

Na zastupljenost D&O osiguranja u nekoj državi utječe više elemenata. U prvom redu to su gospodarske prilike, kako globalne tako i nacionalne, zatim stupanj razvijenosti tržišta i industrije osiguranja, nacionalni korporativni standardi, korporativna kultura i dr. Sve to treba uzeti u obzir pri procjeni zastupljenosti polica D&O osiguranja u Bosni i Hercegovini, pa tako i na tržištu Federacije BiH. Zakon o osiguranju Federacije BiH daje opću klasifikaciju osiguranja od odgovornosti ne navodeći kao posebnu vrstu rizika i osiguranja osiguranje od odgovornosti direktora i menadžera, pa čak ni osiguranje od profesionalne odgovornosti (vidi čl. 9.). Stoga, ni društva za osiguranje ne vode službenu evidenciju o broju zaključenih polica, premijama i odštetnim zahtjevima po ovim vrstama osiguranja. U svrhu aktualizacije ove vrste osiguranja od odgovornosti afirmativno bi mogla djelovati Agencija za nadzor osiguranja Federacije BiH i uvesti obvezu vođenja službenih evidencija i po ovim vrstama osiguranja te predložiti potrebne izmjene zakonodavstva. Sve ovo u konačnici imalo bi funkciju povećanja transparentnosti i povjerenja korporativne javnosti te stabilizaciju tržišta osiguranja, ali i cjelokupnog korporativnog tržišta BiH.

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DIRECTORS AND OFFICERS LIABILITY INSURANCE IN COMPANIES – D&O INSURANCE

Summary: Directors and managers of the company are the key actors in corporate governance. While company is liable for its obligations with its assets, directors and managers, as agents and representatives of the company, are generally personally liable for actions taken on behalf of the company. This means that their personal property is endangered in the event of a lawsuit against the economic entity and its management. One way to protect the personal assets of corporate directors is, therefore, a quality professional liability insurance policy. This type of insurance is known as D&O insurance. The main purpose of this insurance is to protect the company's assets and directors and managers' personal assets so that they can perform their corporate affairs without the risk of personal liability.

This paper analyses the origin, development circumstances and basic features of D&O insurance policies in a modern corporate society. In addition to the above, the paper provides an overview of the D&O insurance market in the Federation of Bosnia and Herzegovina and analyses the impact of current economic conditions on corporate risk trends and further updating of D&O insurance.

Keywords: liability insurance, D&O insurance, company, corporation, directors and managers