

# Motor Insurers' Bureau Making a claim



A brief guide

## This booklet

**This booklet gives important information about the Motor Insurers' Bureau (MIB) and making a claim.**

**Please read it carefully before you fill in your claim form and then keep it in case you need to refer to it while we are dealing with your claim.**

**Some of the information relates to just one type of accident. This is shown in the booklet.**

### Notes for solicitors and representatives

Please make sure your client has a copy of this booklet.

Please tell us if you are representing more than one claimant in any accident.

If you are sending a paper form by post, use a separate claim form for each claimant. If you are submitting the claim online, add additional claimants when prompted.

If your client's claim is within the scope of the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents, it should be submitted using the portal which can be accessed via the website: [www.rtapiclaimsprocess.org.uk](http://www.rtapiclaimsprocess.org.uk)

**Please do not use the MIB Claim Form in addition to making a claim via the portal.**

## Contacting us

If you would like more information after reading this booklet, please contact us:

**Phone:** 01908 830 001 during normal business hours

**Email:** [enquiries@mib.org.uk](mailto:enquiries@mib.org.uk)

**Write:** Motor Insurers' Bureau  
Linford Wood House  
6-12 Capital Drive  
Milton Keynes  
MK14 6XT

You can also find out more about us on our website at: [www.mib.org.uk](http://www.mib.org.uk)

### When you call us

When you call us, we will ask you some security questions to establish and verify your identity. This is so that we can protect all personal data supplied to us.

Please call us on 01908 830 001 to find out how we can help if you cannot read this booklet or if you cannot complete the claim form because of a disability.

MIB is open Monday to Friday between 9am and 5pm.

An online version of this claim form is available at [www.mib.org.uk](http://www.mib.org.uk) - under "Submit a Claim".

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# About MIB

## Who we are

We are a non-profit-making company set up by motor insurers. We enter into agreements with the UK Government in order to compensate victims of motor accidents as listed below.

## What we do

- **We compensate victims of uninsured drivers.**  
We do this under the terms of an Agreement made with the Department for Transport.
- **We compensate victims of untraced drivers.**  
We do this under the terms of an Agreement made with the Department for Transport.
- **We are responsible for operating the Green Card System in the UK.**  
One aspect of the Green Card System is to make sure that people who are victims of accidents with foreign-registered vehicles are not disadvantaged. This means that we compensate UK citizens who are involved in accidents with foreign-registered vehicles, either in the UK or within the European Economic Area.
- We also run the Motor Insurers' Information Centre.

## How we are funded

The Road Traffic Act 1988 requires that every insurer that underwrites compulsory motor insurance must be a member of the MIB and must contribute to our funding.

**You can find out more about us and the Green Card System on our website at: [www.mib.org.uk](http://www.mib.org.uk)**

# General information on making a claim

## Accidents involving damage to your vehicle

### If you have comprehensive insurance for your vehicle

We recommend that you make a claim for repair with your own insurer. You do not have to do this, but the repair will be carried out quicker and will not be delayed by any enquiries that we will have to make about the circumstances of the accident.

### If you do not have comprehensive insurance for your vehicle

We may be able to assist you. Please complete the claim form.

## Accidents involving damage to property – non-vehicle

If you have other insurance cover for property damage, we recommend you make a claim with your own insurer. You do not have to do this but the repairs or replacement will be dealt with quicker and will not be delayed by any enquiries we have to make about the circumstances of the accident.

## Accidents involving personal injury

We may be able to help with your recovery by offering treatment or rehabilitation. We will provide more information after we have received your claim form.

## Legal advice

You are free to seek independent legal advice at any stage of your claim.

There are several alternative options for funding the legal costs of making a claim. We recommend that you discuss these with your solicitor or seek advice from the Citizens Advice Bureau.

Free legal expenses insurance may be available for claims involving uninsured drivers – see page 6.

## General information on making a claim continued

### Claims involving uninsured drivers only

#### Free legal expenses insurance

Free legal expenses insurance for claims involving uninsured drivers may be available depending on the circumstances of your claim. This cover is supplied by an independent company and can provide you with the following:

- legal costs in connection with your claim, up to a total of £100,000
- free choice of solicitor, except in limited circumstances.

Cover is available for claims in England, Wales and Scotland.

