XIII WORLD CONGRESS

Paris, May 17-20, 2010

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Normative and Management Characteristics of Motor Third Party Liability Insurance in the World

Report by Armando Zimolo
Italian Section of AIDA – Chairman of M.I.W.G.

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By Armando Zimolo

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FOREWORD

The Motor Insurance Working Group was established within the International Association of Insurance Law at the Madrid Congress in 1978. The M.I.W.G., under the chairmanship of Baron Simon Fredericq, started with a policy of information on Motor Third Party Liability events in member Countries, by means of the "Lettre d'information de l'AIDA", doing research work in a number of European Countries the concrete result of which were the reports dealing with the most significant issues impacting on the operation of the motor insurance business presented at the 1986 Budapest Congress. Amongst others, the analysis focused on the consequences of the legal dissimilarities existing in various Countries as regards personal injury and material damage compensation criteria, on indexing of annuities, claims occurred abroad, the treatment reserved to weaker parties in road accidents, the foreseen insurance cover, if any, for the guilty driver's relatives, the cases of accidents provoked by either a person driving in a state of intoxication or in a stolen car, or an uninsured or unidentified vehicle and, finally, the application of the bonus/malus system.

On those premises, based on monographic reports on the existing situation in the single markets, at the VIII Congress in Copenhagen in 1990 it was deemed necessary to proceed with a broader and systematic international comparison which, in its first phase, under the chairmanship of Prof. Raffaele Deidda, involved the some seventy Countries already hosting AIDA Chapters which twice on different dates were invited to fill in questionnaires including a total of fifty topics of investigation.

From the very beginning, the Rome Office of Assicurazioni Generali, on behalf of the AIDA Italian Chapter, took care of assembling and analyzing the information received and, in order to portray a situation as extensive as possible, included also such Countries as had not yet set up an AIDA Chapter, by sending questionnaires abroad to competent Ministries, supervisory authorities, insurance associations, insurance companies, as well as to diplomatic delegations in Rome. The answers received helped also to integrate the information already made available by the AIDA Chapters in the world and were instrumental for the completeness of the work.

The answers to the questionnaires were grouped in nine chapters dealing with the normative framework within which insurance is operated, the existence of compulsory regimes and the compensation criteria for personal injuries and material damages, the treatment reserved to non-resident motorists, the characteristics of Guarantee Funds, the law principles in force (fault, alleged fault, objective liability, direct insurance), the State supervision modalities and legally required reserves, the criteria for tariff determination and for general policy conditions, the contract duration and relevant taxes, the rules governing claims reporting and compensation to victims, the prevention measures launched by the various Countries.

With a view to adding substance to this international comparison, a series of economic indicators were worked out and cross examined in a comparison of the Gross National Income (GNI- Atlas Method) of the Countries, GNI per capita, total circulating vehicles, private to commercial vehicles ratio, vehicles to km roads ratio, km roads to territory expanse ratio and number of reported claims in each Country which is naturally affected by the previously mentioned factors.

This study has been a constant work-in-progress which produced the increasingly detailed reports presented first at the Sydney Congress in 1994 and later at the Marrakech Congress in 1998, at the New York Congress in 2002, at the Buenos Aires Congress in 2006 and finally at the Paris Congress in 2010.

During the years of preparation of this survey a series of momentous changes took place in Countries already considered, the Soviet Union territory was split up in 15 States, Yugoslavia in 6, Czechoslovakia in 2 and all of them adopted autonomous legal systems also for the insurance activity. As regards the former Soviet Republics in particular, manner and time of introduction of compulsory insurance are highly differentiated.

In addition, the European Community has become in 1995 a Union of 15 Countries which, besides foreseing the use of a single currency, have created a European insurance market based on the tenets of freedom of establishment and of services, as well as of freedom of tariffs with ensuing abolition of any State controls previously exercised. European citizens are no longer subject to subscribe the Green Card frontier insurance when journeying from one to the other State of the Union and this procedure has been extended also to such extra EU Countries as are members of the European Economic Space, as well as to the 10 Countries that joined the Union in 2004, and to another two admitted from beginning of 2007.

In these past 15 years other continents, just like Europe, have gone through phases of aggregation or of partition which has meant further updating work on this study.

North America agreed on a free exchange zone between the USA, Canada and Mexico – NAFTA, effective from 1994 - which proposes to abolish within 2010 the barriers to free trade by a gradual harmonization of rules. Similar objectives has the South American free exchange zone MERCOSUR, agreed upon by Argentina, Brazil, Paraguay and Uruguay, in force from 1995. Venezuela became member in 2006, while Bolivia, Chile, Colombia, Ecuador and Peru have the status of associated members. In December 2007 were founded the financial institution Banco del Sur and, in May 2008, UNASUR – Union of South American Countries to coordinate the economic politics of the member States. The eight Central American countries, in their turn, set up SICA, an integration system with the aim of an unique currency.

In Africa agreements for the creation of a common market have been signed in 1993-1994 by the Southern Countries of the continent plus Tanzania and Mauritius (COMESA-Common Market for Eastern and Southern Africa); by sixteen Countries of Western Africa thus setting up ECOWAS - Economic Community of West African States (in French CEDEAO); by six of Central Africa with the institution in 1994 of CEMAC - Communauté Economique et Monetaire de l'Afrique Centrale and by some Countries of Central and North Africa founding in 1998 the CEN-SAD, Community of Sahel-Saharian States. On the contrary, we witnessed the separation between Eritrea and Ethiopia and the dissolution of the unitary state authority in Somalia.

In Asia, in addition to the creation of autonomous States in the former Soviet territory, Chinese sovereignty was restored on Hong Kong and Macao which, however, until 2051 maintain their administrative autonomy and therefore also the insurance regime in force.

This study portrays the present situation of 194 States (they were 114 at the Sydney Congress, 132 at the Marrakech Congress, 166 at the New York Congress), as regards the application or non-application of compulsory Motor T.P.L. Considering that the USA federation comprises 51 States, the provincial and territorial jurisdictions of Canada are 13 and the States and territories of Australia 8, and that they all have autonomous legal systems also as regards insurance, as many as 260 normative regimes have been examined and compared.

A few African Countries and some tiny insular States of the Atlantic and Pacific Oceans, which have no impact on international motor vehicle circulation, have either not responded to our queries or else it was not possible to acquire information on their insurance systems from other sources.

The study has been subjected to constant up-datings on the part of the Working Group which, during the years from the Copenhagen Congress met - under the chairmanship of Raffaele Deidda up to 1998, of Louis Carrère d'Encausse from 1998 to 2000 and of the undersigned these past ten years-four times in Rome, five times in Budapest, twice in Sinaia (Romania), once respectively in Brussels, Munich, Oslo, Bled (Slovenia), Zürich and on the occasion of AIDA Congresses in Marrakech, New York, Buenos Aires, on the occasion of CILA Congresses in Rosario, Rio de Janeiro, Guadalajara, Montevideo.

These have been important opportunities to guarantee the updating and a progressively increasing internationalization of information: we have verified the normative situation and economic data of the individual Countries also by checking yearbooks, the insurance press and internet sites. Additionally, for some single features of this study, there was the concurrence of works prepared by other international bodies: for instance the analysis of fraudulent claims incidence takes into account the investigations carried out by the Comité Européen des Assurances on the basis of a report drawn up within the Group by Jean-Louis Marsaud, Deputy Secretary General of CEA.

The modifications occurred within national law systems and market practices were published in the Working Group Bulletin which in the past years, at six-monthly intervals up to 2004, has provided information on events of major importance.

The basic study was accompanied by two in-depth works produced by the Vice Presidents Dieter Pscheidl on the evolution of compensation criteria as regards personal injuries and Jan Misana on the safeguard provided for by single legislations to weaker parties and to those who are more exposed to motor accident dangers. These works have analyzed the normative situation existing in European Countries with regard to two aspects of special prominence at social level, on which the Group had focused right from the start of its activity and which had already been the subject of reports presented by the same two authors at the Marrakech Congress.

The Working Group therefore presented at the XI New York Congress and at the XII Buenos Aires Congress a compact structure of analyses on the normative situation and current management on all aspects of major significance in the field of Motor Third Party Liability Insurance, of which this study is an updated version. It is not a merely technical and specialized work because the insurance-oriented handling of the phenomenon itself and the consequences of motorization affect social issues of crucial importance: by portraying the existing reality, this study highlights its manifold deficiencies.

Nowadays worldwide there is a circulation of over 100 million vehicles that in these past 10 years have caused an yearly average of 150,000 casualties and 5 million injured persons. It has been reckoned that during their first 100 years of life since 1898, when 1,000 motor vehicles started running along lonely and dusty roads, cars have caused up road accidents with more than eight million casualties.

The awareness of the need for compulsory insurance cover to give certainty of compensation to victims slowly found its way in the XX century, following the first examples of implementation in the Austrian Empire before the first world war, in Scandinavian Countries in Europe and in Massachusetts in U.S.A. in the years Twenty, and stepped up as of the Sixties, when motorization became a mass phenomenon. At the end of the last century the principle of insurance's compulsoriness involved also Countries which, for ideological reasons, had up to then been extraneous to it. Nonetheless, some thirty States in the world have not yet implemented it, or have chosen a partial implementation limiting it to particular areas or to determined classes of vehicles. Out of the Countries that have passed compulsory Motor T.P.L. legislation seventy limit its enforcement to the compensation for bodily injuries. In some number of Countries where insurance is compulsory it is reckoned that is still high the percentage of motor vehicles uninsured. The Guarantee Fund for victims of accidents caused by uninsured or unidentified vehicles is not operational in about a half of the Countries included in this study. The minimum financial limits, which in some Countries are unlimited also for material damage, elsewhere are a meagre handful of dollars even in case of disablement or death.

As regards the liability criteria adopted by its insurance industry, each State has autonomous laws that do not fit in with the laws of neighbouring States, even within a Federation, the same applies to assessment criteria for damage quantification and compensation.

These are just a few remarks on the differences of laws and behaviours, which are more meticulously analysed in the following chapters, differences that are all the more anachronistic given the increasing worldwide integration as regards customs and economic interests, even though the gap between rich and poor Countries persists and in some cases is becoming wider.

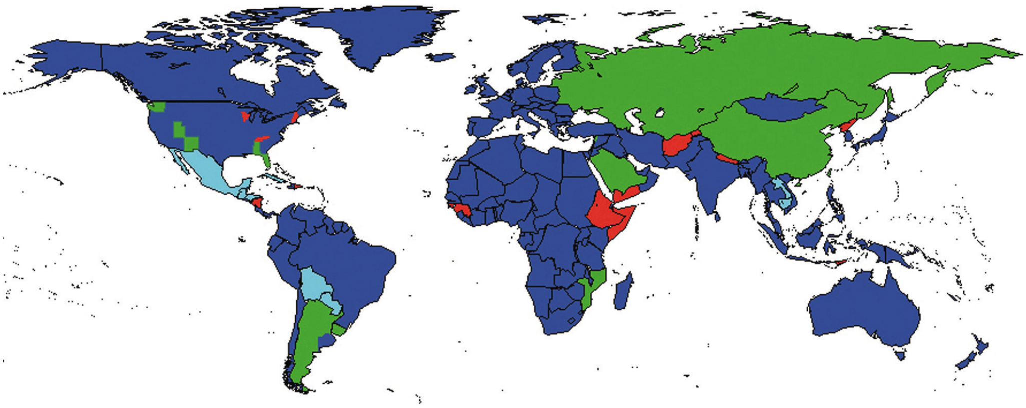
The European Commission has harmonized the Motor T.P.L. sector by a series of directives, the first in 1972, the others in 1983, 1990, 2000 aiming at bringing closer the legislations of the member States. The latest directive, passed on 11 May, 2005, specifies in its introduction that "the strengthening and consolidation of the single market for motor vehicle insurance shall be the fundamental aim of Community action", in that it regards all European citizens, both as insurance policy holders and potential injured parties and thus has a decisive impact on the free circulation of persons and vehicles; the directive, with additional articles to pre-existing directives and new provisions, aims at creating a system of standard protection for the insured, to whom the insurance companies are bound to give within 15 days of the request the risk situation, and for the damaged parties also the periodically increased and updated indemnity limits, of prompter terms for loss indemnification, of treating on an equal footing damaged foreigners and locals and a broader protection for the weaker parties (minors, pedestrians, cyclists) involved in road accidents. Besides standardizing insurance effects, the Community authorities are committed to pursuing the harmonization of the legislative norms that govern insurance contracts, for member States reveal differences which – as emphasized in an advice issued by the Economic and Social Committee – are a hindrance to achieving the internal market, considering that the "insurance contract is a fundamental element in protecting trade relationships and the company/consumers rapport". Among the elements that it has not been possible to harmonize so far – and that have a direct impact on insurance costs – stands out taxation, still diverse from one country to another.

At all events the dramatic impact recorded by the motorization phenomenon everywhere and the increasing circulation of people for tourism, business and study are a strong reminder of the need to implement uniform motor vehicle circulation laws, common insurance safeguard rules, fair compensation criteria, adoption of claims prevention measures and launch of road education campaigns.

For the above purposes, this study on "normative and management characteristics of Motor Third Party Liability in the world" with the information supplied is an incentive that Governments in all the world may be persuaded to implement laws granting more equal and extensive guarantees to their citizens and to foreigners visiting their Countries.

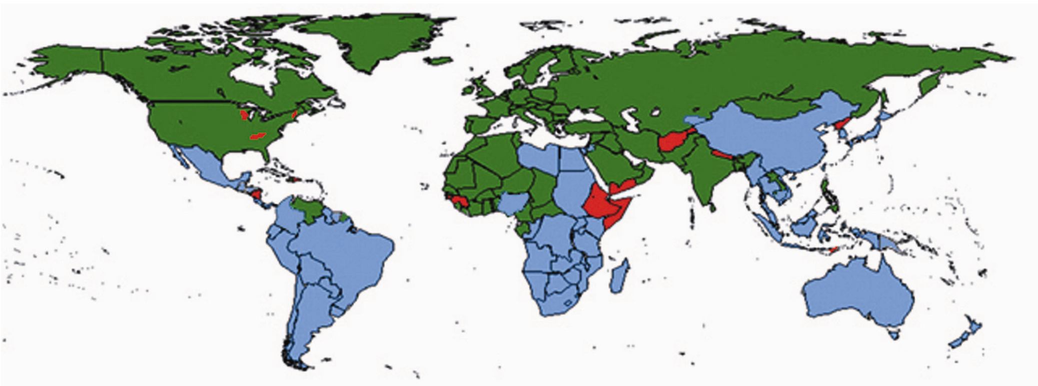
With a view to attaining this aim, at the New York Congress it was held that this study can assume the function of a permanent observatory on the worldwide evolution of the operational rules governing Motor Third Party Liability insurance, presenting an updated version every four years at the AIDA International Congresses, what we have done at the Buenos Aires 2006 Congress and what we are going to do at the Paris 2010 Congress.

COMPULSORY MOTOR T.P.L. INSURANCE IN THE WORLD



BLUE: COMPULSORY BEFORE 2002 (NEW YORK AIDA INTERNATIONAL CONGRESS)
GREEN: COMPULSORY AFTER 2002
LIGHT BLUE: COMPULSORY ONLY FOR SPECIFIC VEHICLES OR IN SPECIFIC AREAS
RED: YET NOT COMPULSORY

ENFORCEABILITY OF T.P.L. LAW IN RESPECT OF BODILY INJURIES AND MATERIAL DAMAGES



GREEN: COMPULSORY FOR BODILY INJURIES AND MATERAL DAMAGES
LIGHT BLUE: COMPULSORY ONLY FOR BODILY INJURIES
RED: YET NOT COMPULSORY

COMPULSORY INSURANCE

EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark*, Estonia, Finland, France*, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom*.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bahrain, Bangladesh, Bhutan, Brunei, China, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kazakhstan, Kyrgyzstan, Kuwait, Lebanon, Macao, Malaysia, Maldives, Mongolia, Myanmar (Burma), Oman, Pakistan, Palestine, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Sri Lanka, Syria, Taiwan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Vietnam.
AFRICA: Algeria, Angola, Benin, Botswana, Burkina-Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Congo (Brazzaville), Democratic Republic of Congo (Kinshasa), Djibouti, Egypt, Gabon, Gambia, Ghana, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Namibia, Niger, Nigeria, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, EI Salvador, Grenada, Guyana, Haiti, Jamaica, Panama, Peru, Puerto Rico, St. Kitts & Nevis, St. Lucia, Suriname, Trinidad and Tobago, Uruguay, USA (in 48 federate States out of 51), Venezuela.
OCEANIA: Australia, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Solomon Island, Vanautu

COMPULSORY ONLY FOR SPECIFIC VEHICLES OR IN SPECIFIC AREAS

ASIA: Cambodia (commercial motor vehicles), Laos (for foreigners and for commercial vehicles).
AFRICA: Mozambique (for public transport and foreign motorists).
AMERICA: Bolivia (for diplomatic cars), Cuba (diplomats and foreign residents, public transport, vehicles transporting goods), Guatemala (for public transport and school-buses), Honduras (for international transport vehicles), Mexico (in Puebla, Monterrey, Sinaloa and in Distrito Federal for public transport), Paraguay (for public transport).

NOT COMPULSORY

ASIA: Afghanistan, Nepal, North Korea, Tajikistan, Yemen.
AFRICA: Cape Verde Islands, Equatorial Guinea, Eritrea, Ethiopia, Guinea, Guinea Bissau, Somalia.
AMERICA: Dominica, Nicaragua, St. Vincent and the Grenadines, U.S.A. (New Hampshire, Tennessee, Wisconsin).
OCEANIA: East Timor, Tonga, Tuvalu, Western Samoa Islands.

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* The Overseas Territories which apply mandatory Motor T.P.L Insurance on the basis of the laws in force in their mother-Countries are: the French Overseas Departments of Mahoré and La Réunion in Africa; Guadeloupe, Martinique, Guyane Française and S. Pierre & Miquelon in America; Nouvelle Calédonie, Polynésie Française and Wallis & Fortuna in Oceania; the British Crown Dependency of the Isle of Man, Jersey and Guernsey and the British Territory of Gibraltar in Europe; the British Indian Ocean Territory in Asia; Saint Helena in Africa; Anguilla, Bermuda, Cayman Islands, British Virgin Island, Montserrat, Turks and Caicos Islands, Falkland Islands in America; Pitcairn, South Georgia and the South Sandwich Island in Oceania; the Danish Faroe Islands in Europe and the autonomous region of Greenland in America.

As remarked in the foreword, out of the 194 Countries in the world, 165 have implemented compulsory Motor T.P.L. Insurance at different times: they are the 27 European Union Countries, 21 other European Countries (extra EU), 39 Asian Countries, 44 African Countries, 26 in the Americas and 8 in Oceania.

105 Countries out of the aforesaid 165 have compulsory insurance regimes covering both personal injuries and material damages, while 62 Countries implement compulsory cover only for personal injuries. An additional 9 Countries implement a partially compulsory insurance law for compensation for bodily injuries limited to determined classes of vehicles (public transport, commercial vehicle, diplomatic cars, foreign visitors) or specific areas as in Mexico the States of Puebla, Monterrey, Sinaloa and the Federal District of Mexico City for public transport.

Compulsory Motor T.P.L. insurance was first implemented in 1908, at dawn of motorizations, in Austrian-Hungarian Empire (law 9 August 1908 n.162) and, after the first world war, in Denmark in 1918, in Finland in 1925, in Norway in 1926, in Massachusetts in 1927, in Austrian Republic and in Sweden in 1929, in the United Kingdom in 1930. In the Thirties it was implemented in Switzerland, Liechtenstein, Luxemburg, former Czechoslovakia, the Principality of Monaco, Latvia, Germany, in France for public transport as in Belgium in 1947. In the other continents, the first Countries to implement compulsory regimes were for bodily injuries some Commonwealth Countries: Burma and New Zealand in 1934, the Australian States of Queensland and New South Wales in 1937, South Africa in 1942, India in 1946, Sierra Leone in 1949, Hong Kong, Sri Lanka and Uganda in 1951, Victoria and Western Australia in 1954, Tasmania, Kenya, Nigeria in 1955, year that has seen the enforcement of a compulsory insurance also in Japan.

Since 1949 the United Nations Committee for transport by land issued a Recommendation (the n.5 of 25 January) to bring up an international insurance certificate for journey by car abroad. In every country a “bureau” with the participation of insurance companies was constituted and the certificate (the green card in western Europe, blue card in eastern Europe, of other colours in other continents) became to put into circulation in 1953.

The second part of the Fifties marked the start of mass motorization. The 1959 Strasbourg Convention signed by the OCDE member Countries prescribed generalized application of a compulsory regime which gradually led also the other European Countries to implement it. In Latin America compulsory insurance has been applied limited to internal public transport and international haulages. In the United States, too, a number of different insurance regimes prevail. The compulsory regime has been implemented by the majority of federated States but not by and large, although they have all enforced a financial responsibility regime that provides for the obligation to pay a substantial pecuniary deposit upon the first accident, which has a telling moral suasion effect as testified also by the fact that the Motor T.P.L. insurance premiums to overall non-life business ratio in the USA was higher than those averaged by Europe and Japan.

In the Nineties, following the independence acquired by the Soviet Union federated States and the downfall of communist regimes in Europe, also these Countries gradually implemented compulsory insurance. After Estonia (1993), Uzbekistan (1995), Kazakhstan (1996), Azerbaijan, Georgia, Latvia, Turkmenistan, Ukraine (1997), Armenia (1998), Belarus (1999), Kyrgyzstan and Lithuania (2001), in April 2002 the Parliament of the Russian Federation passed the law on compulsory insurance which come into force on 1 May 2003.

In China, compulsory insurance was at first adopted in the ‘Nineties in the regulation provisions of some provinces, besides being in force in the autonomous territories of Hong Kong as from 1951 and Macao as from 1994, but - also where not applicable as a legislative norm - recourse to insurance had been common among owners of motor vehicles, recommendations to this effect being given by the authorities. On 28 October, 2003 the National Congress passed the new law on road circulation and compulsory insurance that had been codified in all of the People's Republic of China with an unlimited indemnity amount for bodily injury. The new law has introduced stringent norms as far as security and prevention are concerned (see under the heading "prevention measures").

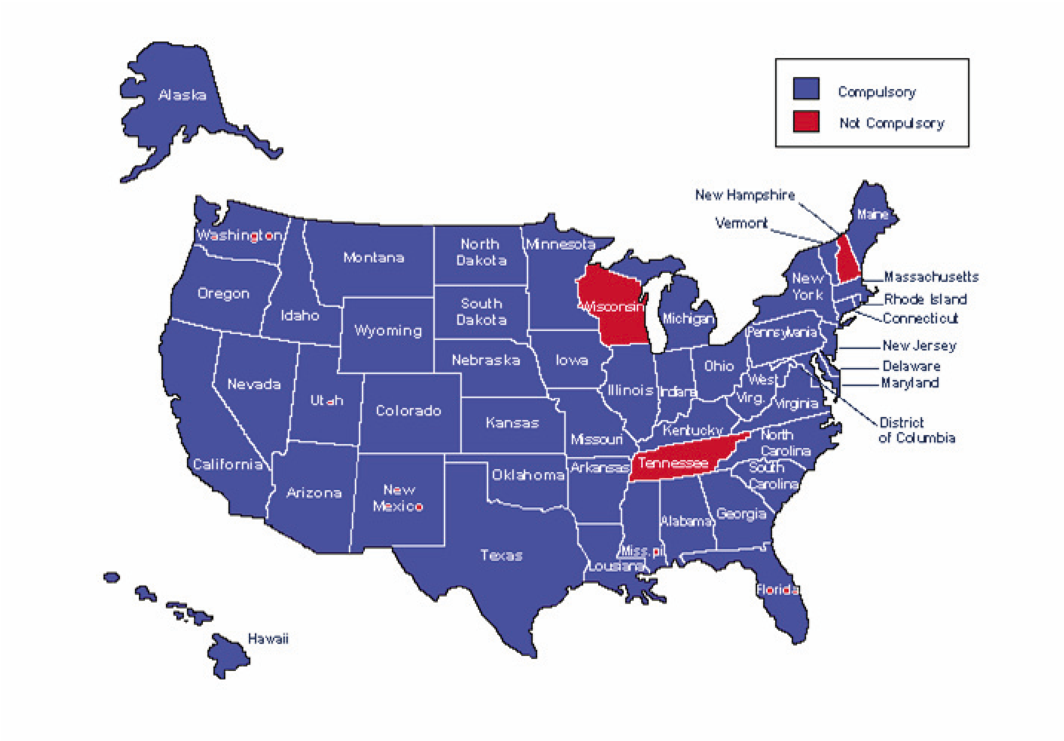
In Asia, the Association of South East Asian Nations approved on 8th April 2001 in Kuala Lumpur the ASEAN scheme of compulsory motor vehicle insurance which binds the governments of the member States Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. Insurance continues to be no-compulsory only in Tajikistan, North Korea, Nepal, Afghanistan, Yemen.

Among Arab Countries, in 1956 Egypt was the first Country to pass the law on mandatory insurance, followed in 1959 by Kuwait. While all the other Arab Countries of the Mediterranean basin - with the exception of Lebanon - and of the sub-Saharan belt enforced it in the 60s and 70s, Iraq, Jordan, Oman, Qatar and UAE adopted it in the early 80s. The traditional religious hostility towards insurance slowly disappeared also in Saudi Arabia where compulsory insurance was implemented in December 2002, while in Lebanon the compulsory M.T.P.L. law, that had been discussed in Parliament before the outbreak of the civil war in 1975, took effect in April 2003.

Motor T.P.L. insurance is compulsory in most African Countries. After those belonging to the Commonwealth, starting from 1961 compulsory legislation was introduced in francophone Countries (Tunisia, Algeria, Morocco, Ivory Coast, Gabon, Mauritania, Senegal, Central African Republic, Madagascar). In 1992 the francophone nations joined the Conférence Inter-Africaine des Marchés d'Assurances with the goal to create a common insurance market for all Countries having a French-based insurance legislation: this partnership includes Benin, Burkina-Faso, Cameroon, Central African Republic, Chad, Ivory Coast, Gabon, Mali, Niger, Republic of Congo, Senegal, Togo. The last African Country to have implemented the compulsory M.T.P.L. insurance is the Mozambique with a law enacted in June 2003. Insurance continues to be non-compulsory in the Cape Verde Islands, in the Guineas, Eritrea, Ethiopia and Somalia.

The situation in Latin America is less uniform. Alongside Countries that introduced compulsory insurance throughout the expanse of their national territory (Chile, Colombia, Costa Rica, Dominican Republic, Haiti, Peru and Venezuela), there are a few that have enforced it only in heavily trafficked urban areas or have applied it to certain categories of vehicles, namely public transport vehicles or dangerous haulages. In Argentina, a 1992 federal law introduced compulsory motor T.P.L. insurance in the capital, a law that local authorities have successively endorsed in their respective jurisdictions until 2003 when it was introduced on the whole of the Argentine territory.
In Uruguay, where the insurance was first compulsory only for public transport vehicles, the law on mandatory insurance for all the classes of vehicles was promulgated, after the approval of the Parliament, the 17th of November 2008. Insurance is left compulsory only for public transport vehicles, including taxis and minibuses, in the Federated States of Puebla, Monterrey and Sinaloa and in the Federal district of the capital in Mexico. The same is in Guatemala and Paraguay while in Bolivia, Cuba and Honduras insurance is mandatory for diplomatic corps vehicles and for commercial haulages. No legislation on compulsory insurance has yet been adopted in Nicaragua, in the islands of Dominica, St. Vincent and in the Grenadines.

Also in the USA the situation as indicated above is rather uneven, in consideration of the fact that each State has its own autonomous legislation. In the last years, since the XI AIDA International Congress in New York, five federated States (Florida, Mississippi, New Mexico, Utah, Washington) have introduced the compulsoriness of motor insurance. The States where insurance is not yet compulsory are New Hampshire, Tennessee and Wisconsin. In these States, as previously mentioned, financial responsibility laws are also applied. The States among those that enforce compulsory legislation and also adopt the principle of financial responsibility are Alabama, Florida, Mississippi, New Mexico, Utah, Washington. In Canada Motor T.P.L. Insurance is compulsory in all its autonomous Provinces.



In Australia the motor third party liability insurance is compulsory for bodily injuries in all Federated States. Car density is highest in New South Wales, Queensland and Victoria, where 75% of cars are registered. In New Zealand personal injuries and death resulting from motor vehicle accidents are covered by a Nationwide No-Fault Compensation Scheme for all people including visitors, established under the Accident Rehabilitation and Compensation Insurance Act of 1992 which abolishes the right to sue and provides the only compensation the injured party will receive. Comprehensive or third party property motor insurance is not compulsory and consequently material damage and additional personal injury coverages must be purchased freely on the market.

In the Pacific islands insurance is compulsory also in Fiji, Kiribati, Nauru, Papua New Guinea and not yet introduced, for our knowledge, in East Timor, Tonga, Tuvalu, Western Samoa.

Everywhere insurance covers the vehicle, except in Portugal, Kazakhstan, Taiwan, South Korea and Nicaragua where it is issued on the driving licence. In Nigeria, insurance policies are ad personam solely for commercial transports (Motor Trade Policies).

All vehicles are subject to insurance, however in several Countries, both in Europe (Austria, Czech Republic, Denmark, Estonia, Finland, France, Greece, Slovak Republic, Sweden, Malta, Monaco, Switzerland) and elsewhere (Burundi, Hong Kong, Kazakhstan, Kenya, Malawi, Malaysia, Mauritius, Nigeria, Pakistan, Rwanda, Tanzania, Thailand, Uganda, Zambia, Zimbabwe), government vehicles are exempted in consideration of the principle according to which the solvency of the State is unlimited. In Austria, no insurance is required not only for vehicles owned by the Federal Government but also for those owned by Länder and Municipalities with more than 50,000 inhabitants. Portugal, Serbia, Montenegro and Malta exempt farm tractors and other agricultural vehicles, Moldova and Romania two-wheelers. Though both categories of vehicles did not originally require compulsory coverage in other Countries as well, they have now been included in the compulsory regime. Vehicles with cruising speeds that do not exceed specific limits do not require compulsory cover in Austria (10 km/h), Germany (6 km/h), Norway (10 km/h), Estonia (15 km/h), Luxemburg (35 km/h), Latvia (50 km/h).

A close scrutiny to all data collected shows that there continues to be a high percentage of uninsured vehicles even in those Countries where insurance is compulsory. The highest percentage was recorded in Indonesia, where as many as 78 out of 100 vehicles appeared to be uninsured. In Brazil, the percentage of uninsured vehicles exceeded 70%. Though developing nations report the highest percentages, there are some significant exceptions even within Europe itself, namely in Cyprus with the rate of uninsured vehicles at 10%, in Malta (22%) and in Latvia (45-55%), where compulsory Motor T.P.L. was reintroduced in 1997. In the USA 14% of drivers is considered uninsured with peaks of 32% in some States like for instance in Colorado.

Everywhere accidents caused by trailers are covered by insurance on the towing vehicle if this latter is moving. In Austria, Belgium, Germany, Italy, Luxemburg, in all Central and Eastern European Countries and in the former Central Asia Soviet Republics, in China, in Israel, in Canada, in the Dominican Republic, in Haiti and in the state of Victoria in Australia, if tower and trailer belong to different owners, additional insurance is required for static risks: to cover damage caused by manual manoeuvres, or by manufacturing defects, or by accidents due to lack of maintenance.

Italy, Slovenia, South Africa and Zambia set down compulsory third party liability for watercraft and motorboats in the same legislation that governs compulsory motor insurance; 24 more Countries enforce compulsory T.P.L.. for craft and motorboats by means of a separate set of laws.

In all Countries - with the exception of Oman, Namibia, Chile, Colombia, Honduras and Mexico - the legislation governing compulsory insurance applies to non-resident drivers as well.

As of July l, 1995, following the implementation of the MERCOSUR agreement in Argentina, Brazil, Paraguay and Uruguay, all drivers residing in any one of these Countries are required to purchase a motor T.P.L. insurance cover for both bodily injuries and material damages whenever they travel on the territory of the other three member States. This type of insurance certificate is not valid in third Countries that are not part of the MERCOSUR. In addition, Paraguay requires compulsory insurance on all passengers or commercial vehicles registered abroad. A similar obligation exists also in Bolivia and Mexico.

The international insurance certificate (Green Card in European Countries; Yellow Card in 20 African Countries belonging to the Preferential Trade Area, or COMESA; Orange Card for Arab Countries; Brown Card for the African nations of ECOWAS; and Yellow and Pink Cards for North America) is generally issued by an insurance company based in the Country of origin. Temporary insurance covers may also be purchased at borders or landing places on islands from local traffic supervisory authorities or Automobile Clubs. In South Korea, instead, visiting drivers are required to buy a Motor T.P.L. insurance policy from a local company.

In the European Union, member citizens are no longer required to purchase an international insurance certificate as their home Country insurance is valid everywhere. This regulation also applies to Norwegian and Swiss citizens. In Scandinavian Countries, a frontier insurance purchased in one Country is in any case valid in the others.

The Yellow Card extends is effectiveness as far as 20 States adherents to common market for Eastern and Southern Africa: Angola, Burundi, Comoros, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Djibouti, Kenya, Madagascar, Malawi, Mauritius, Namibia, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe; the Brown Card in the 15 Countries of economic community of West Africa: Benin, Burkina-Faso, Cape Verde, Ivory Coast, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo.

It should be noted that the 4th Motor Insurance Directive, passed by the European Parliament on 16th May 2000 and which came into force on 20th July 2002, concerns the harmonisation of legislations of member States on "third party liability insurance relevant to the circulation of motor vehicles". The main principles of the Fourth Directive are the introduction of the right of direct action of one party in respect of the insurer of the liable party, the appointment of a claims representative on the part of each insurance company, the establishment of an information centre and of a compensation body in each member State.

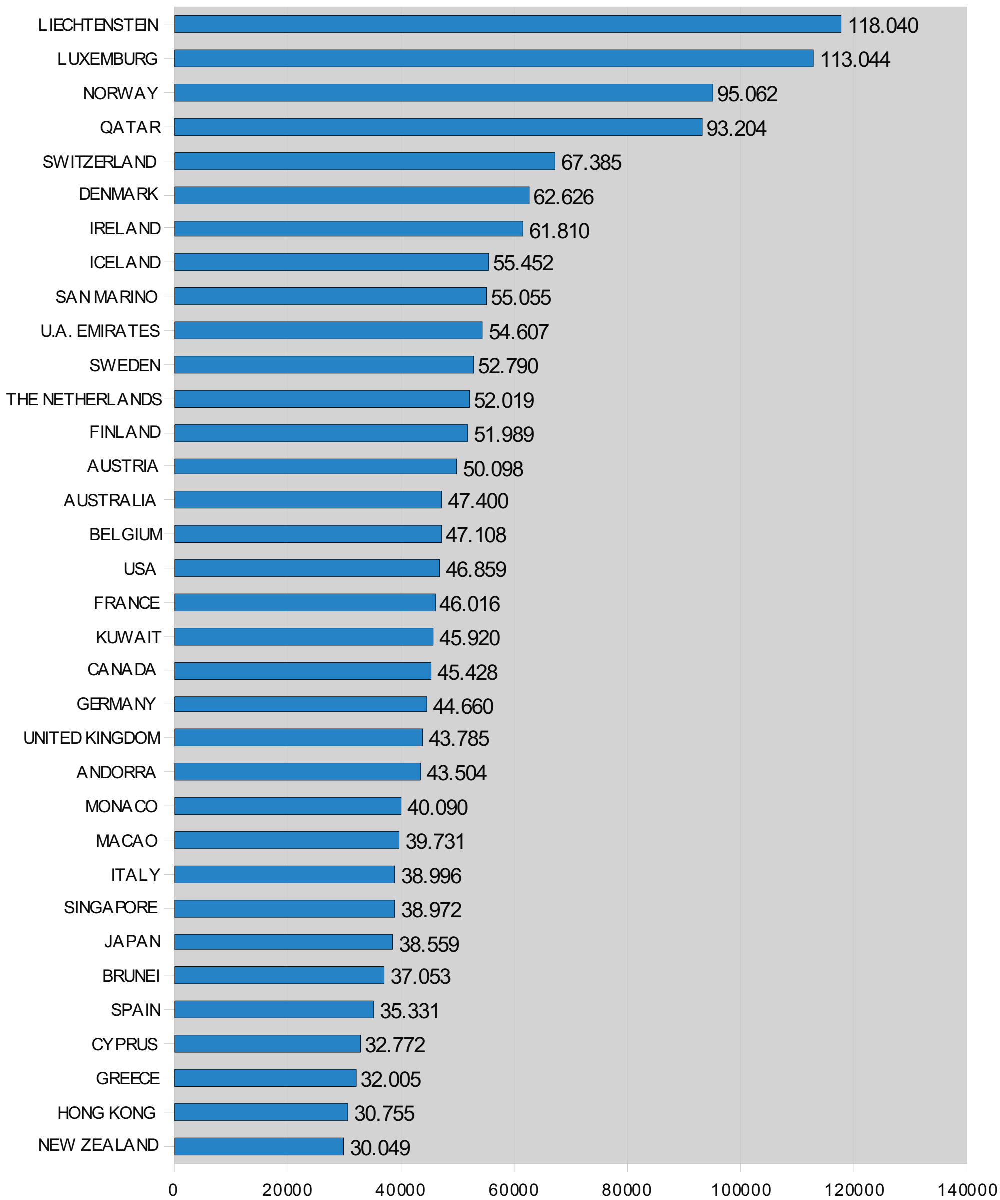
As remembered in the foreword the 11 May 2005 came into force the 5th Motor Insurance Directive which aim is to guarantee a wider and more uniform protection for road traffic victims, within the framework of the common application of T.P.L. rules throughout Europe. One of the main features of the directive is the protection granted to the more vulnerable parties of an accident (minors, pedestrians, cyclists) who will receive a compensation independently from the fault of the driver who has hit them. In this way the principles applied in the Dutch and Belgian legal systems, and in French jurisprudence, will be extended throughout the Union. The Fifth Directive sets down tougher laws for those who drive under the influence of alcohol or drugs, contains a series of regulations governing the temporary stay in member Countries and increases minimum liability limits from € 600,000 to € 1,000,000 for bodily injuries with the limit of € 5,000,000 for claim and of € 1,000,000 for claim in case of property damages, limits that must be reached within 2012.

MAIN ECONOMIC INDICATORS

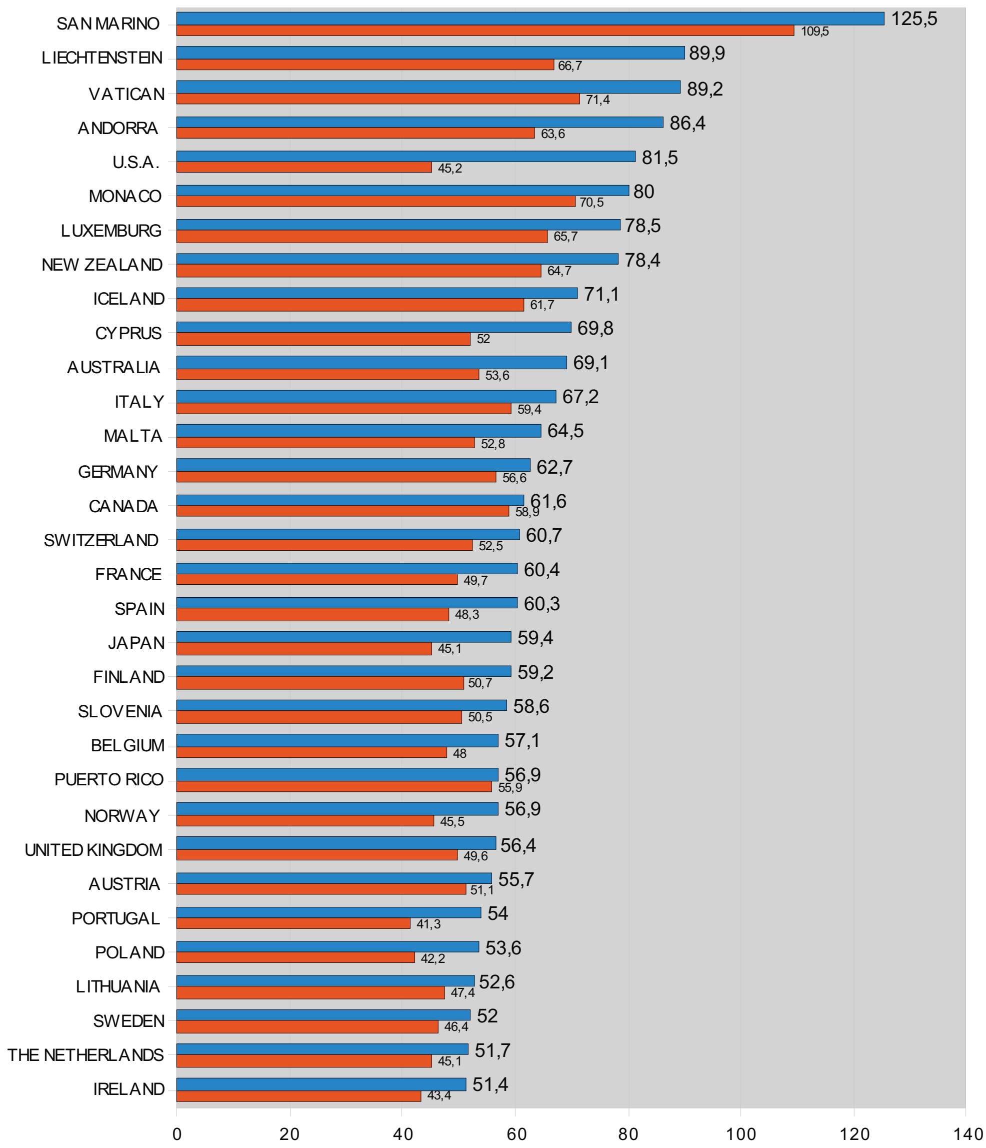
In order to achieve a correct evaluation of the vehicle circulation to inhabitants ratio and, consequently, to Motor T.P.L. insurance in the Countries, we have also carried out a number of cross-comparisons by utilizing main economic indicators. The figures and percentages supplied herein are to be referred to the year 2008 or for some African and Asian Countries to the last available data (2006/2007).

In the tables below are listed the first Countries on the bases of per capita income - which, inasmuch as it expresses the wealth level reached by the Country, affects the quantity of circulating vehicles, the minimum financial limits and the damage awarded vehicles - to population ratio and commercial vehicles to total registered vehicles ratio, concentration of vehicles in relation to road network and road km to country area. Enclosed is the table with the statistical data referring to all of the Countries considered in the report.

