

参考資料

資料 1 Iceland Catastrophe Insurance Act (Act No.55/1992)

この法律は、全 26 条からなり、アイスランド自然災害保険及びアイスランド自然災害保険会社の役割、同社の理事会の構成・権限、自然災害保険の保証内容、引き受け条件などについて定めている。

資料 2 Regulations on Iceland Catastrophe Insurance (Regulation No.83/1993)

資料 1 の Iceland Catastrophe Insurance Act にかかる規則。自然災害保険でカバーされる自然災害の定義、対象物件の定義などについて定めている。

資料 3 アイスランドの地理的特徴・建造物等に関する写真

アイスランドの自然災害リスクを理解するための参考として、アイスランドの地形的特長・建造物等に関する写真を解説とともに掲載した。

資料 4 日本とアイスランドの地震保険制度の概要比較

日本とアイスランドの地震保険制度を比較したものである。

資料 1 Iceland Catastrophe Insurance Act (Act No.55/1992)

Article 1

The role of the Icelandic Catastrophe Insurance shall be to insure against losses caused by the natural catastrophes which are specified in Article 4 of this Act.

Its domicile shall be Reykjavík.

Article 2

Five persons shall sit on the Corporation's Board of Directors. Three shall be elected by the Althing; one nominated by those insurance companies which collect premiums, cf. Paragraph. 3. Art. 10; but the Minister of Insurance Affairs shall appoint one member who shall be Chairman. Deputies shall be chosen in the same manner. Directors are appointed to terms of four years at a time.

Article 3

The Board of Directors of the Corporation shall supervise the safekeeping and profitable investment of its funds or negotiate a special agreement with a party working in the field of insurance regarding the safekeeping and investment of its funds or the handling of its accounts. Upon investment, an endeavour shall be made to safeguard the true value of the funds as far as possible at all times.

The Corporation's annual accounts shall be audited by two auditors. One shall be nominated by the Minister; the other chosen by the Board of Directors. The latter shall be a chartered accountant. The financial year shall be that of the calendar year and its accounts shall be annually published in the Legal Gazette.

Article 4

The Icelandic Catastrophe Insurance shall insure against direct losses caused by the following natural catastrophes: volcanic eruptions, earthquakes, landslides, snow avalanches and floods. Regulations should further stipulate what is meant by the 1st sentence.

Article 5

It is mandatory to insure all house-property and movables which are insured against fire by an insurance company that is licensed to operate in this country. Mandatory insurance also applies to movables covered under comprehensive insurance policies which include fire, provided that such insurance policies are classified as property insurance by the State Insurance Supervision Bureau. Should insurance against fire be included in an all-risk insurance policy or special insurance policy, e.g. fish-farming insurance, the movables should not be covered by the natural catastrophe insurance unless specially approved by the Board of Directors.

It is further mandatory to insure the following even if they are not insured against fire:

1. Geothermal heating systems, waterworks and sewage systems owned by municipalities or the National Treasury.
2. Harbour installations owned by municipalities and the National Treasury.
3. Permanent bridges of 50 m or longer.
4. Electric installations, including distribution systems, dams and transformer facilities publicly owned.
5. Telephone systems and communications networks publicly owned.
6. Ski lifts.

Valuables, as listed in Paragraph 2 may be insured with some party other than Icelandic Catastrophe Insurance.

The Minister shall by issuing Regulations determine more closely what comes under mandatory insurance according to Paragraph 2, and they should specify what categories of valuables should be regarded as integral parts of the structures in question.

Article 6

In the event of an insurance company receiving a request to insure property or movables which are commonly not insured against fire or the danger of them being damaged by fire is negligible, the insurance company shall seek the permission of the Corporation before a catastrophe insurance premium is computed for this policy. Should this provision not be adhered to the item thus insured against fire is not covered by the catastrophe insurance.

Article 7

Structures which are erected in violation of a ban set by authorities or which violate the provisions of enacted law in a manner which can be deemed to make them more susceptible to incurring damage from natural catastrophes may not be insured against catastrophes irrespective of whether they are insured against fire.