It is **not** available for claims in the Isle of Man, Jersey, Guernsey, Alderney, Sark, Gibraltar or Northern Ireland.

The MIB is not involved in the decision on whether to accept your application for free legal expenses cover or any related decisions.

#### To make an application for free legal expenses

To make an application for free legal expenses, please tick the box on the claim form. You or your representative will then be contacted directly.

### Claims involving foreign-registered vehicles only

#### Registration numbers on lorries

If the accident involved a foreign-registered lorry, it is particularly important that you make every effort to find out the registration numbers from both the front and back of the lorry. This is because, in some countries, trailers are registered separately and have their own registration numbers.

#### Green Card

A Green Card is an international proof of insurance. If the other driver has given you this information, please record it on the paper form in section 6, or on the online form when prompted.

#### Insurers with representatives in this country

Under the Green Card System, if the insurer of the foreign-registered vehicle has a representative in this country, that representative has the right to deal with your claim. The representative remains answerable to us, so you are able to come to us if you wish to make a complaint.

# Completing the claim form

## Paper Claim Form

### One form for each claimant

We require one completed claim form for each claimant – even if the claim forms relate to the same accident.

### Do not delay sending in your claim

Please fill in your claim form as fully and as accurately as possible.

### Do not delay sending in your claim while you are waiting for more information.

Whilst we would like as much information as you can give us before we start processing your claim, it is important that we receive the claim as soon as possible - a delay could invalidate your claim. If we need any further information, we will request this as part of our investigation.

If you are not sure when to send your form, please call us on 01908 830 001 during normal business hours.

### Supporting information

To help us to process your claim as quickly as possible, please send any supporting documentation we ask for on the claim form. Also send us copies of any documents that you have obtained from the other driver. The time we need to process your claim is likely to be reduced if we have more information from you.

### If you need more space

If you need more space for any of your answers, please fill in the form first and then give any additional information on a separate sheet. Make sure you write the question number on the separate sheet.

## Completing the claim form continued

### Declaration

Please read the declaration very carefully before you fill in and sign your claim form. If you do not sign the declaration, we will not be able to make a compensation payment to you. Remember you are free to seek independent legal advice at any stage of your claim.

By signing the form you will be making a legal statement and agreeing to legal obligations in connection with your claim, as specifically described in sections 1,2 and 6 of the declaration. You are also giving us and our representatives authority to fully investigate your claim and process your personal and sensitive personal information as specifically described in sections 3,4 and 5 of the declaration.

If you provide us with false information you will be liable to prosecution and your claim will not be paid. In addition, we may seek to recover the costs of processing your claim from you.

### Point 5

If you are not claiming for personal injury loss, point 5 of the declaration will not be relevant and will not be acted upon.

If you are claiming for personal injury loss and your claim involves an untraced driver, point 5 will be relevant and will be acted upon immediately.

If you are claiming for personal injury loss and your claim involves an uninsured driver or a foreign-registered vehicle, point 5 will only be acted upon after confirmation to proceed from you or your representative.

## Online Claim Form

### More than one claimant

If there is more than one claimant use the “Add Another Claimant” option to add their details.

### Do not delay submitting your claim

As a minimum we need all the information marked with an asterix (\*). If you are able to complete this then please submit your claim. We will then send you details of your claim reference, and you may then be asked to send further supporting documentation.

### Do not delay submitting your claim while you are waiting for more information

You are able to save your claim and return to it later. If you do not return to the claim for 28 days, it will be deleted.

You can also generate a print of the claim, which you can save and/or print off. Once you have selected the submit button it is important that you generate a print of your claim for your records.

### Additional information

If you have a piece of information that you haven't found a home for on the online screens then please use the box that asks “Is there any other information you wish to provide at this time?” on the final screen.

### **Declaration**

Please read the declaration statements on the final screen before you tick the boxes. If you do not tick the boxes to indicate that you have read and agreed to the statements, you will not be able to submit the claim, and we will not be able to make any compensation payment to you. Remember you are free to seek independent legal advice at any stage of your claim.

By ticking the boxes you will be making a legal statement and agreeing to legal obligations in connection with your claim as described in the declaration statements. You are also giving us and our representatives authority to fully investigate your claim and process your personal and sensitive personal information as described in the statements.