Per capita GNI in US$- World's Top 2008 (up to US$ 30,000)



% Registered Total Vehicles/Motor Cars/Resident Population
World's Top 2008(up to 50%)



BLUE: total registered vehicles
RED: registered motorcars

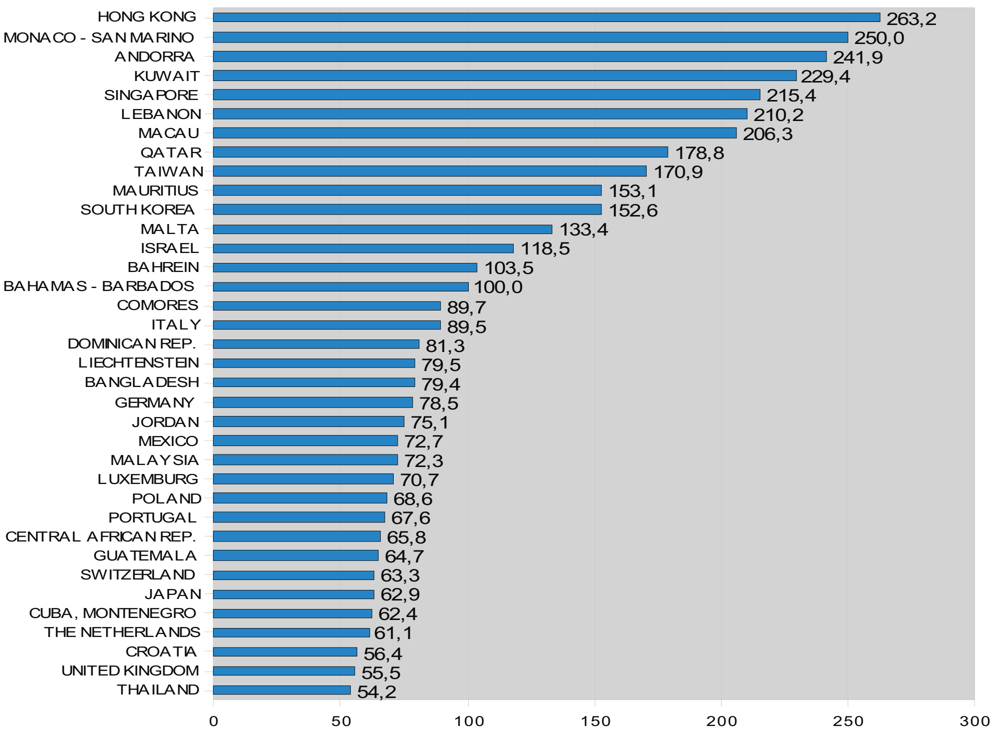
The Countries with a per capita income in excess of the $30,000, a limit that marks off the prosperous Countries from the others. They are all those of Western Europe, the Arab Emirates, Singapore, Japan, Brunei, Macao and Honk Kong in Asia, Australia and New Zealand in Oceania, the United States and Canada in America and by contrast no one in South America and in Africa.

Within the European Union, the gap existing between the 15 States that formed it up to 2004 and the 12 States that thenceforth stepped in, quite clearly shows through, with only Cyprus and Slovenia on a 2008 per capita income level getting over that of the last (Portugal) of the former 15. In this regard, Portugal's per capita income is more than twofold the Chile figure which is the South American State at the highest level; in Africa Libya is the State with the top individual wealth values.

The Countries with the higher per capita income are also the ones with the higher concentration of vehicles. Without considering the little States as San Marino, Andorra, Vatican, Liechtenstein, Monaco that have the maximum of concentration (from 100 to 80 vehicles) with reference to every 100 persons of resident population, the countries with the highest index (from 80 to 60) are USA, New Zealand, Luxemburg, Iceland, Cyprus, Australia, Italy, Malta, Germany, Canada, France and Spain.

If wealth and number of circulating vehicles are strictly connected, also other elements, namely the development and maintenance of road networks and the distribution of urban agglomerations, affect the quantity of a Country's fleet of registered vehicles.

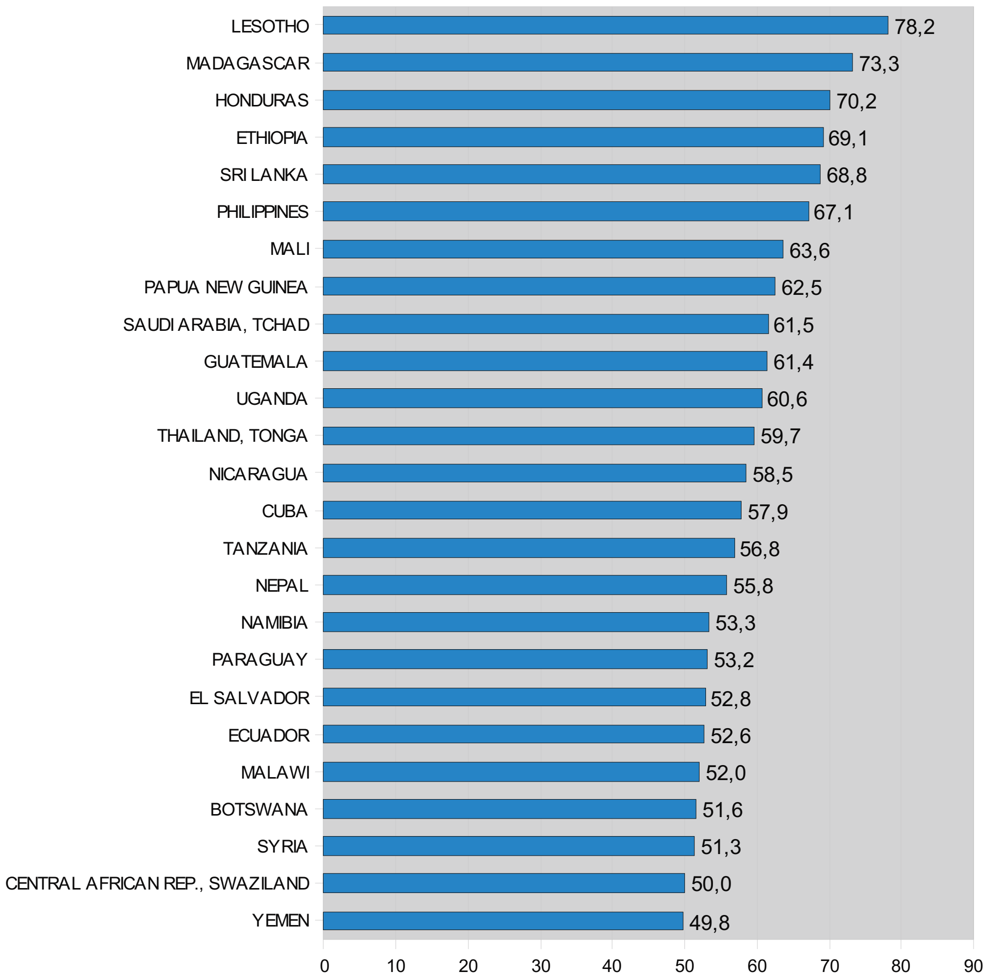
Vehicles / 1 Km Roads - World's Top 2008 (up to 50%)



Other elements examined have been circulating vehicle to length of road networks ratio so as to calculate the number of vehicles per l km of road and the incidence of commercial vehicles on the total national fleet. This comparison has not only provided an indication of the density of vehicle circulation but also of potential accident rates.

Obviously, for an analytic evaluation would require aggregate data for urban and non-urban areas as well as weighted averages among other various elements that differ widely from Country to Country such as habits, climate, economy, size of the Country, efficiency of public transportation and number and location of both urban agglomerations and industrial sites.

Commercial Vehicles / Total National Fleet - World's Top 2008

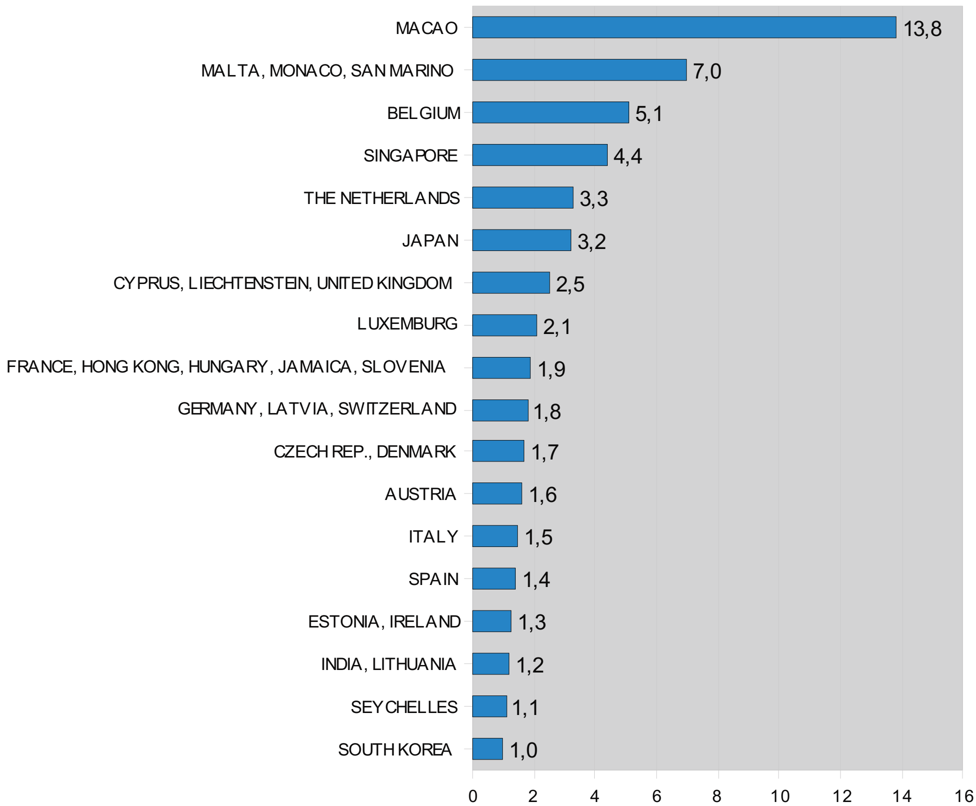


The highest traffic density in the EU has been recorded in Malta with more of one hundred vehicles per 1 km of roads. In Asia, without considering the concentration of cars in the autonomous Chinese cities of Hong Kong and Macao, in the little and wealthy States Kuwait and Qatar, the Countries that have the highest traffic density (from 210 to 150 vehicles for 1 km of road) are

Singapore, Lebanon, Taiwan and South Korea followed by Israel with almost 120 vehicles. In the other Continents the highest concentration is that of Mauritius (153 vehicles per 1 km of roads), which represents an exception in the African Countries - 3,5 times more than in Tunisia and 4,5 times more than in Egypt - in the Americas the first are the Bahamas-Barbados with 100 vehicles followed by Dominican Republic with 81 vehicles per 1 km of roads and in Oceania the Fiji islands with 40 vehicles.

The commercial vehicles number to overall number of circulating vehicles ratio helps to understand the traffic composition. Higher percentages are recorded in all developing Countries, where a vehicle for private use is still a luxury and where, consequently, the circulating fleet is mostly made up of public transport and commercial vehicles. The maximum ratios are in Lesotho (78,2%) in Africa, Honduras (70,2%) in the Americas, Sri Lanka (68,8%) in Asia, Papua New Guinea (62,5 %) in Oceania.

Km Roads / 1 Sq. Km Area - World's Top 2008 (up to 50%)



In addition, the road network of each Country has been evaluated by comparing overall length of road networks with total expanse of territory. This comparison, besides reflecting the orography of Countries, mirrors their wealth and their Governments' transportation policy. Obviously, the highest ratios have been recorded in smaller Countries, followed by Belgium and Singapore with approximately 5 km of roads per km^2. Regarding the other Countries, the road system is particularly wide spread also in the Netherlands and in Japan with more of 3 km of roads per km^2.

EXTENT OF COVER

All Countries in Europe have extended compulsory insurance to cover both bodily injuries and material damages. In the other Continents, 70 Countries limit it to cover only bodily injuries. They are mostly Commonwealth Nations, such as Australia, New Zealand, Singapore, several African Countries, that have continued to apply compulsory coverage only for bodily injuries even after the United Kingdom had extended it to cover material damages as made also by India. Other Countries as well - China, Japan, South Korea, the Philippines, Thailand, Vietnam, Malaysia, Indonesia and Israel in Asia, Argentina, Brazil, Chile, Costa Rica, Ecuador, Mexico, Panama, Peru, Suriname, Uruguay in Latin America - limit compulsory coverage to bodily injuries.

The 28 Countries that enforce compulsory T.P.L. Insurance for craft and motorboats also limit coverage to bodily injuries.

Minimum financial limits vary widely and clearly reflect the economic development and normative tradition of each Country. 46 Countries have set no financial limits for bodily injuries and 17 also for material damages. Compared to the previous editions of the Report, seven Countries have set financial limits: Cyprus, the Czech and Slovak Republics, Hungary, Romania and United Kingdom for both categories of damage, Belgium for property damages only. In the system of the Yellow Card International Insurance Certificate in Africa, Ethiopia, Eritrea, Burundi and Rwanda have set no financial limits of liability for both bodily injuries and material damages, Malawi only for personal injuries.

Unlimited financial limits of liability for bodily injuries
EU: Belgium, Finland, France, Ireland, Luxemburg, Malta; EUROPE EXTRA EU: Andorra, Moldova, Norway; ASIA: Bahrain, Brunei, China, Hong Kong, India, Iraq, Israel, Japan, Kuwait, Malaysia, Oman, Pakistan, Qatar, Singapore, Sri Lanka, Syria, United Arab Emirates; AFRICA: Algeria, Burundi, Egypt, Eritrea, Ethiopia, Kenya, Lesotho, Libya, Malawi; Mauritius, Rwanda, South Africa, Sudan, Tanzania, Tunisia, Zimbabwe, OCEANIA: Australia, New Zealand, AMERICA: Argentina, Puerto Rico.

Unlimited financial limits of liability for material damages
EU: Luxemburg, ASIA: Bahrain, Iraq, Japan, Kuwait, Oman, Qatar, Sri Lanka, Syria, AFRICA: Algeria, Burundi, Eritrea, Ethiopia, Rwanda, Sudan.

Spain, Sweden and Unites Kingdom have set a limit so high for bodily injuries (equivalent to 96, 42, 31 million dollars respectively and Sweden the same also for property damages) that it can be safely grouped with those Countries that have chosen an economically unlimited option. These include, as far as bodily injuries are concerned, not only rich Countries of Western Europe but also a number of Countries in Africa, Asia (China the latest), Oceania with Australia and New Zealand. Twenty Countries guarantee a minimum coverage for bodily injuries, in a range by ten million dollars of Germany to 500,000 of Turkey. For material damages 28 are the Countries exceeding a financial limit of 500,000 dollars until the 137 million established in Belgium.

The fifth Directive of the European Union's Commission on Motor T.P.L. Insurance has fixed a minimum financial limit for both bodily injuries and material damages of € 1 million (corresponding to US$ 1.3723 million) with a limit of € 5 million for claim; the member States have time to conform up 2012 and have increased their minimum at least € 2.5 million at the end of 2009. With the view to not being devalued in the course of time, the maximum indemnity amount shall be automatically updated on the basis of Eurostat consumer price index.

Minimum financial limits gradually decrease in the remaining Countries. Minimum coverage is below US$ 1,000 in Haiti, Indonesia, Iran, Mongolia, Philippines, Uganda, Venezuela, Zambia, for bodily injuries; and in Haiti, India, Malawi, Mongolia, Pakistan, Turkey, Venezuela, for material damages. Sums are so low in Iran that coverage appears to be totally symbolic.

Even in the USA the picture that has emerged in this area is rather uneven, considering that for accidents involving more than one person the spread from one State to the other ranges from US$ 20,000 in Florida, Louisiana, Mississippi, Oklahoma, to US$ 100,000 in Alaska and Maine, the States that set the highest coverage, compared to an average in the other States of US$ 50,000-40,000 for multiple accidents, US$ 25,000-20,000 per injured person, US$15,000-10,000 for material damage. Compulsory coverage levels in the US are comparatively low and can be considered mere sums of reference, therefore - in view of the fact that most claims end up before a Court where damages awarded are invariably much higher - policyholders choose a more suitable coverage on an individual and voluntary basis.

Passengers travelling on either public or private vehicles are included in compulsory insurance almost everywhere. In Cuba, Guatemala, Mexico (Puebla, Monterrey, Sinaloa and Distrito Federal), Paraguay insurance is compulsory only for public vehicles. In South Korea compulsory insurance covers passengers travelling on commercial vehicles up to a limit equivalent to the US$ 117,600. In Pakistan the law specifies minimum amounts to be covered with regard to commercial vehicles, paying passenger vehicles and vehicles carrying passengers in pursuance of contract of employment, while private cars are subject to no limit namely the actual amount of liability is payable.

The relatives of the insured are not included in the compulsory policy in Argentina, Bulgaria, Egypt, Kuwait, Luxemburg, Morocco, Philippines, Puerto Rico, United Arab Emirates and Uruguay while in Hungary, Italy, Liechtenstein, Lithuania, Portugal, Switzerland and Turkey they are covered only for bodily injuries. In Hong Kong, Jamaica, Kenya and Venezuela compulsory insurance only covers such passengers as can certify to be travelling for business purposes. The employees of the owner of the vehicle are not included in the compulsory cover in Jordan, Syria, and in the United Arab Emirates.

THE GUARANTEE FUND

Quite a number of the Countries that have answered the Questionnaire have set up a Guarantee Fund, or an equivalent system, for the victims of road accidents. In most cases, the Fund has been set up concurrent with the implementation of the legislation on compulsory insurance. However, despite their compulsory Motor T.P.L. insurance regimes, the Fund does not exist in the Philippines, Kenya (where it was formally set up but has never become operational), Mauritius, in Arab Countries (with the exception of Tunisia, Algeria, Morocco and Iraq) and in some Latin American countries among which the Countries where the Guarantee Fund is estabilished by law are Brazil, Colombia , Haiti, Peru, Puerto Rico, Uruguay. The majority of the former communist Countries have introduced the Fund in the years '90. In Estonia, Latvia, Macedonia, Moldova, Slovak Republic, Albania and Bosnia-Herzegovina the role of the Fund includes the support to insurance companies that are experiencing financial difficulties.

The management of the Fund is substantially similar in all Countries where it exists, and the same can be said for its funding, usually by means of a percentage deduction from the T.P.L. premium income or, alternatively, as in Australia by means of a contribution paid together with the annual road tax in Queensland or paid by the insurance company pro rata to the market share in New South Wales. In Uruguay, that is the last Country to have constituted the fund with the law promulgated in

November 2008, it is feeded by the amount of the fines comminated for the inobservance of the law on mandatory insurance.

In a number of Countries the Fund is operated by various public bodies and institutions: in Ireland and Hong Kong by the Motor Insurance Bureau, in Japan by a State-run compensation plan, in the Slovak Republic and in Indonesia by a government-owned insurance company, in Malaysia by an Insurance Guarantee Scheme Fund, in Brazil by an insurers' consortium, in Australia and New Zealand by a public body (the Nominal Defendant in Australia, the Accident Compensation Corporation in New Zealand), in Italy it was originally managed by the National Institute of Insurance (INA) and, after the privatization of INA, by a new joint-stock company with a share capital owned by the State, the CONSAP – Concessionaire of public insurance services.

In the Countries where the Fund exists, it operates within the limits set by compulsory insurance. What changes are the operational criteria, which, however, provide widely differing covers for bodily injuries and material damages depending on whether the accident has been caused by either an unidentified driver or an uninsured person or insured by a company placed under receivership or gone bankrupt.

In case of an unidentified driver, in Europe the Fund compensates exclusively bodily injuries in Austria, Cyprus, Czech Republic, Denmark, Finland, France, Italy, Latvia, Luxemburg, Poland, Romania, Slovenia in E.U., in Albania, Andorra, Croatia, Serbia, Montenegro (for foreign drivers solely on condition of reciprocity), Moldova, Norway, (extended to cover personal belongings), Turkey, Ukraine; in Asia, Hong Kong, India, Iraq, Israel, in Japan, South Korea, Taiwan and Thailand; in Africa in Nigeria; in America in Brazil, Colombia, Peru and Uruguay; in Australia and in New Zealand. The Countries of European Union, on the basis of the Fifth Car Directive, in presence of severe bodily injuries, covered also material damages for the sums exceeding 500 Euros (equivalent to 686 US$). The same excess is applied in Switzerland and Liechtenstein. In Algeria, Morocco, Tunisia and in Canada (Ontario) the material damages deriving from an accident caused by a vehicle unidentified, as uninsured or insured by a company under compulsory winding up, are paid for foreign visitors on condition of reciprocity in their Country of origin.

When the vehicle is uninsured, the Fund usually covers both bodily injuries and material damage; only bodily injuries are compensated in Hungary, Latvia, Slovenia, Georgia, Turkey, Hong Kong, India, Israel, Japan, Taiwan, Thailand, Tunisia, Brazil, Colombia, Peru, Uruguay (where the fund covers also the accident with a stolen vehicle), Australia and New Zealand. The European Union Countries apply an excess for material damages, Cyprus applies an excess both for bodily injuries and material damages.

If the accident involves a vehicle that has been insured by a company placed under receivership, the Fund only covers bodily injuries in Germany, Hungary, Latvia, Portugal, Andorra, Georgia, Hong Kong, Israel, Malaysia, Taiwan, Australia and New Zealand, while both categories of damages are compensated in other Countries of European Union, and in Croatia, Liechtenstein, Switzerland, Turkey, Japan, applying for material damages an excess while in Algeria, Morocco, Tunisia and in Canada (Ontario) foreign drivers are entitled to compensation solely on condition of reciprocity.

In the USA, where there is no specific Guarantee Fund, various proposals for dealing with the uninsured motorists' problem have been put forward over the years. A so-called “Unsatisfied Judgement Fund”, for example, was set up in a few States (Michigan, New Jersey, New York, North Dakota) to provide a source of funds for accident victims when the at-fault party has no means of paying for judgement, but the effectiveness of this fund has proven limited. In a number of States a more effective remedy is an “uninsured (and underinsured) motorist coverage” that provides compensation to its policyholders when an at-fault motorist has no liability insurance (or insufficient in amount) or when it is a case of hit-and-run (Connecticut, District of Columbia, Illinois, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin). Like the Unsatisfied Judgement Fund this scheme does little to reduce the number of uninsured motorists but it does provide a way for its policyholders to cope with the financial consequences of accidents with hit-and-run or uninsured motorists. In at least 21 jurisdictions uninsured motorist coverage is mandatory. In other States insurers are required to offer the coverage but drivers do not have obligation to purchase it.

A number of Countries have also provided some information relating to the number of claims settled by the Fund. It must be mentioned that the high percentage of claims settled by the Fund in Namibia (28.6% of all claims) is calculated on the basis of reported accidents, which account for only a small part of the total number of accidents. In Sweden, the Fund compensates also the collision involving reindeers. In South Africa, the number of claims submitted to the Fund is equal to the total number of accidents that have occurred because the Fund directly compensates the insurance companies authorised to settle claims and in New Zealand all claims are compensated by the Accident Compensation Corporation.

If the Fund rejects the claim, in most Countries claimants have the right to appeal to the competent Court, however in eight Countries - Germany, Finland, Spain, Moldova, Indonesia, Brazil, Colombia, Uruguay where the right to appeal to both the competent Court and the supervisory authority is granted - an administrative appeal must necessarily be filed or lodged with special arbitration boards. In Malta, Hong Kong, India, Iraq, Malaysia, Nigeria, Haiti, Puerto Rico the decision of the Fund cannot be appealed against. In New Zealand the Accident Rehabilitation and Compensation Act of 1992 has established a no-fault bodily injury compensation scheme for all people including visitors, abolishing the right to sue.

Last, we would point out how a Consortium operates in Spain as a public body whose task it is to indemnify losses caused by vehicles that have found on the market no available companies to insure them. To the same end, in Kenya, a pool of companies was conceived in 2005 to afford coverage to public utility motor vehicles.

LEGAL PRINCIPLES: FROM FAULT-BASED LIABILITY TO DIRECT INSURANCE

As regards liability principles, no uniformity could be found even in institutionally integrated areas, not only within the EU, but also within Nations having a federal structure like the USA, Canada or Australia.

The basic principle of liability is fault-based. Technically, the term fault is referred to the conscious behaviour of any person who, without wilfully intending to damage others, is the cause of a harmful event ascribable to the person's negligence, lack of caution or of skill, in other words it is the consequence of non compliance with rules and regulations. A large group of Countries - the United Kingdom in Europe and several Countries of other continents that applied the common law, Belgium and the Netherlands (excepting damages to the weaker parties in the road accident as pedestrian, cyclist, passengers), Czech Republic, Finland, Sweden, Portugal, Spain (all only for material damages), Estonia, Latvia, Romania, Cyprus, Malta, Luxemburg in European Union, Russia and other Countries ex URSS, Croatia, Switzerland in the rest of Europe, Brazil, Haiti, Mexico, Panama, Peru and Paraguay in Latin America, 38 federated States in USA - have not set down an exception to common law liability rules to be applied to road circulation. It ensues, therefore, that it will be up to the victim to prove the negligence of the driver who has caused the accident. It should be noted that Yellow Card members Ethiopia, Eritrea, Burundi, Zambia, Zimbabwe, Rwanda and Uganda also apply the principle of fault.

The high risk deriving from vehicle circulation has induced a significant number of Countries - including Italy, France and also francophone nations outside Europe, Hungary (for material damages), and Portugal and Spain for personal injuries, Slovenia, Serbia, Montenegro, Albania in Europe, Japan for personal injuries in Asia, Colombia and Venezuela in Latin America, New South Wales and Tasmania in Australia- to adopt the principle of alleged fault with its ensuing shifting of the burden of proof. Liability insurance in the area of road circulation has made progresses in terms of social awareness, by widening the scope of the coverage reserved to victims not unlike what had previously occurred with the legislation governing industrial safety. The burden of proof shifts to the person who has allegedly behaved negligently: though there are differences as to its enforcement, depending on the legal systems in force in the various Countries, the basic principle is not affected and the driver who caused the accident will be held responsible unless this latter can prove to have acted for the best to avoid harm, or can prove that the victim or any third party was entirely to be blamed or that the accident was caused by acts of God.

The absolute presumption of fault, or objective liability, represents the next step in the social evolution of motor liability insurance and the role it plays in safeguarding the community as a whole. Liability is determined by considering the strict causality between behaviour and event according to which, therefore, the obligation to compensate arises at all times. Currently, a basic no-fault system is applied, to cover both bodily injuries and material damage, in approximately some fifty of the Countries that have contributed to this study. Strict liability is enforced for both the categories of claims by Germany, Austria, Switzerland, Liechtenstein, Denmark, Norway, Greece, the Czech and Slovak Republics, Iceland, Lithuania, and limited to weaker parties Hungary, Slovenia, Croatia in Europe; by Israel, Kuwait and Iraq in the Middle East; by India in Asia; by Namibia in Africa; by 13 States of the American Union (Colorado, Florida, Hawaii, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Dakota, Pennsylvania, Utah) and by Argentina, Chile, Dominican Republic, Guatemala, Jamaica, Nicaragua, Puerto Rico in Central and South America.

Though recognising the fundamental requirement of providing compensation for bodily injuries, in a fourth group of Countries there are no derogatory clauses to the provisions governing material damage as set down in the common law. These Countries have consequently adopted a mixed system, applying objective liability for bodily injuries and the principle of fault for material damages.

In France, the law that takes its name from Minister Badinter, in force as from 5 July, 1985, has produced a specific corpus juris in the matter of road accidents affording a priority right to bodily injury as compared with the principle of general liability. In this context, those regarded as weaker and more vulnerable parties (passengers, pedestrians, cyclists, having less than 16 and more than 70 years of age and those having an 80% degree of disability) have in any case a right to be indemnified unless it turns out that they have deliberately sought to be run over so as to fraudulently lay a claim for indemnification purposes; the others, falling within the intermediate age bracket have also a right to indemnity, barring any inexcusable fault that the judiciary have ruled, with reference to labour laws, to correspond to exceptional gravity in that the injured party should have been well aware of the implied hazard; for the driver, whose indemnity may be denied or restricted depending on the extent of fault in causing the accident, the assessment of which is left to the judge.

Other countries, too, have subsequently adopted broader protection standards for the young and old, for pedestrians and cyclists. So it has been in the Netherlands by inserting a special article in the civil code, in Belgium by a law that has been in force as from 1 January, 1995 (and the principles of which have been taken up ten years later in the Community's 5th Directive on Motor insurance). In

United Kingdom pedestrians and cyclists have always had a right to *seek* compensation in the event of an accident, but that does not guarantee it, if, for example they are wholly liable themselves. (Therefore English law was unaffected in this regard by the 5th EU Directive on Motor Insurance.) Although neither cyclists nor pedestrians have any obligation to take out third party insurance in respect of road use, many will in fact be insured whether as part of a cycling club insurance cover or personal household policy.

The principle of strict liability for bodily injuries, maintaining the principle of fault or of alleged fault for the material damages, is adopted also in Sweden, Finland, Czech Republic, Hungary and Spain in Europe, Algeria, Tunisia and Morocco in Africa, Hong Kong and Taiwan in Asia, Argentina, Brazil, Costa Rica, Paraguay and Mexico in Latin America.

As mentioned previously, there are significant differences in the way this issue is dealt with in the US as well as in other States having a federal structure. In Canada, the provinces of Quebec, Ontario and Manitoba enforce objective liability for bodily injuries. In Australia, the principle of strict liability has been adopted by the States of Victoria, New South Wales (for very serious injuries) and by the Northern Territory for the residents, a fault-based legislation, on the other hand, is applied in Queensland and the other States of the Federation, as well as in the Canadian Provinces of Alberta, British Columbia, Saskatchewan, New Brunswick and in the remaining territories. The objective liability is applied in New Zealand.

In the USA, the States that have adopted the principle of strict liability have no-fault systems that become operative on the basis of differentiated criteria:
- an applicable threshold described by the law as a verbal threshold: for bodily injury “significant disfigurement, permanent loss of bodily function or death” or temporary disablement that persist for at least 90 of the 180 days following the accident, e.g. this is the system effective in Florida, Michigan, New York;
- a threshold that the law fixes in monetary terms (damage exceeding for instance $ 4,000 or values as fixed annually by the Insurance Commissioner for rehabilitation treatments). This system is applied in Colorado, Hawaii, Kansas, Massachusetts, Minnesota, North Dakota, Utah;
- a mixed system providing the motorist a choice between third party liability and the pure no-fault program. This is the system adopted in Kentucky, New Jersey for the standard policy while for the basic policy the verbal no-fault system applies, and Pennsylvania.

Some of the States allow a joint system with the “add-on benefits” program that envisages, besides the third party liability policy, a first party no-fault policy covering medical expenses and property damage. This applies in Arkansas, Delaware, District of Columbia, Maryland, New Hampshire, Oregon, South Dakota, Texas, Virginia, Washington, Wisconsin. In the USA, the driver who has caused bodily injuries to any person in a road accident is generally held responsible except if the victim’s behaviour contributed to cause the accident, in which case the latter will not receive compensation. However, in the course of the years, many States have changed this Draconian principle of "contributory negligence" to one of "comparative negligence", according to which the driver's liability is proportionally related to the victim's negligence in a percentage to be decided by an ordinary Court. This principle is also applied in those States that enforce no-fault legislation. The only States that do not enforce the principle of contributory negligence are Alaska, Maryland, North Carolina, Virginia and the District of Columbia.

Eight States (Alabama, Idaho, Illinois, Indiana, Nebraska, Ohio, South Carolina, Texas) apply "guest statute" laws, which rule that in case of accident a third party cannot sue the driver of the hosting vehicle, unless such third party can prove the negligence of the driver. Among the States enforcing this legislation, only Texas limits the effects of guest statutes to the policyholder's family members.

The "family car doctrine" - according to which the owner of the car is held liable if the vehicle is recklessly driven by a member of his family - is enforced in 21 States. In four of these States (Idaho, Iowa, Minnesota, New York) the owner of the vehicle is liable for the members of his family as well as for any driver who has the owner's explicit or tacit consent.

The normative framework that has marked in most Countries in the world a social evolution of liability insurance is reflected in the various types of direct or first party insurance enforced in a growing number of Countries with the aim to provide timely compensation, especially for bodily injuries, and higher protection to persons who are more exposed to the dangers of traffic.

France has been the first country to introduce in 1968 the direct indemnification system, the IDA Convention, restricted to material damages with the claim being settled on the basis of a “constat amiable” procedure by the insurer of the damaged party, followed by Belgium, where the direct insurance system named R.D.R. (Réglement Direct - Directe Regeling) was implemented in 1972, by Italy in 1977 with the direct compensation agreement (CID), by Spain with the 1988 Convenio de Indemnizaciòn Directa (CIDE) which, together with another inter-company agreement, ASCIDE, grants to insurance companies the possibility to compensate their own policyholders even when no agreement exists between the parties involved in the accident. Both the CIDE and ASCIDE inter-company agreements are managed by CICOS (Centro Informatico de Compensaciòn de Siniestros), the road accidents body which all authorized insurance companies must join, and finally by Portugal with its 1991 convention.

The direct insurance system enforced in those five Countries provides a concrete example of the fair trading and self-discipline of the insurance market, and has thus also affected the behaviour of any persons involved in accidents who, instead of reacting aggressively, must agree on the facts to be stated and write down details impartially before signing the “friendly settlement” form, which leads them to deal with the matter in a businesslike manner.

The operating system of these inter-company agreements – according to which an insurance company compensated its own policyholders on behalf of the liable party’s insurer – satisfied the need for a timely and fair settlement of claims, without in any way altering or modifying liability principles, because victims do not lose the possibility to start legal proceedings and the company that has paid the compensation will be refunded by the insurance company of the liable party by means of a compensation fund.

This swift and flexible compensation tool was available for the settlement of property claims only. The main feature of these inter-company agreements was in fact, the ceiling set to compensations, of substantially even amount in France, Belgium, Italy and Portugal, though higher in Spain.

An increasing number of claims is being settled by recourse to this system. In Belgium 70 to 75% of all road accident claims was settled by the RDR inter-company agreement. In Spain, some 90% of all accidents was settled by CIDE and ASCIDE. In Italy, the CID system has made it possible in the first 25 years of effectiveness to indemnify promptly 26 million claims, over 60% of material damage losses; in this period the loss frequency came down from 15,21% in 1980 to 8,55% in 2005.

France, by the IRCA Convention in 2002, has extended the principle of direct indemnification for bodily injuries that, following a doctor’s expert intervention, provides for the submission of an offer by the insurer. In Italy, as from 1 June, 2004, the CID Injury Convention has come into force providing direct indemnifications from one’s own insurer, up to a €15,000 limit, also for persons injured in the accident. This procedure provides for a direct out-of-court indemnification of over 95% of injuries in conformity with the government-issued economic and medico-legal tables for the assessment of biological loss.

Similar inter-company agreements have also been implemented in other Countries with the objective of expediting settlement of claims, of curbing litigations and related costs and of reducing the expenses arising from evaluation of damages. The knock for knock agreement implemented in the Seventies in the British market was one of them, it has however been abandoned by insurers following the wide diffusion, starting from 1993, of comprehensive insurance products which, by their guaranteed overall coverage, have greatly reduced the efficacy of the knock inter-company agreement.

In Ireland, the knock agreement reached by insurers had substantially the same characteristics of the one existing in UK. In Commonwealth Countries instead the system continues to be widely in use. In Hong Kong, approximately 80% of the authorized insurers joined the inter-company agreement, thus directly compensating the damages incurred by their own policyholders.

In Canada, Ontario and Quebec have reached a binding no-fault inter-company agreement stipulating the compensation to policyholders by own insurers for accidents involving material damages. In Australia the operation of motor personal injury compensation is also regulated by statutory legislation in each State or Territory: the direct settlement of claims is practised in New South Wales and Queensland by multiple private insurers, in the Capital Territory by a single private insurer, in Victoria, Tasmania, South and Western Australia, Northern Territory by a single government owned insurer; New South Wales also has a government agency for providing lifetime care and support in cases of severe injuries. Direct settlement also applies in New Zealand.

A development of the founding principles of the knock for knock agreement is represented by the agreements reached by insurers in various markets for the settlement of complex liability claims, such as those resulting from massive chain collisions or catastrophic road accidents. In these cases it is becoming increasingly urgent to depart from traditional liability rules and to apply the same first party criteria governing material damages also for the settlement of claims involving bodily injuries

These criteria were, in fact, adopted to compensate the victims of the two massive pile-ups that occurred in January 1993 in Holland and on February 1996 in Belgium on the Lille-Antwerp motorway when 200 vehicles crashed killing 10 and injuring 50. Companies paid own policyholders 50% of material damages as well as the difference between the total amount due and that received from the social security as a compensation for the injuries suffered. The ascertainment of liability in these cases would have delayed compensation beyond acceptable time limits, frustrating the very purpose of insurance and tarnishing the industry's image. The insurers, considering the seriousness of the situation, agreed to compensate their own policyholders making clear however that this would be no precedent to make reference to in future. In the summer of 1997 the necessity to set clearer rules led insurers to sign a joint-agreement which stated that in future any cases of multiple accidents would be submitted to a committee of experts and, if judged catastrophic, would be dealt with according to first party criteria.

In Italy as well – where winter fogs are often in the North of the Country the cause of pile ups and casualties – insurers have stipulated agreements to expedite the settlement of claims in case of multiple vehicles crashes and to treat fairly third party victims.

Another comprehensive agreement in the area of catastrophic accidents – such as involve over 40 vehicles – was implemented by the Association that groups Italian insurers on December 1997, participating companies represented 85% of the market. According to the terms of this agreement, each insurer undertook compensate own policyholders for both material damages and bodily injuries up to an amount equivalent to US$ 2,020,000.This sum and the minimum financial limit set in the compulsory T.P.L. Motor Insurance have been considered two distinct compensations, this latter used therefore for payments not included in the 1997 agreement. The insurance company compensated its own policyholders and the goods and passengers that were in the vehicle as well as the damages suffered by persons and goods damaged by the insured vehicle. Persons insured by non-participating companies are subject to the traditional procedures with a compensation paid within the time limits set by compulsory T.P.L. rules. All payments made according to the terms of the inter-company agreement were shared on the basis of each insurance company's Motor T.P.L. portfolio, even if the company was not directly involved in the accident. The soundness and efficacy of the agreement was immediately put to test when on February 12, 1998 a giant pile-up involving 250 cars occurred on the foggy Padua-Bologna motorway, on that occasion there were four casualties and over 100 injured persons.

It may be safely stated that the settlement method set down in the agreement appeared to be the only viable one in order to ensure to policyholders a timely and fair compensation for the damages suffered. In fact, first party settlement criteria has no doubt a priority over traditional liability principles which, it should be noted, were in no way rejected inasmuch as they continued to be the yardsticks for all payments not falling under the agreement and inter-company litigations, though their incidence on overall compensations may turn out to be more virtual than real.

With the new insurance code, introduced by the legislative decree of September 7, 2005, in Italy the system of direct compensation has been extended since February 2007 to all the motor accidents covered by T.P.L. guarantees with the aim to have a quicker and fairer indemnity service to contain the damages costs cutting down the legal expenses and consequently to reduce also the insurance cost. The insurance companies are called to indemnify for material damages their insured involved in a road accident; the direct settlement is provided also for the bodily injuries of the driver not responsible of the collision. The principle applied remains that of civil liability and the companies have signed a convention, named Card, to compensate each other, on the basis of the responsibility of their insured, the amount of the indemnity that in 2008 concerned the 75,5% of claims.

In Scandinavian Countries the law provides a form of first party motor insurance to cover bodily injuries with a minimum financial limit of US$ 42,337,000 in Sweden, while there is no limit at all in Norway and Finland. The driver of the vehicle and also the passengers are in fact granted the right to receive compensation from the driver's insurance company thanks to a no-fault claim settlement mechanism set up by the law.

Once the claim has been settled, the insurance company may lodge a petition against the liable party's insurance company or against the Guarantee Fund if the accident was caused by an unidentified driver

There are, however, a number of different ways to apply that mechanism. In Finland and Norway, the claim settlement system is in line with those enforced elsewhere with regard especially to the factors taken into consideration for the eventual rejection of the claim, while in Sweden it is by far more generous inasmuch as it is inspired to social security principles. The compensation due to the driver may be reduced in case of negligence or drunken driving. If negligence is proven, the compensation due is reduced to two-thirds or even halved. If, however, evidence is given that the bodily injury reduced the driver's income generating capacity, full compensation may still be paid.

The Swedish social security network goes as far as to grant in any case compensation even if the driver is driving a stolen vehicle or the accident occurs in the course of a crime-offences no doubt punishable by the law but that do not exempt the insurance company from compensating the damage arising from the road accident. In another Scandinavian Country, Denmark, where the principle of objective liability is applied, the law does not set down any form of first party insurance and, whenever two vehicles collide, compensation is paid by the insurer of the driver who caused the accident, regardless of that driver's guilt.

The necessity to protect road accident casualties with greater speed and equity has led Tunisia, too, to extend effective 1 January, 2006 a direct indemnification system – previously restricted to material damage – also to bodily injury. Tunisia, with 1,600 fatalities per year and an inventory of one million vehicles ranks among the countries with the highest loss ratio, with 90% of bodily injury claims being assessed in court according to the current fault system in force; the new law has established the right of the damaged party – barring drivers found guilty – to receive within six months an indemnity offer from the insurer, which must be in line with the "barèmes" as laid down in the law.

From the survey thus far conducted, it is becoming increasingly clear that in many Countries the legal notion of liability teams up, in terms of effects, with public welfare. The evolution of the notion of liability is of topical concern today, inasmuch as it calls on legal experts to define the right balance between the fundamental principles set down by the law governing liability and the social requirement of ensuring a timely and fair compensation to road victims.

Wherever it is applied, the aim of first party insurance is to shorten the time generally required to settle claims, especially in cases involving bodily injuries because any delays in payment could seriously affect the lives of victims. Therefore, this form of insurance rather than the final stage of an on-going evolution, should be considered as a useful tool, aimed at solving cases of strong social impact, but not intended to modify the fundamental principles of the common law governing the traditional liability system. All the more so if one considers that in many Countries the Motor T.P.L. insurance policy is already supplemented with comprehensive cover products, a form of voluntary insurance relied upon by 70% of British and approximately 30% of German vehicle owners. Therefore an additional motor insurance to cover damages caused by drivers, to be considered as another form of direct insurance which is combined with compulsory T.P.L. without modifying this latter's basic tenet.

STATE SUPERVISION ON THE INSURANCE INDUSTRY

Though State control on the motor insurance sector exists in the overwhelming majority of the Countries, there are several ways to exercise such supervision. It is usually carried out by a ministerial office, mostly by the Ministry of Economy, of Industry or of Finance. Kuwait appears to be the only Country where insurance activities are controlled by the Ministry of Internal Affairs. Supervision may also be entrusted to public bodies and institutes established for this purpose. The tightening links between insurance and finance have led Denmark, Hungary, Latvia, Norway, Macao, Malaysia, Singapore, Ethiopia, Guatemala, Paraguay and Peru to place the two sectors under the same supervisory authority.

Motor Insurance is run under a monopoly system by government companies in Costa Rica and in four Canadian provinces; in South Africa, Lesotho and Swaziland is provided by the State through authorized companies (11 in South Africa) that handle claims settlements on its behalf.

In several Countries authorization to operate the motor insurance business is limited to joint-stock companies or mutual companies: in Austria, Belgium, Bulgaria, Denmark, France, Germany, Hungary, Italy, Latvia, Luxemburg, the Netherlands, Spain, Sweden, in the EU; in Andorra, Iceland, Liechtenstein, Macedonia, Monaco, San Marino, Switzerland, Turkey in the rest of Europe; in China, Hong Kong, India (where liberalization is effective from January 2007) Israel, Japan (also co-operative companies), Kazakhstan, Malaysia, the Philippines, Taiwan, Thailand, Zambia, Jamaica, in most federated States in the US, in other continents. In Denmark, in additions to joint-stock and mutual companies, some types of pension funds are also allowed to operate motor insurance activities. In other Countries, companies that operate in the motor insurance business may also have other corporate forms, while in a number of States of the American Union they may be organised in the form of the Lloyd's system of Names.

The prerequisites to be met before authorization to operate in the motor insurance field is granted are substantially similar to those required to operate in other insurance classes. Insurance companies must possess the minimum starting capital set down by the law; they have to present a business plan in which they must specify the financial means available to operate; and they must have a suitable organizational structure. In Argentina the financial means statement is required but not the activities program.

Belgium, Denmark, Finland, Germany, Hungary, Latvia, Iceland, Norway, Moldova, Canada, Costa Rica, Australia have set down tougher conditions for the motor class than for other insurance classes.

Compulsory requirements as regards premium and claim reserves are similar to those prevailing in other classes of insurance. The principle according to which the risks deriving from road circulation require extra reserves is set down in the legislations of Belgium, Italy, Morocco and Colombia, as Hungary, Spain, Sweden, the Philippines, Taiwan, Mauritius, Costa Rica prescribe additional reserves to offset any future loss fluctuations. In Nigeria equilibrium reserves must be set up in order to offset negative financial results.