Article 8

The amounts insured shall be decided as follows:

1. All valuables insured against fire shall be insured for the same amount as for fire insurance at any given time.
2. The Minister, having obtained the recommendations of the Board of Directors shall set rules for the determination of insurance amounts for other valuables, cf. Paragraph 2, Article 5.

Article 9

The own risk of the insured shall amount to 5% of each loss; but not a lower amount than as follows:

1. Valuables insured according to Paragraph 1 Article 5 a minimum of kr. 40.000.
2. Valuables insured according to Paragraph 2 Article 5 a minimum of kr. 400.000.

The above minimum amounts shall be adjusted in accordance with the Index of Construction Costs in force at any given time.

Article 10

Annual premiums shall be as follows:

1. For valuables insured according to Paragraph 1 of Art 5, 0.25 ‰
2. For valuables insured according to Paragraph 2, numbered sections 1-5 of Art. 5, 0.2 ‰
3. For valuables insured according to Paragraph 2, numbered section 6 of Art 5, the premium shall be decided according to rules set by the Corporation's Board of Directors. Should net surplus assets sink below 1‰ of estimated insurance amounts at the end of a year, the Board of Directors is permitted to collect premiums, cf. Paragraph 1 and 2 of Article 5, with a 100% surcharge until the 2‰ mark has been reached.

The insurance companies that cover fire insurance of the property which is insured with the Corporation, cf. Paragraph 1 Article 5, shall collect the premiums for the Corporation along with the fire insurance premiums, both premiums being payable on the same date. Regulations should further stipulate the manner of accounting and handing over of collected premiums. The stipulations of Article 24 shall govern the access of the Corporation to the insurance companies.

Premiums for other insured valuables, Cf. Paragraph 2 Article 5, shall be computed and collected by the Corporation.

Catastrophe insurance premiums can be collected by way of an order of distraint. The premiums are also secured by a lien upon the insured property. It is permitted to request the public auction of the property without a prior court order, settlement procedure or impoundment to settle the amount due.

Article 11

When a loss has occurred the insured shall immediately report it to the Corporation or the insurance company that sold him the insurance policy.

An insurance company which receives such a report shall at once notify the Corporation of the event. When the Corporation receives a report or information about a loss which may be considered to be covered by this insurance, they shall as quickly as possible, take steps to obtain a decision whether the occurrence is a case for indemnity caused by a natural catastrophe, and have the damage appraised.

Article 12

A case for indemnity having taken place, the Board of Directors shall decide what measures shall be necessary to implement in order to save insured valuables and forestall further damage to them. The measures shall, as far as possible, be carried out in co-operation with the Civil Defense.

The stipulations of Paragraph 1 do not exempt the insured from his duty to take measures to avert loss according to the law of insurance contracts.

Article 13

If the insured property is located at some other place than was stated when an insurance policy was taken out at the time of a loss event the right to indemnity shall follow the stipulations of Article 83 of the law of insurance contracts as is applicable. The stipulation of Article 83 of a maximum indemnity of kr. 10.000 shall not apply. The stipulations of Paragraph 1 apply without regard to provisions set forth in a fire insurance policy regarding indemnity for items that are located at some other place than stated in the policy.

Article 14

The Board of Directors shall set rules governing the handling and paying out of claims. It is permitted to entrust the settlement of claims to other insurance companies. Rules pertaining to assessors and the assessment of claims shall be set by Regulations.

Article 15

It is permitted to decrease or reject claims completely.

1. When a building or other construction which has suffered damage was built in a location which was beforehand commonly known to be dangerous with regard to natural catastrophes, e.g. if a construction in the same place has been more than once damaged in the same manner. The same applies to movables kept in a building or other construction under the same conditions as here stated.

2. When the strength and maintenance of a building or other insured item, unacceptable or in violation of enacted law and it has become evident that damage was all the greater or more extensive owing to these shortcomings.

Article 16

Claims should be settled as soon as possible, cf. Paragraph 1 and 2 Article 24 of law of insurance contracts no. 20/1954.

Article 17

The Iceland Catastrophe Insurance's liability for compensation for each event is limited to 7.5% of total insurance amounts at the start of the loss event. From January 1st 1994 the liability is to be limited to 10% of total insurance amounts.