If you provide us with false information you will be liable to prosecution and your claim will not be paid. In addition, we may seek to recover the costs of processing your claim from you.

# What happens next

## Investigations

We will write to you or your representative to confirm we have received your claim and will give you a reference that you must use for all correspondence.

If you have submitted your claim online, on receipt of this letter you should then send in any supporting documentation quoting the reference. We will start our investigations as soon as possible.

Our investigations are likely to include:

- establishing the facts
- confirming the identity of those involved
- obtaining independent reports from motor engineers or witnesses
- obtaining a police report
- contacting other bodies such as the DVLA, your insurer or a foreign bureau.

In some cases, we may ask for additional information from you, such as a sketch of the accident scene.

If you are claiming for personal injury, we may need to obtain:

- copies of your medical records from your GP and any hospital you attended after the accident
- an independent medical report.

## Establishing responsibility

Compensation is only payable where some fault can be established on the part of the driver that you consider responsible. If the evidence confirms you were partly or wholly responsible, the compensation payment will be reduced or not paid at all.

## Timescales

We will make every effort to decide on whether to make a compensation payment within three months. For cases submitted in the Process for Low Value Personal Injury Claims in Road Traffic Accidents, we will aim to make a decision within 6 weeks.

We will need a police report if liability is in dispute, conflicting evidence is presented or any person is seriously injured. It can take some time to obtain a police report, as the police can not release the report until criminal prosecutions are concluded.

If you are eligible for compensation, a decision on the appropriate amount will usually take longer than three months. We will keep you informed.

There are some common factors that have an effect on how long things take, such as injury claims for which we may need to get an independent medical report. If the medical experts do not agree on the effects of the injury, this will take time to resolve.

We may have to obtain independent reports to establish the extent of some parts of your claim, such as loss of earnings or care needs.

## What happens next continued

### Concluding your claim

When we have completed all our investigations, if you are entitled to compensation, we will make a final compensation payment. We will do this following agreement with you or your representative. In some cases we can consider requests for interim payments during our investigations.

If our investigations conclude that you are not entitled to compensation, we will write to you or your representative with our decision and the reasons why.

### Excess

The word 'excess' refers to an amount that we will deduct from your claim for property damage. The amount is set in the agreement with the Government. We will tell you if an excess applies and the amount of the excess.

### Disputed responsibility or disputed amount of compensation

If we cannot agree with you who is at fault for the accident, or the amount of compensation to be paid, the decision may have to be made by a court or arbitrator. We will send you more details at the time.

**If you have any queries about your claim at any time, please contact us.  
If a solicitor is handling your claim, ask them to contact the MIB for you.**

**Contact details are given on page 2.**

# Data protection

This section explains how we will process your personal information when you make an application for compensation.

## **How we will use your personal information**

The personal information that you supply may be used by us and our representatives for the purposes of claims administration, crime prevention and prosecution of offenders, research, management information, staff training, providing financial services/guidance, public relations and debt administration and recovery.

## **Other parties who will have access to your personal information**

Your personal information may be disclosed to third parties, including, but not limited to insurers, law enforcement bodies, government departments, local authorities, investigators and other public or private bodies, where we are obliged or permitted by law to do so. This includes disclosures to third-party-managed databases of insurance claims used to help prevent fraud, and to regulatory bodies for the purposes of monitoring and/or enforcing our compliance with any regulatory rules/codes.

## **Transferring your personal information overseas**

Your personal information may be transferred to any country, including countries outside the European Economic Area where the transfer is necessary for the purposes of establishing, exercising or defending legal rights, obtaining legal advice, or in connection with any legal proceedings, or is otherwise permitted by law.

## Your rights

With limited exceptions, you have the right to request a copy of the personal information that we hold about you and to have any inaccuracies corrected.

### Requesting a copy of the information we hold

We charge £10 per request. Please make your cheque payable to the Motor Insurers' Bureau.

Please send your request and payment to:

The Compliance Manager  
The Motor Insurers' Bureau  
Linford Wood House  
6-12 Capital Drive  
Milton Keynes  
MK14 6XT

# If you have any questions

If you have any questions at any time, please contact us. We will try to explain the complicated legal situations that can sometimes happen with insurance claims and we will do our best to deal with your claim as quickly and efficiently as possible.