In some Countries insurance companies set aside resources for the IBNR (Incurred But Not Reported) reserves, in others (the majority) companies set up special or additional reserves to integrate the traditional loss reserves. Though not specifically set down by law, the IBNR reserve has been independently set up by motor insurance companies in Hong Kong. In South Africa, underwriting reserves are not required because the insurance companies authorized to settle claims are entirely refunded by the State.

In the Netherlands, Hong Kong and Kenya motor insurers must build higher solvency margins in compliance with the law.

In case of serious financial problems, Belgium, France and Italy have laid down specific procedures to be followed by Motor T.P.L. insurance companies, which may even include the transfer of the entire portfolio to other companies.

THE DETERMINATION OF TARIFFS

Since 1995 in European Union, following the implementation of EEC third generation directives on Freedom of Services, insurance companies fix the premiums to be charged to their policyholders, customizing them according to the different elements of risk, with no need for the prior approval of the supervisory authority. Consequently, within EU the area of government supervision, that originally was very large and weighty, has been significantly reduced.

The 12 Countries subsequently entered into EU, where first the determination of tariffs was responsibility of the government, have put in practice a gradual liberalization to balance the State's supervision with the freedom of the market and consequently of the companies, providing generally the notification of the premium rates established by the companies to the competent ministries. In Hungary, for example, the tariffs were fixed by the Finance Ministers until 1999; at the companies was allowed in 2000 the possibility to vary the entity of the premium in a range of 15%; a complete liberalization was introduced from 1st January 2001 in observance of the European Union Directives. Outside EU the competence normally remains of the governmental bodies. Also in

Monaco principality the task of determining tariffs is entrusted to a ministerial committee made up with the representatives of insurance companies and consumers associations.

Nations having a federal structure have different procedures in each State. Apart from the US, in Canada the situation ranges from freedom in setting premium rates which, however, are subject to mandatory notification, to freedom in setting then although subject to the approval of the supervisory authorities (as in Ontario, the most populated province of the Federation), to no freedom with the government which determines the tariffs. In Australia, insurance companies operating in New South Wales can set their own tariffs, but must submit them to the Motor Accidents Authority, while in Queensland and Victoria the tariffs are established by the Insurance Commissioner.

The picture emerging in other continents is also very uneven. In Asia, Japan granted insurers the right to set their own premium rates starting July l, 1998, but with the obligation to submit them to the supervisory authority. Premium rates are freely determined in Hong Kong, Taiwan, Singapore, Pakistan, in some ex Soviet States and, obviously, in those Countries where motor insurance is not compulsory. In Macao, Malaysia, Vietnam tariffs must be approved by supervisory authorities; in China, South Korea, the Philippines, Thailand, Iran, Iraq, Jordan, Kuwait they are established by government authorities, in Israel, tariffs are set down by the Finance Commission of the Knesset. In India, the Insurance Regulatory and Development Authority, starting 1 January, 2007, has liberalized premium rates; moreover, calculation criteria are broadened and besides the value of the vehicle, of the engine power and of the relevant geographical location, also the insured’s age, sex and profession are considered.

In Africa, tariffs in Mediterranean basin Countries (Egypt, Libya, Tunisia, Algeria, Morocco) as well as in Nigeria, Uganda and Zimbabwe are directly laid down by the government, while in Botswana, Kenya, Malawi, Mauritius, Rwanda, Tanzania and Zambia they are freely established . One other rate liberalization, as of 1 July, 2006, has occurred in Morocco for commercial premiums whereas the Ministry shall still determine the pure premium.

Among Latin American Countries, in Colombia, Haiti, Paraguay and Venezuela, premium rates are directly laid down by the government; in Argentina, Costa Rica, Peru and Puerto Rico they must be approved by supervisory authorities; in Guatemala and Mexico they must be notified to regulatory bodies, while in the remaining Countries insurers are free to fix the rates to be charged to policy holders.

In the Australian States of Queensland and Victoria tariffs are laid down by the public authorities, in New South Wales they must be notified to the Motor Accident Authority that can reject requesting a new formulation; the same procedure is in Ontario (Canada).

In Qatar, Saudi Arabia, UAE and Yemen, tariffs are freely determined and insurers can negotiate premium rates with their clients directly. Only in five Countries – Namibia, Lesotho, Swaziland, South Africa and New Zealand – compulsory insurance is provided without a tariff system because premiums are replaced by an additional tax on fuel.

As to the criteria considered for the determination of tariffs, in the absolute majority of the Countries they are based on an analysis of loss ratios and classes of risk determined by engine horsepower of the vehicle. A trend has emerged, however, indicating that a growing number of Countries considers other distinctive elements as to ensure a wider customization of the actual risk involved. The elements mostly considered are geographical area of vehicle registration, age, sex and profession of the driver. These same elements have been considered also in the Russian law enacted on the 1st July, 2003. It should be noted that insurance companies in Switzerland and Liechtenstein do not resort to customization of their premium rates according to those elements even though their regulations permit it. To demonstrate the significance of age it has been established in 2008 in United Kingdom that young car drivers under the age of 25 are been involved in over a quarter (28 per cent) of all accidents where a driver were killed or injured. The increased premium of insurance policy for drivers under this age reflect the increased risk posed by this age group.

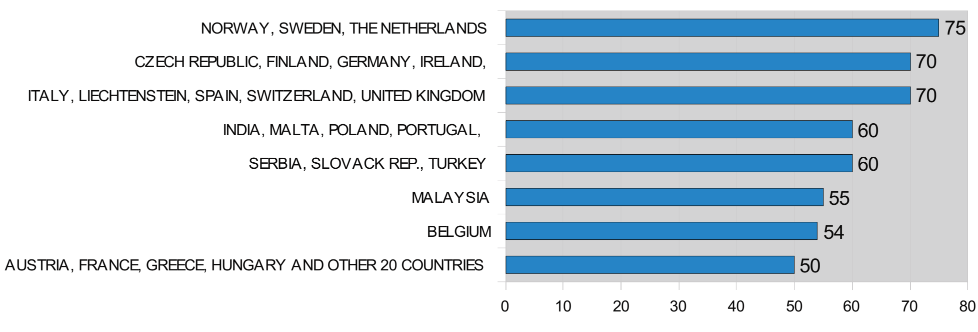
The more applied tariff module is the bonus/malus system, in force in Germany from 1954, in Switzerland from 1963 and then in almost all the other Countries. The percentages of reduction of the premium vary a lot, in case of lack of damages, regarding that one of the class of income or aggravation in presence of one or more car accident. The maximum bonus ranges from 80% of the first year premium in Norway, to 75% in the Netherlands and Sweden, to 70% in Finland, Ireland, Italy, UK, Spain, Switzerland to 60% in Poland, Portugal, Slovak Republic, Turkey, India to 55% in Malaysia, to 54% in Belgium, to 50% in Austria, France, Hungary, Greece, Latvia, Lithuania in EU, in Russia and in other 13 countries, until the 10% in China, Taiwan, Lebanon, Morocco while the maximum malus ranges from 400% in France to 15% in New South Wales (Australia), with an average of 200% in the remaining Countries.

Reasons of business policy have induced some French mutual societies to foresee a bonus plus, guaranteeing people that, after 13 years without incidents, has achieved the maximum level of reduction of the 50 %, will be able to maintain the bonus in case of a future incident or, continuing without incidents, one more reduction of the 15 %.

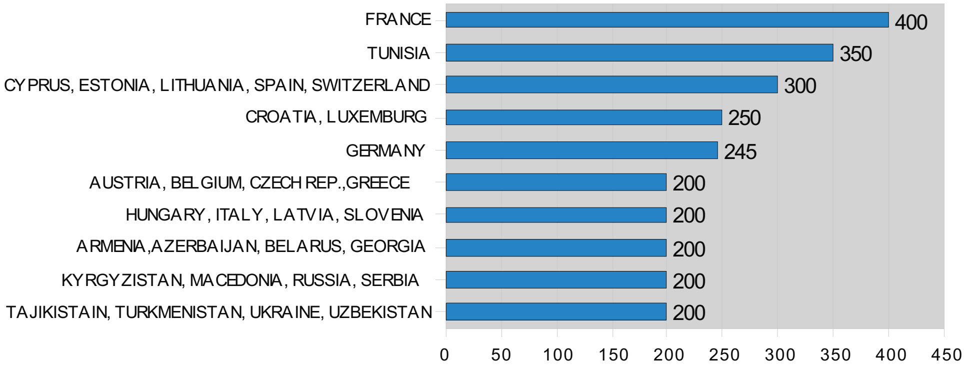
Numerous Countries provide for a coexistence of the bonus/malus and excess systems with the possibility of policyholders to opt one or the other. Only excess systems is applied in Argentina, Colombia, Paraguay. The bonus/malus systems does not exist also in Albania, Island, Malta, Moldova in Europe; in China, Hong Kong, Iran, Israel, Japan (for the compulsory Automobile Liability Insurance, in voluntary auto insurance each company has its own bonus/malus system), Kazakhstan, Macao, Malaysia, Oman, Qatar, Saudi Arabia, Thailand, United Arab Emirates, Yemen in Asia; Kenya, Lesotho, Morocco, Tunisia in Africa; Chile, Costa Rica, Mexico, Paraguay, Peru, Uruguay, Venezuela in Latin America, New Zealand in Oceania. In Canada bonus/malus system is applied in British Columbia. Denmark, Norway, Finland, Sweden, Brazil, New South Wales in Australia allows bonus without enforcing the malus.

Highest Bonus / Malus Levels In % - Latest Avalaible

BONUS



MALUS



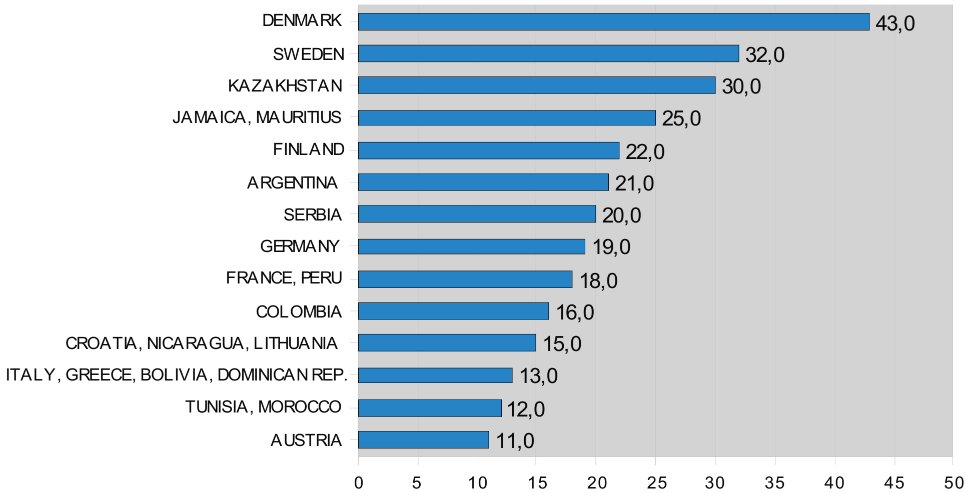
Italy has extended the bonus/malus system also to determine the tariffs for the two-wheelers and for vehicles falling under the excess system. In Hong Kong, where an excess system is operational, it is a market practice for insurers to offer a "no claim" bonus (up to 60%) or a loading (as deemed necessary) on motor premium.

Not many Countries have set a ceiling on the amount of charges and commissions (underwriting costs and commissions for agents) that are added to basic premiums. In Italy they may range from 18% to a maximum of 22%, with a ceiling of 13% on commissions. Other Countries set a limit for both administrative and underwriting costs: Turkey (17.5% and 12%); Malaysia (15% and 10%); Morocco (25% and 12%); Paraguay (20% and 20%); Peru (20% and 17.5%). On the other hand, an aggregate ceiling for charges and commissions has been set down in Hungary, Lithuania, Macedonia, Moldova, Slovenia, Serbia, Bhutan, India, Iran, Kazakhstan, Qatar, South Korea, Taiwan, Thailand, Yemen, Lesotho, Malawi, Mauritius, Zambia, Argentina, Brazil, Canada (Ontario), Chile, Guatemala, Nicaragua. In addition there is a number of Countries that sets a limit - from a minimum of 5% to a maximum of 25% - only for underwriting costs: Andorra, Albania, France (13,5%), Germany (11% which decreases to 5% when a part-time broker is involved), Latvia, Slovak Republic, Spain, Israel, Pakistan and Puerto Rico.

In a few Countries other charges are added to the basic premium as a contribution insurers must set aside for the supervisory authorities, the Guarantee Fund and the NHS. The Countries prescribing mandatory contributions to those three structures are Belgium, Finland, France, Hungary, Italy, Portugal and Slovenia. The sums set aside to finance the social security system are very high in Finland (7% of the premium), in Belgium (10%), in Italy (10.5%), in France (15%). Austria, Greece, Luxemburg, Ireland, Malta, Moldova, Poland, Switzerland, Turkey, Morocco, Nigeria, Colombia, New South Wales in Australia, provide mandatory contributions for the supervisory authority and Guarantee Fund; Bulgaria, Estonia, Argentina and Brazil for the supervisory authority and the social security system; the Netherland, Croatia, Norway, Tunisia for Guarantee Fund and Social Security System; Cyprus, Denmark, Latvia, Spain, Sweden, United Kingdom, Albania, Hong Kong, India, Israel, Japan, Malaysia, South Korea, Thailand set aside contributions only for the Guarantee Fund and Lithuania, Armenia, Belarus, Georgia, Russia, Ukraine, the Asian ex Soviet Union Countries, the Australian States only for Social Security System.

No uniformity has emerged in the area of taxation, not even among States of the same Federation, thus reflecting the deep differences existing worldwide on fiscal matters. Within the European Union there are the most substantial differences as regards tax percentages levied on motor premiums, with amounts ranging from 42,9% in Denmark to nought in Bulgaria, Czech and Slovak Republics, Estonia, Latvia, Lithuania, Poland. Therefore the full implementation of FOS has not brought about the expected harmonisation of fiscal incidence on insurance premiums. A similar picture has also emerged in the Canadian Federation, where taxes on premiums range from 5% to 20%, and the same can be said for the US and Australia. In India and Pakistan, the issue of compulsory insurance is subject to the prior purchase of a government revenue stamp.

Taxes On Motor Insurance Highest Rates In % - Latest Available



GENERAL CONDITIONS OF MOTOR TPL INSURANCE CONTRACTS

In most of the Countries, the general conditions of Motor T.P.L. Insurance contracts are subject to the approval of supervisory authorities. Exceptions to this general rule may be found among EU members - that have converted into law the third generation directives on freedom of services - and in Europe extra EU Andorra, Liechtenstein, Monaco, San Marino, Switzerland and the former Soviet Republics; in Asia Brunei, Cambodia, Hong Kong, Indonesia, Japan, Saudi Arabia, Yemen and the former Soviet States, in Africa, Mauritius; in America, Ecuador, Guatemala and Nicaragua.

It being understood that legal action against policyholders may be started, in the absolute majority of the Countries considered the contractual conditions of motor T.P.L.. liability insurance cannot be challenged for the purpose of denying the compensation due to the victim. Nevertheless, in a number of circumstances the contract is void and the insurer does not have to provide coverage. One is when, for example, the contract has expired and the policyholder has not paid the premium for its renewal within the deadline after expiry which ranges from 15 days to three months, as is the case in Austria. In some Countries, compensation is denied in case of driving under the influence of alcohol or drugs (Finland and Estonia), if the vehicle is driven by a person who does not have a licence (Israel) or without the vehicle owner's knowledge (Austria) or for criminal purposes (again Israel).

Also worthy of mention are the accidents caused by stolen vehicles. In most European Countries, compulsory motor insurance legislations establish that priority must be given to the injured party and, consequently, that the insurance company that issued the policy must in any case pay the compensation due. In France, however, compensation will be granted only if the accident has taken place within one month from the day the theft was reported. Two Countries, namely Austria and Belgium, grant uncovered sums (the equivalent of US$ 226 in Austria for material damages, and

US$ 263 in Belgium). In United Kingdom (though with a number of exceptions), Ireland, Luxemburg, the Netherlands, Spain, Cyprus, Estonia, Latvia, Lithuania, Malta, Turkey, Ukraine, in most Asian, African and Latin American Countries, as well as in the provinces of Quebec and Ontario, in case of stolen vehicles insurance companies are not required to pay compensation because the victim will receive it from the Guarantee Fund. In Japan, Kenya and Tunisia, even if the theft of the vehicle is a consequence of the owner's negligence, the insurance contract resumes effect and the insurance company that issued the policy will have to provide compensation. In those Countries where insurance is not yet compulsory insurers are exempted from providing compensation in case fraud is ascertained or in case of theft of the vehicle.

In most of the Countries surveyed third party victims have the right to start legal proceedings against insurance companies in order to obtain the compensation due. An exception to this rule are United Kingdom and the Countries enforcing the principles of the common law, China, Iran and a number of Latin American Countries. In the US that right is recognised in Florida, Kansas, Louisiana, Vermont, Wisconsin, as well as in Illinois, Iowa, Kentucky, Maryland, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Washington, though solely after the legal proceedings started against the insurer have not produced satisfactory results.

The issue regarding change of ownership has recorded significant differences. A substantial number of Countries rules the automatic termination of the contract in case of change of vehicle owner: these include, in the EU: Bulgaria, Cyprus, Denmark, France, Hungary, Ireland, Latvia, Lithuania, Luxemburg, Malta, Poland, Portugal, Romania, Slovenia, Sweden, United Kingdom, worldwide many Countries in Eastern Europe as well as Malaysia, Kenya, Nigeria, South Africa, Canada (Ontario).

In some Countries the contract validity is prolonged for a number of days after expiry: 7 days in Finland, 8 in Morocco, 14 in Iceland and Norway, 16 in Belgium and the Netherlands, 22 in Argentina.

In other Countries the contract is transferred to the new owner, though the insurance company has the right to terminate it in Germany, Greece, Spain, Switzerland, Turkey, Israel, Guatemala and Panama. In Italy, policyholders selling their vehicles may request the transfer of their insurance policy to another vehicle. The Countries that prescribe the transfer of the insurance policy to the new owner are Austria, Albania, Croatia, Macedonia, Montenegro, Serbia, China, South Korea, Japan, the Philippines, Thailand, Pakistan, Iran, Israel, Tunisia, Tanzania, Uganda, Lesotho, Namibia, Brazil and other Countries in South America, and Australia.

In most Countries - with the exclusion of, among the larger ones, Spain and Switzerland in Europe, India, Thailand, Philippines in Asia, Kenya, Uganda, Zambia, South Africa in Africa and Australia - purchase by the policyholder of a new vehicle does not affect the validity of the contract and this latter will only be updated with the new data.

On specific request, Motor T.P.L. can be supplemented with additional fire, theft and also accidental damage insurance, this latter being offered with the clause of excess coverage. In most Countries companies include these additional guarantees in the basic Motor T.P.L. insurance policy, sometimes however on certain conditions. In Bulgaria, for example, only an additional all-risks cover may be combined with the basic policy, while in Mauritius only fire insurance may be included.

A smaller group of Countries (Austria, Finland, Germany, some in Eastern Europe, India, Japan, some Countries in Africa and Latin America and Australia) have ruled that these additional covers be included in a separate contract. Only South Korea does not cover additional risks. As already remarked, the comprehensive motor insurance policies are quite widespread in Germany and United

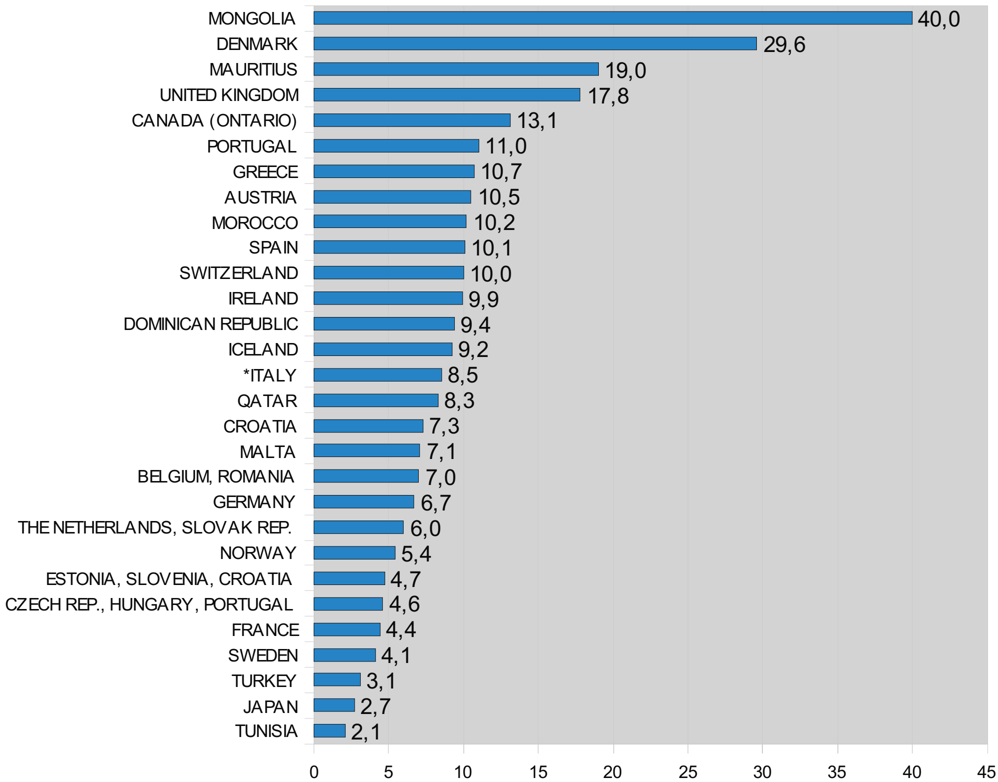
Kingdom. Additional insurance to cover other risks that may occur to passengers travelling on a vehicle having a T.P.L Insurance (medical expenses, daily allowances, disablement or death) can be obtained by subscribing separate insurance policies.

In the Countries where insurance is compulsory drivers must be able to show that they are in possession of T.P.L Insurance on their vehicle, or to show - in the two Countries where the policy is on the driving licence - the insurance issued in their name. Exceptions to this prevailing trend have been recorded in the Netherlands, South Africa and Lesotho where residents are not required to carry any documentary proof, on the other hand it is mandatory for non-resident drivers to be able to show an international insurance certificate.

In Austria, Denmark, Germany, Finland and Slovenia, as well as in Monaco, Norway, Switzerland and Liechtenstein, in Turkey, India, Indonesia and New Zealand the number plate is proof of the existence of a cover because an insurance certificate, or a formal statement on the part of the insurer, must be presented for the plate to be issued. France, Greece, Ireland, Italy, Latvia, Poland, Portugal, Sweden, Andorra, Turkey, Thailand rule that an insurance tag be placed in full view on the windscreen and the insurance certificate kept in the car.

DEADLINES FOR ACCIDENT REPORTS AND SETTLEMENT OF CLAIMS

% of Claims on Number of Registered Vehicles - Latest Available



**Italy: 8.5% in 2008-2005, 10.95% in 2000, 14.61% in 1990, 15.21% in 1980*

The prevailing rule is that the policyholders must immediately report the accident to their insurance company. The deadlines granted to present such report are: 1 day in Romania, 2 days in Peru, 3 in Albania, Croatia, Greece, Italy, Lithuania, Slovenia, Montenegro, Moldova, Serbia, Argentina, Bolivia, Mexico, Nicaragua, 4 in Romania, 5 in France, Hungary, Andorra, Morocco, Tunisia, 7 in Spain, 8 in Belgium, 10 in Costa Rica, 15 in the Czech and Slovak Republics, in Guatemala and Venezuela, 28 days in New South Wales and Victoria in Australia and 60 in Uganda.

In the United States the deadlines range from either immediately or one day in Arizona, Delaware, Georgia, Hawaii, Idaho, Kansas, Maine, Michigan, North Carolina, North and South Dakota, Washington to 60 days in Missouri. Failure to comply with these deadlines, however, does not imply that victims lose their right to receive compensation and, should any insurance company refuse to pay, it will first have to prove that the delay in reporting was prejudicial to its interests. Other Countries do not set deadlines, except those otherwise prescribed by the ordinary statute of limitations. The deadline established in Queensland, Australia, is of three months when the accident has involved an uninsured or unidentified vehicle.

In the USA the amount of material damage which renders compulsory a concurrent report to the police has actually been more than doubled. Although some States have increased that amount from US$ 100-150 to US$ 1,000 (New Hampshire, New York), the average amount in the Country was US$ 500.

The deadline to start legal proceedings for accidents that have caused physical injuries ranges from l to 6 days in a number of States, and from l to 6 years in case of death.

The Countries that apply the provisional payment clause, i.e. the obligation on the part of the insurer to make an interim offer to the injured party within a specific deadline, are Belgium, Cyprus, Czech Republic, Denmark, Estonia, France, Greece, Hungary, Italy, Latvia, the Netherland, Spain, Albania, Andorra, Georgia, Switzerland and Liechtenstein in Europe, Japan, Malaysia, Taiwan and Thailand in Asia; Cameroon, Morocco and Tunisia, Togo and Uganda in Africa, Argentina in Latin America.

In Belgium, the decision to make a provisional payment of the compensation due is the result of an agreement among insurers. It must be submitted within three months from the accident and can be paid even lacking the final evaluation of the bodily injury suffered by the victim. The offer of a medical check-up must be made within four months. In defining the amount of the provisional offer, the insurance company must take into consideration not only the nature of the injury but also the suffering it has caused, the loss of income deriving from temporary disablement and the medical expenses incurred by the victim. Afterwards the insurer is allowed three months to make the final payment: if the victim should die, however, the deadline for the final settlement to the heirs or to any parties entitled to inherit will be extended by six months. Should the offer be rejected, the insurer must in any case pay the amount proposed within three months and wait for the final decision of the court.

In France the provisional payment is set down by law. Compensation must be made within eight months, however if after three months from the accident the victim has not recovered and the seriousness of the injury cannot be quantified, a provisional sum must be offered and paid. Once the extent of the damage has been defined, the insurance company has five months to make a final offer and settle the claim.

In Italy the provisional offer is set down by law since December 1976 and it is now ruled by the insurance code coming to force in September 2005: the insurance companies have to indicate the amount of the assessment of damage within 60 days for material damages – reduced to 30 days if the accident report is filled by the persons involved on a form of "amicable agreement" (CID) – and within 90 days for personal injures from the date the documentation regarding the accident has been received; within 15 days from the reply of the injured party the insurance company must pay the amount offered even if he objects the amount of compensation.

The deadline for an offer varies in the rest of Europe from 15 days in Albania, to 3 months in Andorra and Spain. The time insurers have to make an offer varies greatly also in those African Countries that prescribe provisional payment: 30 days in Togo, 6 months in Uganda, 8 months in Cameroon.

The deadline within which the accident must be compensated changes greatly and ranges from 10 days from the date the accident report was filed with the police in Qatar - where the limited number of vehicles allows quick settlement of claims - to 2 months in Iraq, to 3 months in Albania, to 2-3 years in a number of Countries in Europe, Asia and Africa.

Generally, the countdown for final settlement of claims starts from the moment all the information required to assess the damage is gathered. It varies from 30 days, for material damage, in several Countries, to 3 months in Finland for bodily injuries.

Germany has set no deadlines but this is a Country where claims are settled in the shortest time. According to information received, 41% of road claims are settled within one month, 75% within two months, 85% within six months, 15% in one year or longer and these usually concern serious cases.

In United Kingdom from 30 April 2010 more specific Protocol provisions implemented by Ministry of Justice came into effect for low value personal injury claims. In short, within 15 days of an electronic Claim Notification Form being delivered (for which no time limit is imposed) an insurer has 15 business days to admit/deny liability and/or allege contributory negligence. If liability is admitted an insurer must again respond within 15 working days of a settlement offer being made. If no agreement can be made there are provisions for a 20 day period for further negotiation failing which a hearing, with fixed costs provided for throughout.

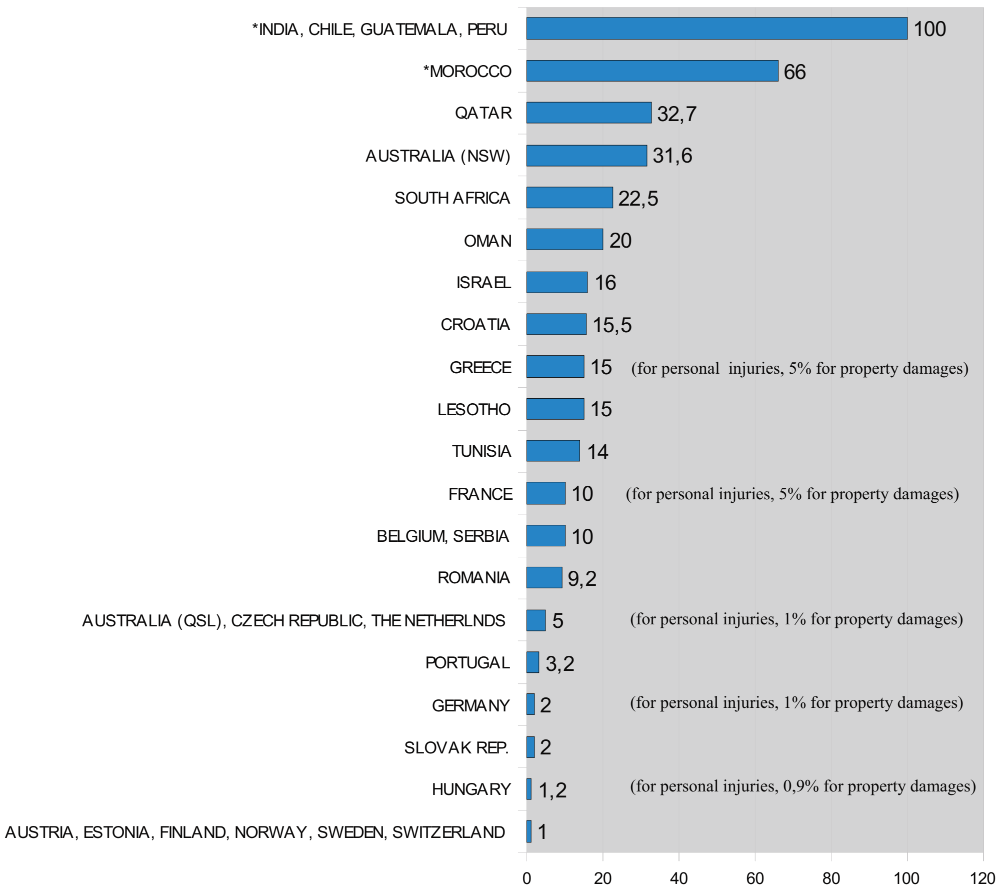
In order to determine the seriousness of bodily injuries, most Countries take into consideration, besides hospitalisation and rehabilitation expenses, especially the victim's income and impact of the permanent or temporary disablement on the victim's productivity. If the assessment carried out by the insurer is rejected by the victim, the amount of compensation will be awarded by a judge on the basis of an objective evaluation. The judge will have to consider the extent of loss of capability to generate income, the moral suffering, the pretium doloris (if recognised), the harm done to social relationships in connection with the victim's profession.

A limited number of Countries has predetermined tables of evaluation: Denmark, Spain and United Kingdom in Europe, the Philippines and Thailand in Asia, Uganda in Africa, Brazil and Chile in Latin America. In other Countries the assessment is made according to accepted practices of law; Morocco is the only Country that sets a maximum and a minimum limit, while in Israel and in Canada only a ceiling is fixed (which varies from province to province). In Belgium, as well as in other Countries, previous court decisions are referred to for the determination of the compensation to victims who do not produce income (students, housewives, pensioners).

The criteria adopted for the evaluation of damages are very detailed and a full picture can be obtained only from a reading of the answers received. In this venue, as well as on the summary sheet, mention can be made only of the fact that, while in all Countries bodily injuries or harm caused to social relationships (included aesthetical damages) are - at least within certain limits and characteristics - always assessed, the pretium doloris, as an additional compensation for the physical or psychological suffering undergone, is not considered in the calculation of the damages to be awarded in Greece, Portugal, Malta, Norway, Russia and in the former Soviet Republics, in United Arab Emirates, Costa Rica, Ecuador and Venezuela.

Special mention deserve the criteria applied in some Arab Countries. In Sudan, if the injured part of the body is single, the victim is entitled to full compensation, if the injured part is one of a pair (eyes, hands, feet), only half compensation is due; the basic compensation unit is the camel, as its equivalent in cash: the amount corresponding to the pretium doloris is a maximum of 100 camels. In Kuwait, if the injured party dies following an accident involving an unidentified vehicle, a moral compensation, or blood money, is awarded by the State to the spouse or to relatives down to second aunts, uncles and cousins, not unlike what was prescribed by the Germanic Wergild.

% of Claims settled in Court



** % of claims regarding personal injures*

The percentage of claims that ends up before a court is usually rather low. From the information received, however, we have singled out a number of exceptions: all claims consequence of accidents that have caused bodily injuries in India, Chile, Guatemala and Peru are settled by court decision, 90% in Tunisia and 66% in Morocco. A high percentage of claims settled by court decision was also registered in Qatar (32.7%), New South Wales, Australia (31.6%), South Africa (22.5%), Oman (20%), Israel (16%), Croatia (15.5%), Greece and Lesotho (15%), with lower percentages in several other Countries.

Legislation in most Countries does not provide for an out of court body that parties may, on a voluntary or mandatory basis, address to settle disputes before starting legal proceedings. In some 20 Countries, however, this option is given inasmuch as insurers' associations and/or supervisory bodies have appointed ombudsmen, or boards of arbitration or reconciliation commissions within their organisations.

Ombudsmen or complaints offices operate within insurers' associations in Belgium, Finland, France, United Kingdom, Ireland, Italy, the Netherlands, Latvia, Malta, Moldova, Norway, Romania, Israel, Japan, Kenya, Nigeria, Tunisia, Costa Rica and Paraguay. Their task is to ensure correct relations between insurers and policyholders and they generally play a moral suasion role with regard to insurance companies since they can demand explanations, even though they have no powers to enforce the payment of compensations or the re-examination of claims.

FRAUDS IN MOTOR INSURANCE

Insurance fraud is a phenomenon that has had rapid growth, assessed at about 5% of total claims. It is reckoned that fraudulent claims account for at least 10% of the total cost of claims worldwide. This per cent figure has been indicated in the answers to our questionnaire and is also the outcome of the investigation carried out some year ago by the Comité Européen des Assurances in a number of European Countries.

Frauds may be connected with the reported details of the accident or may involve an exorbitant compensation request as compared to the damage actually suffered. Most typical cases are deceitful reports as to the circumstances that caused the damage suffered, sham reports of accidents that never really occurred, production of repair invoices totalling amounts higher than the sums actually paid: regrettably most of the times this may be ascribed to lack of control on the part of the companies' claim adjusters.

The commitment to fight these phenomena must be targeted to drawing the attention of insurance markets by means of information campaigns aimed at customers (as United Kingdom, Belgium and Denmark have done), at companies' claims department employees (to this date the Countries that have done so are Germany, Spain and Poland), at public authorities both police forces and magistrates (Italy, Poland, Spain, Sweden and Switzerland have reached data supply agreements).
The major british companies have set up the General Insurance Anti Fraud Committee to coordinate their activity contrasting the fraudulent claims; another private body is the Insurance Fraud Bureau. A similar department has been created also in Germany. In France the companies have endorsed the Alfa project (Agence pour la Lutte contre la Fraude à l’Assurance) which provides the preparation and publication of fraudulent claims statistics, the start of a process for the certification of private detectives and the establishment of a technological phone and internet platform affording an expertise on the cost of single damages.

In Italy, among ex-ante interventions, aimed at curbing criminal intent, an article of the criminal code is to apply to the insurance fraud offence, inflicting harsher penalties, while as ex-post measures directed to improve the identification and penalization of fraudulent activity, the supervisory authorities have set up a “claims data bank” that collects all data covering the persons and vehicles involved in road accidents and is computer-accessible to the judges examining the insurance fraud (a similar procedure has been in force in Spain since 2002), while the relevant Association is working towards the establishment of a domestic Agency to counter insurance fraud by divulging intelligence to judges, security forces, supervisory authorities and insurance companies as in other countries.

In the USA from the beginnings of 1990 insurance companies have financed the constitution in Massachusetts, where the phenomenon of the costs' increase of repair and medical expenses particularly was emphasized, of a Insurance Fraud Bureau, operating in every district of the State through one Community Insurance Fraud Initiative. Companies signal to this office all suspect cases, providing all the information in their possession, even the private ones. The work of the Bureau, in connection with the judicial authorities, has concurred to reduce the cost of the car incidents and consequently also the cost of the insurance. Also in other federated States Insurance Fraud Bureau have been introduced with analogous purposes.

A normative measure that would concur to lower the costs of repair of the motor vehicles is that one adopted from the European Parliament in November 2007 that foresees, within 2012, liberalization of the car spare parts prices, reducing possibility of fraud in this field.

Among the interventions adopted in order to control the cost of the repairs one that must be cited is of the Italian Assurance Association, that has already previewed in the 80's years the constitution of Center of studies for car repairs (CESTAR) with the task to organize training and technical modernization seminaries for experts and body repairers and, as ante fraud measure, to determine the necessary times for the repairs and the substitution of single parts of the motor vehicle. Also the collaboration among companies is an effective instrument in the moment in which the net of experts and authorized repairers: the Groupement d'interet économique (GIE), created in France in 2007 from two primary European companies, an example for the administration of car incidents, has put in common 2.500 authorized repairers.

PREVENTION MEASURES

The extent of road accidents, in parallel with a growing motorization, has over the past decade reached in all industrialized communities peaks of casualties and social emergencies that have in recent years persuaded governments and parliaments to pass more stringent laws on road traffic, supporting investments in maintenance improvements and prevention, enhancing the sectors of co-operation between constructors – committed to implement greater vehicle safety – and insurance companies. France has established for law in 2002 that the precautionary measures of road incidents must be one constant priority in the action of government.

Of the some 40,000 that yearly die in road accidents within the member States of the EU, the latest statistical data disclose that 11,000 are disregardful of speed limits, 10,000 are drivers in a drunken state and 10,000 are due to the non-use of seat belts. On the basis of such data – considering also that it is often a combination of more factors to bring about a fatal accident – the European Commission edited in 2004 a white book "European transport policy up to 2010: the time for choices" setting member States the priority target of halving by 2010 the number of fatalities by adopting a series of measures – gained from the experience of countries that have garnered definite lower claims ratios and considering the results of the most recent scientific research work – that can in particular counter the three aforesaid causes and in general favour improvements in vehicle and road safety.

A loss prevention factor, that impacts on the behaviour of road users, adopted by a growing number of countries is the driving licence with penalty points. In most of the member States of the

European Union there applies the system of deducting from a maximum number of points (20 in Italy, 12 in France) the number of penalty points corresponding to the seriousness of the motoring offence as recorded by the traffic police: e.g. in France 6 points if the driver is found with an alcoholic rate exceeding 0.5 g/l. In the rest of the world, the most used endorsement system is based on the totting-up of penalty points, starting upwards from zero, to reach the number of points that corresponds to a period of disqualification from holding the licence. This procedure is in force in the USA – excepting New Hampshire, Tennessee, Wisconsin – in the Provinces of Canada, in the States of Australia, where the penalty points pattern is part of the national licence-issuing system, in Japan and in other Asian States. The law on road traffic, enacted in China on 28 October, 2003, has also introduced the licence with penalty points, envisaging harsher sanctions and heavy penalty points for driving in a state of drunkenness, driving without a licence or driving a vehicle devoid of its number-plate and the disqualification from holding the licence in case of exceeding the speed limit by 50%.

The penalty points' licence has helped to cut down the fatal accidents and a meaning reduction of the loss frequency has been registered in many Countries.

The action of sensitizing manufacturers has been crowned with success in the recent past both with regard to active safety measures materializing in such devices apt to reduce the event of accident (ABS, larger-spread tyres, wider visibility windshields, air-conditioning) as passive safety elements apt to reduce the impact of accident (seat belts, headrests, airbag).

As regards in particular the mandatory use of seat belts and, for two-wheeled vehicles, of helmets, this is provided for in one of the Community directives and in the legislation of all member States of the European Union; internationally, it is adopted by the greater number of countries, but not all penalize the non-use of belts and helmets by a lower amount when settling the claim. Within the European Union itself, this is not applicable in Denmark and Sweden and in the Baltic States, Hungary, Slovenia, Malta where such compulsory use concerns only helmets for two-wheeled vehicles; the same attitude holds for most of the Asian and Latin American countries. The non-observance of the mandatory use of belts or helmets implies a percentage decrease in the indemnity amount, between 35 and 60% in Germany, up to 35% in the Netherlands, up to 30% in Croatia, Montenegro and Serbia, 25% in Turkey and, outside Europe, in Morocco and Canada, 20% in Switzerland and Macedonia; in the other countries, the percentage is not calculated but is assessed when settling the claim. The Supreme Court in France has recently reaffirmed that the non-use of seat belts, as driving in a state of drunkenness or under the influence of drugs, driving recklessly or against the regulations of the highway code, shall be grounds for restricting or, depending on the seriousness of the offence, excluding from indemnity the driver of the vehicle.

Among the measures adopted on the international scale with regard to prevention, mention must be made of the 1998 agreement on vehicle global settlements, directed towards an increase in technical safety and a decrease in emissions. The agreeing States are partly those of the European Union, the USA, Canada, Russia, Japan, China, Korea, India, Malaysia, South Africa, New Zealand. Similar safety and prevention purposes characterize the international Convention for road-transported goods; so far, the agreeing countries are 47.

In many countries, the contribution of insurance companies to prevention policies is on the rise, especially in terms of resources set aside for campaigns to promote road safety. To this end, a few countries have set down a mandatory contribution calculated in percentage on premium incomes: in Lithuania 3%, in Finland and Croatia the quota is 1,2%; in Liechtenstein, Moldova and Switzerland 0.75% and in Montenegro, Serbia, India, Israel and Morocco 0,3%. Greece sets aside 1% of Motor T.P.L. insurance premiums for the maintenance of roads.

Among the initiatives taken by insurers regarding road safety, we should mention the German insurers' association, that for many years now has set up two offices in order to gather data on accidents occurred in their country with the aim to improve road safety and foster technological development on the part of vehicles and manufacturers so as to impact on the number of road accidents.

French insurers set aside for prevention 0.5% of Motor T.P.L. premiums to devote in particular to training courses. They have also been committed for years in structures that see the participation of Municipalities and public works concerns for adequate road maintenance. Courses for school pupils are also fostered by Scandinavian insurers and as from 2004 by the Italian companies.

An initiative promoted in France and in other Countries as from 2004 is fitting into cars a "black box", the cost of which varies between € 300 and € 400, to record the data of the day, of the route time, of the speed and of the circumstances of the accident to be telecom-transmitted to the insurance companies' data processing centre. Besides acting as a deterrent to a driver's careless conduct, the black box is also the tool that makes possible a customized rating in terms of the actual use of the car. In 2005, the Dutch Government stressed the importance of this device for road safety, calling upon insurers to divulge it and also adopt the customized rating approach. Also in the United Kingdom, Ireland and Italy, and in the USA, some companies have started promoting it especially among young drivers. The Pay As You Drive system that determines the premium of the insurance in function of the use of the vehicle is convenient for everybody, but it can bring to consisting prize reductions, in presence of a corrected guide, for the fleets of commercial vehicles.

New emergency instruments are being studied and have been introduced at the Journée Securité et Réparation Automobiliste in Paris in December 2007: Adaptive Cruise Control, that models the speed of the car in function of the distance with the vehicle that precedes, and the Predective Security System that, bound together to first ABS, is become operating on the cars produced in the USA from 2009. For the next years the airbag is previewed that it will be mounted also to the outside so as to mitigate the impact with the pedestrians or the bicycles invested.

Campaigns to encourage more careful driving among young people leaving discotheques on Saturday nights, when accidents are at their highest, have been launched by several countries over the last years. In France, the slogan exhorts "arrêtons le massacre sur la route"; on the whole, the measures implemented in the course of 2004 have resulted in reducing accidents in one year by 5.4% and by about 9% the fatalities (which in 2005 were 5,542) and the more badly injured. In the last five years the loss prevention's measures taken have on the whole reduced the number of fatalities of 43%, saving 10.000 human lives and 100.000 wounded persons.