Should the total of payable claims exceed the amount stated in Paragraph 1 the claims of all insured shall be proportionately reduced.

Article 18

The Board of Directors shall as quickly as possible reach a decision on any point of dispute regarding its liability and the amount of indemnity. The Board of Directors shall decide points of dispute that may arise and if the claimant feel dissatisfied with the Board's ruling he may within 30 days of receiving the Board's decision refer the dispute to a special settlement committee. It is to be appointed by the Minister. Four persons shall be seated on the committee. One is to be appointed according to the nomination of the Supreme Court and shall be chairman. Another shall be nominated by the Meteorological Bureau, the third shall be nominated by the University of Iceland and the fourth without nomination. Deputies should be appointed in the same manner. The committee is permitted to seek the advise of specialists if needed.

Article 19

The Corporation is permitted to reinsure its risk in this country as well as abroad. If claims to be indemnified in a single year are of the amount that assets and reinsurance are not sufficient to pay them, cf. paragraph 1, Art. 17, the Board is permitted to secure a loan in order to fulfill the Corporation's obligations. The State Treasury shall guarantee such loans by means of surety.

Article 20

The Board of Directors of the Corporation are permitted to grant funds to subsidize research and projects that are meant to ward off damage caused by natural catastrophes. The Board is further empowered to grant funds for the education and training of national relief organizations that have entered into an agreement of

cooperation with the Civil Defence Authority on disaster relief work. Total grants each year may not exceed 5% of the gross written premiums of the previous year.

Article 21

Iceland Catastrophe Insurance shall be exempt from payment of income or property taxes as well as municipal taxes. The Corporations documents shall be exempt of stamp duty.

Article 22

The Board of Directors shall negotiate with the insurance companies and others which operate on behalf of the Corporation. Should a dispute arise regarding the fee of an insurance company then it shall be settled by way of arbitration. Each party shall nominate one member of the arbitration tribunal. These members then jointly select the third member who shall be chairman. The chairman shall be qualified to appear as a district judge in handling individual cases. If a person is not appointed to the arbitration tribunal within 15 days from issue of the demand for arbitration or if the nominees cannot agree upon who to nominate as a third person the laws of contractual arbitration shall apply. The provisions of those laws shall also be applied as is applicable.

Article 23

The Iceland Catastrophe Insurance Corporation can demand from an insurance company any documentation or information regarding their operations on behalf of the Corporation. The Corporation also has a right to unrestricted access during normal office hours to the companies' accounts and other data regarding catastrophe insurance premiums.

Article 24

If otherwise is not stipulated in these laws the law of insurance contracts shall apply as is applicable.

Article 25

The Minister for Insurance Affairs shall having obtained the suggestions of the Board of Directors issue Regulations with further provisions for the execution of this law.

Article 26

This law shall come into force on January 1st 1993 and at the same time law No. 88/1982 on The Iceland Catastrophe Insurance Corporation shall cease to be in force.
Enacted by the Althing May 20th 1992 (with subsequent modifications by the Althing).

資料2 Regulations on Iceland Catastrophe Insurance (Regulation No.83/1993)

Article 1

The perils insured against by the catastrophe insurance, cf. Act No. 55/1992 on Iceland Catastrophe Insurance, are the following:

1. A volcanic eruption, e.g. when lava or volcanic ash cause damages or destruction of insured valuables.
2. An earthquake which causes damage or destruction of insured valuables.
3. A landslide, i.e. when a slide from a mountain or a hillside abruptly falls onto insured valuables causing damage or destruction thereof.
4. A snow-avalanche means an avalanche of moving snow which abruptly falls from a mountain or a hillside onto insured valuables causing damages or destruction thereof. It is not a snow-avalanche when the roof or walls of a house are strained or broken from accumulated snow caused by snowfalls, drifting snow or blowing snow. The same applies to other valuables that are damaged in a similar manner.
5. A waterflood means a flood which occurs when rivers or brooks abruptly overflow their banks or when flood waves from the sea or lakes run ashore causing damages or destruction of insured valuables. Annual or regular floods from rivers, brooks, the sea or lakes are not to be construed as waterfloods herein. The same applies to usual melt-water or floods caused partly or wholly by man, e.g. when watertanks, dams or other structures break due to conditions other than catastrophes. When insured valuables are damaged in a fire which can be traced directly to some of the above-mentioned catastrophes the Iceland Catastrophe Insurance shall recompensate the losses.

