

UNITED NATIONS

WORKING PARTY ON ROAD TRANSPORT OF THE INLAND TRANSPORT COMMITTEE OF THE ECONOMIC COMMISSION FOR EUROPE

INSURANCE OF MOTORISTS AGAINST THIRD PARTY RISKS

- a) **Extract of Recommendation No. 5 adopted by the Sub-Committee on Road Transport on 25th January, 1949.**

- b) **Annex 2 of the Consolidated Resolution on the Facilitation of Road Transport adopted at 74th (Special) Session of the Working Party on 25th - 29th June, 1984.**

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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

INSURANCE OF MOTORISTS AGAINST THIRD PARTY RISKS

Extract of Recommendation No.5 adopted by

the Sub-Committee on Road Transport

on 25 January, 1949.

RECOMMENDATION
ON INSURANCE OF MOTORISTS AGAINST THIRD PARTY RISKS

1. With a view to providing uniform and convenient arrangements for motorists to be adequately insured against third party road risks when entering countries where insurance against such risks is compulsory, and considering that this would be most satisfactorily obtained by the introduction of a uniform insurance card, it is hereby recommended that Governments should request, and offer facilities to, insurers of the aforesaid risks to conclude agreements along the following lines :

- (a) In each country, insurers will set up a central organisation, hereinafter referred to as the Bureau, recognised by the Government of that country.
- (b) The Bureau will provide its constituent insurers with insurance cards valid for one or more countries, established in conformity with sub-annex, for issue by them to their policy holders as required, in respect of any motor vehicles insured by them against the risks referred to.
- (c) These cards will represent an insurance which will cover all liabilities against which insurance is compulsory in the country visited, incurred in that country by persons responsible under the law of that country, for injury or damage to third parties.
- (d) The acceptance of a card by a policy holder will authorise the Bureau which provided the card to accept service of legal proceedings in respect of any claim and to authorise another Bureau to accept service on his behalf.
- (e) When a claim is made against a person holding a card, service of proceedings against that person will be accepted by the Bureau of the country in which the accident happened acting under the authority referred to in (d). That Bureau will handle and settle the claim on behalf of the Bureau which provided the card.

But insofar as the law permits, arrangements should be made by the Bureaux to permit an insurer authorised to carry out its activities in the country in which the accident happened, to handle claims against its own policy holders.

- (f) On request, the Bureau of the country in which the accident happened will have regard, in handling a claim, to the conditions of the policy to the extent compatible with the law on compulsory insurance of that country.
- (g) Agreements between Bureaux will provide for reimbursement in full of claims paid, and payment of

2. In each country, the Government of which has adopted this recommendation, cards established in conformity with sub-annex will be accepted, without any other formality or cost, as evidence of an insurance complying with the compulsory insurance law of such country as regards vehicles in respect of which such cards have been issued.

3. Adoption of this recommendation will naturally imply that Governments will place no obstacle in the way of necessary export of currency to meet obligations incurred under the aforesaid arrangements.

As a consequence, agreements between Bureaux will not provide for a guarantee or a deposit as a safeguard against such obstacles.

4. It would be in conformity with the purpose of this recommendation, if insurers in countries where a Bureau has not been set up, were to enter into agreements with Bureaux of countries where the recommendation has been implemented, similar to those outlined in the recommendation.

5. Persons arriving in a country, where insurance is compulsory, with a motor vehicle without a valid card of the approved type, may be required:-

- (a) to take out a short-term insurance under arrangements made by the Bureau of that country,

or, insofar as the law of that country permits,
either
- (b) to take out an insurance in the ordinary way, or
- (c) to contribute to a guarantee scheme for victims of accidents.

In instances under (a) and (b) these persons should be further required to authorise the Bureau of the country visited to accept service of legal proceedings on their behalf.

6. In the countries where insurance for international traffic is not compulsory in respect of the category to which the vehicle of the visiting motorist belongs, production of evidence of insurance will not be required.

7. The words "governments" and "countries" will also apply to zonal authorities and zones of Occupation in Germany.

8. The insurance card will be made out in English, in French and in one or more other languages the choice of which is left to the Bureau of origin. The colour of this card will be green and the dimensions, 148 mm wide x 210 mm high.

ECONOMIC COMMISSION FOR EUROPE
INLAND TRANSPORT COMMITTEE
Sub-Committee on Road Transport
(Ninth session)

INSURANCE OF MOTORISTS AGAINST THIRD PARTY RISKS

Extract of Resolution No.43
adopted by the Sub-Committee
on 5 June 1952

The Sub-Committee on Road Transport -

(1) NOTING -

- (a) the Report of the Working Party on Legal Questions on its fifth session (E/ECE/TRANS/SC1/130) concerning the implementation of the international scheme for the insurance of motorists against third party risks described in the Sub-Committee's Recommendation No.5. (E/ECE/TRANS/145);
- (b) the approval by the Working Party of the proposal of the Council of Bureaux -
 - (i) that paragraph 8 of Recommendation No.5. should be modified to provide that the proposed international motor insurance card shall be made out only in the language of the Bureau of origin; and (ii) that the form of proposed insurance card as annexed to Recommendation No.5 should be modified in some respects:
- (c) the form of international motor insurance card proposed by the Council of Bureaux which provides for the title to be printed in French and English as well as the language of the issuing country (see annexed specimen);
- (d) the agreement of the representatives of Austria, Belgium, France, the Netherlands, Sweden, Switzerland, the United Kingdom and the Occupation Zones in Western Germany that their countries will endeavour to introduce the scheme with effect from 1 January 1953;

(2) APPROVES the scheme and the proposed international motor insurance card as so modified; and

(3) RECOMMENDS -

- (a) that the scheme should be brought into force on 1 January 1953, in as many countries as possible;
- (b) that the Governments of countries where insurance against third party risks, or a contribution of foreign motorists to a guaranty fund, is or may become obligatory, should notify the Secretariat as soon as possible whether they accept the scheme and, if so, from what date they intend to put it into force, adding that they are taking the necessary domestic measures to ensure that the international motor insurance card is accepted as evidence that the required insurance has been taken out, or that it exempts the motorist from contribution to the guaranty fund, as the case may be;
- (c) that the Governments of other countries should notify the Secretariat as soon as possible whether the automobile insurance companies have already created or intend to create in their country a Bureau which has authority to issue international motor insurance cards to their policy holders for foreign travel and whether these Bureaux agree to handle claims covered by the cards;
- (d) that the Governments of the said countries should notify the Secretariat at the same time whether they agree to accept the said cards as a proof that the motorist is insured;
- (e) that the Secretariat inform the governments of all countries concerned and the Council of Bureaux at the earliest possible moment of the notifications received in accordance with (b), (c) and (d) above; and
- (f) that any need for modification of the scheme or of the form of the international motor insurance card which may be considered by any participating Government or by the Council or Bureaux to be necessary, in the light of experience, shall be brought to the notice of the Secretariat for reference to the Sub-Committee for decision.