An increase, even if light, both in the number of deads and in that one of the wounded, has regarded nevertheless the motorcyclists. The motorcycles in circulation are in relationship of 1 to 20 with the motors vehicle but the death incidents have a relationship of 1 on 6.

CONCLUSIONS

The information so far supplied on the legislative evolution and operational situation in the management of the compulsory insurance and liability aspects for road traffic losses in the different countries stresses the need for a topic of such broad social significance to be constantly followed up by government and supervisory authorities, by insurers' representative associations, by jurists and academic world experts alike.

It is customary for most countries to have the individual professional sectors debate internally their problems also touching general interests, with the outcome that the relevant, legislatively and operationally viable remedies inevitably produce only partial effects, whereas intricate situations would call for interdisciplinary solutions. The fact that, in a world that is already accomplishing an economic globalization, there still resist, within the same States of Federations or Economic Unions, domestic systems that stubbornly counter harmonization policies by pursuing radically diverse approaches to both bodily injury and material damage claim settlements and government policies, as for instance loss prevention - of general interest in a society based on the free circulation of persons and goods worldwide - proves the need for international informative and advisory bodies to interact with the different countries' economic and academic representatives.

The International Association of Insurance Law, because of its appropriate characteristics, could by full right well play this role.

This is an informative paper drafted on the basis of the documentation gathered at international level on the current situation in almost all of the countries concerned and should contribute in updating for each the legislative and regulatory measures and insurance management guidelines so as to ensure full protection and safety to resident citizens and to whomever is travelling on business or tourism.

As mentioned in the foreword, the M.I.W.G. will arrange to submit the updated report at the next congress venues and publish the text so that it may be circularized to all concerned.

TABLES AND GRAPHS

TABLES AND GRAPHS

TOPIC N. 1A

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

a) **Compulsory**:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark*, Estonia, Finland, France*, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom*.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bahrain, Bangladesh, Bhutan, Brunei, China, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kazakhstan, Kyrgyzstan, Kuwait, Lebanon, Macao, Malaysia, Maldives, Mongolia, Myanmar (Burma), Oman, Pakistan, Palestine, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Sri Lanka, Syria, Taiwan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Vietnam.
AFRICA: Algeria, Angola, Benin, Botswana, Burkina-Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Congo (Brazzaville), Democratic Republic of Congo (Kinshasa), Djibouti, Egypt, Gabon, Gambia, Ghana, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Namibia, Niger, Nigeria, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Canada, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guyana, Haiti, Jamaica, Panama, St. Kitts & Nevis, St. Lucia, Peru, Puerto Rico, Suriname,Trinidad and Tobago, Uruguay, USA (in 48 Federate States out of 51), Venezuela.
OCEANIA: Australia, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Solomon Island, Vanautu

b) **Compulsory only for specific vehicles or in specific areas**:
ASIA: Cambodia (commercial motor vehicles), Laos (for foreigners and for commercial vehicles).
AFRICA: Mozambique (for public transport and foreign motorists).
AMERICA: Bolivia (for diplomatic cars), Colombia (for public transport), Cuba (diplomats and other foreign residents, public transport, vehicles transporting goods), Guatemala (for public transport and school-buses), Honduras (for international bodies vehicles), Mexico (in Puebla, Monterrey, Sinaloa and in Distrito Federal for public transport), Paraguay (for public transport).

c) **Not compulsory:**
ASIA: Afghanistan, Nepal, North Korea, Tajikistan, Yemen.
AFRICA: Cape Verde Islands, Equatorial Guinea, Eritrea, Ethiopia, Guinea,Guinea Bissau, Somalia.
AMERICA: Dominica, Nicaragua, St. Vincent and the Grenadines, U.S.A. (New Hampshire, Tennessee, Wisconsin).
OCEANIA: East Timor, Tonga, Tuvalu, Western Samoa Islands.

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* The Overseas Territories which apply mandatory Motor T.P.L Insurance on the basis of the laws in force in their mother-countries are: the French Overseas Departments of Mahorè and La Réunion in Africa; Guadeloupe, Martinique, Guyane Française and S. Pierre & Miquelon in America; Nouvelle Calédonie, Polynésie Française and Wallis & Futuna in Oceania; the British Crown Dependency of the Isle of Man, Jersey and Guemsey and the British Territory of Gibraltar in Europe; the British Indian Ocean Territory in Asia; Saint Helena in Africa; Anguilla, Bermuda, Cayman Islands, British Virgin Island, Montserrat, Turks and Caicos Islands, Falkland Islands in America; Pitcairn, South Georgia and the South Sandwich Island in Oceania; the Danish Faroe Islands in Europe and the autonomous region of Greenland in America

TABLES AND GRAPHS

TOPIC N. 1B

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

YEARS OF IMPLEMENTATION

1908	Austrian-Hungarian Empire
1918	Denmark
1925	Finland
1926	Norway
1927	Massachussetts (USA)
1929	Austria,Sweden
1930	United Kingdom
1932	Liechtenstein, Luxemburg, Switzerland
1934	Burma, New Zealand
1935	Czechoslovakia, Monaco
1936	Latvia *(until incorporation in the Soviet Union)*
1937	Queensland, South New Wales (Australia)
1939	Germany, France (for public transport)
1942	South Africa
1946	India
1947	Belgium (for public transport)
1948	Togo
1949	Sierra Leone
1951	Israel, Hong Kong, Sri Lanka (Ceylon), Uganda
1954	Vietnam, Victoria and Western Australia
1955	Dominican Republic, Japan, Kenya, Nigeria, Tasmania.
1956	Belgium, Egypt, Haiti, Portugal (for public transport)
1957	Cyprus, Connecticut and New York (USA)
1958	Bulgaria, Ghana, North Caroline (USA)
1959	France, Hungary, Kuwait, Malaysia, Taiwan
1960	Turkey
1961	Andorra, Ireland, Ivory Coast, Poland, Tanzania, Tunisia
1962	Algeria, Gabon, Madagascar, Mauritania, Morocco, Spain, Sudan, Venezuela, Zimbawe (Rhodesia)
1963	Central African Republic, Mauritius, Panama, Senegal, South Korea, Netherland, Yugoslavia
1964	Indonesia, Zambia (North Rhodesia)
1965	Benin (Dahomey), Iran
1966	Gambia
1967	Nauru, Syria
1968	Brazil, Malawi, St. Kitts & Nevis
1969	Bahamas, Iran, Italy, San Marino, Vatican City
1970	Chile
1971	Libya, North Ireland, Sierra Leone
1972	Romania, Kuwait
1973	Costarica, Liberia
1975	Portugal
1976	Greece
1978	Philippines

1979	Oman
1980	Trinidad andTobago
1981	Iraq, Kiribati, Qatar
1983	Sudan
1984	United Arab Emirates
1985	Jordan, Solomon Islands
1987	Botswana, Iceland
1992	Argentina (Buenos Aires), Thailand
1993	Albania, Estonia
1994	Macao, Moldova, Slovenia, St. Lucia
1995	Bosnia-Herzegovina, Mongolia, Papua-New Guinea, Uzbekistan
1996	Barbados, Kazakhstan
1997	Azerbaijan, Croatia, Czech Republic, Ecuador, Georgia, Latvia, Macedonia, Mexico, Slovak Republic,Turkmenistan, Ukraine, Zambia
1998	Armenia, Namibia
1999	Belarus
2000	Cambodia, Peru
2001	Colombia, Kyrgyzstan, Jamaica, Lithuania, Vietnam
2002	Russia, Saudi Arabia
2003	Argentina (on the whole territory), Lebanon, Mozambique, People's Republic of China, Florida, Mississippi, New Mexico, Utah, Washington (USA)
2008	Uruguay

TABLES AND GRAPHS

TOPIC N. 2

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

ENFORCEABILITY OF T.P.L. LAW IN RESPECT OF BODILY INJURIES AND PROPERTY DAMAGES

a) **Enforceable for both bodily injuries and property damages:**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherland, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bahrain, Bangladesh, Bhutan, India, Iran, Iraq, Jordan, Kazakhstan, Kuwait, Laos, Lebanon, Macao, Mongolia, Oman, Pakistan, Palestine, Qatar, Saudi Arabia, Sri Lanka, Syria, Turkmenistan, United Arab Emirates, Uzbekistan.
AFRICA: Algeria, Benin, Burkina-Faso, Burundi, Cameroon, Central African Republic, Chad, Djibouti, Gabon, Ghana, Ivory Coast, Liberia, Mali, Mauritania, Morocco, Niger, Senegal, Sierra Leone, Togo, Tunisia.
AMERICA: Canada, Dominican Republic, Haiti, Jamaica, Panama, Puerto Rico, USA (in 48 Federate States), Venezuela.

b) **Enforceable only for bodily injuries**:
ASIA: Brunei, Cambodia, China, Hong Kong, Indonesia, Israel, Japan, Kyrgyzstan, Laos, Malaysia, Maldives, Myanmar, the Philippines, Singapore, South Korea, Taiwan, Thailand, Vietnam.
AFRICA: Angola, Botswana, Burundi, Comoros, Congo (Brazzaville), Congo (Kinshasa), Egypt, Kenya, Lesotho, Libya, Madagascar, Malawi, Mauritius, Namibia, Nigeria, Rwanda, Seychelles, South Africa, Sudan, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe.
AMERICA: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Grenada, Guyana, Mexico, Peru, St. Kitts and Nevis, St. Lucia, Suriname, Trinidad and Tobago, Uruguay
OCEANIA: Australia, New Zealand (personal injuries and death resulting from motor vehicle accidents are covered by a no-fault compensation scheme, for all people including visitors, established under The Accident Rehabilitation and Compensation Insurance Act of 1992 which abolished the right to sue for damages in respect of injury or death in any Court; comprehensive or third party property motor insurance is not compulsory), Fiji, Kiribati, Nauru, Papua New Guinea, Solomon Island, Vanautu.

Data not available for the other countries.

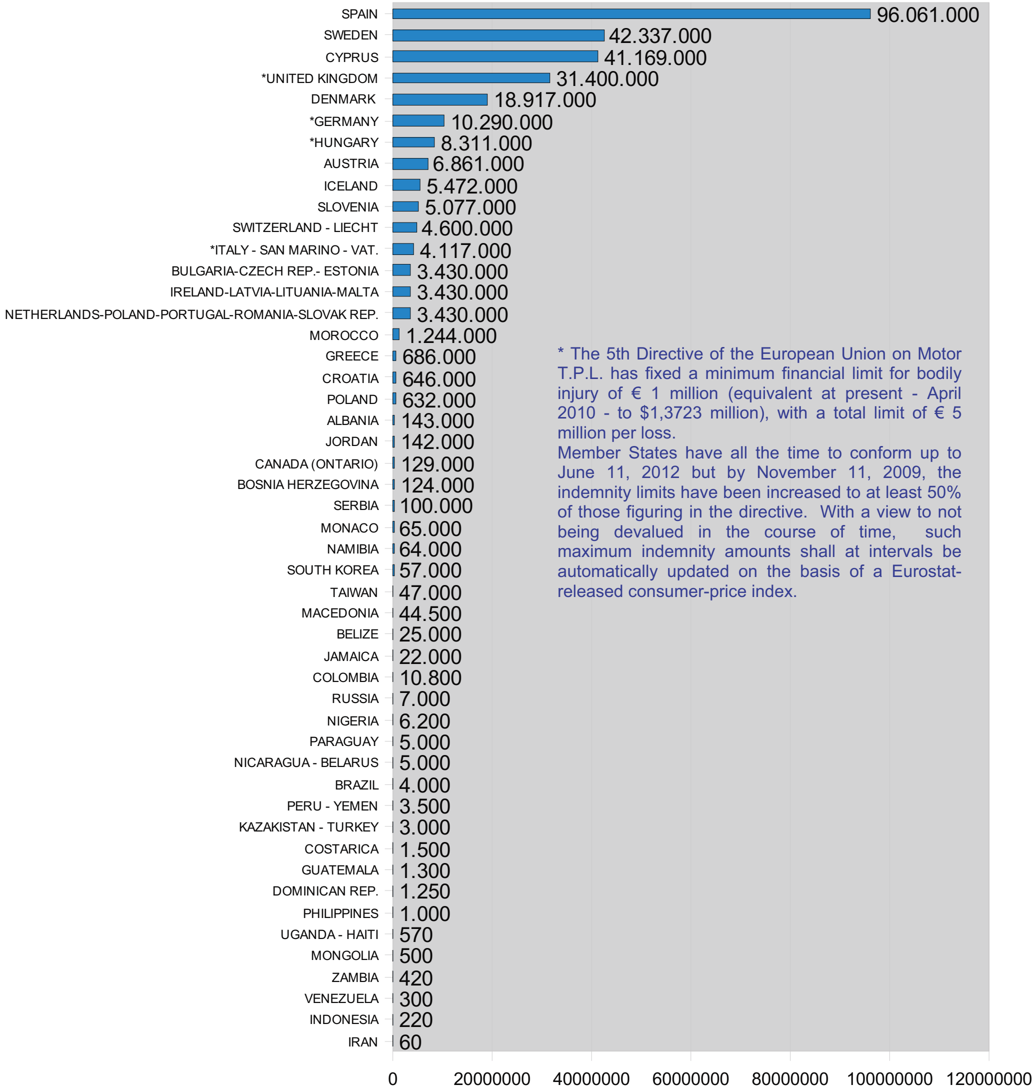
TABLES AND GRAPHS

TOPIC N. 3 – GRAPH A

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

MINIMUM FINANCIAL LIMITS OF LIABILITY: BODILY INJURIES (IN US$)

UNLIMITED:*BELGIUM, *FINLAND, *FRANCE, *IRELAND, *LUXEMBURG, *MALTA, ANDORRA, MOLDOVA, NORWAY, BAHRAIN, BRUNEI, CHINA, HONG KONG, INDIA., IRAQ, ISRAEI, JAPAN, KUWAIT, MALAYSIA, OMAN, PAKISTAN, QATAR, SINGAPORE, SRI LANKA, SYRIA, UNITED ARAB EMIRATES, ALGERIA, BURUNDI, EGYPT, ERITREA, ETHIOPIA, KENYA, LESOTHO, LIBYA, MALAWI, MAURITIUS, RWANDA, SOUTH AFRICA, SUDAN. TANZANIA, TUNISIA, ZIMBAWE, AUSTRALIA, NEW ZEALAND, ARGENTINA, PUERTO RICO



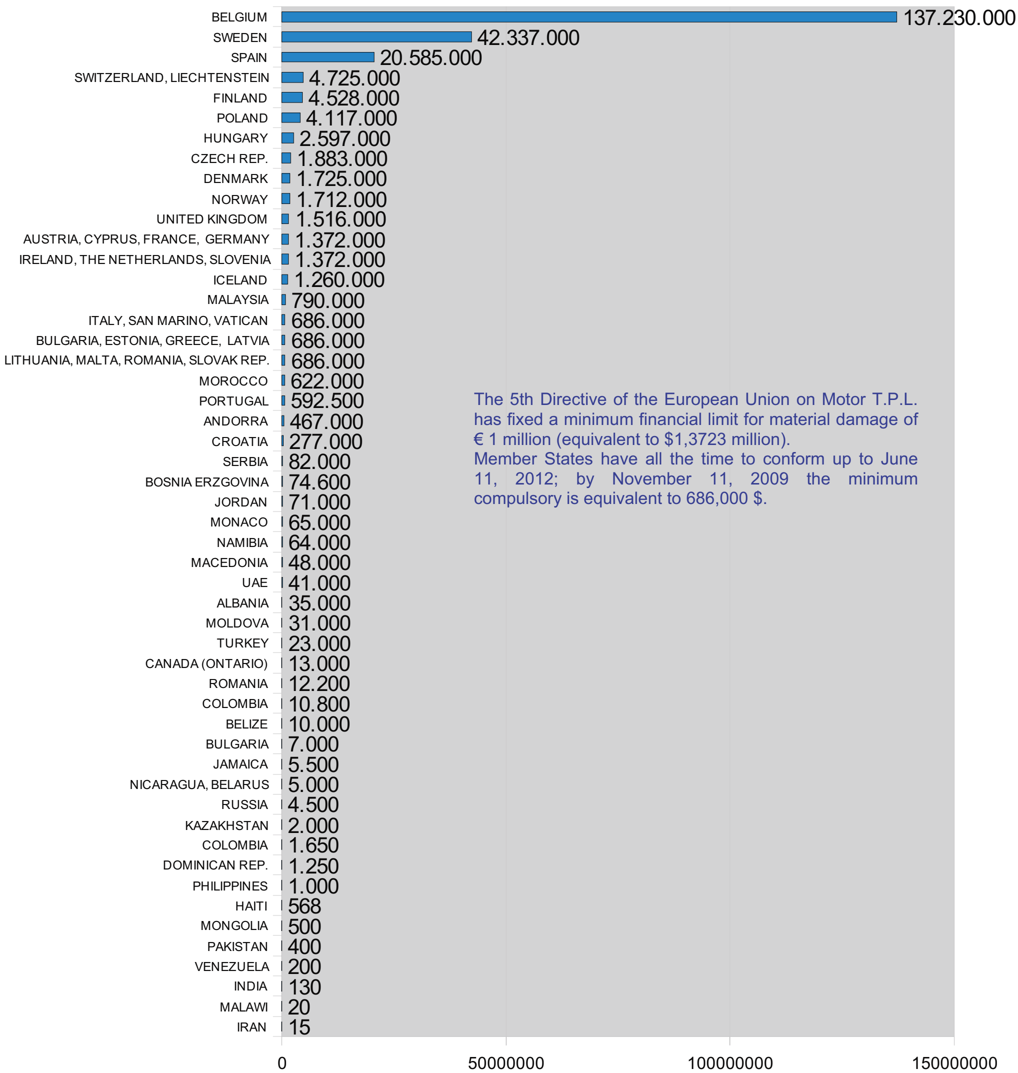
TABLES AND GRAPHICS

TOPIC N.3 – GRAPH B

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

MINIMUM FINANCIAL LIMITS OF LIABILITY: PROPERTY DAMAGES (IN US$)

UNLIMITED: *LUXEMBURG, BAHRAIN, IRAQ, JAPAN, KUWAIT, OATAR, OMAN, SRI LANKA, SYRIA, ALGERIA, BURUNDI, ERITREA, ETHIOPIA, RWANDA, SUDAN (value of the vehicle), TUNISIA, ARGENTINA.



TABLES AND GRAPHS

TOPIC N. 4

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

LIABILITY TO PASSENGERS

a) **Coverage required:**
EUROPEAN UNION: Austria, Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Latvia, Malta, Netherland, Poland, Slovenia, Spain, Sweden, Romania, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Macedonia, Monaco, Montenegro, Norway, Russia, Serbia, Ukraine,
ASIA: Bhutan, India, Indonesia, Iran, Iraq, Israel, Japan, Kazakhstan, Malaysia, Mongolia, Oman, Pakistan, Qatar, Singapore, South Korea (for commercial vehicles US$ 117.603), Taiwan, Thailand.
AFRICA: Algeria, Botswana, Ghana, Lesotho, Libya, Malawi, Mauritius, Namibia, Nigeria, South Africa, Sudan, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Haiti, Mexico, Paraguay, Peru.
OCEANIA: Australia, New Zealand.

b) **Coverage required excepting insured's relatives:**
EUROPEAN UNION: Bulgaria, Czech Republic, Hungary, Italy, Lithuania, Luxemburg, Portugal, Slovak Republic
EUROPE EXTRA EU: Liechtenstein, San Marino, Switzerland, Turkey, Vatican City.
ASIA: Kuwait, Philippines.
AFRICA: Egypt, Morocco (owner excluded too).
AMERICA: Argentina, Puerto Rico, Uruguay.

c) **Coverage required excepting passengers carried in pursuance of employment contract:**
AFRICA: Kenya.
ASIA: Hong Kong (also if employee is a family member)
AMERICA: Jamaica, Venezuela.

d) **Coverage required excepting owner and his employees:**
ASIA: Jordan (family members of the driver are also excluded), Syria (relatives of the owner are also excluded), United Arab Emirates (family members of the driver are also excluded).

e**) Coverage not required**
EUROPE EXTRA EU: Moldova
ASIA: India (excepting when on board of public transport), Indonesia, Malaysia (excepting paying passengers), Ornan (excepting paying passengers), Taiwan.
AFRICA: Libya, Malawi (excepting paying passengers), Mauritius (excepting paying passengers), Sudan (excepting paying passengers), Tanzania, Tunisia, Zimbabwe.
AMERICA: Belize, Haiti, Mexico, Uruguay (excepting passengers on public means of transport).

TABLES AND GRAPHS

TOPIC N. 5

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

CLASSES OF VEHICLES FOR WHICH INSURANCE IS COMPULSORY

a) **All motor vehicles**:
EUROPEAN UNION: Belgium, Bulgaria, Cyprus, Hungary, Ireland, Italy, Lithuania, Poland, Slovenia, Spain, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Croatia, Iceland, Liechtenstein, Russia, San Marino, Turkey, Ukraine, Vatican City.
ASIA: Bhutan, China, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Kyrgyzstan, Malaysia, Mongolia, Ornan, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Syria, Taiwan, United Arab Emirates.
AFRICA: Algeria, Benin, Botswana, Burkina-Faso, Cameroon, Central African Republic, Chad, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Ivory Coast, Libya, Mali, Morocco, Namibia, Niger, Republic of Congo, Senegal, South Africa, Sudan, Togo, Tunisia.
AMERICA: Argentina, Belize, Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Haiti, Jamaica, Peru, Uruguay, Venezuela.
OCEANIA: Australia, New Zealand.

b) **All but State-owned motor vehicles:**
EUROPEAN UNION: Austria, Czech Republic, Denmark, Estonia, Finland, France, Greece, Malta, the Netherlands, Slovak Republic, Sweden.
EUROPE EXTRA EU:, Macedonia, Monaco, Switzerland.
AFRICA: Burundi, Kenya, Malawi, Mauritius, Nigeria, Rwanda, Tanzania, Uganda, Zambia, Zimbabwe.
ASIA: Hong Kong, Kazakhstan, Macau, Thailand.

c) **All but motor vehicles with low running speed engines**:
EUROPEAN UNION: Austria (10 km/h), Estonia (15 km/h), Germany (6 km/h), Latvia (50km/h) Luxemburg (35 km/h).
EUROPE EXTRA EU: Norway (10 km/h).

d**) All but agricultural vehicles:**
EUROPEAN UNION: Malta, Portugal.
EUROPE EXTRA EU: Serbia, Montenegro

e) **All motor vehicles except for motorbikes**:
EUROPEAN UNION: Romania.
EUROPE EXTRA EU: Moldova.

f**) All but motor vehicles for the disabled:**
AFRICA: Lesotho.

g) **Compulsory only for public transport vehicles, international haulages and tankers**
AMERICA: Colombia, Guatemala, Mexico, Peru,
ASIA: Cambodia

h) **Compulsory only for Diplomatic Corps vehicles and vehicles owned by foreign visitors**:
AMERICA: Bolivia, Honduras.

TABLES AND GRAPHS

TOPIC N. 6

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

ISSUE OF COMPULSORY MOTOR T.P.L. INSURANCE

a) **Insurance is issued on vehicles in**:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bhutan, China, Hong Kong, India, Iran, Israel, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Macau, Malaysia, Ornan, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Ghana, Kenya, Lesotho, Malawi, Mauritius, Morocco, Namibia, Nigeria, South Africa, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Belize, Bolivia, Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Haiti, Jamaica, Mexico, Panama, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia.

b) **Insurance is issued on driving licences or on owner in**:
EU: Portugal.
ASIA: Kazakhstan, South Korea, Taiwan
AMERICA: Nicaragua.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 7

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

RULES APPLICABLE TO TRAILERS

a) **Insurance covers towing vehicles in**:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bhutan, Hong Kong, India, Iran, Israel, Japan, Kazakhstan, Kyrgyzstan, Malaysia, Mongolia Oman, Pakistan, Philippines, South Korea, Qatar, Singapore, Tajikistan, Turkmenistan, Uzbekistan.
AFRICA: Botswana, Ethiopia, Kenya, Lesotho, Mauritius, Morocco, Namibia, Nigeria, South Africa, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Brazil,. Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Peru, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia (New South Wales and Queensland), New Zealand.

b) **The "static risk" needs a separate contract covering damages caused by hand manoeuvres or construction-faults or neglected maintenance, in:**
EUROPEAN UNION: Austria, Belgium, Germany, Hungary, Italy, Latvia, Lithuania Luxemburg, Romania, Slovenia.
EUROPE EXTRA EU: Albania, Armenia, Belarus, Finland, Georgia, Poland, Russia, Ukraine.
ASIA: Azerbaijan, China, Israel, Kazakhstan, Kyrgyzstan, Tajikistan, Taiwan, Turkmenistan, Uzbekistan.
AMERICA: Canada (only if the owner of the trailer does not, also, own the tractor), Dominican Republic, Haiti.
OCEANIA: Australia (Victoria).

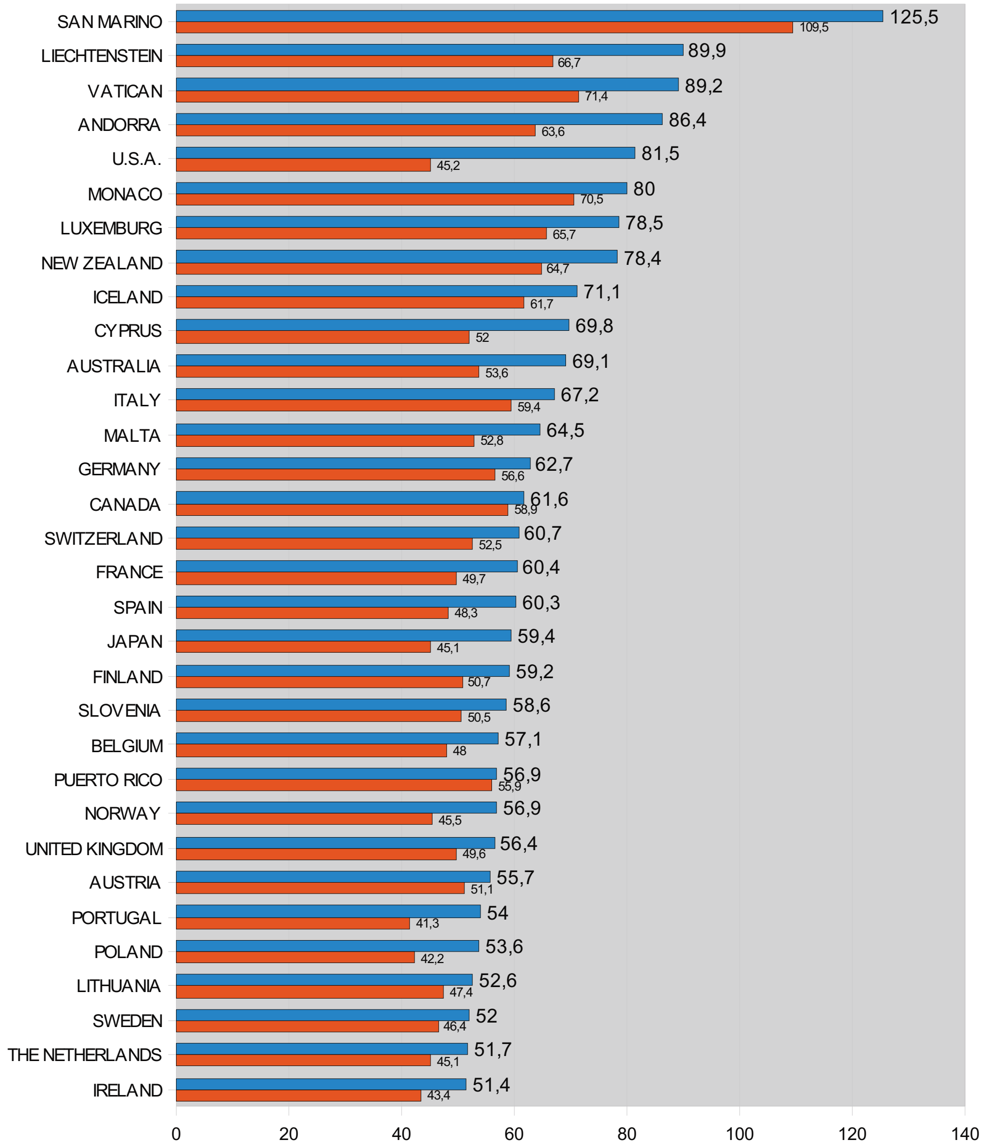
Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 8

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

% REGISTERED VEHICLES – MOTOR CARS/RESIDENT POPULATION 2008 – WORLDS' TOP



BLUE: total registered vehicles
RED: registered motorcars

TABLES AND GRAPHS

TOPIC N. 9

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

UNINSURED VEHICLES TO TOTAL CIRCULATING VEHICLES RATIO

a) **Lower than 5%:**
EUROPEAN UNION: Austria (0,5%), Belgium (0,6%), Czech Republic, Denmark, Estonia, Finland, France, Germany (0,1%), Hungary, Italy, Luxemburg, the Netherlands (3%), Portugal, Slovenia (1%), Spain (4.5%), Sweden (1%), United Kingdom (5%).
EUROPE EXTRA EU: Croatia, Iceland, Liechtenstein, Monaco, Norway, San Marino, Switzerland, Vatican City.
ASIA: Bhutan, India, Japan (3%), Singapore, South Korea.
AFRICA: Botswana, Tunisia (2%), Zimbabwe, Mauritius.
AMERICA: Argentina, Canada, Chile (2%), Dominican Republic.
OCEANIA: Australia (New South Wales 2%, Queensland 2% and Victoria 5%), New Zealand.

b**) Ranging than 6% to 10%:**
EUROPEAN UNION: Cyprus (10%), Greece (7%), Ireland, Romania, Slovak Republic (7%).
ASIA: Oman (10%), Pakistan (10%).
AFRICA: Morocco.

c**) Ranging than 11 % to 30%:**
EUROPEAN UNION: Malta (22%),
EUROPE EXTRA EU: Albania (30%), Macedonia (15%), Turkey (24%).
ASIA: Lebanon (30%), Qatar (20%).
AFRICA: Namibia (20%).
AMERICA: Bolivia (30%), Costa Rica (20%), United States (14%).

d) **Ranging from 31% to 50%:**
EUROPEAN UNION: Latvia (45% - 55%).
EUROPE EXTRA EU: Russia (40%), Ukraine (50%)
ASIA: Mongolia (50%), Taiwan
AMERICA: Haiti (37%), Mexico (50%), Uruguay (44%).

e**) Over 50%:**
ASIA: Indonesia (78%), Iran (60%), Kazakhstan (60%), the Philippines (75%), Thailand, Yemen (80%).
AFRICA: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Gabon, Ivory Coast, Lesotho (70%), Mali, Niger, Republic of Congo, Senegal, Uganda (60%), Tanzania (60%), Togo.
AMERICA: Brazil (70%), Colombia (70%), Guatemala (90%), Mexico (80%), Nicaragua (90%), Paraguay (80%), Panama (70%), Perù (70%), Puerto Rico (70%).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 10

COMPULSORY MOTOR T.P.L. INSURANCE AND INSURED VEHICLES

T.P.L. INSURANCE REGULATIONS FOR MOTORBOATS AND CRAFTS

a**) T.P. Liability Insurance is compulsory (cover similar to T.P.L. Insurance on road motor vehicles):**

- Included in the same law governing Motor T.P.L. Insurance:
EUROPEAN UNION: Italy, Slovenia.
EUROPE EXTRA EU: Macedonia.
ASIA: Mongolia.
AFRICA: South Africa, Zambia.

- Governed by a separate law:
EUROPEAN UNION: Bulgaria, Hungary, Luxemburg, Malta Portugal, Spain.
EUROPE EXTRA EU: Monaco, Switzerland.
ASIA: Hong Kong, India, Israel, Oman, Macau, Pakistan, Philippines, Thailand.
AFRICA: Mauritius, Tunisia.
AMERICA: Belize, Brazil, Nicaragua (only crafts), Mexico, Peru, Venezuela.

b) **T.P. Liability Insurance is not compulsory**:
EUROPEAN UNION: Austria, Belgium, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Latvia, Lithuania, the Netherlands, Poland, Romania, Slovak Republic Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Croatia, Georgia, Iceland, Liechtenstein, Moldova, Montenegro, Norway, Russia, Serbia, Turkey, Ukraine.
ASIA: Azerbaijan, China, Iran, Japan, Kazakhstan, Kyrgyzstan, Malaysia, Qatar, Saudi Arabia, Singapore, South Korea, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Ethiopia, Kenya, Lesotho, Malawi, Namibia, Nigeria, Tanzania, Uganda, Zimbabwe.
AMERICA: Argentina, Bolivia, Canada (Ontario), Chile, Colombia, Costa Rica, Ecuador, Dominican Republic, Guatemala, Haiti, Honduras, Jamaica, Panama, Puerto Rico, Uruguay.
OCEANIA: Australia, New Zealand.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 11

NON-RESIDENT MOTORISTS

ENFORCEABILITY OF INSURANCE LAW ON NON RESIDENT MOTORISTS

a) **Enforceable**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Bhutan, China, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Macau, Malaysia, Mongolia, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Syria, Taiwan, Thailand, United Arab Emirates.
AFRICA: Algeria, Benin, Botswana, Burkina-Faso, Cameroon, Central African Republic, Chad, Egypt, Ethiopia, Gabon, Ivory Coast, Kenya, Lesotho, Libya, Malawi, Mali, Mauritius, Morocco, Niger, Nigeria, Republic of Congo, Senegal, South Africa, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Bolivia, Brazil, Canada (Ontario), Costa Rica, Dominican Republic, Haiti, Jamaica, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela .
OCEANIA: Australia, New Zealand.

b) **Not enforceable**:
ASIA: Oman.
AFRICA: Namibia.
AMERICA: Chile, Colombia, Honduras, Mexico.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 12

NON-RESIDENT MOTORISTS

EXTENSION TO NON RESIDENT MOTORISTS OF THE SAME RIGHTS AND PROTECTION GRANTED BY MOTOR INSURANCE LAW TO RESIDENTS

a) **Applicable:**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland*, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bhutan, China, Hong Kong, India, Indonesia, Iran, Israel, Japan, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Macau, Malaysia, Mongolia, Ornan, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Tajikistan, Taiwan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Algeria (except for Guarantee Fund which operates on the basis of reciprocity), Botswana, Ghana, Kenya, Lesotho, Malawi, Mauritius, Morocco (except for Guarantee Fund which operates on the basis of reciprocity), Namibia, Nigeria, South Africa, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Belize, Bolivia, Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia, New Zealand.

b**) Applicable, on the basis of reciprocity:**
EUROPE EXTRA EU: Macedonia, Turkey.

c) Not applicable:
AMERICA: Honduras

Data not available for the other countries.

* Bodily injuries sustained by the owner/driver of the non-Finnish (other than Swedish or Norwegian) vehicle that caused the crash are not covered.

TABLES AND GRAPHS

TOPIC N. 13

NON-RESIDENT MOTORISTS

PURCHASE OF INSURANCE COVER BY NON-RESIDENT MOTORISTS (VISITORS)

a) **Non resident motorists who hold no international insurance certificate can underwrite a short-duration frontier insurance, at the time of arrival at the border**:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Li.echtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Bhutan, China, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kazakhstan, Kyrgyzstan, Kuwait, Malaysia, Mongolia, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, South Korea, Syria, Taiwan, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Algeria, Benin, Botswana, Burkina-Faso, Egypt, Ethiopia, Ghana, Ivory Coast, Kenya, Lesotho, Libya, Malawi, Mali, Mauritius, Morocco, Namibia, Niger, Nigeria, Senegal, South Africa, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Haiti, Honduras, Jamaica, Mexico, Peru, Uruguay, Venezuela.

b**) Within the EU, member-Countries citizens are exempted from subscription of either international certificate or frontier-insurance, since their national insurance covers are effective. A similar provision is in force between the EU and Norway, Switzerland, Liechtenstein, Monaco, San Marino, Andorra, Vatican City.**

c) **A similar approach based on reciprocity exists in Africa within the COMESA Scheme and Ecowas, and in South America among MERCOSUR members (Argentina, Brazil, Paraguay and Uruguay).**

d) **In most South American Countries civil liability insurance for passengers and for trucks on international journeys is also compulsory (cfr. Topic N. 1).**

e) **Vehicles of non resident motorists registered and insured under the legislation in force in their home Country, need no further insurance cover in**:
OCEANIA: Australia, New Zealand.

f) **Lease of an insured vehicle:**
AMERICA: Puerto Rico.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 14

THE GUARANTEE FUND

COUNTRIES WHERE THE GUARANTEE FUND IS OPERATIONAL

a) **Established by law in:**
EUROPEAN UNION: Austria (since 1977), Belgium (1957), Bulgaria, Cyprus (1969), Czech Republic (2000), Denmark (1927), Estonia (1993), Finland (1953), France (1951), Germany (1965), Greece (1976), Hungary (1991), Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands (1965), Poland, Portugal (1979), Romania (2007), Slovak Republic (2002), Slovenia (1995), Spain (1962), Sweden (1929), United Kingdom (1946).
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia (1997), Georgia, Iceland, Liechtenstein (1958), Macedonia, Moldova, Monaco, Montenegro, Norway (1936), Russia, San Marino, Serbia, Switzerland (1958), Turkey (1983), Ukraine, Vatican City.
ASIA: India, Iran, Israel, Japan (1955), Phlippines, Singapore, South Korea, Taiwan, Thailand.
AFRICA: Algeria, Botswana, Morocco (1955), Namibia, Nigeria, Rwanda, Senegal, South Africa, Tunisia (1962), Zimbabwe.
AMERICA: Canada (Ontario), Colombia, Haiti, Peru, Puerto Rico, Uruguay.

b) **An equivalent system of compensation to road victims exists in**:
EUROPEAN UNION: Lithuania
EUROPE EXTRA EU: Croatia, Macedonia, Montenegro, Serbia.
ASIA: Hong Kong (two Funds: one to cover uninsured or unidentified vehicle, one to cover motor claims where insurer is insolvent), Indonesia, Iraq, Japan, Macau, Malaysia, Mongolia.
AMERICA: Brazil.
OCEANIA: Australia (1942), New Zealand (1928).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 15

THE GUARANTEE FUND

CASES, CRITERIA AND LIMITS FOR APPLICABILITY OF THE GUARANTEE FUND*

a) In case of unidentified vehicles, the Fund covers:

- both personal injuries and material damages:
EUROPEAN UNION: Belgium (material damages settled only in combination with severe bodily injuries), Bulgaria, Czech Republic (for material damages and loss of profit only in combination with severe bodily injuries and with a minimum loss of an amount equivalent to 538 US$), Denmark, Finland, France, Estonia, Germany, Greece, Hungary (only the damaged motor vehicle is covered in case the accident caused death or serious personal injury, permanent disability accompanied by an at least 25% injury relating to health of whole organism or personal injury resulting from the accident causing serious deterioration of health involving at least six months recovery time), Ireland (up to a limit of US$ 113,160), Lithuania, Malta, the Netherlands (excess of US$ 155 for material damages), Norway, Portugal, Romania (material damages only in presence of severe bodily injuries which need more than 60 days of medical care), Spain, Slovak Republic, Slovenia (excess of US$ 686 for material damages in case of the death of one of the claimants), Sweden (excess of US$ 194 for material damages, except for accidents involving reindeers).
EUROPE EXTRA EU: Liechtenstein, Switzerland (excess of US$ 677 for material damages).
ASIA: Iran.
AFRICA: Algeria, Morocco (for foreign visitors on condition of reciprocity in their Country of origin), Tunisia.
AMERICA: Canada (Ontario) (for foreign visitors on condition of reciprocity in their Country of origin).

- personal injuries only:
EUROPEAN UNION: Austria, Cyprus, Denmark, Italy (with further limitation when the accident causes death or temporary disablement healable in over 90 days - or 20% permanent disablement), Latvia, Luxemburg (with a limit of US$ 17,150,000), Poland, United Kingdom.
EUROPE EXTRA EU: Albania (with an allowance of US$ 225), Andorra, Bosnia Herzegovina, Croatia, Georgia, Moldova, San Marino, Serbia, Montenegro (for foreign visitors on condition of reciprocity in their Country of origin), Turkey, Ukraine, Vatican City.
ASIA: Hong Kong, India, Iraq, Israel, Japan (with a limit equivalent to US$ 324,000 for death, US$ 432,000 for permanent disability, US$ 13,000 for bodily injury other than permanent disability), South Korea, Taiwan, Thailand.
AFRICA: Nigeria.
AMERICA: Brazil, Colombia, Peru, Uruguay.
OCEANIA: Australia, New Zealand.

b) In case of uninsured vehicles the Fund covers

- both personal injuries and material damages:
EUROPEAN UNION: Austria (excess of US$ 225 for material damages), Belgium (excess of US$ 263 for material damages), Cyprus (excess of US$ 400 for material damages), Czech Republic (if the material

* *If not otherwise specified, the Guarantee Fund cover does not exceed the minimum limits of compulsory insurance*

damages and loss of profit exceed an amount equivalent to US$ 270), Denmark, Estonia, Finland, France (excess of 500 US$ for material damages), Germany, Greece, Hungary, Ireland, Italy (excess of US$ 500), Lithuania, Luxemburg (with the limit sub a), Malta, the Netherlands (excess of US$ 155 for material damages), Poland, Portugal, Romania, Slovak Republic Spain, Sweden, United Kingdom (unlimited for personal injuries and up to limit of £ 1,000,000 – equivalent US$ 1,516,246 – for full property damages).
EUROPE EXTRA EU: Andorra, Croatia, Liechtenstein, Moldova, Norway, San Marino, Serbia-Montenegro, Switzerland, Vatican City.
ASIA: Iran.
AFRICA: Algeria, Morocco (for foreign visitors on condition of reciprocity in their Country of origin), Tunisia.
AMERICA: Canada (Ontario) (for foreign visitors on condition of reciprocity in their Country of origin).

- **only personal injuries**:
EUROPEAN UNION: Hungary, Latvia, Slovenia.
EUROPE EXTRA EU: Georgia, Turkey.
ASIA: Hong Kong, India, Israel, Japan (with the limit sub a)), Taiwan, Thailand.
AMERICA: Brazil, Colombia, Perù, Uruguay
OCEANIA: Australia, New Zeland

c) In case of a vehicle insured by a company under compulsory winding up:

- **both personal injuries and material damages**:
EUROPEAN UNION: Austria (excess of US$ 225 for material damages), Belgium (excess of US$ 263 for material damages), Cyprus, Czech Republic, Estonia, Finland, France, Greece, Italy, Lihuania, Luxemburg (with the limit sub a), the Netherlands (excess of US$ 155 for material damages), Portugal, Romania, Slovak Republic, Spain, United Kingdom (100% protection with no upper limit not by Guarantee Fund but by the Financial Services Compensation Scheme).
EUROPE EXTRA EU: Croatia, Liechtenstein, San Marino, Switzerland, Turkey (with the limit for material damages sub a), Vatican City.
ASIA: Iran, Japan.
AFRICA: Tunisa.
AMERICA: Canada (Ontario) (for foreign visitors on condition of reciprocity in their Country of origin), Puerto Rico.

- personal injuries only:
EUROPEAN UNION: Germany, Hungary, Latvia, Portugal.
EUROPE EXTRA EU: Andorra. Georgia
ASIA: Hong Kong, Israel, Malaysia, Taiwan.
OCEANIA: Australia, New Zealand.

- the Guarantee Fund is not operative:
EUROPEAN UNION: Sweeden.
EUROPE EXTRA EU: Norway.
AMERICA: Argentina.

