed a complaint with the European Parliament "due to the bad practices and abuses committed by insurance companies in Spain, which cause serious economic damage to car repair shops, and which the Spanish state condones by failing to comply with four EU directives and several articles of the Treaty on the Functioning of the EU".

Juan Ignacio Navas (pictured), managing partner, said: "A solution is sought from Europe that, based on respect for the Community legal framework, puts an end to the current unbalanced relationship between workshops and insurers, giving rise to a more equitable framework."

The lawsuit is brought on behalf of CETRAA (Spanish Confederation of Automotive Repair Workshops and Related Industries, which represents 25,000 companies in the sector), CONEPA (Spanish professional automotive businessmen, with 18 workshop associations throughout Spain), FAGENAUTO (official automotive agents, 1,684 small and medium-sized companies and 16,990 small and medium-sized companies), FAGENAUTO (official automotive agents, 1,684 small and medium-sized companies and 16,990 small and medium-sized companies) and the Spanish Confederation of Automotive Repair Workshops and Related Industries (CETRAA). 684 SMEs and 16,936 direct jobs and more than 3,000 self-employed) and GANVAM (motor vehicle dealers, repair and spare parts, with 350,000 jobs and a turnover of almost 100,000 million euros).

Among the bad practices carried out by insurance companies, the firm highlighted, among other points, that prices are set without respecting the price established by the workshop and the amount to be paid for the claim. They also pointed out that the insurance companies' experts assess the time and cost of repair materials to the detriment of the garage and that the economic dependence of the experts does not guarantee that they act with strict objectivity when assessing the damage and setting the price/hour of the repair. "The abusive nature extends to the clause restricting free choice, which is not highlighted in the text of the insurance contract and is not signed separately," they added.