If you are not satisfied with the way we are dealing with your claim at any time, please tell the MIB claim handler responsible for your claim. The claim handler's details will be on all correspondence they send you.

If you are handling your own claim, phone the claim handler yourself.

If a solicitor or representative is handling your claim, ask them to phone the claim handler for you.

If a UK agent is dealing with your claim on behalf of the foreign insurer, contact the Claims Manager at the agent first. If you are not satisfied with their response, contact us.

## **Our complaints procedure**

Our aim is to compensate victims fairly and promptly.

If you do have a complaint phone your claim handler. The claim handler will make every effort to resolve your complaint and will involve a manager where necessary.

You can write to the Operations Director if you are not satisfied that your complaint has been resolved. The address is provided on page 2. The Operations Director will look into the actions taken to resolve your complaint.

If you feel your complaint has not been resolved through this procedure, the Chief Executive of the MIB is always happy to review decisions on complaints.

After this, if you are not satisfied and your complaint is a matter of principle that may be of public interest, you can write to the Minister for Transport. The minister will normally want assurance that our complaint procedure has been followed before intervening. This complaint procedure is also available on our website at: [www.mib.org.uk](http://www.mib.org.uk), with full contact details. If you do not have internet access, please phone us on the number at the front of this booklet. We will provide a copy of the procedure on request.

# Key facts

## Accidents involving an uninsured driver

What you can claim for	Note
Cost of repairs to vehicle, or losses arising from damage to vehicle eg hire car, loss of use	May be subject to an excess of £300
Treatment or rehabilitation	
Solicitor's costs	
Compensation for injury or death, or losses arising from injury or death eg loss of earnings	Not payable if victim was travelling as a passenger in a vehicle and knew the driver was not insured
Damage to property – non-vehicle	May be subject to an excess of £300

### What you must do

- You **must** make your claim for injury **within three years**.
- You **must** make your claim for damage to personal property **within three years in Scotland and within six years in rest of UK**.
- You **must** keep losses to a minimum.
- You are advised to report the accident to the Police **within 14 days** for personal injury or **within 5 days** for damage to personal property.

## Accidents involving an untraced driver

What you can claim for	Note
Cost of repairs to vehicle, or losses arising from damage to vehicle eg hire car, loss of use	Not payable when it is not possible to identify the offending vehicle May be subject to an excess of £300
Treatment or rehabilitation	
Contributions to solicitor's costs	
Compensation for injury or death, or losses arising from injury or death eg loss of earnings	Not payable if victim was travelling as a passenger in a vehicle and knew the driver was not insured
Damage to property – non-vehicle	Not payable when it is not possible to identify the offending vehicle May be subject to an excess of £300

### What you must do

- You **must** make your claim for injury **within three years**.
- You **must** make your claim for damage to personal property **within nine months**.
- You **must** keep losses to a minimum.
- You must report the accident to the Police **within 14 days** for personal injury **within 5 days** for damage to personal property.

## Accidents involving a foreign-registered vehicle

What you can claim for	Note
Cost of repairs to vehicle, or losses arising from damage to vehicle eg hire car, loss of use	
Treatment or rehabilitation	
Solicitor's costs	
Compensation for injury or death, or losses arising from injury or death eg loss of earnings	In some circumstances, not payable if victim was travelling as a passenger in a vehicle and knew the driver was not insured
Damage to property – non-vehicle	

### What you must do

- You **must** make your claim for injury **within three years**.
- You **must** make your claim for damage to personal property **within three years in Scotland and within six years in rest of UK**.
- You **must** keep losses to a minimum.
- You are advised to report the accident to the Police **within 14 days** for personal injury or **within 5 days** for damage to personal property.

This information is provided as a guide only and is not intended to be exhaustive or any indication of an agreement by MIB to pay compensation. The timings and key facts are for making a claim to MIB. Separate timings and conditions could apply if you need to bring your claim through the courts in the UK or overseas. You may need independent legal advice.

You can find full details of the uninsured and untraced agreements and Green Card System on our website at [www.mib.org.uk](http://www.mib.org.uk)



The Motor Insurers' Bureau is a company Limited by Guarantee, registered in England and Wales under Company No. 412787, whose registered office is at Linford Wood House, 6-12 Capital Drive, Milton Keynes MK14 6XT.

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