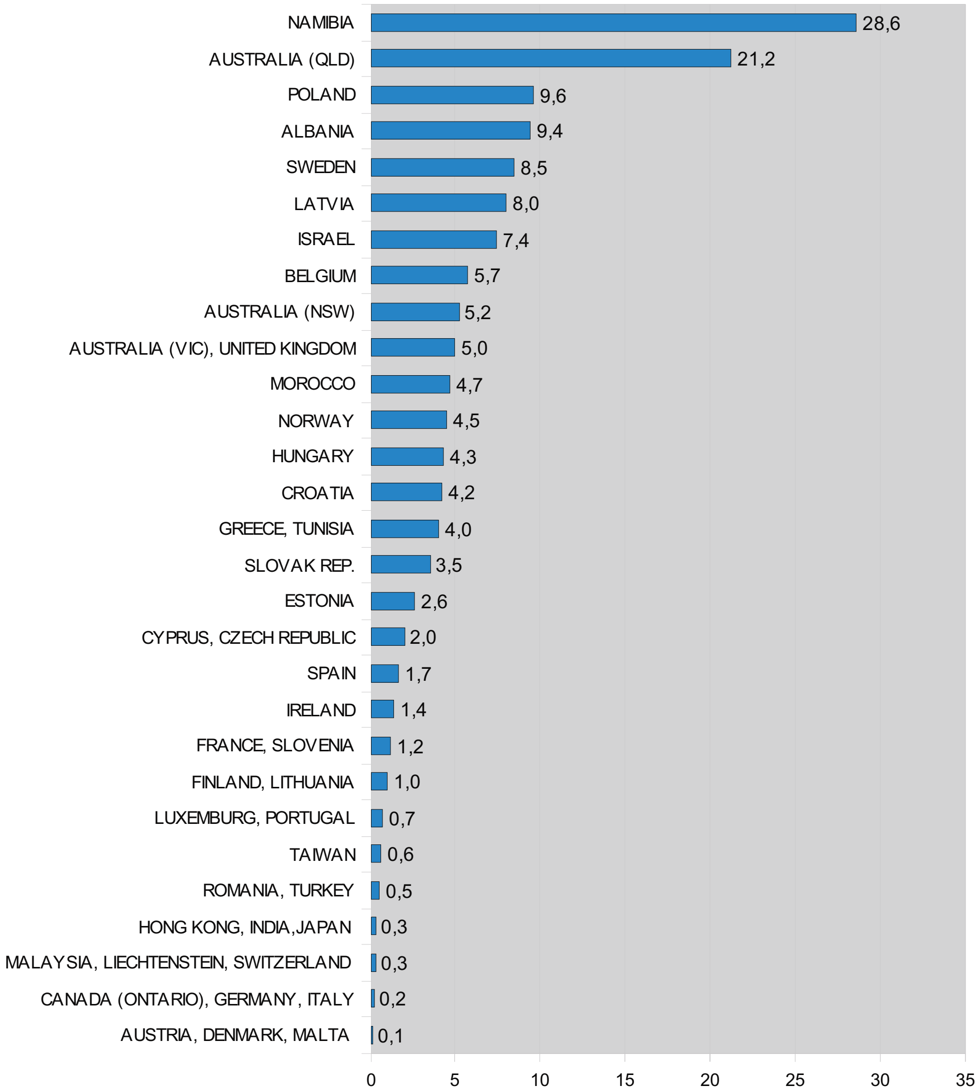
Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 16

THE GUARANTEE FUND

**% CLAIMS RECEIVED BY GUARANTEE FUND/ACCIDENTS
(LATEST DATA AVAILABLE)**



In South Africa all claims are compensated by the Guarantee Fund and in New Zealand by the Accident Compensation Corporation.

Data not available for the other countries

TABLES AND GRAPHS

TOPIC N. 17

THE GUARANTEE FUND

APPEAL AGAINST REFUSAL BY THE GUARANTEE FUND

a) **Appeal to ordinary Court:**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany (the case must first be brought up before a special Board of Arbitration) Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Sweden, United Kingdom (appeal to an Arbitrator only in case the accident involves an unidentified motorist; in case of identified motorist appeal to ordinary Court).
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Bosnia Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Iraq, Israel, Japan, Taiwan.
AFRICA: Morocco, Namibia, South Africa, Tunisia.
AMERICA: Canada
OCEANIA: Australia, New Zealand.

b) **Administrative appeal or appeal to the ordinary Court:**
EUROPEAN UNION: Finland. Spain
EUROPE EXTRA EU: Moldova.
ASIA: Indonesia.
AMERICA: Brazil, Colombia, Uruguay

c) **No appeal:**
EUROPEAN UNION: Malta.
ASIA: Hong Kong, India, Iran, Malaysia.
AFRICA: Nigeria.
AMERICA: Haiti, Puerto Rico.

Data not available for the other countries

TABLES AND GRAPHS

TOPIC N. 18

MAIN LEGAL PRINCIPLES

MAIN LEGAL PRINCIPLES OF MOTOR T.P.L. INSURANCE LEGISLATION WITH SPECIAL REGARD TO THE PRINCIPLE OF "FAULT"

a) **Principle of fault:**
EUROPEAN UNION: Belgium (for material damages), Cyprus, Czech Republic (for material damages), Estonia, Finland (for material damages), Ireland, Latvia, Luxemburg, Malta, the Netherlands (excepting damages to pedestrians, cyclists, passengers, see b and c), Portugal (for material damages), Romania, Spain (for material damages), Sweden (for material damages), United Kingdom (including concept of contributory negligence in all cases).
EUROPE EXTRA EU: Armenia, Belarus, Croatia, Georgia, Macedonia, Moldova, Russia, Switzerland, Turkey, Ukraine.
ASIA: Azerbaijan, Bhutan, Iran, Japan (for material damages), Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Philippines, South Korea, Syria, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan.
AFRICA: Botswana, Burundi, Egypt, Eritrea, Ethiopia, Kenya, Lesotho, Libya, Malawi, Mauritius, Nigeria, Rwanda, South Africa, Sudan, Tanzania, Uganda, Zambia, Zimbabwe.
AMERICA: Brazil, Canada (with the exception of the provinces of Quebec, Ontario and Manitoba where bodily injuries compensation is provided for by the law on the principle of objective liability or "no-fault"), Colombia (for the road accidents involving two or more cars), Haiti, Mexico, Panama, Paraguay, Peru, Uruguay, USA (38 federated States)
OCEANIA: Australia (Queensland, South and Western Australia, Capital Territory).

b) **Principle of alleged fault:**
EUROPEAN UNION: Italy (excepting occasional lifts: in these cases the occasional passenger must prove the driver's negligence), France (for material damages), Hungary (for material damages), the Netherlands (only for damages to pedestrians, cyclists or passengers on public vehicles: in these cases the driver can disclaim liability solely if *force majeure* is proven), Poland (principle of fault for free of charge transport), Portugal (for personal injuries), Slovenia, Spain (for personal injuries)
EUROPE EXTRA EU: Albania, Andorra, Montenegro, San Marino, Serbia, Vatican City.
ASIA: Japan (for personal injuries).
AFRICA: Algeria (for material damages), Benin, Burkina-Faso, Cameroon, Central African Republic, Chad, Gabon, Ivory Coast, Mali, Morocco (for material damages), Niger, Republic of Congo, Senegal, Togo, Tunisia (for material damages and since January 2006 also for personal injuries).
AMERICA: Colombia (for the weaker parties, as pedestrians, in a road accident), Venezuela.
OCEANIA: Australia (New South Wales, Tasmania).

c) **Principle of objective liability:**

- **inclusive of personal injuries and material damages**:
EUROPEAN UNION: Austria, Denmark, Czech Republic, Germany, Greece (liability is based on fault as regards any damages only to the passengers of the negligent driver), Hungary (for weaker parties), Lithuania, Slovak Republic, Slovenia (for weaker parties).
EUROPE EXTRA EU: Croatia (for weaker parties), Iceland, Liechtenstein, Macedonia (for damages to third

parties), Monaco, Norway, Switzerland (for material damages only in combination with personal injuries).
ASIA: India, Iraq (with exclusion of driver and passengers), Israel (no fault system according to a 1976 law), Kuwait.
AFRICA: Namibia.
AMERICA: Argentina, Chile, Dominican Republic, Guatemala, Jamaica, Nicaragua, Puerto Rico, USA (13 federated States).

- **limited to personal injuries**:
EUROPEAN UNION: Belgium, Czech Republic, Finland, France, Hungary, the Netherland (in case of vulnerable road users, for children up 14 years old, elderliest persons, disables), Portugal (for pedestrian), Spain, Sweden.
ASIA: Hong Kong, Taiwan.
AFRICA: Algeria, Morocco, Tunisia.
AMERICA: Brazil (for transported passengers) Canada (Quebec, Ontario, Manitoba), Costa Rica, Paraguay.
OCEANIA: Australia (New South Wales for very serious injuries as spinal cord, sever brain injuries, leg amputations, Victoria, Northern Territory only for residents), New Zealand

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 19

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

STATE CONTROL ON INSURANCE BUSINESS AND, PARTICULARLY, ON MOTOR T.P.L. INSURANCE

State control is exercised worldwide. In fact State authorization is needed to perform insurance activities and companies must submit their annual reports showing the amount of their technical reserves and their solvency. In addition, in a few Countries, the general conditions of insurance policies must have State validation or even be submitted to prior approval.

- Control functions are carried out by:
a) **competent ministries**:
EUROPEAN UNION: Austria, , Cyprus, Czech Republic, Finland, France, Estonia, Greece, Ireland, Latvia , Lithuania, Luxemburg, , Malta, Poland, Slovak Republic, Spain, United Kingdom.
EUROPE EXTRA EU: Andorra, Croatia, Iceland, Macedonia, Monaco, Montenegro, Serbia, Turkey, Ukraine.
ASIA: Brunei, Cambodia, Indonesia, Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Oman, Qatar, Singapore, South Korea, Sri Lanka, Taiwan, Thailand, United Arab Emirates, Vietnam, Yemen.
AFRICA: Egypt, Libya, Malawi, Morocco, Namibia, South Africa, Tanzania, Tunisia, Uganda.
AMERICA: Brazil, Colombia, Canada (Ontario).

b) **indipendent public Institutes:**
EUROPEAN UNION: Belgium, Bulgaria (chaired by the Minister of Finance), Germany, Italy, the Netherlands, Portugal, , Romania, Slovenia, Sweden.
EUROPE EXTRA EU: Albania, Liechtenstein, Moldova, San Marino, Switzerland.
ASIA: Hong Kong, India, Iran, Mongolia, Kazakhstan, Pakistan, Philippines.
AFRICA: Botswana, Kenya, Mauritius, Nigeria.
AMERICA: Argentina, Belize, Bolivia, Chile, Costa Rica, Dominican Republic, Guatemala, Haiti, Jamaica, Mexico, Panama, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia (Australian Prudential Regulatory Authority), New Zealand (Government's Accident Compensation Corporation).

c) **central bank or separate agencies appointed to supervise also banking and financial operations:**
EUROPEAN UNION: Denmark, Hungary, Latvia.
EUROPE EXTRA EU: Norway.
ASIA: Macao, Malaysia, Singapore.
AFRICA: Ethiopia.
AMERICA: Guatemala, Paraguay, Peru

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 20

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

COUNTRIES ENFORCING DIFFERENT REGULATIONS TO OPERATE MOTOR T.P.L. INSURANCE

a) **Different regulations:**
EUROPEAN UNION: Belgium (particular regulations regarding technical reserves, compulsory registration with the Belgian Bureau and with the Guarantee Fund), Denmark (special authorization to operate), Finland (special authorization to operate), France (special procedures in case any company's financial situation deteriorates), Hungary (special authorization to operate), Germany (special authorization to operate), Greece (compulsory registration with the Association of Insurance Companies and with the Guarantee Fund), Italy (particular provisions about technical reserves, balance sheet to be drawn up on ministerial forms, special procedures in case financial situation deteriorates), Latvia (special licence), the Netherlands (higher margin of solvency), Slovenia (compulsory registration with the Slovenian Insurance Association and with the Guarantee Fund).
EUROPE EXTRA EU: Andorra, Iceland (special authorization to operate) Moldova, Monaco, Norway (special authorization to operate), San Marino.
ASIA: Bhutan, Hong Kong (higher margin of solvency), South Korea (higher margin of solvency), Taiwan.
AFRICA: Kenya (higher margin of solvency), Lesotho, Morocco (particular provisions about technical reserves), South Africa (Motor t.p.l. insurance is fully State-run and only the settlement of claims takes place through the agencies authorized for such purposes).
AMERICA: Canada (special authorization to operate), Colombia (higher technical reserves), Costa Rica (special authorization to operate), Guatemala.
OCEANIA: Australia (special authorization to operate).

b) **Additional regulations applicable to other non-life insurances:**
EUROPEAN UNION: Austria, Bulgaria, Cyprus, Czech Republic, Estonia, Ireland, Lithuania, Luxemburg, Malta, Poland, Portugal, Romania, Slovak Republic, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Armenia, Belarus, Croatia, Georgia, Liechtenstein, Macedonia, Montenegro, Russia, Serbia, Switzerland, Turkey, Ukraine.
ASIA: Azerbaijan, China, India, Iran, Israel, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Ghana, Malawi, Mauritius, Namibia, Nigeria, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Bolivia, Brazil, Chile, Ecuador, Dominican Republic, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 21

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

COMPANIES ALLOWED TO PROVIDE MOTOR T.P.L. INSURANCE

a) **Motor T.P.L. Insurance can be operated by joint-stock companies and mutual risks companies exclusively**:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Denmark, France, Germany, Hungary, Italy, Latvia Luxemburg, the Netherlands, Sweden.
EUROPE EXTRA EU: Andorra, Iceland, Liechtenstein, Macedonia, Monaco, San Marino, Switzerland, Turkey, Vatican City.
ASIA: China, Hong Kong, India, Israel, Japan, Kazakhstan, Malaysia, Philippines, Taiwan, Thailand.
AFRICA: Zambia.
AMERICA: Jamaica
OCEANIA: Australia (Capital Territory: a single private insurer).

b) **All insurance companies including cooperative companies:**
EUROPEAN UNION: Cyprus, Czech Republic, Estonia, Finland, Greece, Ireland, Lithuania, Malta, Portugal, Romania, Slovak Republic, Slovenia, Spain, United Kingdom.
EUROPE EXTRA EU: Albania, Armenia, Belarus, Croatia, Georgia, Moldova, Montenegro, Norway, Poland, Russia, Serbia, Turkey, Ukraine.
ASIA: Azerbaijan, Iran, Kyrgyzstan, Lebanon, Mongolia, Ornan, Pakistan, Qatar, Saudi Arabia, Singapore, South Korea, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Ghana, Kenya, Malawi, Mauritius, Morocco, Nigeria, Tanzania, Tunisia, Uganda, Zimbabwe.
AMERICA: Argentina, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia (in New South Wales).

c) **State's companies:**
AFRICA: Lesotho, Swaziland, South Africa.
AMERICA: Canada (four province), Costa Rica.
OCEANIA: Australia (South Australia, Tasmania, Victoria, Western Australia, Northern Territory), New Zealand (Government's Accident Compensation Corporation operated under Insurance Act of 1992)

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 22

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

PREREQUISITES TO APPLY FOR AUTHORIZATION TO OPERATE MOTOR T.P.L INSURANCE (PRESCRIBED MINIMUM CAPITAL, BUSINESS PLAN, SOLVENCY MARGIN, ETC.)

With a few exceptions, the authorization to operate Motor T.P.L. Insurance is granted everywhere to companies having a prescribed minimum capital, a business plan, adequate organization and reserves. Companies must also submit their Articles of Association as well as information and documents to substantiate the professional ability of directors and managers.

For an analytic evaluation of the situation existing in the different countries it is necessary to examine the documents received by AIDA sections and insurers associations in reply to our questionnaire.

TABLES AND GRAPHS

TOPIC N. 23

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

MOTOR T.P.L. INSURANCE TECHNICAL RESERVES

a) **Only premiums and claims reserves are required:**
EUROPEAN UNION: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Lithuania Luxemburg, the Netherlands, Poland, Portugal, Romania, Slovenia United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Croatia, Iceland, Macedonia, Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, Turkey, Vatican City
ASIA: Hong Kong, India, Iran, Israel, Japan, Kazakhstan, Lebanon, Malaysia, Mongolia, Oman, Pakistan, Singapore, South Korea, Thailand, United Arab Emirates.
AFRICA: Botswana, Egypt, Kenya, Lesotho, Libya, Morocco, Tunisia.
AMERICA: Argentina, Bolivia, Brazil, Canada, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, Panama, Peru, Puerto Rico, Uruguay, Venezuela.
OCEANIA: Australia (New South Wales).

b) **Additional equalization reserves are required**:
EUROPEAN UNION: Hungary, Spain, Sweden (reserve on an optional basis).
EUROPE EXTRA EU: Liechtenstein.
ASIA: Philippines, Taiwan.
AFRICA: Mauritius, Nigeria (equalisation reserves to cover negative financial results).
AMERICA: Costa Rica (reserve set up from profit).

c) **No special reserves required:**
EUROPEAN UNION: Bulgaria, Czech Republic, Estonia, Latvia, Slovak Republic
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Russia, Ukraine
ASIA: Azerbaijan, Kyrgyzstan, Qatar, Saudi Arabia, Tajikistan, Turkmenistan, Uzbekistan, Yemen.
AFRICA: South Africa, Tanzania.
AMERICA: Chile, Honduras, Mexico, Nicaragua, Paraguay.
OCEANIA: Australia (Northern Territory, Queensland, Victoria and Western Australia).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 24

STATE CONTROL, AUTHORIZATION TO OPERATE, TECHNICAL RESERVES

THE IBNR (INCURRED BUT NO REPORTED) CLAIMS RESERVE

a) **Required**:
EUROPEAN UNION: Hungary, Greece, Ireland, Italy, Lithuania, Poland, Romania, Spain, United Kingdom.
EUROPE EXTRA EU: Albania, Montenegro, San Marino, Serbia, Switzerland, Turkey.
ASIA: Hong Kong, India, Iran, Israel, Japan, Kazakhstan, Malaysia, Oman, Pakistan, Philippines, Qatar, Singapore, South Korea, Yemen.
AFRICA: Argentina, Botswana, Brazil, Kenya, Lesotho, Malawi, Mauritius, Morocco, Nigeria, Tanzania, Uganda, Zimbabwe.
AMERICA: Canada (Ontario), Chile, Colombia, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Panama, Puerto Rico, Uruguay.

b) **Required, but as an addition to the customary claims reserves**:
EUROPEAN UNION: Austria, Belgium, Finland, France, Portugal, Slovenia, Sweden.
EUROPE EXTRA Eu: Andorra, Croatia, Liechtenstein, Macedonia, Monaco.
AMERICA: Peru.
OCEANIA: Australia (in New South Wales only).

c) **Not required:**
EUROPEAN UNION: Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Germany, Latvia, Luxemburg, Malta, the Netherlands, Slovak Republic.
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Iceland, Moldova, Norway, Russia, Ukraine.
ASIA: Azerbaijan, Bhutan, Kazakhstan, Kyrgyzstan, Lebanon, Mongolia, Saudi Arabia, Taiwan, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan.
AFRICA: Namibia, South Africa (companies receive compensation from the State authority for each settled claim), Tunisia.
AMERICA: Bolivia, Costa Rica, Dominican Republic, Ecuador, Honduras, Paraguay, Venezuela.
OCEANIA: Australia (Northern Territory, Queensland, Victoria and Western Australia).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 25

TARIFFS: BASIC PREMIUMS AND CHARGES

DETERMINATION OF TARIFFS

a) **Tariffs are freely established by companies**:

- with no obligation to notify the control authority or be granted its prior approval:
EUROPEAN UNION: Austria, Bulgaria, Denmark, Estonia, Finland, France, Hungary, Ireland, Latvia, Lithuania, Malta, Portugal, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Iceland, Liechtenstein, Monaco, Russia, Switzerland, Ukraine.
ASIA: Azerbaijan, Brunei, Cambodia, Hong Kong, Kyrgyzstan, India, (as January 2007), Indonesia, Lebanon, Mongolia, Oman, Pakistan, Singapore, Tajikistan, Taiwan, Turkmenistan, Uzbekistan.
AFRICA: Botswana, Kenya, Malawi, Mauritius, Rwanda, Tanzania, Zambia.
AMERICA: Belize, Bolivia, Brazil, Chile, Dominican Republic, Ecuador, Honduras, Nicaragua, Panama, Uruguay.

- with obligation to notify the control authority:
EUROPEAN UNION: Belgium, Czech Republic, Cyprus, Germany, Greece, Italy, Luxemburg, Poland, the Netherlands (only as regards any premium increases), Slovak Republic.
EUROPE EXTRA EU: Andorra, Macedonia, Norway, San Marino, Vatican City.
ASIA: Japan.
AFRICA: Morocco (as from July 2006)
AMERICA: Guatemala, Mexico.
OCEANIA: Australia (New South Wales: the Motor Accidents Authority can reject the tariffs presented requesting a new formulation).

- with obligation of prior approval of the control authority:
EUROPE EXTRA EU: Croatia.
ASIA: Macao, Malaysia, Vietnam.
AMERICA: Argentina, Canada (Ontario), Costa Rica, Peru, Puerto Rico.

b) **Tariffs of compulsory insurance are laid down by a State Authority:**
EUROPE EXTRA EU: Albania, Moldova, Monaco, Montenegro, Serbia, Turkey,
ASIA: Bhutan, China, India (up to December 2006), Iran, Iraq, Israel, Jordan, Kazakhstan, Kuwait, Macau, Philippines, South Korea, Sri Lanka, Syria, Thailand, Vietnam.
AFRICA: Algeria, Egypt, Lesotho, Libya, Nigeria, Tunisia, Uganda, Zimbabwe.
AMERICA: Colombia, Haiti, Paraguay, Venezuela.
OCEANIA: Australia (Queensland and Victoria).

In New Zealand there is a levy on the sale of fuel and vehicle license fees to fund motor injury compensation and the coasts of operation of the Accident Compensation Corporation.
In Lesotho, Namibia, Swaziland and South Africa no tariff required, because any increase of compulsory insurance premiums is financed by an additional petrol tax.
In Qatar, Saudi Arabia, United Arab Emirates and Yemen no tariffs exist, each company being free to charge a premium in conformity with its own criteria.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 26

TARIFFS: BASIC PREMIUMS AND CHARGES

CRITERIA FOR SETTING UP TARIFFS AND CUSTOMIZATION ACCORDING TO SEX, AGE, TYPE OF WORK, GEOGRAPHICAL AREA

a) **Customization of tariffs according to:**
- sex, age, type of work, geographical area:
EUROPEAN UNION: Austria, Belgium (plus type of vehicle), France (plus type of vehicle), Germany, Ireland, Italy, Portugal, Slovenia, Spain, United Kingdom.
EUROPE EXTRA EU: Liechtenstein (applied by some but not all companies), Monaco, Norway, Russia, San Marino, Switzerland (applied by some companies).
ASIA: Lebanon, India (since January 2007), Malaysia, Singapore.
AFRICA: Tanzania, Zambia.
AMERICA: Argentina, Brazil, Canada (Ontario), Puerto Rico.

- age, type of work, geographical area:
EUROPEAN UNION: Hungary.
EUROPE EXTRA EU: Andorra,
ASIA: Oman.
AMERICA: Honduras, Nicaragua.
OCEANIA: Australia (New South Wales).

- age, type of work:
EUROPEAN UNION: Malta.
ASIA: Hong Kong.
AMERICA: Jamaica.

- age, geographical area:
EUROPEAN UNION: Greece, the Netherlands.
ASIA: Japan (plus type and age of vehicle, safety equipment, driving skill, sex and ownership of other vehicles for non-compulsory insurance).

- **geographical area:**
EUROPEAN UNION: Denmark, Sweden.
EUROPE EXTRA EU: Croatia, Montenegro, Serbia, Turkey.
OCEANIA: Australia (Victoria).

- age:
EUROPEAN UNION: Cyprus, Luxemburg.
ASIA: Israel (plus driving skill, number of drivers covered by the policy), Pakistan, Taiwan (plus sex, loss record and type of vehicle).
AFRICA: Botswana.
AMERICA: Dominican Republic, Guatemala.

- other criteria:
EUROPEAN UNION Finland, Lithuania, Poland.
EUROPE EXTRA EU: Iceland.
ASIA: Kazakhstan, Malaysia, Philippines.
AFRICA: Mauritius.
AMERICA: Peru.

b) **No customization according to sex, age, type of work, geographical area:**

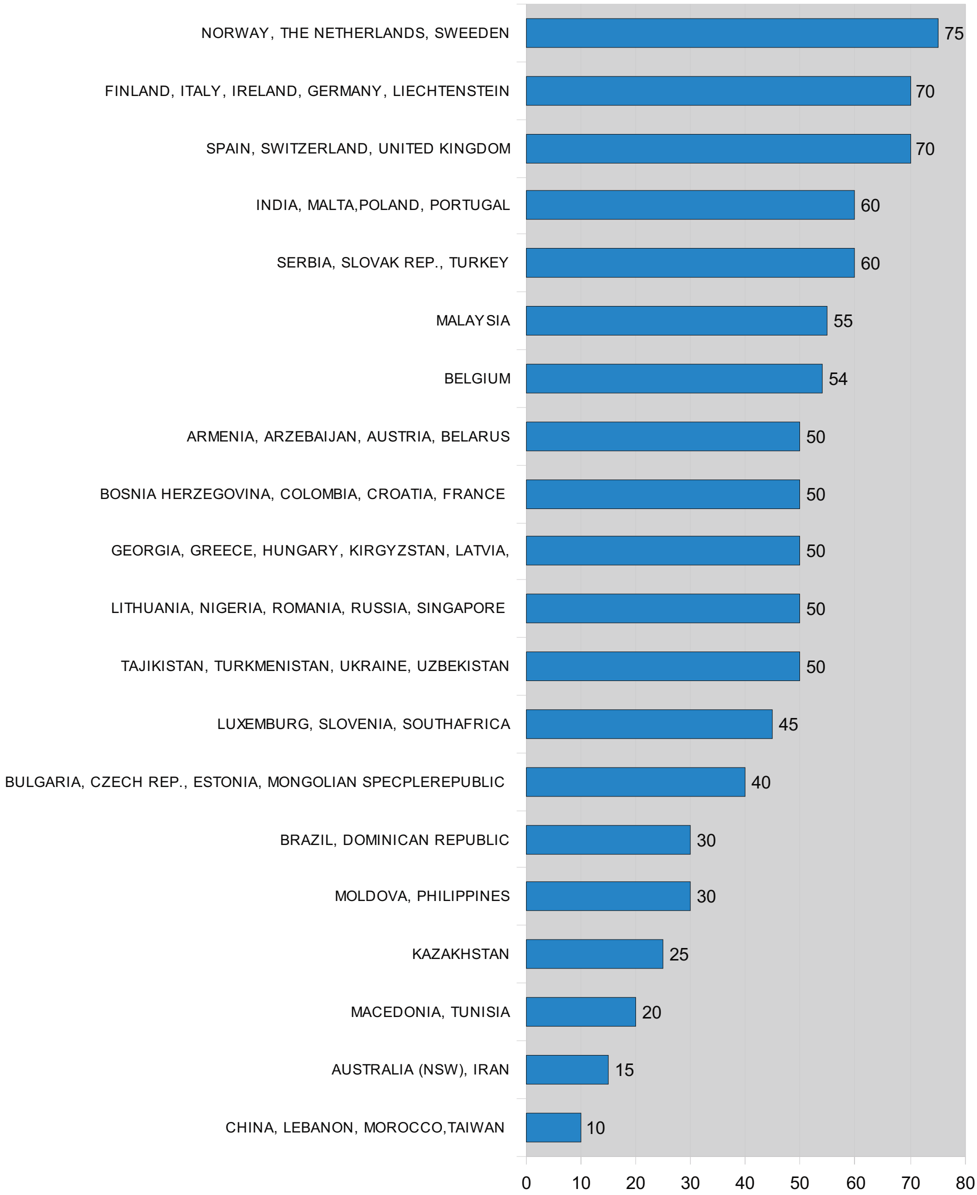
EUROPEAN UNION: Bulgaria, Czech Republic, Estonia, Latvia, Romania, Slovak Republic.
EUROPE EXTRA EU: Albania, Armenia, Belarus, Georgia, Macedonia, Moldova, Ukraine.
ASIA: Azerbaijan, Bhutan, India, Iran, Israel, Japan (CALI), Kyrgyzstan, Qatar, Saudi Arabia, South Korea, Tajikistan, Taiwan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Kenya, Lesotho, Malawi, Morocco, Namibia, Nigeria, South Africa, Tunisia, Uganda, Zimbabwe.
AMERICA: Bolivia, Chile, Colombia, Costa Rica, Ecuador, Haiti, Mexico, Panama, Paraguay, Uruguay, Venezuela.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 27A

TARIFFS: BASIC PREMIUMS AND CHARGES
BONUS/MALUS SYSTEM: MAXIMUM BONUS



BONUS/MALUS LIMITS FREELY ESTABLISHED BY INSURERS: Canada (Ontario), Hong Kong, Iceland, Mauritius, Mexico.
BONUS SYSTEM IS NOT APPLIED IN: Albania, Argentina, Israel, Japan (CALI system), Oman, Qatar, Saudi Arabia, Thailand, United Arab Emirates, Yemen, Kenya, Lesotho, Morocco, Chile, Colombia, Costa Rica, Paraguay, Peru, Uruguay, Venezuela.

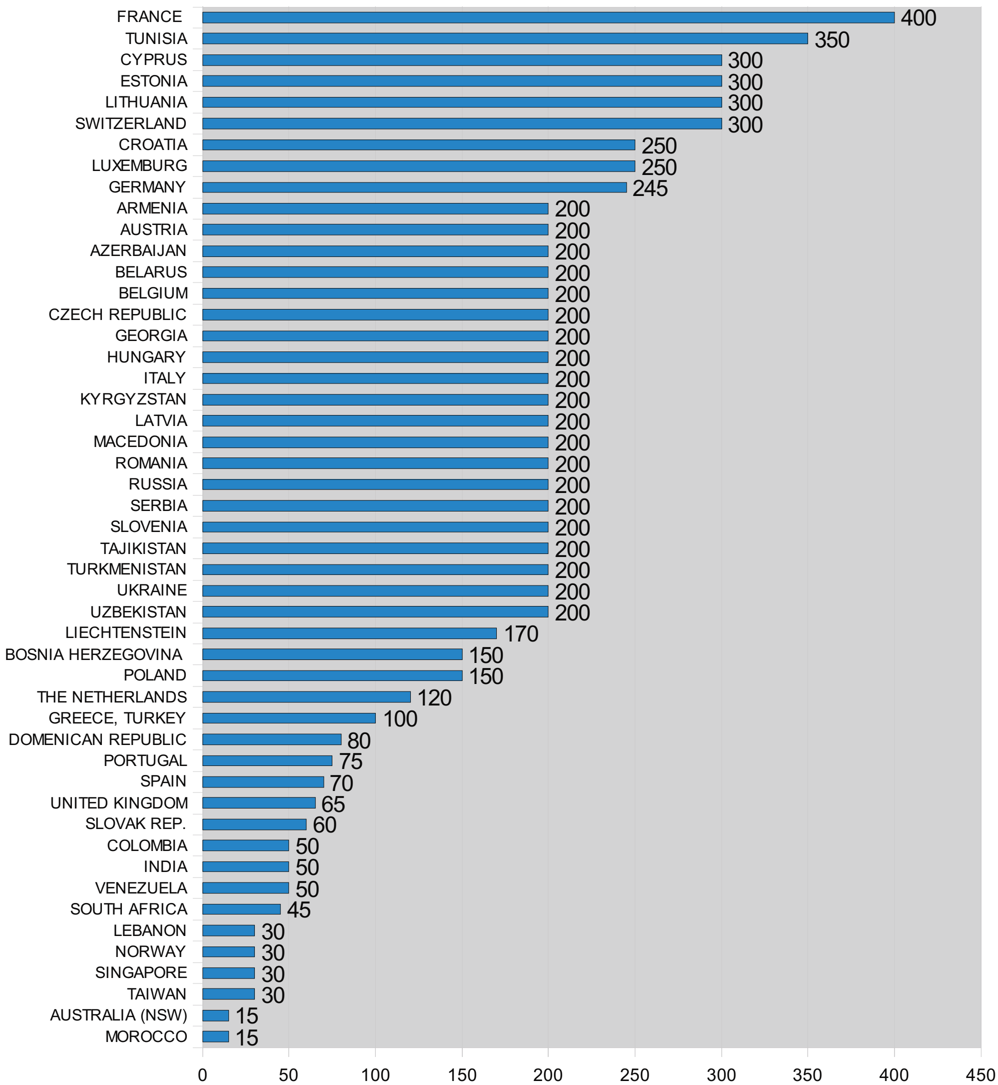
Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 27B

TARIFFS: BASIC PREMIUMS AND CHARGES

BONUS/MALUS SYSTEM: MAXIMUM MALUS



MALUS SYSTEM EXISTS, BUT LEVEL IS NOT INDICATED IN: Bulgaria, Ireland, Nigeria
MALUS SYSTEM IS NOT APPLIED IN: Argentina, Brazil, China, Denmark, Finland, Iran, Kazakhstan, Malaysia, Malta, Mexico, Moldova, New Zealand, the Philippines, Sweden.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 28

TARIFFS: BASIC PREMIUMS AND CHARGES

BONUS/MALUS AND/OR EXCESS SYSTEMS

a) **Excess and Bonus/Malus System Coexistent:**
EUROPEAN UNION: Belgium, Czech Republic, Estonia, France, Finland, Germany, Greece, Hungary, Italy, Luxemburg, Malta, the Netherland, Slovak Republic, Slovenia, Spain.
EUROPE EXTRA EU: Croatia, Liechtenstein, San Marino, Switzerland, Turkey, Vatican City.
ASIA: Hong Kong, India, Malaysia, the Philippines.
AFRICA: Mauritius, Morocco.
AMERICA: Canada (British Columbia), Dominican Republic, Ecuador, Honduras, Peru.
OCEANIA: Australia (New South Wales)

b) **Excess or Bonus/Malus System:**
EUROPEAN UNION: Austria, Denmark, Romania.
ASIA: Pakistan

c) **Excess System only:**
ASIA: Oman
AMERICA: Argentina, Colombia, Paraguay

TABLES AND GRAPHS

TOPIC N. 29

TARIFFS: BASIC PREMIUMS AND CHARGES

ADMINISTRATIVE AND UNDERWRITING EXPENSES ON PREMIUMS: CEILINGS

a) **Ceilings for:**

- administrative and underwriting expenses:
EUROPEAN UNION: Hungary, Italy (18% to 22%), Lithuania (15%), Slovenia (22%).
EUROPE EXTRA EU: Bosnia (17%), Macedonia (12%), Moldova, Monaco, San Marino, Serbia and Montenegro (max 30% underwriting; max 50% administrative expenses), Turkey (17,5% administrative expenses, 12% underwriting expenses).
ASIA: Bhutan, India (25%), Iran (5% to 10%), Kazakhstan (20%), Malaysia (15% administrative expenses, 10% underwriting expenses), Qatar (US$ 3 per policy), South Korea (28%), Taiwan, Thailand (20%), Yemen (US$ 3 per policy),
AFRICA: Lesotho, Malawi (60%), Morocco (25% administrative expenses, 12% underwriting expenses), Zambia (15%).
AMERICA: Argentina, Brazil, Canada (Ontario, 28%), Chile (4% to 12%), Guatemala (5%), Nicaragua, Paraguay (20% administrative expenses, 20% underwriting expenses), Peru (20% administrative expenses,17,5% underwriting expenses).

- administrative expenses only:
EUROPEAN UNION: France (16,6%), Latvia (3,3%), Spain (18%).
EUROPE EXTRA EU: Albania (15%).
ASIA: Israel (8,7%), Pakistan (5% up to a maximum ceiling of US$ 67)
AMERICA: Puerto Rico (20 - 25%)

- **underwriting expenses only:**
EUROPE UNION: France (13,5%), Germany (11%), Latvia, Romania (15%), Spain (8%).
EUROPE EXTRA EU: Albania, Andorra.
ASIA: Israel, Pakistan
AMERICA: Puerto Rico

b**) No ceiling:**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Luxemburg, Malta, the Netherlands, Poland, Portugal, Spain, Slovenia, Slovak Republic, Sweden, United Kingdom.
EUROPE EXTRA EU: Armenia, Belarus, Croatia, Georgia, Iceland, Liechtenstein, Norway, Russia, Switzerland, Ukraine.
ASIA: Azerbaijan, Hong Kong, Japan, Kyrgyzstan, Lebanon, Oman, Philippines, Saudi Arabia, Singapore, Tajikistan, Turkmenistan
AFRICA: Botswana, Kenya, Mauritius, Nigeria, South Africa[*], Tunisia, Uganda, Zimbawe
AMERICA: Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, Honduras, Jamaica, Mexico, Panama, Uruguay, Venezuela (10% to brokers)
OCEANIA: Australia

Data not available for the other countries

[*] In South Africa companies receive from the State compensation for all claims as premiums are paid as a percentage of the cost of fuel

TABLES AND GRAPHS

TOPIC N. 30

TARIFFS: BASIC PREMIUMS AND CHARGES

PREMIUM INCOME RATE DUE TO SUPERVISORY AUTHORITY, GUARANTEE FUND FOR ROAD VICTIMS (IF OPERATIONAL) AND SOCIAL SECURITY SYSTEMS

a) **Compulsory premium income rate to:**

- Supervisory Authority:
EUROPEAN UNION: Austria, Belgium, Bulgaria (5%), Estonia (0,1%), Finland, France (18%), Germany (0,49%), Greece (1%), Hungary (0,38% of the solvency margin + 0,025% of technical reserves), Ireland, Italy (0,63%), Luxemburg, Malta, Poland, Portugal (0,3%), Romania (1%), Slovenia (0,12%)
EUROPE EXTRA EU: Moldova (0,3%), San Marino, Switzerland (1%), Turkey (5%).
ASIA: Oman (0,4%)
AFRICA: Morocco (2,75%), Nigeria
AMERICA: Argentina (0,6%), Bolivia (3%), Brazil, Canada, Colombia, Costa Rica (25%), Guatemala (1%), Panama (2%)
OCEANIA: Australia (New South Wales 0,5%)

- **Guarantee Fund for road victims or equivalent system**:
EUROPEAN UNION: Austria, Belgium, Cyprus (5%), Czech Republic (1,1%), Denmark, Estonia (2,45%), Finland, France (0,6%), Germany, Greece (4%), Hungary, Ireland, Italy (2,5%), Latvia (13%), Luxemburg, Malta, the Netherlands (US$ 13 for registered vehicles, US$ 3 for unregistered vehicles), Poland (1%), Portugal (2,5%), Romania (0,3%), Slovenia, Spain (3,3%), Sweden, United Kingdom (£ 30 per policy).
EUROPE EXTRA EU: Albania (5%), Croatia, Moldova, Norway, Switzerland (1%), Turkey (2%).
ASIA: Hong Kong (3%), India, Israel (5,15%), Japan, Malaysia (ratio of insurer's gross motor insurance premium income over industry’s gross motor premium income), South Korea, Thailand
AFRICA: Morocco (1,5%), Nigeria, Tunisia (2%)
AMERICA: Canada, Colombia (20%), Haiti (5%)
OCEANIA: Australia, (New South Wales: pro rata to the market share held by the insurer)

- Social security systems:
EUROPEAN UNION: Belgium (10%), Bulgaria, Estonia (2%), France (15%), Hungary, Italy (10,5%), Lithuania, the Netherlands (15%), Portugal (2%), Slovenia (6,5%).
EUROPE EXTRA EU: Armenia, Belarus, Croatia, Georgia, Norway, Russia, Ukraine
ASIA: Azerbaijan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
AFRICA: Tunisia
AMERICA: Argentina (0,5%), Brazil (50%)
OCEANIA: Australia (except New South Wales)

b) **No compulsory contribution:**
EUROPEAN UNION: Czech Republic, Slovak Republic.
EUROPE EXTRA EU: Iceland, Macedonia, Montenegro, Norway, Serbia.
ASIA: Iran, Kazakstan, Lebanon, Pakistan, Qatar, the Philippines, Saudi Arabia, Singapore, United Arab Emirates, Yemen
AFRICA: Botswana, Kenia, Lesotho, Malawi, Mauritius, Namibia, South Africa, Uganda, Zambia, Zimbawe.
AMERICA: Chile, Dominican Republic, Ecuador, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Puerto Rico, Uruguay, Venezuela.

Data not available for the other countries.