Article 2

Comprehensive insurance policies of movables which are classified as property insurance, cf. Paragraph 1, Article 5 of the Iceland Catastrophe Insurance Act, are inter alia the following: home insurance, family insurance, all-risk home insurance, baggage insurance, cattle insurance, horse insurance (live-stock insurance), and agricultural insurance

Article 3

It is mandatory to insure the following house-property publicly owned, cf. Paragraph 2, Article 5 of the Icelandic Catastrophe Insurance Act:

1. Geothermal heating systems for the distribution of hot water or steam, including subterranean pipelines but not boreholes. Pumps, pump facilities, bridges and roads which exclusively serve the transformer system shall also be insured as well as facilities for geothermal heating or for other sources of energy.

2. Waterworks, including main systems, subterranean pipelines other than boreholes and wells. Pumps, pump facilities, bridges and roads which exclusively serve the transformer system.

3. Sewage systems including pump facilities and refinery facilities.

4. Permanent harbour installations, i.e. piers, quays, immovable harbour cranes, immovable lightning,

electric installations, lamp-posts, junction boxes, water and drainage pipelines, bollards and pavement on piers but not cranes on rails, wheels or belts or other movable harbour appliances and equipment. Only quays which are boarded with steel or timber, stacked with hewed stones or made of concrete or other comparable permanent materials, shall be insured. Areas which are more than 30 meters from the quays are not parts of harbour installations. Breakwaters, rubble mound breakwaters, rubble mound shore protection or other installations for the protection of piers, quays or accompanied movables shall not be insured.

5. Electric installations, including distribution systems, dams and transformer facilities.

6. Telephone appliances, telephone lines and communications networks. It is also mandatory to insure permanent bridges 50 m or longer whether they are publicly or privately owned, cf. Subparagraph 3, Paragraph 2 of Article 5 of the Iceland Catastrophe Insurance Act. A road leading to or from a bridge shall not be construed as a part thereof nor shall levees be construed as such.

Article 4

[Suspended following modification of law]

Article 5

Structures referred to in Articles 3 [and 4] shall not be insured while under construction. The Board of Directors of the Corporation is nevertheless permitted to set down Rules allowing deviations herefrom, with the consent of the Minister.

Article 6

When a loss has occurred or is imminent it is not permissible to enter into new insurance contracts or to alter older contracts dealing with items in the endangered location or area.

Article 7

The amounts insured shall be decided as follows:

1. The structures referred to in Paragraph 2, Article 5 of the Iceland Catastrophe Insurance Act shall be insured against their estimated price of restoration (price of reconstruction) as of the first date in each quarter of a year. The estimated price of restoration shall be compared to the cost of reconstruction of comparable property and consideration shall be given to the newest technology, work skills and cost of materials.
2. Owners of structures referred to in Subparagraph 1 shall prior to March 1 each year submit to the Corporation a list of new structures and alterations of older structures together with an estimate of the price of restoration compared to the price on January 1 the previous year. If there is reason to believe that the appraisal is unrealistic or that the owners of structures have neglected to give information about items which fall under mandatory insurance, the Corporation can appoint two experts to appraise these items and the outcome of their appraisal shall be binding as to the amount insured.

Article 8

The insurance companies that cover fire insurance of the property which is insured with the Corporation under Paragraph 1, Article 5, cf. Paragraph 3, Article 10 of the Iceland Catastrophe Insurance Act, shall submit to the Corporation a monthly report of premiums

collected during the previous month and disburse the catastrophe insurance premiums

not later than on the 15th of that month.

If a premium is in default an insurance company shall collect penalty interests in accordance with the provisions of the laws on interests.

If an insurance company fails to disburse premiums or interests in accordance with the aforementioned, it is obliged to pay penalty interests on the delinquent amount in accordance with the provisions of the laws on interests.

Insurance companies shall annually submit to the Iceland Catastrophe Insurance an itemized report of insurance amounts, premiums and penalty interests. The Corporation shall decide on the format of the report.

