



UNIVERSIDADE
NOVA
DE LISBOA

MARIE SKŁODOWSKA-CURIE INDIVIDUAL FELLOWSHIPS 2019
EXPRESSION OF INTEREST FOR HOSTING MARIE CURIE FELLOWS

HOST INSTITUTION

NOVA School of Law | CEDIS – Research Center on Law and Society

RESEARCH GROUP AND URL

Economic and Social Dimension of Private Law Research Group
<http://cedis.fd.unl.pt/economic-and-social-dimension-of-private-law/>

SUPERVISOR (NAME AND E-MAIL)

Margarida Lima Rego
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SHORT CV OF THE SUPERVISOR

Margarida Lima Rego is Vice-Dean and Associate Professor at NOVA School of Law, where she has lectured regularly since 2005. She has taught different courses and published in a wide range of topics within private law. She is scientific coordinator of the Master's in Law and Financial Markets. She is currently in charge of the courses on Law of Obligations (undergraduate); Insurance Law; and Financial Markets and Operations; (postgraduate). She is adjunct scientific coordinator of NOVA Law's Doctoral Programme in Law, being its representative at the NOVA Doctoral School.

As a practitioner she has been very active in the area of corporate and commercial law. She has provided legal counseling in the setting up of varied operations on behalf of domestic and foreign clients, and in the drafting and negotiation of commercial contracts, with an emphasis on insurance. She has drafted legislation in the field of insurance law in her capacity as advisor to the Portuguese Government, upon the request of the Consumer Directorate-General.

Margarida is a member of the Portuguese Bar. She is President of AIDA Portugal. She is the Chairperson of the Commercial Law and Practice Commission of the Portuguese chapter of the International Chamber of Commerce.

5 SELECTED PUBLICATIONS

- Forthcoming: Scientific editor and co-author of the collective work *Insurance and human rights*, AIDA Europe Research Series on Insurance Law and Regulation (Springer 2020).
- Forthcoming: "Discrimination bans and insurance law" in C. Di Noia/ M. Gargantini/ M. Lamandini (eds.), *Fundamental rights and financial law* (Edward Elgar Publishing 2020).
- Forthcoming: "Insurance in today's sharing economy: new challenges ahead or a return to the origins of insurance?" (1st author) in P. Marano/ K. Noussia (eds.), *De-mystifying InsurTech – a legal and regulatory view* (Springer 2019).
- "Product oversight and customer demands and needs: contract law implications" in *Proceedings of the 19th Annual Conference of the Insurance Law Association of Serbia. Insurance Law and Practice –*



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Challenges, New Technologies and Corporate Governance, AIDA Serbia / German Foundation for International Legal Co-Operation (IRZ) 2018, pp. 218-231.

- “Statistics as a basis for discrimination in the insurance business”, *Law, Probability and Risk* (2015) 14 (2): 119-134. doi: 10.1093/lpr/mgu017 First published online: October 15, 2014.

PROJECT TITLE AND SHORT DESCRIPTION

Technological innovation in financial markets and its impact on general contract law

Smart contracts, or self-executing digital contracts, purport to form legally binding relationships where traditional wording as we know it, written in a traditional human language, is being replaced by computer code. Ledger technology such as that used in blockchain is being used for such contracts to be stored and replicated, new transactions being ordered and payments made with no need for human intervention. The project aims to contribute to a better understanding of these automated ways of entering into contracts and assess their impact, their consequences and legal nature, specifically in the financial markets.

More specifically in the insurance sector, the project also aims to look at the development of the new complex contractual structures that have come out of the new tech-based business models. The product will look into the legal implications of some new trends in the insurance sector, from products to services to solutions, as Big Data provides insurers with an opportunity for them to move away from a traditional post-factum approach where the initial product they provided was merely the passive-oriented risk coverage, their active performance being called upon merely after the occurrence of the insured event, to provide the financial means which the insured would need so as to deal with the negative impact of that occurrence. The idea is to analyse the contract law impact of the shift towards a more preventive approach, where Big Data is used to assist clients in adopting measures to minimize the risk and mitigate loss even upon the occurrence of the insured event, insurers presenting themselves increasingly as long-term partners of their clients who feed them with the knowledge they lack to find the best client solutions.

The project aims to contribute to a better understanding of the legal rules applicable to new models and types of services offered by insurers and more generally, by financial market service providers.

SCIENTIFIC AREA WHERE THE PROJECT FITS BEST

Social Sciences and Humanities (SOC)