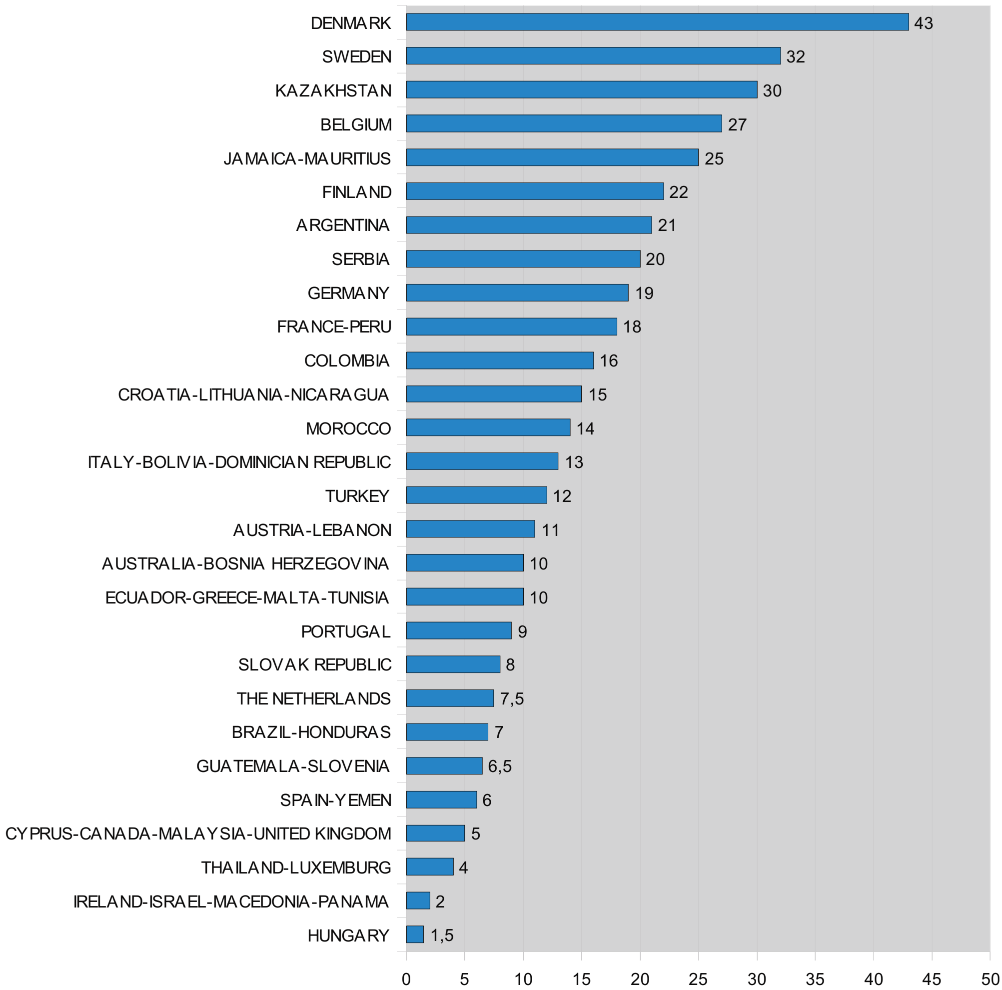
TABLES AND GRAPHS

TOPIC N. 31

TARIFFS: BASIC PREMIUMS AND CHARGES

% **FISCAL INCIDENCE ON MOTOR T.P.L.. INSURANCE CONTRACTS**

LATEST AVAILABLE



FISCAL INCIDENCE ON MOTOR INSURANCE CONTRACT IS NIL: Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Liechtenstein, Norway, Poland, Romania, Slovak Republic, Switzerland, Albania, Armenia, Belarus, Georgia, Moldova, Russia, Ukraine, Azerbaijan, Japan, Kyrgyzstan, Malaysia (amount is negligible: less than l US$), Oman, Qatar, Saudi Arabia, Singapore, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Malawi, Nigeria, Chile, Costa Rica, Australia.
NOT APPLICABLE: South Africa, New Zealand.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 32

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

GENERAL CONDITIONS OF MOTOR T.P.L INSURANCE POLICIES

a) **Freely established:**
EUROPEAN UNION: Austria, Denmark, Cyprus, Estonia, France, Germany, Ireland, Italy, Luxemburg, the Netherlands, United Kingdom.
EUOROPE EXTRA EU: Andorra, Armenia, Belarus, Georgia, Liechtenstein, Monaco, San Marino, Switzerland, Russia, Ukraine.
ASIA: Azerbaijan, Brunei, Cambodia, Hong Kong, Indonesia, Japan (not compulsory insurance), Kazakhstan, Kyrgyzstan, Saudi Arabia, Tajikistan (not compulsory insurance), Turkmenistan, Uzbekistan, Yemen.
AFRICA: Mauritius.
AMERICA: Ecuador, Guatemala, Nicaragua.

b**) Established by insurance companies and submitted to the approval of the control authority or to be drawn up in compliance with general regulations:**
EUROPEAN UNION: Bulgaria, Finland, Malta, Poland, Slovenia, Spain
EUROPE EXTRA EU:Croatia, Iceland, Montenegro, Norway, Serbia, Ukraine,
ASIA: India, Israel, Lebanon, Macao, Malaysia, Sri Lanka, Taiwan, Thailand, Oman.
AFRICA: Kenya, Nigeria, Tunisia, Zimbabwe.
AMERICA: Colombia, Mexico, Panama, Paraguay, Uruguay.

c) **Provided for by insurance law (compulsory standard forms for all companies):**
EUROPEAN UNION: Belgium, Czech Republic, Greece, Hungary, Latvia, Lithuania, Portugal, Slovak Republic, Romania, Sweden.
EUROPE EXTRA EU: Albania, Macedonia, Moldova, Turkey.
ASIA: Bhutan, China, India, Iran, Japan (CALI), Kazakhstan, Malaysia, Pakistan, Philippines, Qatar, Singapore, South Korea, Syria, Taiwan, Thailand, United Arab Emirates.
AFRICA: Botswana, Ghana, Lesotho, Malawi, Morocco, Namibia, South Africa, Tanzania, Uganda, Zambia.
AMERICA: Argentina, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Haiti, Honduras, Jamaica, Peru, Puerto Rico, Venezuela.
OCEANIA: Australia.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 33

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

EFFICACY OF POLICY CONDITIONS IN RESPECT OF INJURED THIRD PARTIES

a) **Efficacy cannot be objected to**:
EUROPEAN UNION: Austria (unless three months have passed from the date the insurance contract expiry was reported to the Registration authority; as well as in case the vehicle was used without its owner's knowledge), Belgium (unless 16 days have passed from insurance contract expiry in case of change of ownership of the vehicle), Cyprus, Estonia (except in case of alcohol or drug addict driver), Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, the Netherlands, Poland (except when the amount of damages incurred does not exceed 50% of the lowest salary as laid down by the Ministry of Labour), Romania (except when the accident was due to force majeure), Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Azerbaijan, Belarus, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine.
ASIA: Bhutan, Indonesia, Iran, Iraq, Israel (except if driver has no licence, or in case the vehicle was used for purposes not provided in the policy), Japan, Kazakhstan, Kyrgyzstan, Kuwait, Lebanon, Malaysia, Mongolia, Pakistan, Philippines, Syria, Taiwan, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan.
AFRICA: Ghana, Kenya, Libya, Malawi, Mauritius, Morocco (except if contract has expired, or if failure to pay premiums has caused termination of the insurance contract), Namibia, Nigeria, South Africa, Tanzania, Tunisia (except if the contract is null and void, if the guarantee is suspended and if insurance was terminated), Zimbabwe.
AMERICA: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Haiti, Jamaica, Paraguay, Peru, Uruguay, Venezuela.
OCEANIA: Australia, New Zealand.

b) **Efficacy can be objected to:**
EUROPEAN UNION: Bulgaria, Czech Republic, Malta, Portugal. Slovak Republic.
ASIA: China, Hong Kong, India, Ornan, Qatar, Singapore, Thailand.
AFRICA: Botswana, Lesotho, Uganda, Zambia.
AMERICA: Bolivia, Colombia, Dominican Republic, Mexico (within 30 days since the issue of the policy), Nicaragua, Puerto Rico.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 34

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

REGULATIONS APPLYING TO INSURANCE CONTRACTS IN CASE OF CHANGE OF OWNERSHIP OF THE VEHICLE

a) **Contract is automatically terminated:**
EUROPEAN UNION: Bulgaria, Denmark, Cyprus, Estonia, France, Hungary, Ireland, Latvia, Lithuania, Luxemburg, Malta, Poland, Portugal, Romania, Slovenia, Sweden, United Kingdom.
EUROPE EXTRA EU Andorra, Armenia, Belarus, Georgia, Moldova, Monaco, Russia, Ukraine.
ASIA: Azerbaijan, Bhutan, Hong Kong, Kazakhstan, Kyrgyzstan, Malaysia, Qatar, Singapore, Tajikistan, Turkmenistan, Uzbekistan.
AFRICA: Botswana, Kenya, Malawi, Mauritius, Nigeria, South Africa, Zambia, Zimbabwe.
AMERICA: Canada (Ontario), Colombia, Ecuador, Haiti, Jamaica, Venezuela.

b) **Contract is automatically terminated for new owner after a number of days of validity:**
EUROPEAN UNION: Belgium (16 days), Finland (7 days), the Netherlands (16 days).
EUROPE EXTRA EU: Iceland (14 days), Norway (14 days).
AFRICA: Morocco (8 days).
AMERICA: Argentina (22 days).

c) **Contract is transferred to new owner:**
EUROPEAN UNION: Austria (right to opt out for both insurer and new owner), Germany, Greece (insurer has the right to opt out following, for example, transferor's death), Italy (except if insured demands that the contract be transferred to another vehicle), Spain (right to opt out for insurer in 15 days).
EUROPE EXTRA EU: Albania, Croatia, Liechtenstein, Macedonia, Montenegro, San Marino, Serbia, Switzerland (right to opt out for both insurer and new owner), Turkey (right to opt out for insurer expires after 15 days).
ASIA: China (notice to be given to insurer),Iran, Israel (right to opt out for insurer), Japan (CALI), Lebanon (right to opt out for insurer), Oman, Pakistan (notice to be given to the Motor Vehicle Registration Authority), Philippines (policy to be endorsed), Saudi Arabia (right to opt out for insurer), South Korea, Taiwan, Thailand, United Arab Emirates (solely if recorded with Registration Authority).
AFRICA: Lesotho, Namibia, Tanzania, Tunisia (right to opt out for new owner), Uganda.
AMERICA: Bolivia (notice to be given to insurer), Brazil, Chile, Costa Rica, Dominican Republic, Guatemala (right to opt out for insurer), Honduras, Nicaragua (notice to be given to insurer within 5 days), Mexico and Panama (right to opt out for insurer expires after 15 days), Paraguay, Peru, Puerto Rico, Uruguay.
OCEANIA: Australia.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 35

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

TRANSFER OF CONTRACT FROM ONE VEHICLE TO ANOTHER

a) **Automatic transfer**:
EUROPEAN UNION: Lithuania.
AMERICA: Peru.

b) **Subject to approval of insurer**:
EUROPEAN UNION: Austria, Belgium, Denmark, Cyprus, Estonia, Finland, France, Greece, Ireland, Italy, Latvia, Luxemburg, Malta, the Netherlands, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Georgia, Iceland, Liechtenstein, Moldova (only if vehicle is of the same model), Monaco, Russia, San Marino, Ukraine.
ASIA: Azerbaijan, Bhutan, Hong Kong, Israel, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Oman, Pakistan, Qatar, Saudi Arabia, South Korea, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Malawi (only if policyholder's name remains unvaried), Morocco, Nigeria, Tanzania, Tunisia, Zimbabwe.
AMERICA: Argentina, Canada, Colombia, Dominican Republic, Ecuador, Guatemala, Jamaica, Nicaragua (notice to be given to insurer within 5 days), Panama, Puerto Rico, Uruguay, Venezuela.

c) **Not allowed**:
EUROPEAN UNION: Bulgaria, Germany, Hungary, Poland, Portugal, Romania, Slovenia
EUROPE EXTRA EU: Croatia, Macedonia, Montenegro, Norway, Serbia, Switzerland (except in case of "vehicle stoppage" endorsed by the administrative authority and for a maximum period of 30 days), Turkey,
ASIA: India, Iran, Philippines, Singapore, Taiwan, Thailand.
AFRICA: Ghana, Kenya, Lesotho, Mauritius, Namibia, South Africa, Uganda, Zambia.
AMERICA: Bolivia, Brazil (except for voluntary motor t.p.l. insurance), Chile, Costa Rica, Haiti, Honduras, Mexico, Paraguay.
OCEANIA: Australia.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 36

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

INCLUSION OF PARTICULAR CONDITIONS OR EXTRA COVERAGE (FIRE, THEFT, ALL RISKS) IN BASIC MOTOR T.P.L. INSURANCE POLICIES

a) **Extra coverage in basic policy**:
EUROPEAN UNION: Belgium, Bulgaria (there are only all risks contracts), Cyprus, Estonia (at insurers' discretion), Denmark, France, Greece, Ireland, Italy Latvia (at insurers' discretion), Luxemburg, Malta, the Netherlands, Poland, Portugal, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Andorra, Armenia (at insurers' discretion), Belarus (at insurers' discretion), Georgia (at insurers' discretion), Liechtenstein, Moldova (at insurers' discretion), Monaco, Norway, Russia (at insurers' discretion), San Marino, Switzerland, Turkey, Ukraine (at insurers' discretion).
ASIA: Azerbaijan (at insurers' discretion), Bhutan, Hong Kong, Israel, Kazakhstan (at insurers' discretion), Kyrgyzstan (at insurers' discretion), Lebanon, Malaysia, Mongolia, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Tajikistan (at insurers' discretion), Taiwan, Turkmenistan (at insurers' discretion), United Arab Emirates, Uzbekistan (at insurers' discretion), Yemen.
AFRICA: Lesotho, Mauritius, Morocco, Nigeria, Tanzania, Zambia.
AMERICA: Argentina, Belize, Bolivia, Dominican Republic, Ecuador, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Uruguay.

b) **Extra coverage in separate contracts:**
EUROPEAN UNION: Austria, Czech Republic, Finland, Germany. Hungary, Lithuania, Poland, Romania, Slovak Republic, Slovenia.
EUROPE EXTRA EU: Albania, Croatia, Iceland, Macedonia, Montenegro, Serbia, Turkey.
ASIA: India, Iran, Japan (CALI), South Korea, Taiwan.
AFRICA: Botswana, Ghana, Kenya, Malawi, Namibia, South Africa, Tunisia, Uganda, Zimbabwe.
AMERICA: Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Guatemala, Haiti, Mexico, Peru, Puerto Rico, Venezuela.
OCEANIA: Australia.

Data not available for the other countries.

THE INSURANCE CONTRACT AND ITS SUBSEQUENT VARIATIONS

LEGALLY REQUIRED EVIDENCE THAT MOTOR T.P.L. INSURANCE HAS BEEN TAKEN OUT

a) **Numberplate is granted after Motor T.P.L. insurance has been taken out:**
EUROPEAN UNION: Austria, Denmark, Finland, Germany, Poland, Slovenia.
EUROPE EXTRA EU: Liechtenstein, Monaco, Norway, Switzerland, Turkey.
ASIA: Indonesia.
OCEANIA: New Zealand.

b) **Insurance certificate displayed on windscreen:**
AFRICA: Kenya.
ASIA: Thailand.

c) **Slip of insurance certificate on windscreen and full insurance certificate carried by driver:**
EUROPEAN UNION: France, Greece, Ireland, Italy, Latvia, Portugal, Sweden (on numberplate).
EUROPE EXTRA EU: Andorra, San Marino, Turkey, Vatican City.
AMERICA: Uruguay

d) **Insurance certificate:**
EUROPEAN UNION: Belgium, Bulgaria, Cyprus, Hungary, Lithuania, Luxemburg, Malta, Romania, United Kingdom.
EUROPE EXTRA EU: Albania, Iceland, Macedonia, Moldova, Montenegro, Serbia.
ASIA: Bhutan, Hong Kong, India, Iran, Israel, Japan, Kazakhstan, Malaysia, Mongolia, Oman, Pakistan, Philippines, Qatar, Singapore, Taiwan, United Arab Emirates.
AFRICA: Botswana, Malawi, Mauritius, Morocco, Nigeria, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Venezuela.
OCEANIA: Australia (New South Wales).

e) **Insurance premium payment receipt:**
EUROPEAN UNION: Czech Republic, Slovak Rep, Spain.

f) **No evidence of insurance is required for resident motorists:**
EUROPEAN UNION: the Netherlands.
AFRICA: Lesotho, South Africa.

Data not available for the other countries.

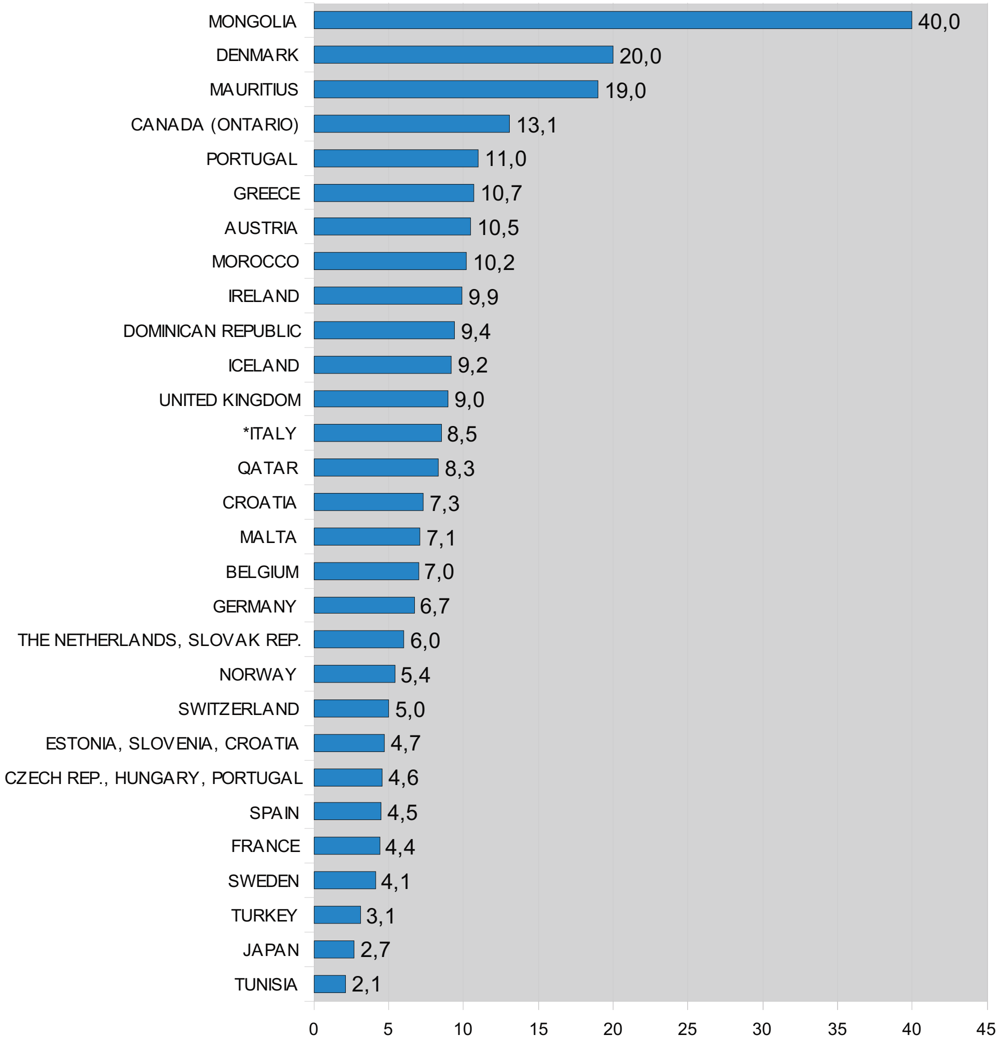
TABLES AND GRAPHS

TOPIC N. 38

LOSS RATIO AND CLAIM SETTLEMENT

% CLAIMS/REGISTERED VEHICLES

2007 OR LATEST AVAILABLE



**Italy: 8.5% in 2008 - 2005, 10.95% in 2000, 14.61% in 1990, 15.21% in 1980*

TABLES AND GRAPHS

TOPIC N. 39

LOSS RATIO AND CLAIM SETTLEMENT

COVERAGE OF VICTIMS IN CASE OF ACCIDENTS CAUSED BY STOLEN VEHICLES

a)**The insurance policy covers the liability of the driver of a stolen vehicles**
EUROPEAN UNION: Bulgaria, Denmark, Czech Republic, France (limited to the first month following report of theft, except if contract was transferred to another vehicle and with right of recourse against the insured), Germany, Greece, Hungary, Italy, Poland, Portugal, Romania (with right of recourse against the insured), Slovak Republic, Slovenia, Sweden.
EUROPE EXTRA EU: Albania, Andorra, Croatia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, Vatican City.
ASIA: Bhutan, India, Malaysia (limited to bodily injury), Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Taiwan.
AFRICA: Lesotho, Mauritius, Namibia, South Africa, Tanzania, Uganda, Zambia, Zimbabwe.
AMERICA: Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Honduras, Paraguay, Peru.
OCEANIA: Australia, New Zealand.

b) **Insuring companies have no obligation to provide compensation in case of theft; injured parties can apply to the Guarantee Fund if operational**:
EUROPEAN UNION: Austria (excess of US$ 226 for material damages), Belgium (excess of US$ 263), Cyprus, Finland, Estonia Ireland, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Spain, United Kingdom (unless driver has been identified, the insurer covers thief's liability).
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Russia, Turkey, Ukraine.
ASIA: Azerbaijan, Hong Kong, Indonesia, Iran, Israel, Japan (except if vehicle was stolen due to owner's negligence), Kyrgyzstan, Lebanon, Singapore, South Korea, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan.
AFRICA: Algeria, Botswana, Kenya (except if vehicle was stolen due to owner's negligence), Malawi, Nigeria, Tunisia (excepting if vehicle was stolen due to owner's negligence).
AMERICA: Argentina, Belize, Canada (applicable in Québec and Ontario only), Guatemala, Jamaica, Mexico, Nicaragua, Panama, Puerto Rico, Uruguay, Venezuela.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 40

LOSS RATIO AND CLAIM SETTLEMENT

FRAUDULENT CLAIMS

Most frequent cases:

- false reporting to elude those cases that are excluded by the insurance cover;
- false declarations concerning the circumstances of the claim (non-existent accidents, voluntary accidents, agreements with a false victim or with false witnesses);
- exaggerated car repair costs with consenting repairers;
- exaggerated bodily effects of the accident thanks to consenting doctors, especially with regard to the whiplash syndrome.

According to numerous Insurance Associations, fraudulent cases occur:

a) **Yes:**
EUROPEAN UNION: Austria, Belgium (5%), Bulgaria, Czech Republic (3%), Denmark, Estonia (2%), France, Germany (8%), Greece (5%), Hungary, Italy, Latvia, Malta, the Netherlands (8%), Romania, Slovach Republic (5%), Slovenia, Spain, Sweden, United Kingdom (3,9%).
EUROPE EXTRA EU: Andorra, Armenia, Belarus, Croatia, Georgia, Iceland (10%), Macedonia, Moldova, Montenegro, Norway, Russia, Serbia, Switzerland (10%), Turkey (18,8%), Ukraine.
ASIA: Azerbaijan, Bhutan, Hong Kong, India, Indonesia, Israel, Kyrgyzstan, Lebanon, Malaysia, Mongolia, Pakistan, Saudi Arabia, South Korea, Tajikistan, Taiwan, Turkmenistan, Uzbekistan.
AFRICA: Benin, Botswana, Burkina-Faso, Cameroon, Central African Republic, Chad, Gabon, Ghana, Ivory Coast, Kenya, Malawi, Mali, Morocco (5-10%), Niger, Nigeria, Republic of Congo, Senegal, South Africa, Tanzania, Togo, Uganda, Zambia.
AMERICA: Argentina (20%), Brazil, Canada, Chile, Colombia, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Panama, Puerto Rico, Venezuela.

b) **Hardly ever (according to replies of insurance correspondents):**
EUROPEAN UNION: Cyprus, Finland, Ireland, Luxemburg, Poland, Portugal.
EUROPE EXTRA EU: Albania, Liechtenstein, Monaco, Switzerland.
ASIA: Japan, Qatar, Philippines, Singapore, Taiwan, Thailand, United Arab Emirates, Yemen.
AFRICA: Lesotho, Mauritius, Tunisia.
AMERICA: Costa Rica, Dominican Republic, Honduras, Uruguay.
OCEANIA: Australia, New Zealand**.**

c) **No (according to replies of insurance correspondents):**
ASIA: Iran, Oman.
AFRICA: Namibia, Zimbabwe.

Prevention measures adopted in a number of countries:

- media campaigns on the dangers of driving (in Belgium, Denmark, UK);
- exchange of information between public authorities (justice, police and administration) with insurance companies (in Italy, Poland, Spain, Sweden, Switzerland);
- information leading to a major awareness on the part of claim settlers in insurance companies (Germany, Poland, Spain);
- constant flow of information between insurance companies (Germany, UK).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 41

LOSS RATIO AND CLAIM SETTLEMENT

THIRD PARTIES' RIGHT OF RECOURSE AGAINST INSURERS

a) **Yes**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania Luxemburg, the Netherlands, Poland Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Croatia, Georgia, Liechtenstein,, Macedonia, Moldova, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Switzerland, Turkey, Ukraine, Vatican City.
ASIA: Azerbaijan, Hong Kong, India, Indonesia, Iraq, Israel, Japan, Jordan, Kazakhstan, Kyrgyzstan, Kuwait, Malaysia, Oman, Pakistan, Philippines, Qatar, South Korea, Syria, Taiwan, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Algeria, Botswana, Egypt, Lesotho, Malawi, Mauritius, Morocco, South Africa, Tanzania, Tunisia, Zimbabwe.
AMERICA: Argentina, Belize, Brazil, Chile, Colombia, Dominican Republic, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Peru, Puerto Rico, Uruguay, Venezuela.

b) **No:**
EUROPEAN UNION: Malta, United Kingdom.
EUROPE EXTRA EU: Iceland.
ASIA: Bhutan, China, Iran, Saudi Arabia, Singapore.
AFRICA: Kenya (except in case of insolvent insured), Namibia, Nigeria (but may join insurer in civil action), Uganda, Zambia.
AMERICA: Bolivia, Canada (Ontario), Costa Rica, Honduras, Paraguay.
OCEANIA: Australia (except in case insured cannot be found), New Zealand.

Data not available for the other countries

TABLES AND GRAPHS

TOPIC N. 42

LOSS RATIO AND CLAIM SETTLEMENT

DEADLINES FOR ACCIDENT REPORTS – PROVISIONAL OFFERS BY INSURERS TO CLAIMANTS SETTLEMENT OF CLAIMS

ACCIDENT REPORTS

a) **No legislation governing deadlines by which accident reports have to be filed, except if deadline for debarment from the right to compensation is provided for in the civil law:**
EUROPEAN UNION: Austria, Bulgaria, Cyprus, Denmark, Estonia, Germany, Ireland, Luxemburg, Malta, the Netherlands, Latvia, Portugal, Sweden, United Kingdom.
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Iceland, Liechtenstein, Macedonia, Norway, Russia, Switzerland, Turkey, Ukraine.
ASIA: Azerbaijan, Bhutan, India, Japan, Kyrgyzstan, Malaysia, Pakistan, Philippines, Saudi Arabia, Singapore, South Korea, Tajikistan, Thailand, Turkmenistan, Uzbekistan, Yemen.
AFRICA: Botswana, Kenya, Morocco (5 days), Nigeria, South Africa, Tunisia (5 days), Zambia.
AMERICA: Argentina, Colombia, Dominican Republic, Ecuador, Haiti, Honduras, Jamaica, Paraguay, Uruguay, Venezuela.
OCEANIA: Australia (in Queensland, the deadline is three months only for claims involving uninsured vehicles or unidentified drivers).

b) **Deadlines by which accident reports have to be filed are provided for (expiry of these deadlines, however, does not cause debarment of the damaged party's right to compensation, but entitles the insurance company to prove the prejudice incurred because of delayed report):**
EUROPEAN UNION: Belgium (8 days), Czech Republic (15 days), Finland (3 days), France (5 days), Greece (8 days), Hungary (5 days for insured, 30 days for claimants), Italy (3 days), Lithuania (3 days - if victim of uninsured or unidentified driver, within 7 days), Romania (immediately in case of personal injuries, in 1 day for material damages), Slovak Republic (15 days), Slovenia (3 days), Spain (7 days).
EUROPE EXTRA EU: Albania (3 days), Andorra (5 days), Croatia (3 days), Moldova (3 days), San Marino (3 days), Serbia and Montenegro (3 days), Vatican City (3 days).
ASIA: Mongolia (3 days), Taiwan (5 days)
AFRICA: Mauritius (5 days), Morocco (5 days), Tunisia (5 days), Uganda (60 days).
AMERICA: Bolivia (3 days), Canada (Ontario - 7 days), Costa Rica (10 days), Guatemala (15 days), Mexico (3 days), Nicaragua (3 days), Peru (2 days), Venezuela (15 days).
OCEANIA: Australia (in New South Wales and Victoria: 28 days for injuries).

PROVISIONAL OFFER BY INSURERS TO CLAIMANTS

Provisional payment is provided for:
EUROPEAN UNION: Austria (within 3 months from accident), Belgium (only for bodily injuries, within 3 months from accident), Cyprus (3 months), Czech Republic (after 3 months from accident), Denmark (1 month), Estonia (30 days), France [only for bodily injuries, within 3 months from accident), Greece (3 months), Hungary (3 months from accidents and 15 days after the receipts of the necessary documents), Italy (both damages and temporary bodily injuries healable within a maximum of 60 days for material damages – reduced to 30 days when the accident report is filled by the person involved on a form of amicable agreement (CID) – and within 90 days for personal injuries; the insurance companies must offer a compensation within 15 days from the date of assessment and in any case pay it even if the injured party rejects it], Latvia (within 1 month), the Netherland (3 months), Portugal (2 months for material damages, 3

months for personal injuries), Romania (within 3 months) Slovak Republic (within 3 months), Spain (within 3 months from accident), Sweden (within 3 months), United Kingdom (15 working days).
EUROPE EXTRA EU: Albania (within 15 days), Andorra (only for injuries, within 3 months from accident), Croatia (within 14 days from property damages, 30 days for bodily injuries), Georgia (within 15 days) Liechtenstein, Switzerland (within 3 months).
ASIA: Japan, Malaysia (28 days), Taiwan (5 days), Thailand.
AFRICA: Cameroon (within 8 months from accident report), Morocco (2 months), Togo (within 30 days from accident report), Tunisia (6 months), Uganda (within 6 months from accident report)
AMERICA: Argentina (2 years).

SETTLEMENT OF CLAIMS

Deadlines are provided for by the law:
EUROPEAN UNION: Czech Republic (3 months), Denmark (1 month), Estonia (1 month), Finland (3 months f*or* bodily injuries, 14-30 days for material damages), France (within 8 months after the accident), Greece (within 1 month from presentation *of* accident report to the insurer), Hungary (15 days after the acceptance of the offer or after the definitive judgment), Italy (within 15 days from acceptance of the offer, within 45 days in case of refusal of the offer), Lithuania (14 days), the Netherland (no deadlines set by law, it is requested a reasonable time, but for bodily injuries the maximum period is 2 years), Poland (within 1 month from presentation of accident report to the insurer), Portugal (32 working days from material damages, 45 days for personal injuries), Romania (10 days from the date when the claim file is completed), Slovak Republic (15 days upon the finalization of the motor accident investigation), Slovenia (3 months), Sweden (1 month) United Kingdom (within 30 weeks of allocation of the case on the basis of Pre-Action Protocol for Personal Injury Claims of the Ministry of Justice).
EUROPE EXTRA EU: Albania (3 months), Andorra (within 5 months from notice to the insurer quantifying injuries), Macedonia (3 years), Monaco, San Marino (as Italy), Switzerland (2 years), Turkey (2 years), Vatican City (as Italy).
ASIA: Iraq (within 60 days from accident report), Iran (2 years), Israel (within 30 days from request of reimboursement of quantified damage and any medical or hospital expenses), Jordan (3 years), Kazakhstan (7 banking days from court decision), Kuwait (3 years), Malaysia (14 days), Oman (within 24 months from the accident), Philippines (within 30 days after all the required documentation to support the claim is submitted), Qatar (within 10 days from the availability of the Police Report), Syria (3 years), Taiwan (10 days), United Arab Emirates (within 3 years from the date of accident).
AFRICA: Algeria (5 years), Egypt (3 years), Lesotho (2 years), Libya (3 years), Malawi (3 years), Morocco (1 month for damages,2 months for injuries), Namibia (2 years), Nigeria (90 days from acceptance of the claim; 30 days after Court decision), Tanzania (3 years), Tunisia (15 days after quantification of damages, 20 days after notification of Court decision), Zambia (1 year), Zimbabwe (1 year).
AMERICA: Argentina (2 years), Brazil (within 15 days from delivery of complete documentary evidence), Canada (within 60 days from the request; in Ontario, in case of injuries the insurer is under obligation to pay for the damaged party's loss of capability to generate income not later than the tenth day from the request of compensation), Chile (within 1O days from delivery of complete documentary evidence), Colombia (within I month from the request), Haiti (13 months for settlement), Panama (20 days), Peru (10 days), Puerto Rico (90 days), Uruguay (1 month), Venezuela (1 month).
OCEANIA: Australia (New South Wales: damage settlement within 6 months if liability has been ascertained, after which term and within 18 months Court proceedings may be started; in Victoria damage settlement within 28 days of receiving the claim, 1 year to start Court proceedings), New Zealand (normally a claim for compensation or benefits must be made within 12 months of the injury).

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 43

LOSS RATIO AND CLAIM SETTLEMENT

COMPENSATION CRITERIA APPLYING TO CLAIMS INVOLVING BODILY INJURIES

a) **On the basis of income:**
EUROPEAN UNION: Bulgaria, Cyprus, Czech Republic, Latvia, Malta, the Netherlands, Romania, Slovak Republic.
EUROPE EXTRA EU: Albania, Moldova, Norway (in compliance with fixed tables if the victim is below the age of 16), Turkey.
ASIA: Israel (maximum for loss of income is based on three times the average income), Lebanon, Singapore, South Korea.
AFRICA: Algeria, Botswana, Morocco (minimum and maximum limits provided for by the law), Namibia, South Africa, Zimbabwe.
AMERICA: Canada (fixed maximum limit), Mexico.

b) **On the basis of income as well as on a fair evaluation of the loss of capability to generate income**:
EUROPEAN UNION: Austria, Belgium, France, Germany, Hungary, Italy.
EUROPE EXTRA EU: Andorra, Liechtenstein, Monaco, San Marino, Switzerland, Vatican City.
ASIA: India, Iraq, Kazakhstan, Kuwait, Malaysia, Syria.
AFRICA: Egypt, Lesotho, Nigeria, Tunisia.
AMERICA: Argentina, Colombia, Costa Rica, Dominican Republic, Nicaragua.
OCEANIA: Australia.

c) **On the basis of income and tables:**
EUROPEAN UNION: Finland, Estonia, Greece (except moral loss based on fair evaluation), Lithuania, Luxemburg, Sweden.
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Iceland, Russia, Ukraine.
ASIA: Azerbaijan, Japan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan.
AFRICA: Cameroon, Ivory Coast, Togo.
AMERICA: Honduras.

d) **On the basis of tables established by law:**
EUROPEAN UNION: Denmark, Spain, United Kingdom.
ASIA: Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Taiwan, Thailand, Yemen.
AFRICA: Uganda.
AMERICA: Brazil, Chile.

e) On the basis of fair evaluation:
EUROPEAN UNION: Ireland, Poland, Portugal, Slovenia.
EUROPE EXTRA EU: Croatia, Macedonia, Montenegro, Serbia.
ASIA: Hong Kong, Jordan, Mongolia.
AFRICA: Kenya, Libya, Malawi, Mauritius, Sudan, Tanzania, Zambia.
AMERICA: Bolivia, Ecuador, Guatemala, Haiti, Panama, Puerto Rico, Uruguay, Venezuela.

f) **On the basis of fair evaluation and tables:**
ASIA: United Arab Emirates.
AMERICA: Peru.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 44

LOSS RATIO AND CLAIM SETTLEMENT

DAMAGE ASSESSMENT CRITERIA

The answers of AIDA sections and insurance associations relating to the criteria in use for the assessment of damages are either very detailed or very sketchy. For an analytic evaluation of the situation existing in the different countries it is necessary to examine the documents received in reply to our questionnaire. It should, however, be mentioned here that while biological damages or damages to personal relationships are in all cases considered in global evaluation - though in some countries only within certain limits - the notion of *pretium doloris* or moral damage, i.e. an additional compensation for the physical or psychological suffering endured, is disregarded in the assessment of the damages to be awarded in Greece, Lithuania, Malta, Portugal, Armenia, Belarus, Georgia, Norway, Russia, Ukraine, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Costa Rica, Ecuador and Venezuela.

TABLES AND GRAPHS

TOPIC N. 45

LOSS RATIO AND CLAIM SETTLEMENT

OUT-OF-COURT AUTHORITIES ESTABLISHED TO SETTLE CONTROVERSIES BETWEEN CLAIMANTS AND INSURERS: PERCENTAGE OF CLAIMS SETTLED BY SUCH AUTHORITIES IF ESTABLISHED

a) **No such Authority:**
EUROPEAN UNION: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Greece, Italy, Latvia, Lithuania, Luxemburg, Poland, Romania, Slovak Republic, Slovenia, Spain, Sweden.
EUROPE EXTRA EU: Albania, Andorra, Armenia, Belarus, Croatia, Georgia, Macedonia, Monaco, Montenegro, Norway, Russia, San Marino, Serbia, Turkey, Ukraine, Vatican City,
ASIA: Azerbaijan, Bhutan, Israel, Kazakhstan, Kyrgyzstan, Lebanon, Mongolia, Oman, Qatar, Saudi Arabia, South Korea, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Kenya, Lesotho, Malawi, Mauritius, Morocco, Namibia, Nigeria, South Africa, Tanzania.
AMERICA: Brazil, Canada (Ontario), Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Uruguay.
OCEANIA: Australia.

b) **Authority operational:**
EUROPEAN UNION: Finland (0,7%), Hungary, Ireland (0,5%), Malta, the Netherlands (1%), Portugal (0,5%), United Kingdom (0,5%).
EUROPE EXTRA EU:, Iceland (1-2%), Liechtenstein, Moldova, Switzerland.
ASIA: China, Hong Kong, India, Iran, Japan, Malaysia (less than 1%), Pakistan, the Philippines, Singapore, Taiwan, Thailand.
AFRICA: Tunisia (only for damage to property 5%), Uganda (100%), Zambia.
AMERICA: Argentina, Bolivia, Guatemala, Mexico, Venezuela.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 46

LOSS RATIO AND CLAIM SETTLEMENT

OFFICES ESTABLISHED BY SUPERVISORY AUTHORITIES OR INSURERS' ASSOCIATIONS TO GUARANTEE THE RIGHTS OF CLAIMANTS

a) **Offices operational and may mediate**:

- Moral suasion only:
EUROPEAN UNION: Belgium, Finland, France, Ireland, Italy (Insurers' Association - ANIA), Latvia, Malta, (Insurance Association and the Department of Consumers Affairs), the Netherlands, Romania, United Kingdom (Insurers' Association).
EUROPE EXTRA EU: Andorra, Moldova, Monaco, Norway.
ASIA: Israel, Japan, Taiwan
AFRICA: Kenya, Nigeria (Public Complaints Commission), Tunisia.
AMERICA: Costa Rica (since 1992 there exists an Ombudsman Bureau), Paraguay.

- Empowered to issue appropriate orders or inflict sanctions to insurers:
EUROPEAN UNION: Greece, Ireland (Insurance Ombudsman), Italy (Supervisory Authority - ISVAP), Luxemburg, Spain (Servicio de Consultas y Reclamaciones), Slovenia, Sweden, United Kingdom (Insurance Ombudsman Bureau and Personal Insurance Arbitration Service).
EUROPE EXTRA EU: Iceland, Turkey.
ASIA: India, Iran, Lebanon, (arbitration council up to $ 50.000), Malaysia (Insurance Mediation Bureau), Mongolia, Oman, Pakistan, Philippines, Singapore, South Korea, Thailand.
AFRICA: Mauritius, Morocco, Nigeria (Supervisory Authority), Zambia.
AMERICA: Bolivia, Canada, Chile, Colombia, Jamaica, Mexico, Panama, Peru, Puerto Rico.

b) No such offices:
EUROPEAN UNION: Austria, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Germany, Hungary, Lithuania, Poland, Portugal, Slovak Republic, Slovenia
EUROPE EXTRA EU: Albania, Armenia, Belarus, Croatia, Georgia, Liechtenstein, Macedonia, Montenegro, Russia, Serbia, Switzerland, Ukraine
ASIA: Azerbaijan, Bhutan, Hong Kong, Kazakhstan, Kyrgyzstan, Lebanon, Qatar, Saudi Arabia, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Botswana, Ghana, Lesotho, Malawi, Namibia, South Africa, Tanzania, Uganda.
AMERICA: Argentina, Brazil, Dominican Republic, Ecuador, Guatemala, Honduras, Nicaragua, Uruguay, Venezuela.
OCEANIA: Australia.

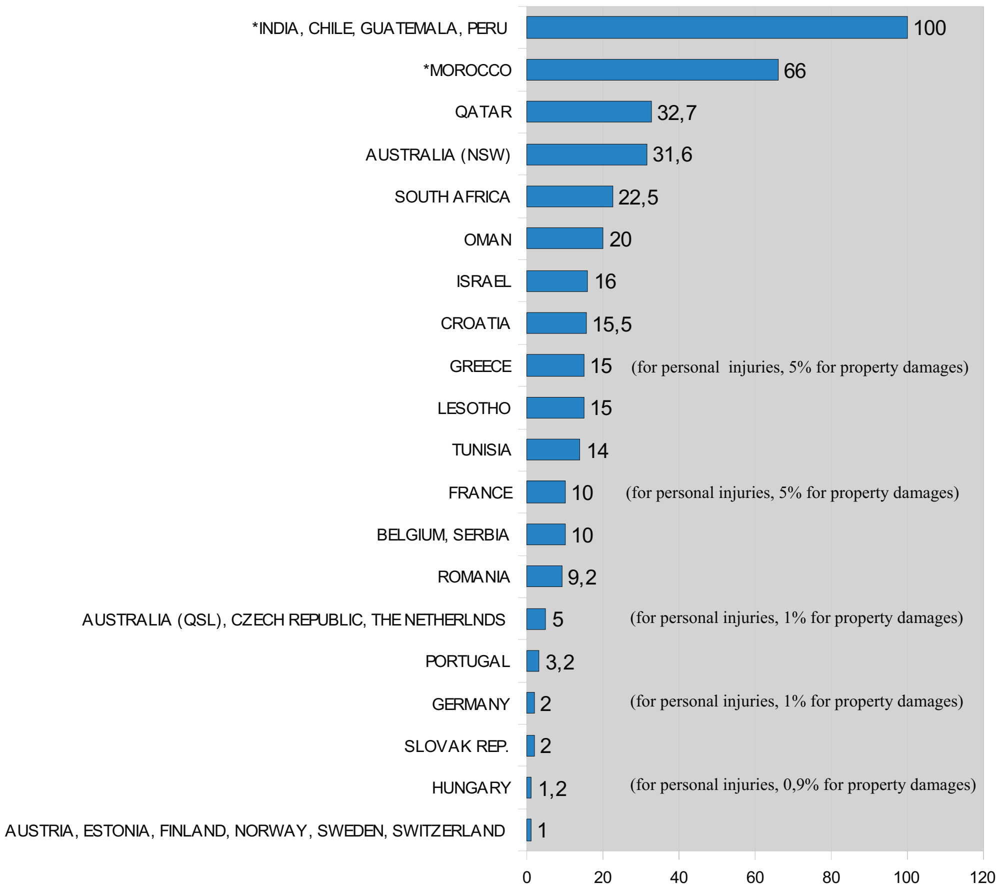
Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 47

LOSS RATIO AND CLAIM SETTLEMENT

% CLAIMS SETTLED IN COURT



** % of claims regarding personal injures*

TABLES AND GRAPHS

TOPIC N. 48

PREVENTION MEASURES

COMPULSORY SAFETY BELTS AND HELMETS: CONSEQUENCES ON PAYABLE COMPENSATION OF FAILURE TO FASTEN/WEAR THEM

Compulsory belts fastening/helmets wear:

- **contributory negligence system entailing a % curtailment of compensation:**

EUROPEAN UNION: Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany (from 30% to 60%), Greece, Ireland, Italy, Luxemburg, the Netherlands (up to 35%), Poland (safety belts are compulsory only on non-urban roads), Portugal, Slovak Republic, Spain, United Kingdom.
EUROPE EXTRA EU: Andorra, Croatia (up to 30%), Liechtenstein (20%), Macedonia (20%), Moldova, Monaco, Norway, San Marino, Serbia and Montenegro (up to 30%), Switzerland (20%), Turkey (25%), Vatican City.
ASIA: Malaysia, Oman, South Korea.
AFRICA: Botswana, Lesotho, Malawi, Mauritius, Morocco (25%), South Africa, Tanzania, Tunisia.
AMERICA: Argentina (only in some jurisdictions), Canada (up to 25%), Colombia, Honduras.
OCEANIA: Australia.

- contributory negligence does not affect assessment of compensation

EUROPEAN UNION: Bulgaria, Denmark, Estonia, Hungary, Latvia, Lithuania, Malta (only helmets are compulsory), Romania, Slovenia, Sweden.
EUROPE EXTRA EU: Armenia, Belarus, Georgia, Iceland, Russia, Ukraine.
ASIA: Azerbaijan, Bhutan (only helmets are compulsory), Japan, Kazakhstan, Kyrgyzstan, Hong Kong, Israel, Mongolia, Philippines, Singapore, Tajikistan, Taiwan, Turkmenistan, Uzbekistan.
AFRICA: Ghana, Zimbabwe.
AMERICA: Brazil, Canada (Ontario), Chile, Costa Rica, Dominican Republic (only helmets are compulsory), Mexico, Nicaragua (only helmets are compulsory), Peru, Puerto Rico (only helmets are compulsory), Uruguay, Venezuela.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 49

PREVENTION MEASURES

COMPULSORY SAFETY BELTS FOR BACK-SEAT PASSENGERS: CONSEQUENCES ON PAYABLE COMPENSATION OF FAILURE TO FASTEN/WEAR THEM

a) **Compulsory**:
EUROPEAN UNION: Austria (only if vehicle so equipped), Belgium, Denmark, Finland, France, Germany, Hungary (only if vehicle so equipped and only outside of towns), Ireland, Italy (only if vehicle so equipped), Lithuania, Luxemburg, the Netherlands, Poland (only if vehicle so equipped),Portugal (only if vehicle so equipped), Slovenia (only if vehicle so equipped), Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Croatia, Iceland, Monaco, San Marino, Switzerland, Vatican City.
ASIA: Israel (as of 1991 back seats of vehicles must be equipped with safety belts. Limited to town rides taxicab passengers are exempted), Hong Kong, Kazakhstan.
AFRICA: Mauritius, South Africa.
AMERICA: Canada, Colombia
OCEANIA: Australia (New South Wales).

b) **Not compulsory**:
EUROPEAN UNION: Cyprus, Estonia, Greece, Lithuania, Romania.
EUROPE EXTRA EU: Albania, Armenia, Belarus, Georgia, Liechtenstein, Macedonia, Malta, Russia, Turkey, Ukraine.
ASIA: Azerbaijan, Bhutan, India, Iran, Japan, Kyrgyzstan, Lebanon, Malaysia, Pakistan, Qatar, Saudi Arabia, Taiwan, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Yemen.
AFRICA: Kenya, Nigeria, Uganda, Zambia.
AMERICA: Argentina, Costa Rica, Dominican Republic, Ecuador, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Uruguay.