Article 9

The day of payment of the premiums which the Iceland Catastrophe Insurance collects itself shall be April 1st each year.

If a premium is not paid within four weeks from the day of payment the debtor is obliged to pay penalty interests from the day of payment in accordance with the provisions of the laws of interests.

Article 10

Under special circumstances, the Board of Directors of the Corporation, with the consent of the Minister, may decide that an insured party buy a short-term insurance on the property referred to in Article 6 of the Iceland Catastrophe Insurance Act.

Article 11

A case of indemnity having taken place, the Corporation shall make arrangements for the inspection and appraisal of the damage and shall designate for this purpose a competent and impartial appraiser or appraisers.

The Board of Directors of the Corporation may, according to circumstances, request that damage be appraised by a Court designated appraiser or appraisers. Matters relating to the cost of an appraisal done by Court designated appraisers shall be regulated by the

general rules of law.

The insured party shall at all times have the opportunity to be present at inspection and be able to present his views to the appraiser or appraisers.

The appraiser or appraisers shall submit a written appraisal and conclude their work as speedily as possible.

Article 12

The amounts insured shall be decided in accordance with the principal rules of the laws of insurance, cf. inter alia the following rules:

1. The insurance is obliged to pay compensation solely for direct damages, cf. Article 36 of law No. 20/1954 on insurance contracts.

2. The amount insured is not a proof of the value of the insured valuables. Nevertheless, it is always the maximum of the responsibility to be measured against when compensation is decided upon.

3. The value of insured property shall be determined with regard to the real price value when the loss occurred. Also, consideration shall be given to depreciation due to age, use,

decreased effective value and other conditions, cf. Article 37 of law No. 20/1954 on insurance contracts.

4. Compensation for goods which the insured party has produced for sale or are otherwise intended for sale shall be determined in accordance with rules set down in Article 38 of law No. 20/1954 on insurance contracts.

5. In case of partial loss, compensation shall be determined as computed against the cost of reparation of the damaged valuable for its restoration to the same or next to the same condition as it was in before the loss.

Nevertheless, compensation can never exceed the disparity of the value of the item prior to the loss and its value thereafter. The damaged party shall preserve the damaged property or item as best he can until compensation is forthcoming.

6. If the value of the insured item exceeds the amount insured compensation for the loss shall be computed as follows:

loss amount x amount insured/ real value = compensation

The insured party's own risk shall be deducted from the amount of compensation thus arrived at.

Article 13

The present Regulations is set down in accordance with permission in Act No. 55/1992 on Iceland Catastrophe Insurance and shall come into force forthwith. At the same time Regulations No. 772/1982 with amendments made thereto by Regulations No. 269/1983 and No. 358/1985 shall cease to be in force.

The Ministry for Health and Insurance Affairs, 19th February 1993.

資料3 アイランドの地形的特徴・建造物等に関する写真

写真1：アイランドの地形的特徴



レイキャビクの北東約 40km に位置するシンクヴェルトル付近。大西洋海嶺の露出部分が見られる。ユーラシアプレートと北米プレートの裂け目であるこの露出部分は東西数キロに広がっており、この地域は、北米プレートの東端に近い部分。

写真2：アイランドの地形的特徴



写真1と同じシンクヴェルトル付近の地形の様子。細かな裂け目が至るところに存在している。遠方に見えるのは大きな裂け目部分に成立した湖。

写真3：レイキャビク市内中心部



レイキャビク市中心部の様子。前方にショッピング街を臨む。後方には官公庁の建物が並ぶ地域や飲食店や雑貨店等が並ぶショッピング通りがある。10階建て未満のコンクリート造りの建造物が並ぶ。