Data not available for the other countries.

TABLES AND GRAPHS

TOPIC N. 50

PREVENTION MEASURES

CONTRIBUTION OF INSURANCE COMPANIES TO ACCIDENT PREVENTION MEASURES

a) **Contribution of insurance companies**:

- Obligation to contribute calculated on premiums income:
EUROPEAN UNION: Finland (1,2%), France (0,5%), Lithuania (3%), Portugal (0,2%)
EUROPE EXTRA EU: Croatia (1,2%), Liechtenstein, Moldova, Serbia and Montenegro (0,5), Switzerland (0,75%).
ASIA: India, Israel, Japan, Taiwan
AFRICA: Malawi, Morocco (0,3%), Tunisia.
AMERICA: Costa Rica.

- No obligation to contribute:
EUROPEAN UNION: Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Greece (excepting 1% of T.P.L. motor insurance premium income to be set aside for road maintenance), Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.
EUROPE EXTRA EU: Andorra, Armenia, Belarus, Georgia, Iceland, Macedonia, Russia, San Marino, Ukraine, Vatican City.
ASIA: Azerbaijan, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Mongolia, Philippines, South Korea, Tajikistan, Thailand, Turkmenistan, Uzbekistan.
AFRICA: Lesotho, Mauritius, South Africa (contribution financed as a part of the fuel levy), Tanzania.
AMERICA: Brazil, Canada, Colombia, Honduras, Jamaica, Peru, Puerto Rico, Venezuela.

b) Fully State financed prevention measures:
EUROPEAN UNION: Cyprus, Germany, Malta, Romania.
EUROPE EXTRA EU: Albania, Monaco, Norway, Turkey.
ASIA: Bhutan, Hong Kong, Iran, Japan, Oman, Pakistan, Qatar, Saudi Arabia, United Arab Emirates, Yemen.
AFRICA: Botswana, Ghana, Kenya, Namibia, Nigeria, Uganda, Zambia, Zimbabwe.
AMERICA: Argentina, Bolivia, Chile, Dominican Republic, Ecuador, Guatemala, Haiti, Mexico, Nicaragua, Panama, Paraguay, Uruguay.
OCEANIA: Australia.

Data not available far the other countries**.**

UNITED STATES OF AMERICA

COMPULSORY LIABILITY INSURANCE

a) **Compulsory liability is adopted in:**
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah Vermont, Virginia, Washington, West Virginia, Wyoming.

b) **Compulsory liability is not adopted in**:
New Hampshire, Tennessee, Wisconsin.

c) **Financial responsibility is adopted in:**
Alabama, Florida, Mississippi, New Hampshire, New Mexico, Tennessee, Utah, Washington, Wisconsin.

BENEFITS (TORT LIMITATION)

a) **No-fault benefits is adopted in**:
Colorado (monetary), Florida (verbal), Hawaii (monetary), Kansas (monetary), Kentucky (choice), Massachusetts (monetary), Michigan (verbal), Minnesota (monetary), New Jersey (choice for standard policy, verbal for basic policy), New York (verbal), North Dakota (monetary), Pennsylvania (choice), Puerto Rico (monetary), Utah (monetary).

b) **No-fault benefits is not adopted in:**
Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

ADD-ON BENEFITS (NO TORT LIMITATION)

a) **Add-on benefits is adopted in**:
Arkansas, Delaware, District of Columbia (this is an "after-the-accident" choice system that is unlike any other system), Maryland, New Hampshire, Oregon (for special economic damages), South Dakota, Texas (for special economic damages), Virginia, Washington, Wisconsin.

b) **Add-on benefits is not adopted in**:
Alabama, Alaska, Arizona, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Utah, Vermont, West Virginia, Wyoming.

COMPARATIVE NEGLIGENCE

a**) Permits recovery by plaintiff regardless of degree of plaintiff's negligence**:
Alaska, California, Florida, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, New York, Rhode Island, Washington.

b) **Prohibits recovery by plaintiff if plaintiff's negligence is greater than defendant's:**
Connecticut, Delaware, Hawaii, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, Vermont, Wisconsin, Wyoming.

c) **Prohibits recovery by plaintiff if plaintiff's negligence is equal to or greater than defendant's**:
Arizona, Arkansas, Colorado, Georgia, Idaho, Kansas, Maine, Nebraska, North Dakota, South Dakota, Tennessee, Utah, West Virginia.

d) **Comparative negligence system is not applied in:**
Alabama, District of Columbia, Maryland, North Carolina, Virginia.

GUEST STATUTE PROVISIONS WHICH REQUIRE LOWER STANDARD OF CARE

a) **They are applied in**:
Alabama, Idaho, Illinois, Indiana, Massachusetts, Nebraska, Ohio, South Carolina, Virginia, West Virginia.

b) **They are not applied in**:
Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, Wisconsin, Wyoming.

FAMILY CAR DOCTRINE PROVISIONS

a) **Family car doctrine applies in:**
Arizona, Colorado, Connecticut, District of Columbia, Georgia, Idaho[*], Iowa[*], Kentucky, Michigan, Minnesota[*], Nebraska, Nevada, New Jersey, New York[*], North Carolina, North Dakota, Oregon, South Carolina, Tennessee, Washington, West Virginia.

b) **Family car doctrine does not apply in:**
Alabama, Alaska, Arkansas, California, Delaware, Florida (but owner is liable when anyone, not just a family member, uses his/her car), Hawaii, Illinois, Indiana, Kansas (but owner is liable when anyone under 16, not just a family member, uses his/her car with his consent), Louisiana (but father is liable when a minor child living at home uses his/her car), Maine, Maryland, Massachusetts (but owner is liable when anyone, not just a family member, uses his/her car), Mississippi, Missouri, Montana, New Hampshire, New Mexico, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, Virginia, Wisconsin, Wyoming.

[*] and owner is liable when anyone, not just a family member, uses his/her car with specific or implied consent

FREE CIRCULATION OF REGULARLY REGISTERED VEHICLES DRIVEN BY VISITORS AND TOURISTS RESIDENT IN OTHER STATES

a) **It is possible to circulate without registration on condition of reciprocity in**:
Alabama (for 30 days), Alaska (for 90 days), Arizona (for 7 months days), Arkansas (for 90 days, but must be registered with Revenue Commissioner after 30 days), California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia (for 30 days or lesser period as home state extends to Georgia vehicles), Illinois, Indiana (for 60 days), Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts (for 30 days in 1 year), Michigan (for 90 days), Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico (for 180 days), New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina (for 90 days), South Dakota (within 90 days), Tennessee (after 30 days), Texas, Utah, Vermont, Virginia (after 60 days), Washington (after 6 months), Wisconsin (under 8,000 Ibs), Wyoming (after 120 days in state).

b) **It is necessary for non-residents to register vehicle in**:
Hawaii (within 10 days), Idaho (and must pay same fee as resident, within 90 days), Mississippi (within 30 days, except vehicles used by resident of adjoining state who is tourist, out-of-town student or engaged in seasonal agricultural work), Oklahoma (permitted 60 days visiting privileges, then must register), West Virginia (after 30 days).

DIRECT COURT ACTION: INJURED PERSONS VS/INSURER

a) **Yes, possible in:**
Florida, Kansas, Louisiana, Vermont (when insurer is co-defendant), Wisconsin.

b) **Not possible in**:
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Georgia, Hawaii, Idaho, Indiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oregon, Pennsylvania, South Dakota, Texas, Utah (except action against common carrier), Virginia, West Virginia, Wyoming.

c) **Not possible, except when sentence against insured is rejected, in:**
Illinois, Iowa, Kentucky, Maryland, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Washington.

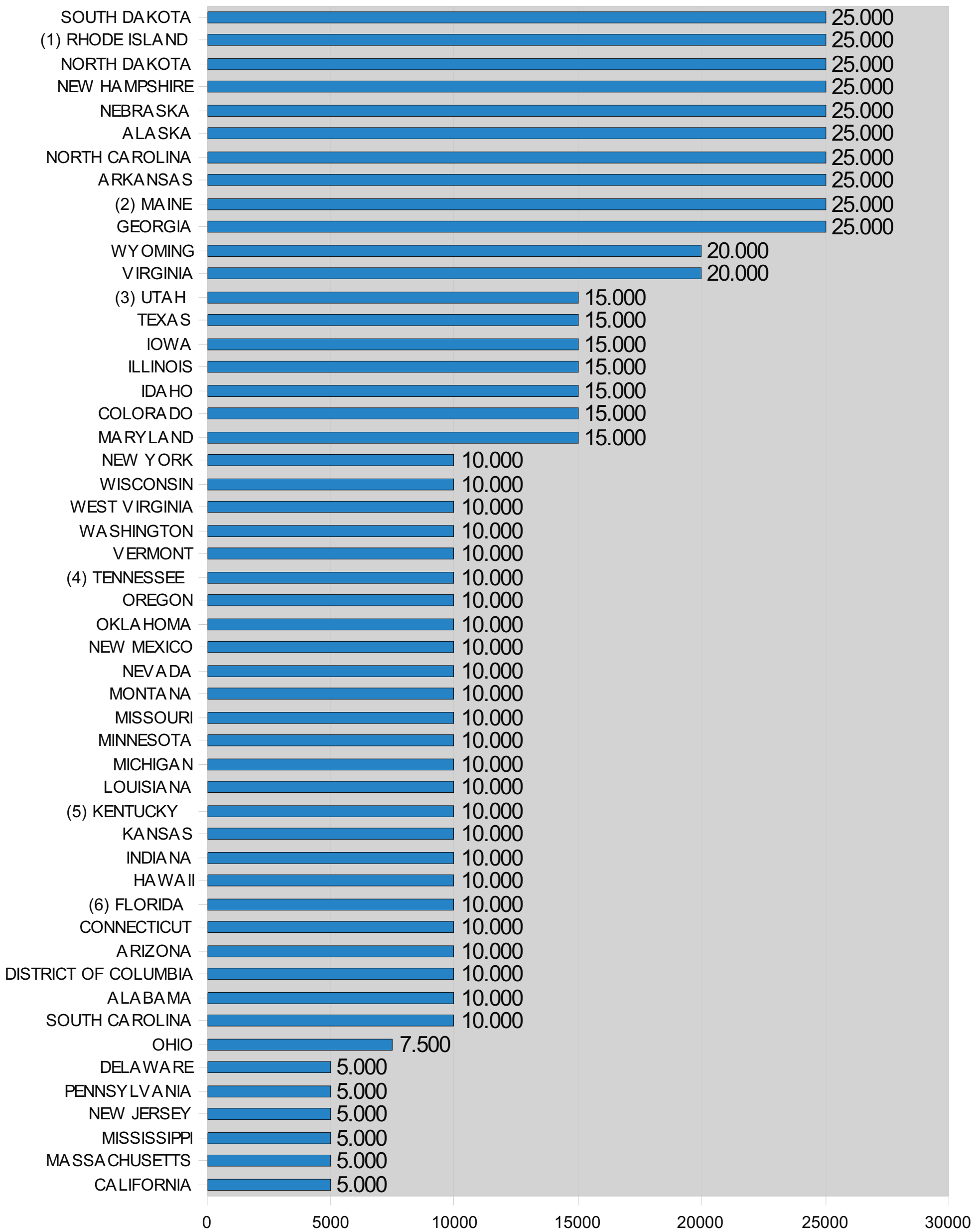
REPORT MUST BE FILED

a) **At the local police station in:**
Alabama, Alaska, Arizona, California (or highway patrol), Colorado, Delaware, Georgia, Hawaii, Idaho, Kansas, Massachusetts (and Register of Motor Vehicles), Michigan, Montana (or sheriff, or highway patrol), North Carolina (or state highway patrol) , North Dakota, Ohio (or county sheriff), Oregon (or sheriff), Pennsylvania, South Dakota (and highway patrol), Washington.

b) **At the state police offices in:**
Arkansas, Indiana, Louisiana, Maine.

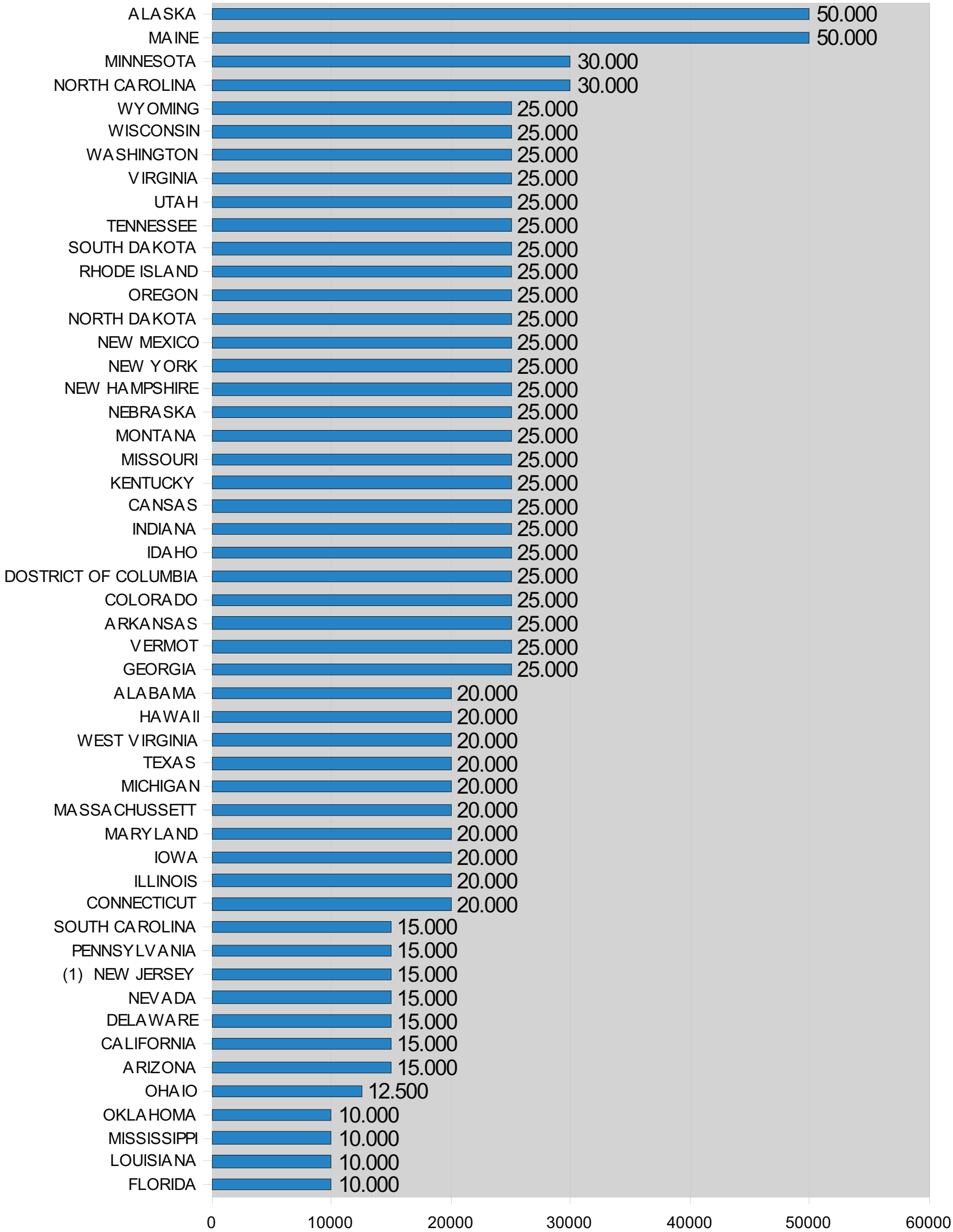
c) **At the department of Public Safety (or Transportation, or Motor Vehicles) in:**
Connecticut, District of Columbia, Florida, Illinois, Iowa, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

MINIMUM COMPULSORY OR FINANCIAL LIABILITY LIMITS FOR ACCIDENTS THAT CAUSE DAMAGE TO PROPERTY – IN US $



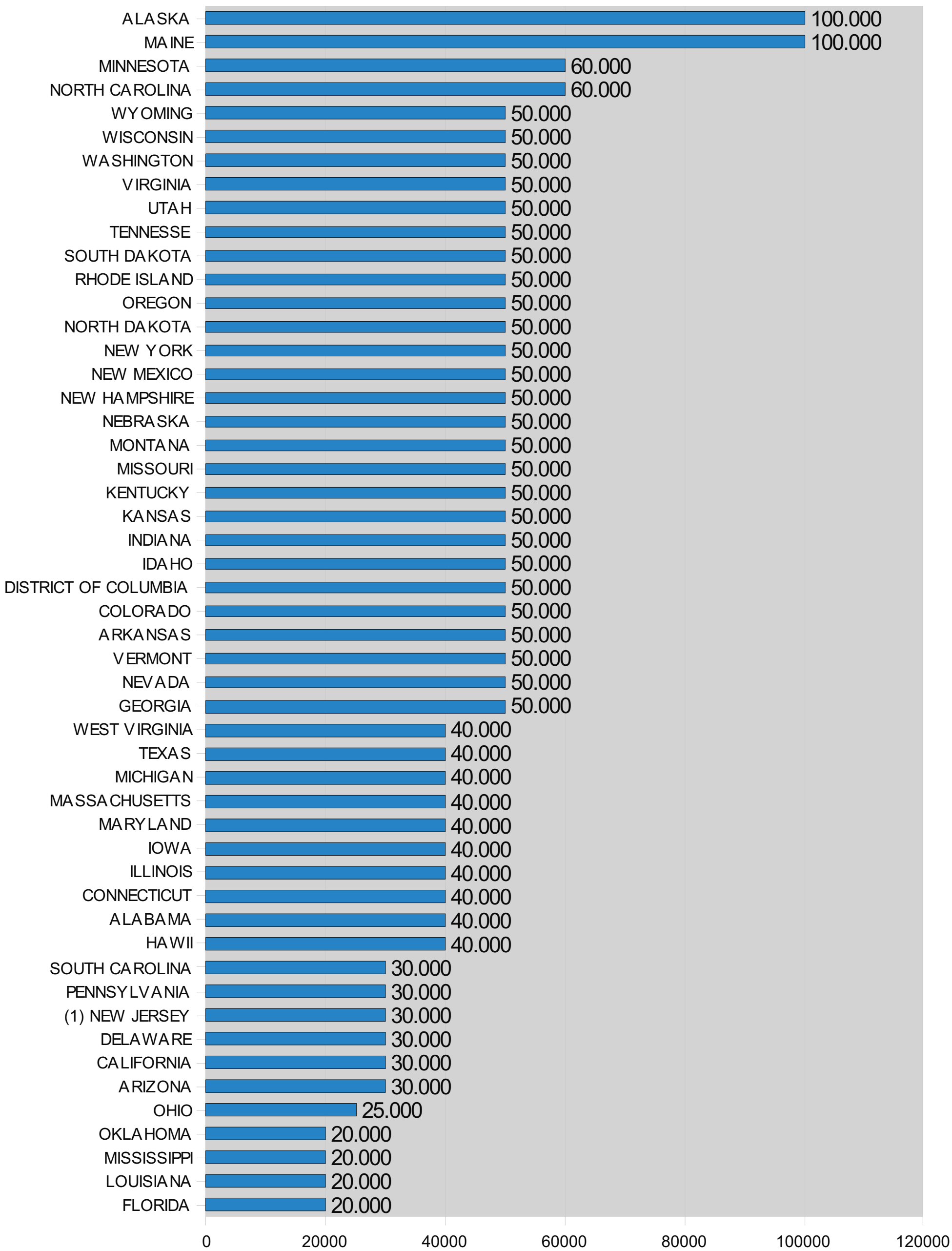
1. Or $ 75000 combined single limit.
2. Plus $ 1000 minimum for medical payments.
3. However, financial responsibility proof may also be single-limit of $ 65000.
4. However, may also meet financial responsibility requirement with single - limit policy of $ 60000.
5. May also meet financial responsibility requirement with single - limit liability coverage of $ 60,000 for all damages.
6. Or policy at least $ 30000 for combined property damage liability and bodily injury liability for anyone motor vehicle accident.

MINIMUM COMPULSORY FINANCIAL LIABILITY LIMITS FOR ACCIDENTS THAT CAUSE BODILY INJURIES – IN US$



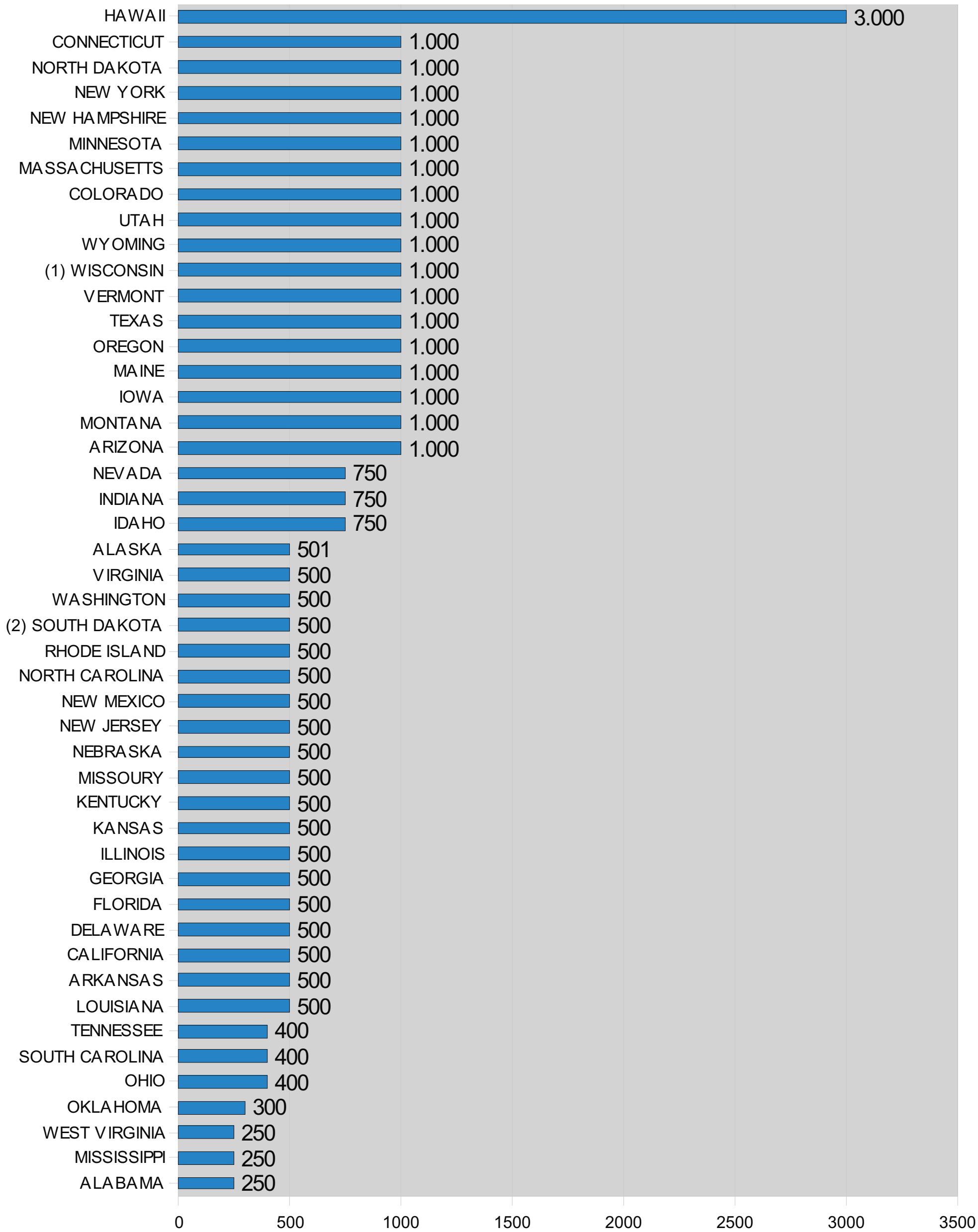
1. 15000 standard policy – 10000 basic policy.

AGGREGATE MINIMUM COMPULSORY OR FINANCIAL LIABILITY LIMITS PER ACCIDENT – IN US$



1. 30000 standard policy – 10000 basic policy.

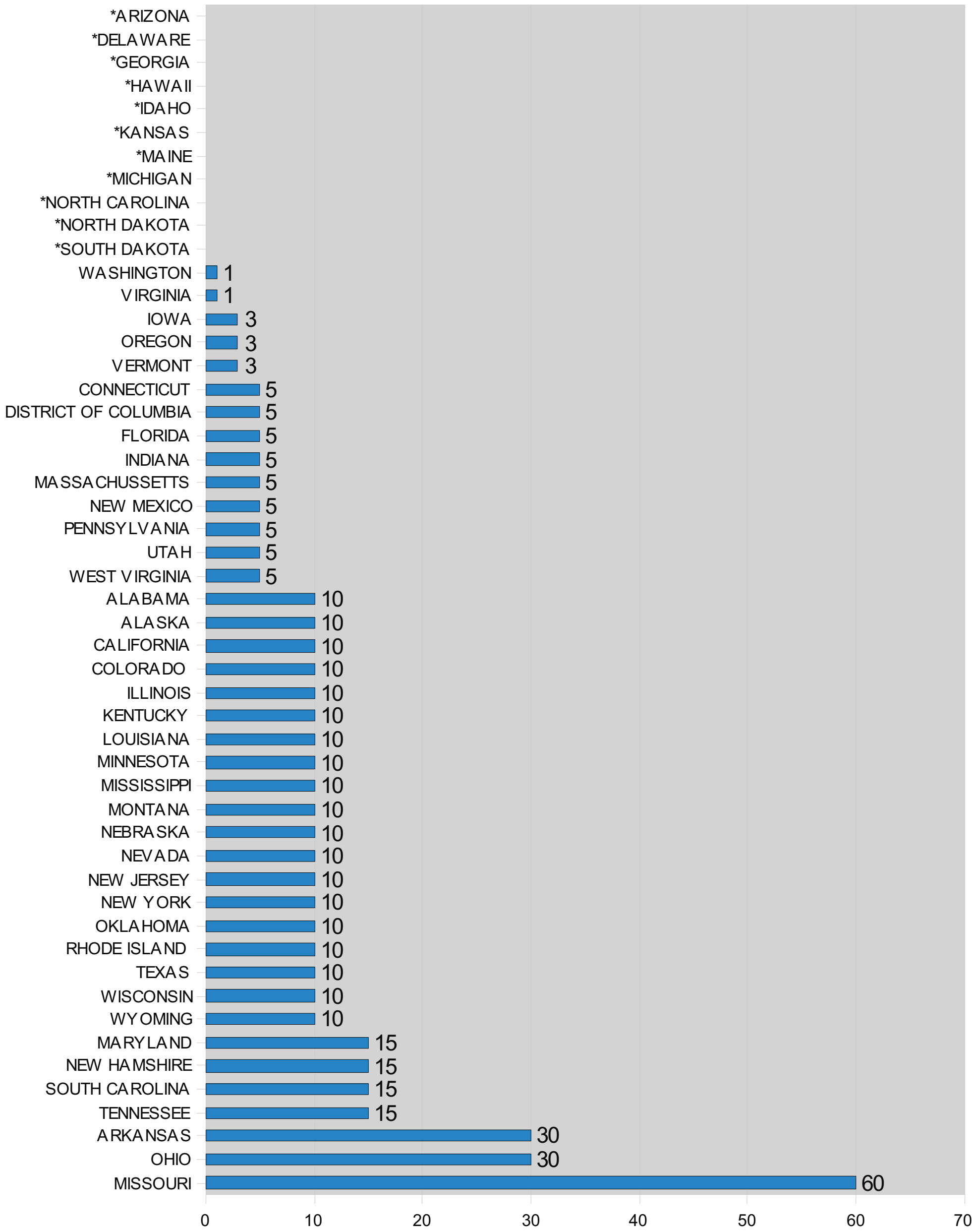
MINIMUM AMOUNT OF PROPERTY DAMAGE IN EXCESS OF WHICH THE LAW REQUIRES A WRITTEN REPORT – IN US$



NO PROVISION: DISTRICT OF COLUMBIA, MARYLAND, PENNSYLVANIA
NO MINIMUM: MICHIGAN ($ 1 MILLION MAXIMUM)

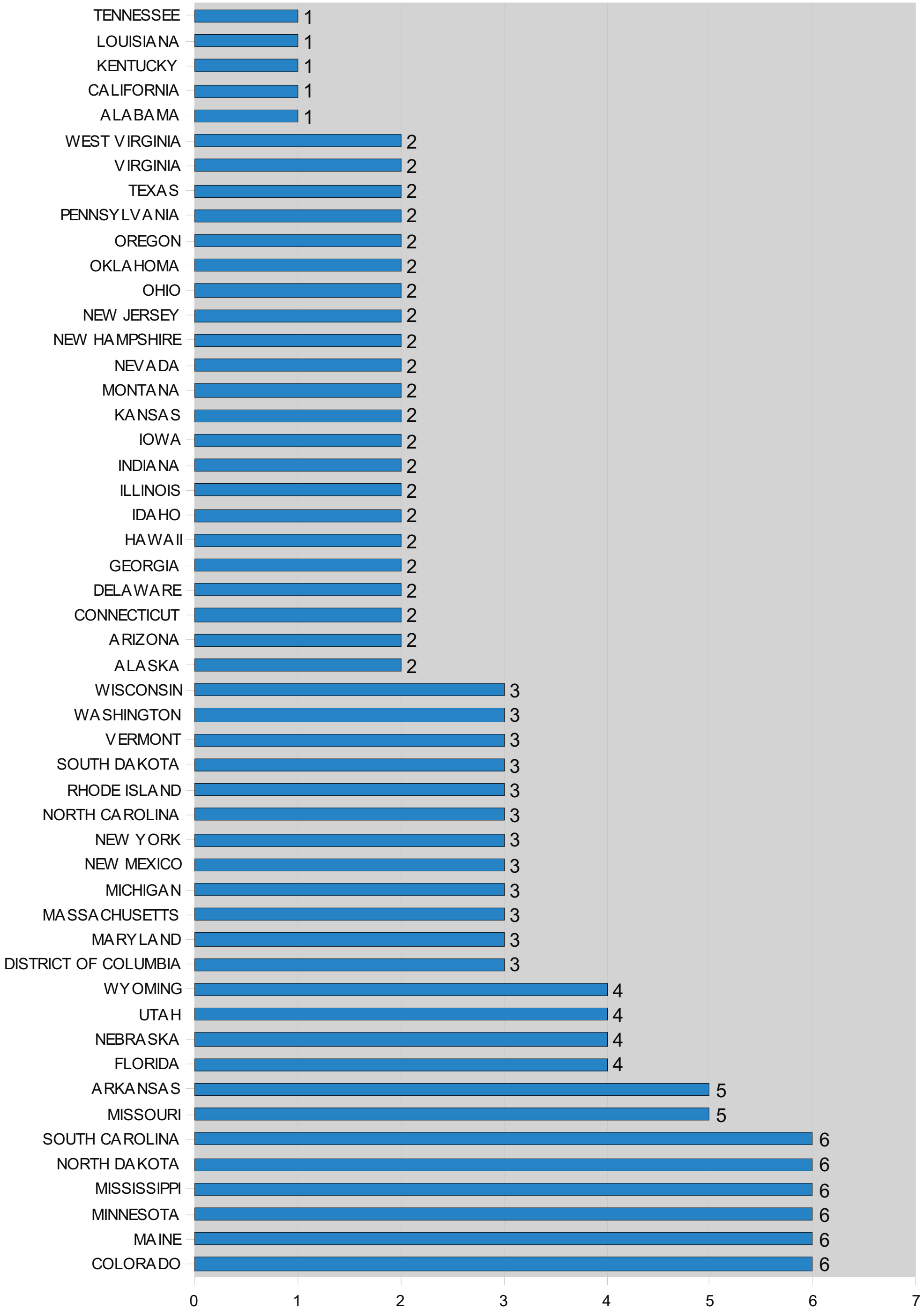
1. $ 200 damage to taste other government property except for vehicles.
2. $ 500 to any person's property or $ 1000 per accident.

TIME LIMIT FOR FILING REPORT (in days)

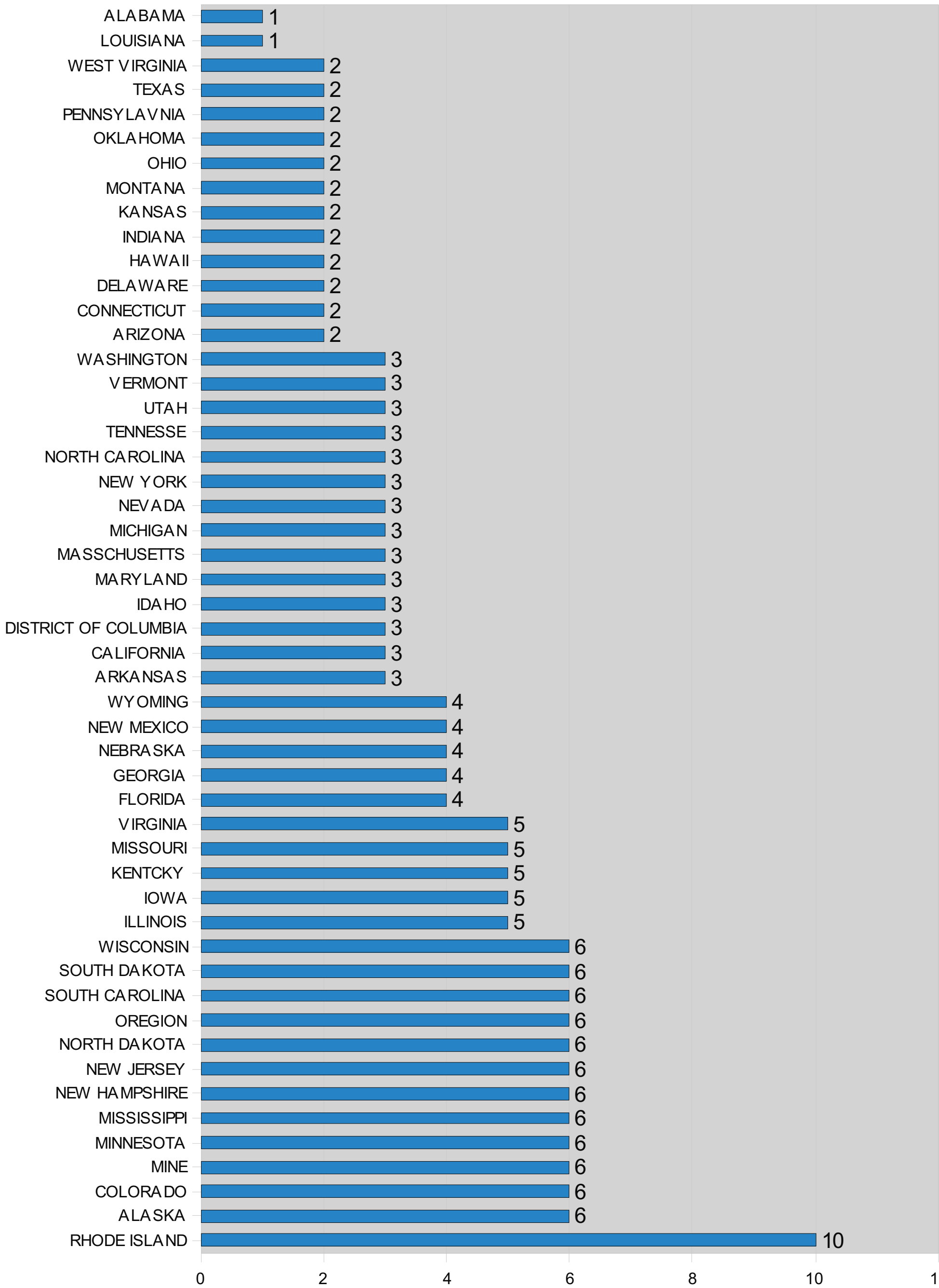


** immediately*

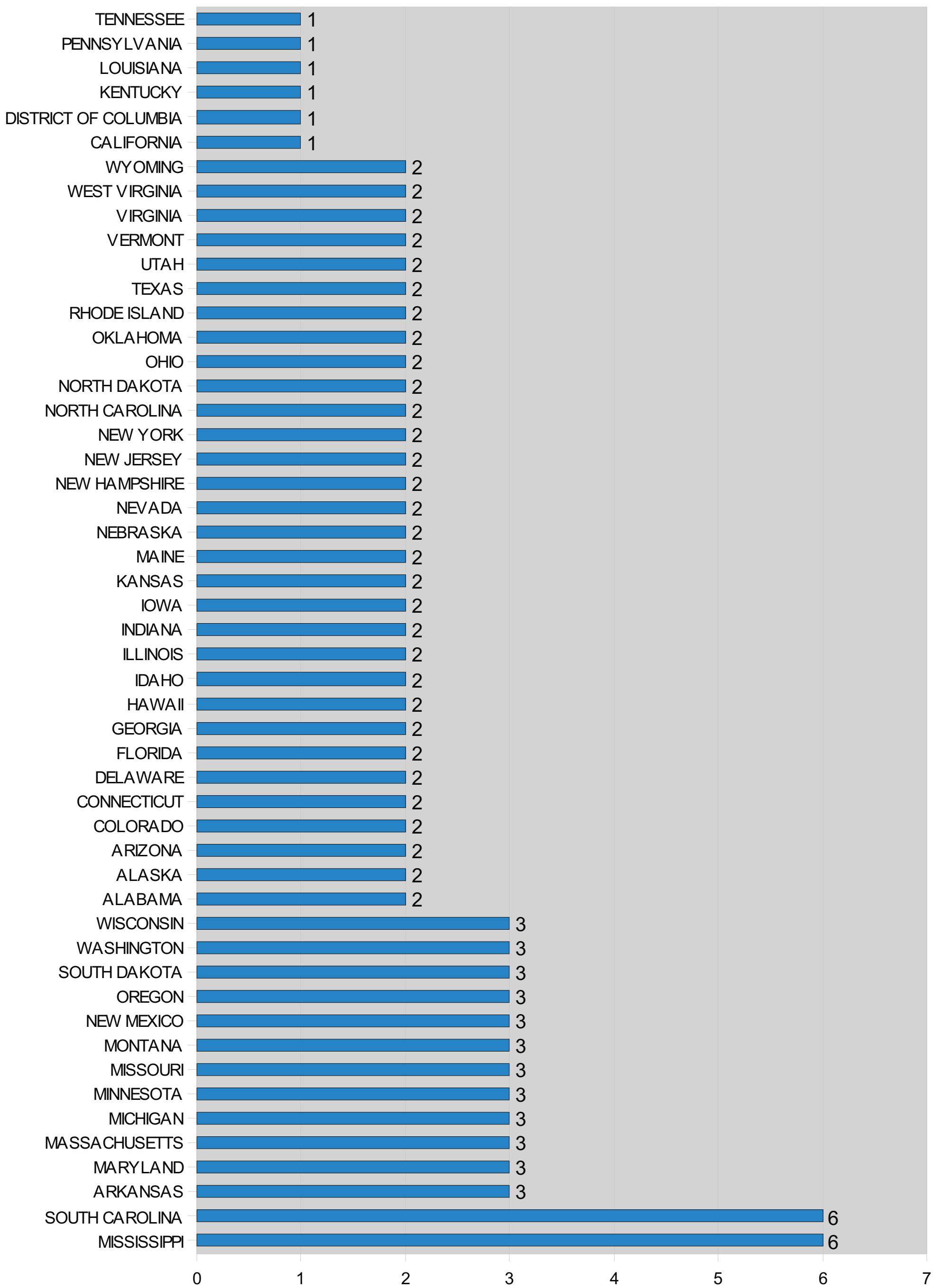
TIME LIMIT WITHIN ONE MAY FILE A SUIT FOR PERSONAL INJURIES (in days)



TIME LIMIT WITHIN ONE MAY FILE A SUIT FOR PERSONAL DAMAGES (in days)



TIME LIMIT WITHIN ONE MAY FILE A SUIT FOR WRONGFULL DEATH
(years from death)



STATISTICAL DATA

CLASSIFICATION OF ECONOMIES

For operational and analytical purposes, the World Bank's main criterion for classifying economies is gross national income (GNI) per capita. In previous editions of our publications, this term was referred to as gross national product, or GNP. Based on its GNI per capita, every economy is classified as low income, middle income (subdivided into lower middle and upper middle), or high income. Other analytical groups, based on geographic regions and levels of external debt, are also used.

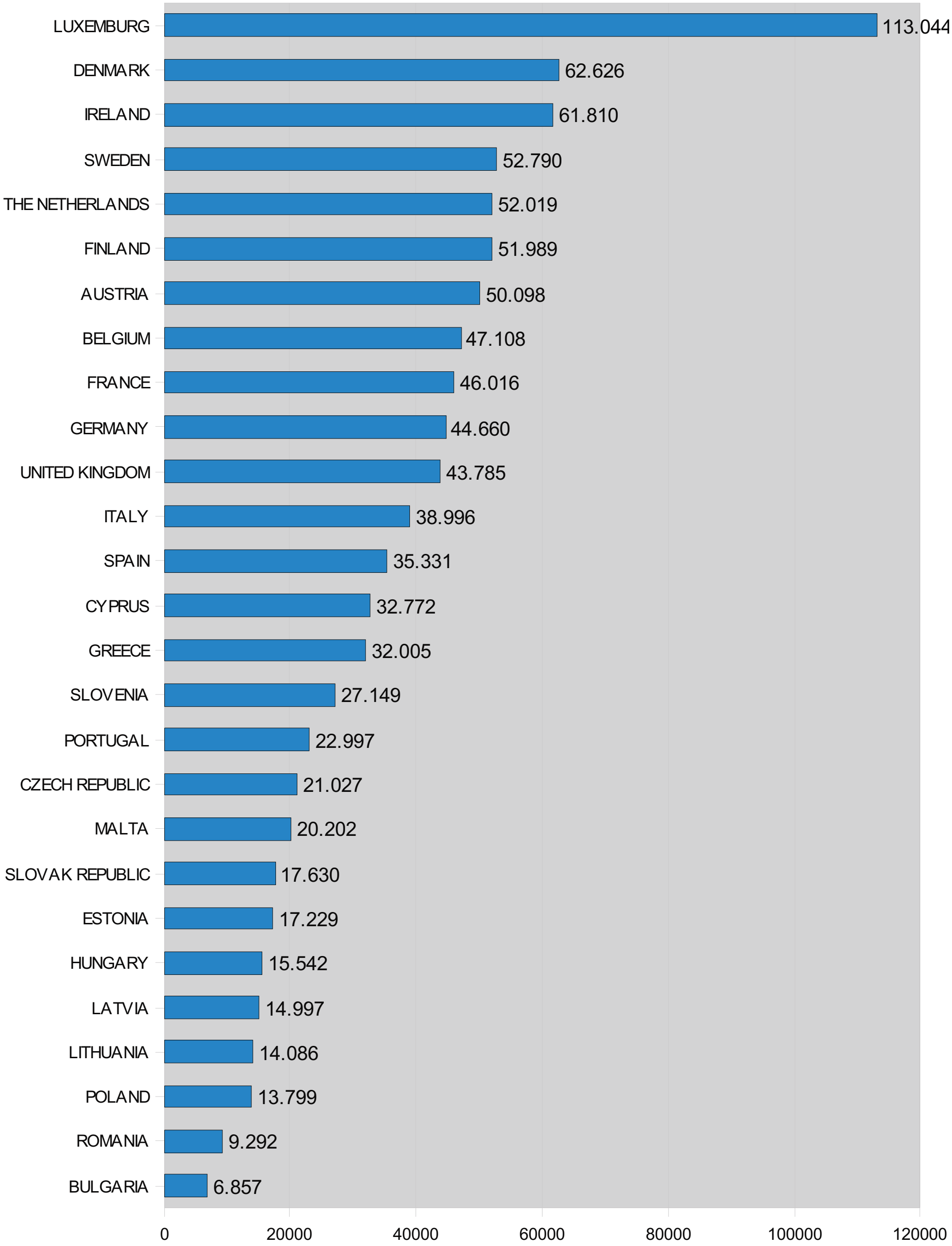
Income group: Economies are divided according to 2008 GNI per capita, calculated using the World Bank **Atlas Method**.