写真4：レイキャビク市内中心部



写真3の地点に立ちすぐ背後にある大統領府の建物。

写真5：レイキャビク市内中心部



写真3の地点の背後に延びるショッピング通りの様子。2階建てから4階建ての低層のコンクリート造りの建造物が並ぶ。

写真6：レイキャビク市内中心部にある住宅街



写真3から5に見た市内中心部から徒歩5分程歩くとすぐに住宅街に入る。住宅地には2階建てから3階建て程度の建物が並ぶ。

写真7：レイキャビク市内中心部にある住宅街



写真6の近隣の住宅地の様子。路上を常用の駐車スペースとして利用している場合が多い。

写真8：レイキャビク市内東方にあるオフィス街



写真3から7に見た市内中心部から車で東方に10分程度離れた地域。5階建て以上のコンクリートの建造物が並びオフィス街となっている。

写真 9 : レイキャビク市内東方から郊外にかけての様子



写真 8 の付近から北部に数分徒歩で移動し、東方を見た様子。
レイキャビク市はレイキャネース半島の北部に位置し、北側は海岸に
面している。これより東方に移動すると建物はまばらになってくる。

写真 10 : レイキャビク市内東方から郊外にかけての様子



写真 9 の付近から西方を見た様子。中心部にかけて建物が立ち並ぶ
様子が分かる。

資料4 日本とアイスランドの地震保険制度の概要比較

項目	日本	アイスランド
1. 制度名	地震保険 1964年の新潟地震を契機に1966年に『地震保険に関する法律』に基づき発足。	自然災害保険 1973年のヘイマエイ火山の噴火を契機に1975年に『アイスランド自然災害保険法』に基づき自然災害保険制度が発足。
2. 運営主体 (国の関与)	民間保険会社が元受 民間会社は引受けた地震契約を日本地震再保険株式会社(JERC)にすべて出再。 JERCは政府と民間保険会社に一部を再々保険する。	アイスランド自然災害保険会社 アイスランド自然災害保険会社は、政府100%所有会社であるが、一般の保険会社と同様に独立採算で運営される。 再保険等を用いても支払が困難になった場合には、民間金融機関等の融資の保証を金融監督庁が行い保険金支払の義務を果たす。
3. 引受方法	火災保険に付帯(原則自動付帯) 契約者の意思により付帯させないことも可能	火災保険への自動付帯(建物・動産) 建物に関しては火災保険への加入が義務であるため、自然災害保険も義務となる。動産に関しては火災保険への加入が義務ではないが、火災保険に加入した場合に自動付帯となる。 公共インフラは自然災害を担保する保険を付保する義務があるが、アイスランド自然災害保険でなく、海外の民間保険会社による保険でも良い。
4. 対象物件	住宅建物、生活用動産	<強制> 建物、公共インフラ <任意> 動産
5. 担保リスク	地震、噴火またはこれらによる津波を原因とする損壊、火災、埋没、流失等による損害	地震、噴火、地滑り、雪崩、洪水
6. 料率	0.50‰～3.13‰ 等地(4区分) ^注 、建物の構造(2区分)の8区分耐震等級、建築年、免震建築物、耐震診断による割引制度有り 注：激変緩和のため、同一等地内で料率が異なる場合がある。	建物、動産は一律0.25‰ 公共インフラは一律0.20‰
7. 引受限度額または契約上の制限	付帯される火災保険の保険金額の30～50%、かつ、建物5,000万円、生活用動産1,000万円を限度	引受限度額はない。
8. 保険金支払上の制限	損害割合が建物3%(動産10%)未満は免責 1回の地震等につき総額で5.5兆円(5.5兆円以上の場合は比例的に削減可能)	下記の免責金額を差し引いて保険金が支払われる。 原則、損害の5%。ただし次の金額を下回らない。 建物・動産：75,000 クローナ 公共インフラ：750,000 クローナ 1回の自然災害発生につき補償総額は保険契約総額の10%まで(上回る場合は比例的に削除)
9. 民間保険会社の役割	販売、集金、証券発行、損害査定を行い、リスクの一部を受再し保有	販売、集金、証券発行を行う。保険金請求の窓口となることがある(アイスランド自然災害保険会社への直接請求も可能)。

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- ・ アイスランド自然災害保険会社 ホームページ (<http://vidlagatrygging.is>)
- ・ アイスランド統計局 ホームページ (<http://www.statice.is>)
- ・ アイスランド土地登録局 ホームページ (<http://fmr.is>)
- ・ 米国地質調査所 (USGS) ホームページ (<http://www.usgs.gov>)
- ・ EM-DAT Emergency Disasters Data Base (<http://www.em-dat.net/>)

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