GDP: The gross domestic product is the sum of the gross value added by all resident producers in the economy plus any product taxes and minus any subsidies not included in the value of the products. It is calculated without making deductions for depreciation of fabricated assets or for depletion and degradation of natural resources. PPP GDP is gross domestic product converted to international dollars using purchasing power parity rates. An international dollar has the same purchasing power over GDP as a US dollar has in the United States. (World Bank, Organisation for Economic Co-operation and Development, United Nations).

GNI: (gross national income – formerly gross national product or GNP): GDP [the sum of value added by all resident producers plus any product taxes (less subsidies) not included in the valuation of output] plus net receipts of primary income (compensation of employees and property income) from abroad. (World Bank).

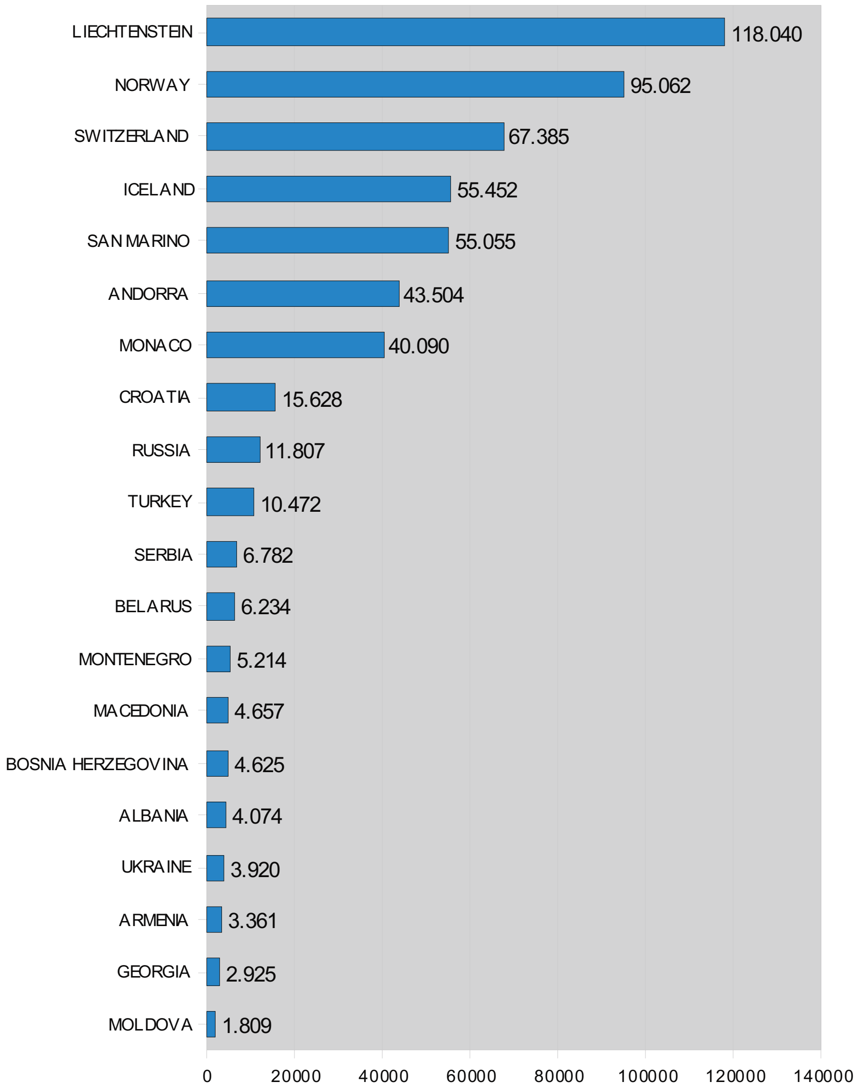
GNI per capita (formerly gross national product per capita or GNP per capita): Gross national income divided by midyear population. PPP GNI is gross national income converted to international dollars using purchasing power parity rates. An international dollar has the same purchasing power over GNI as a US dollar has in the United States. (World Bank).

EUROPEAN UNION COUNTRIES: GNI PER CAPITA 2008 – US$



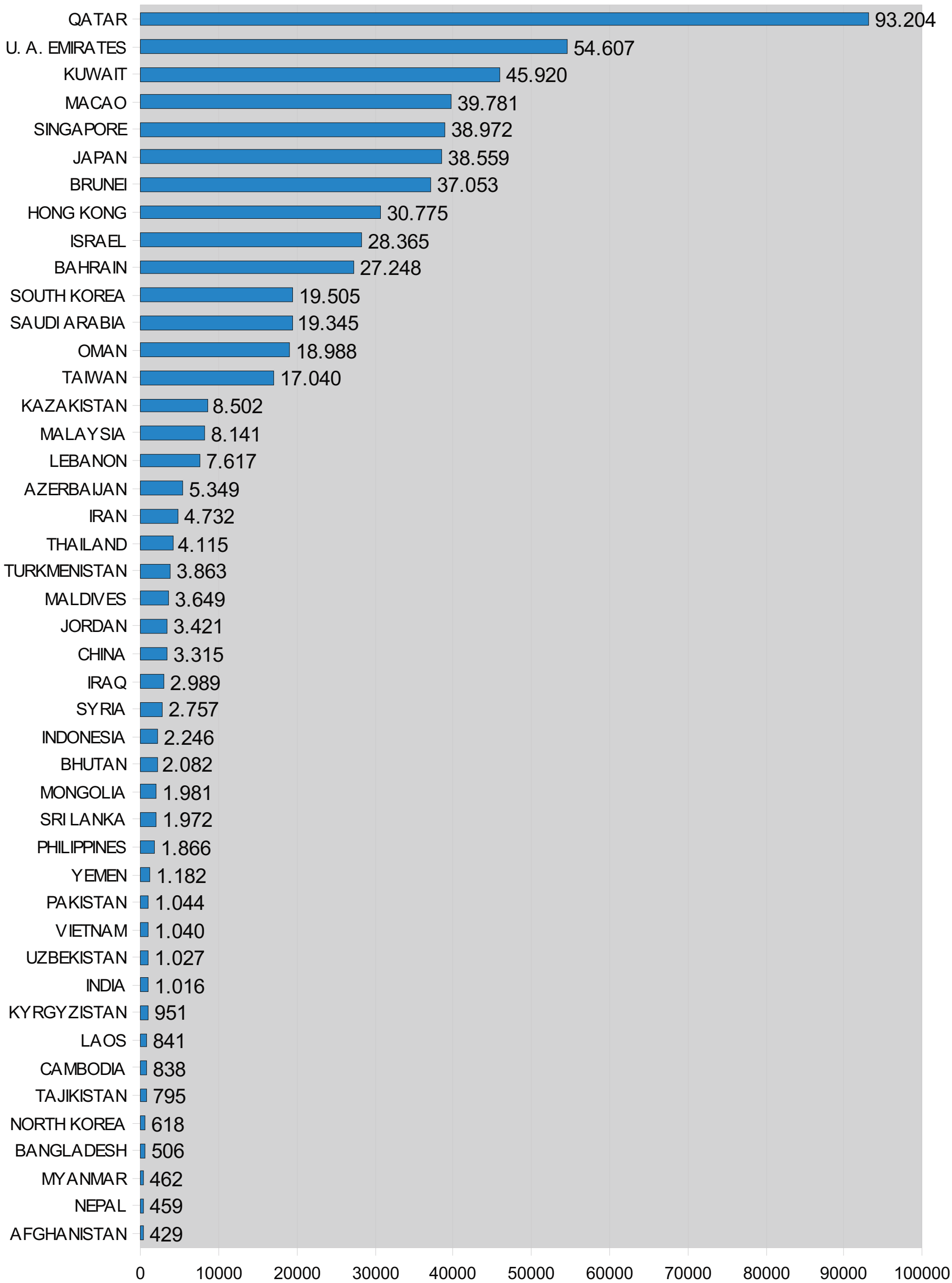
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OTHER EUROPEAN COUNTRIES: GNI PER CAPITE 2008 – US$



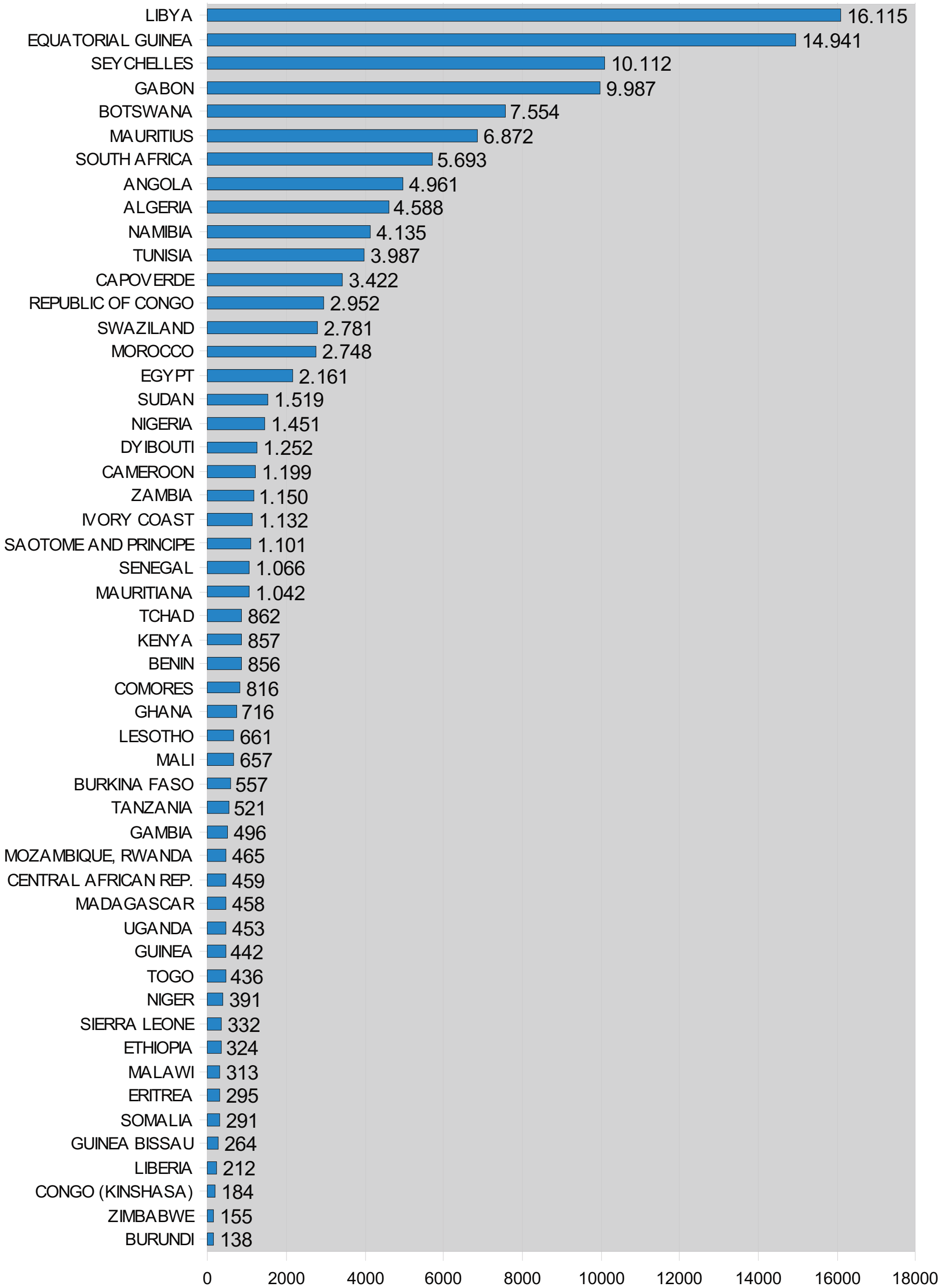
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

ASIAN COUNTRIES: GNI PER CAPITA 2008 – US$

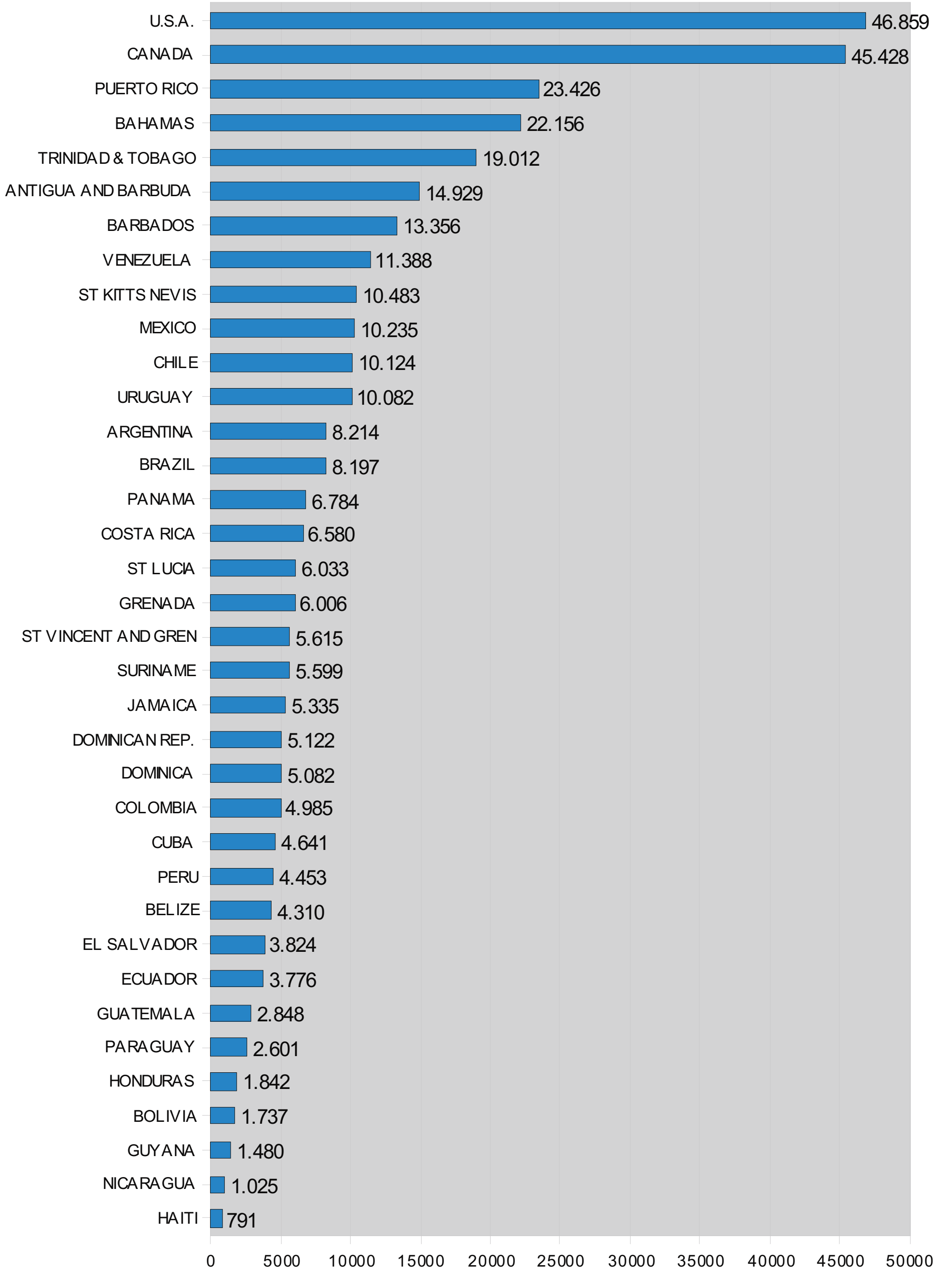


SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AFRICAN COUNTRIES: GNI PER CAPITA 2008 – US$

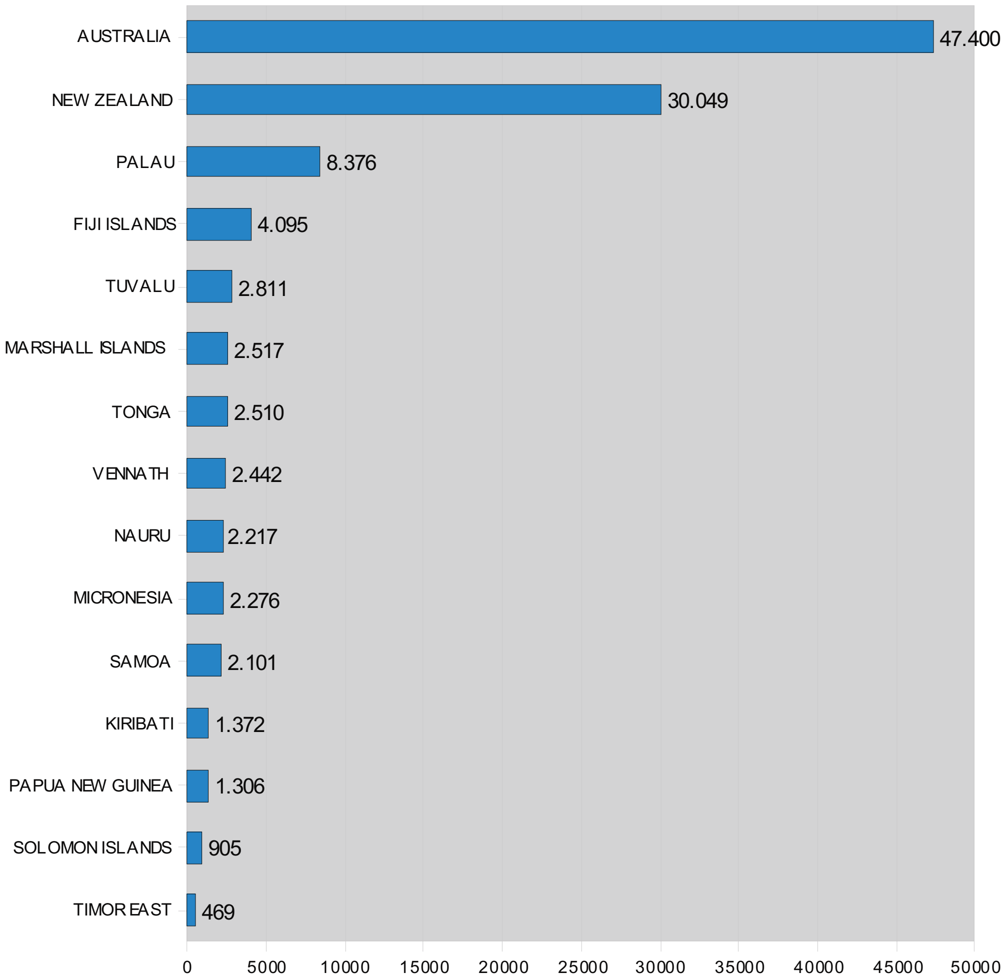


AMERICAN COUNTRIES: GNI PER CAPITA 2008 – US



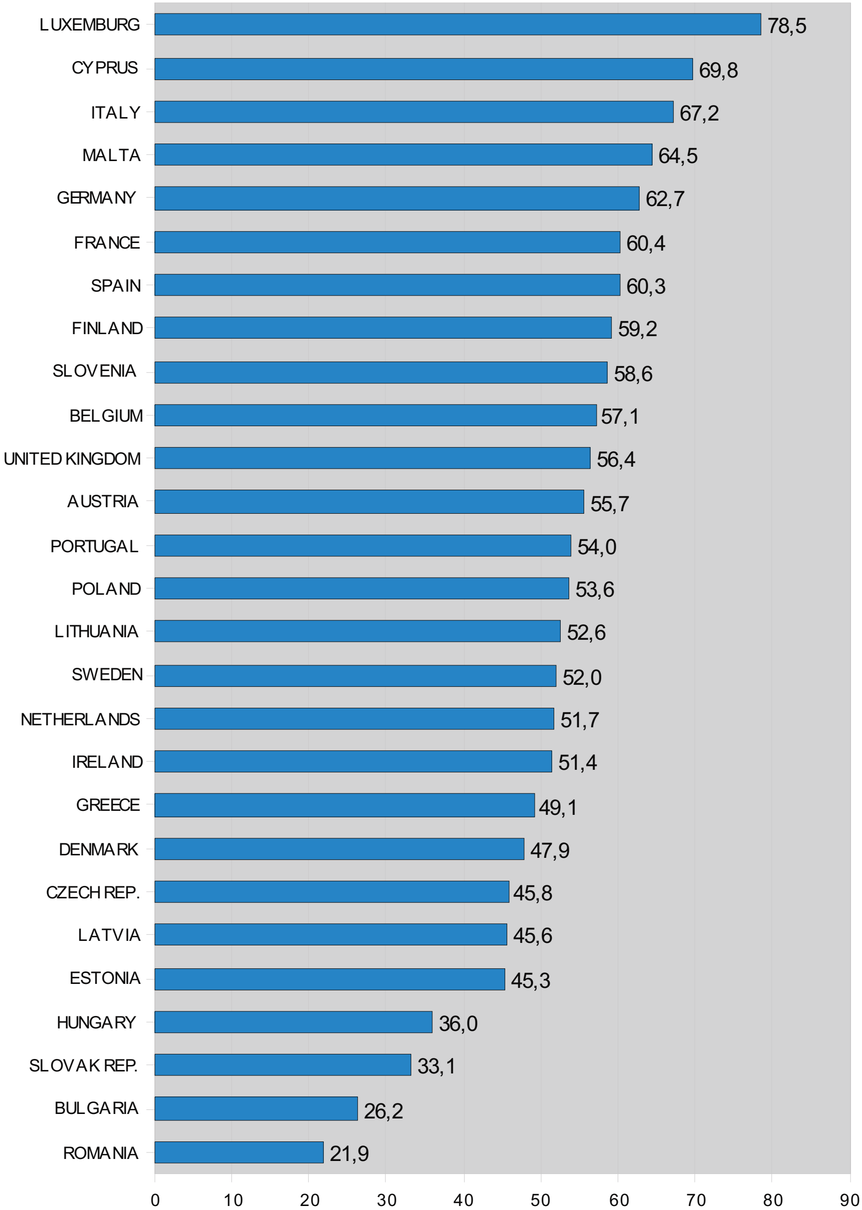
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OCEANIAN COUNTRIES: GNI PER CAPITA 2008 – US$



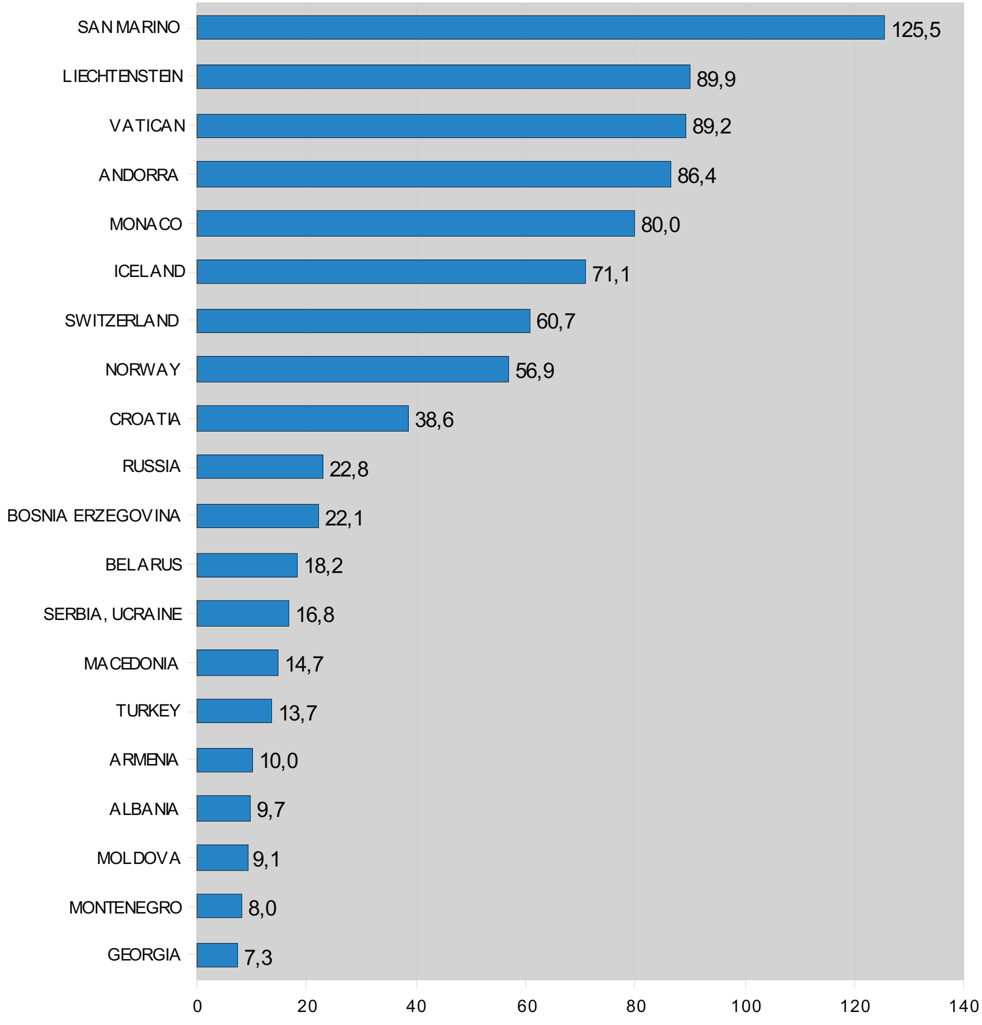
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

EUROPEAN UNION COUNTRIES
% REGISTERED VEHICLES/RESIDENT POPULATION 2008



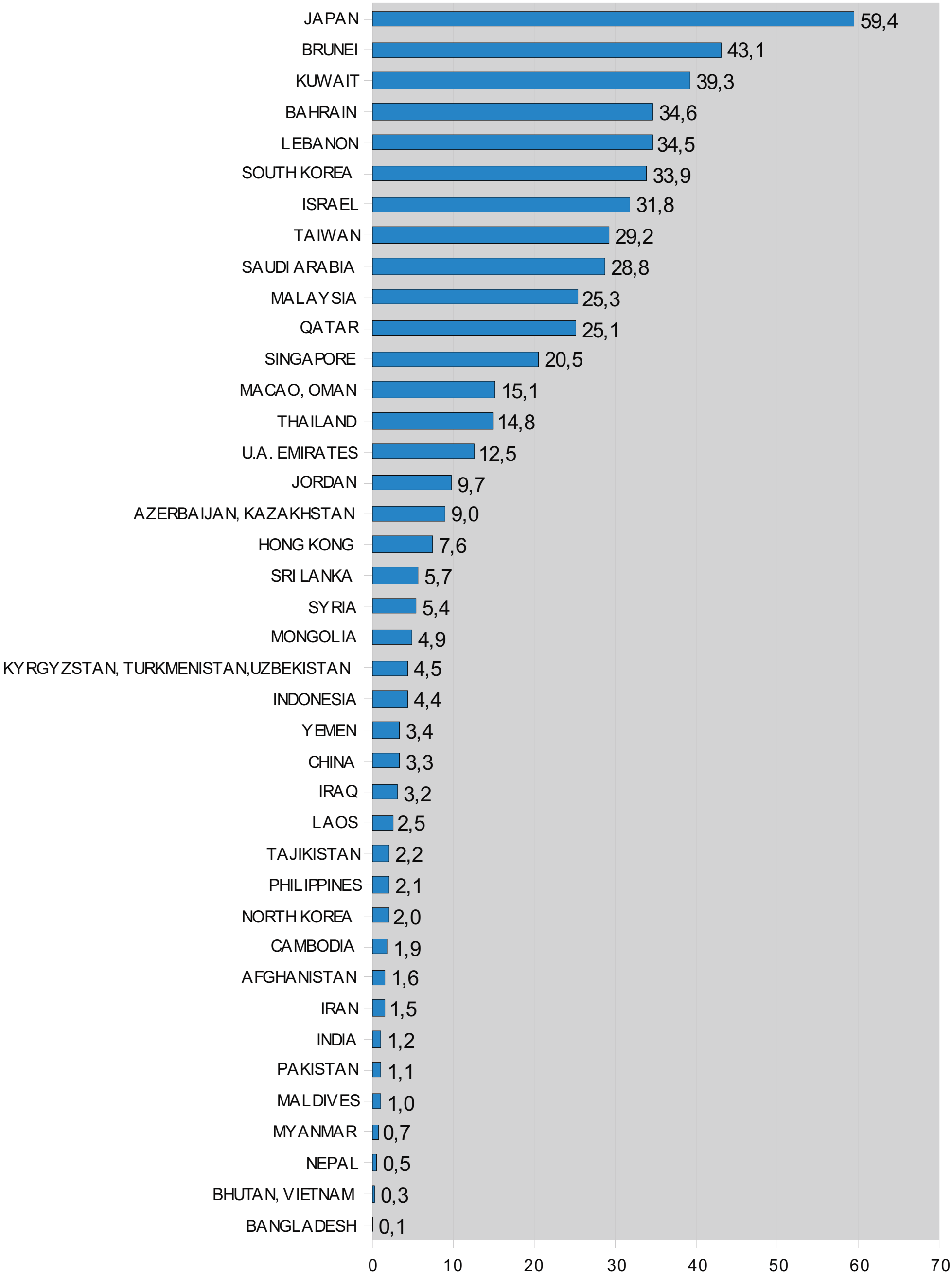
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OTHER EUROPEAN COUNTRIES
% REGISTERED VEHICLES/RESIDENT POPULATION 2008



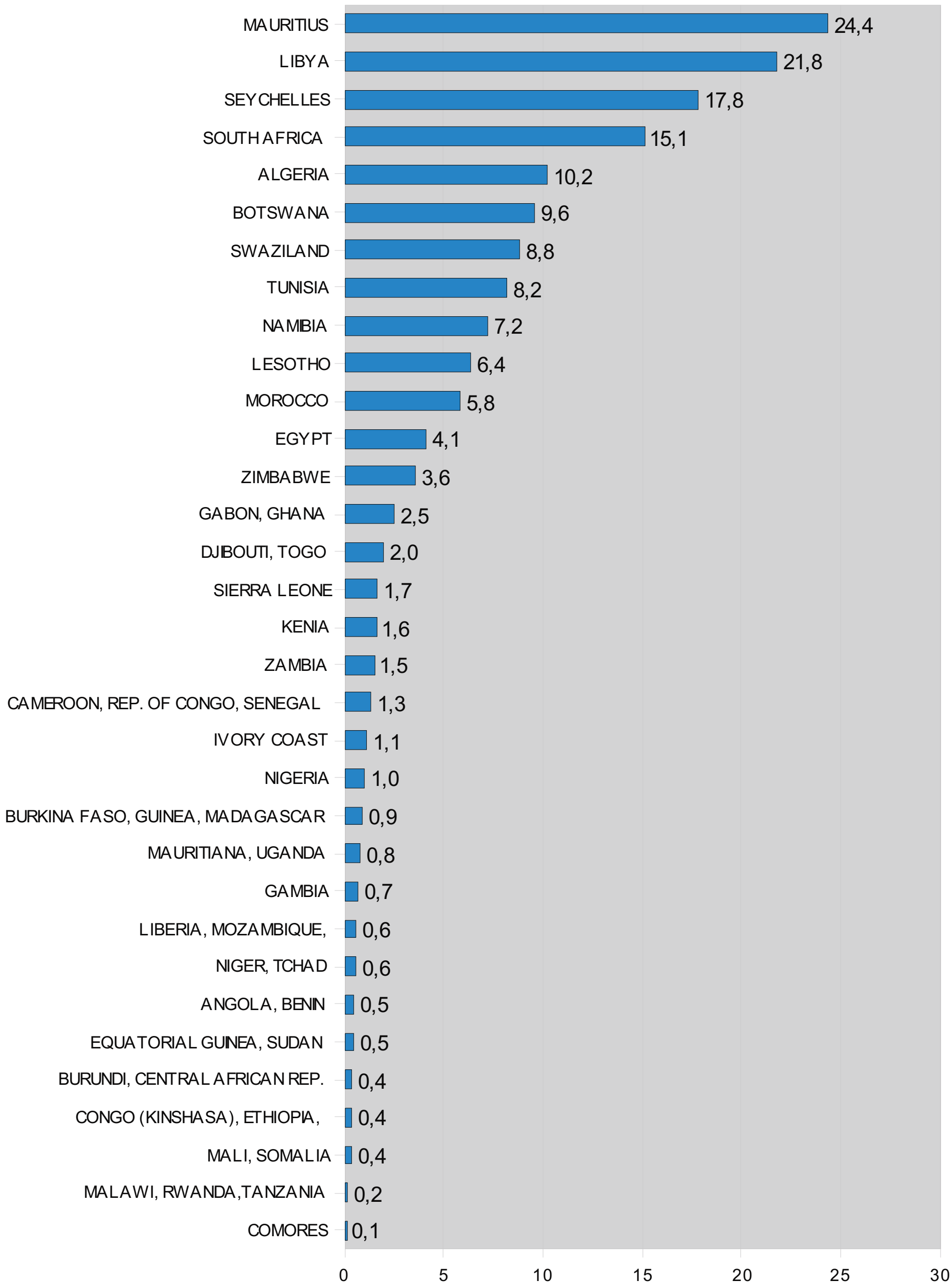
SOURCES: Istituto Geografico De Agostini, Novara, 2010

ASIAN COUNTRIES
% REGISTERED VEHICLES/RESIDENT POPULATION 2008



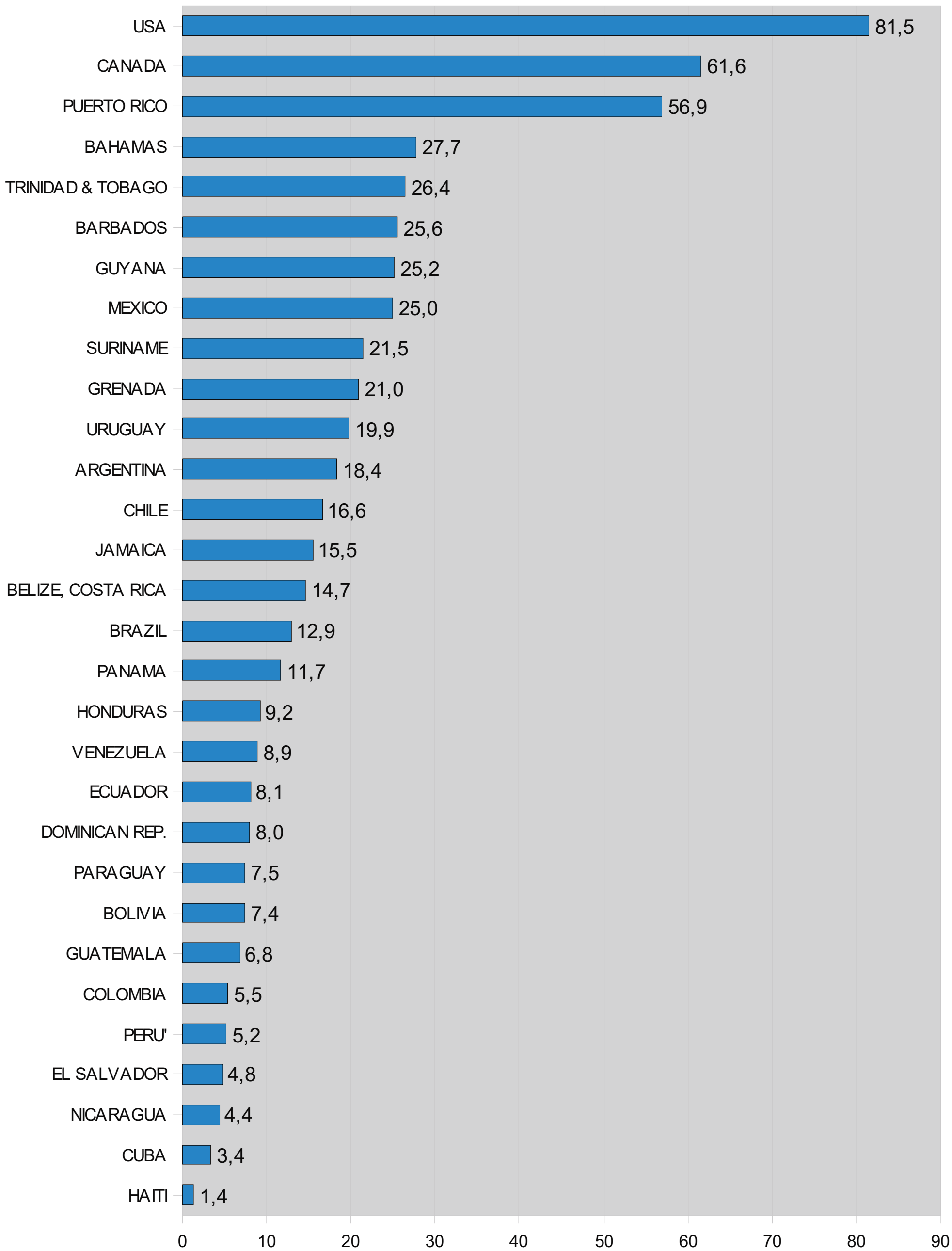
SOURCES: Istituto Geografico De Agostini, Novara, 2010

AFRICAN COUNTRIES
% REGISTERED VEHICLES/RESIDENT POPULATION 2008



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AMERICAN COUNTRIES
% REGISTERED VEHICLES/RESIDENT POPULATION 2008



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OCEANIAN COUNTRIES
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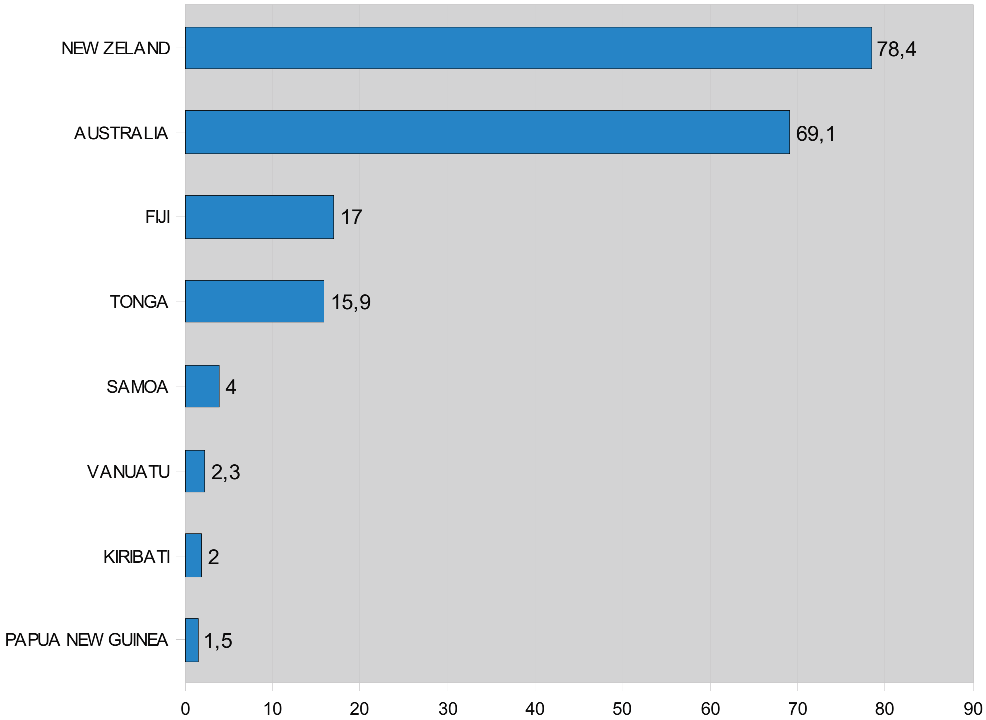
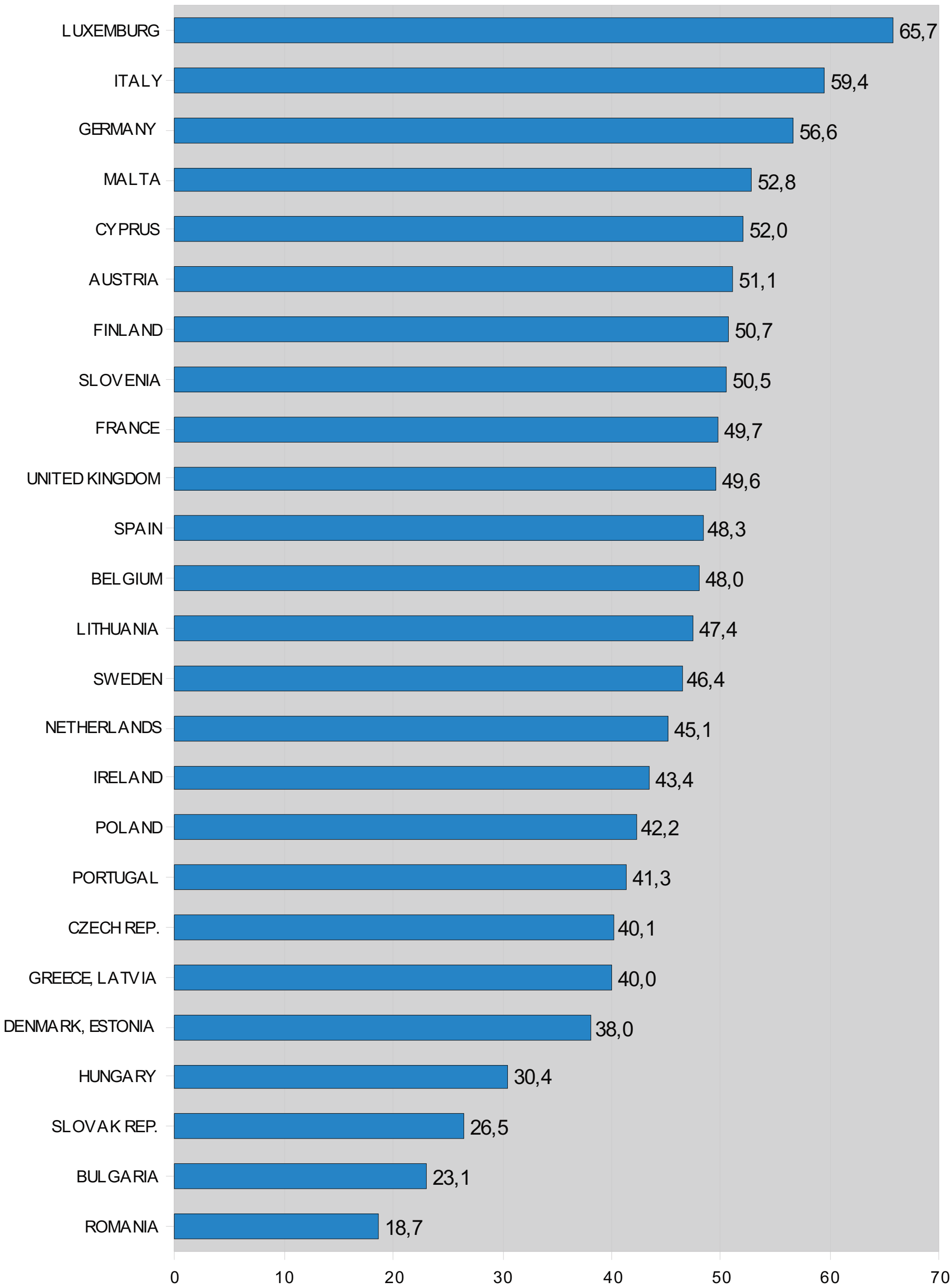


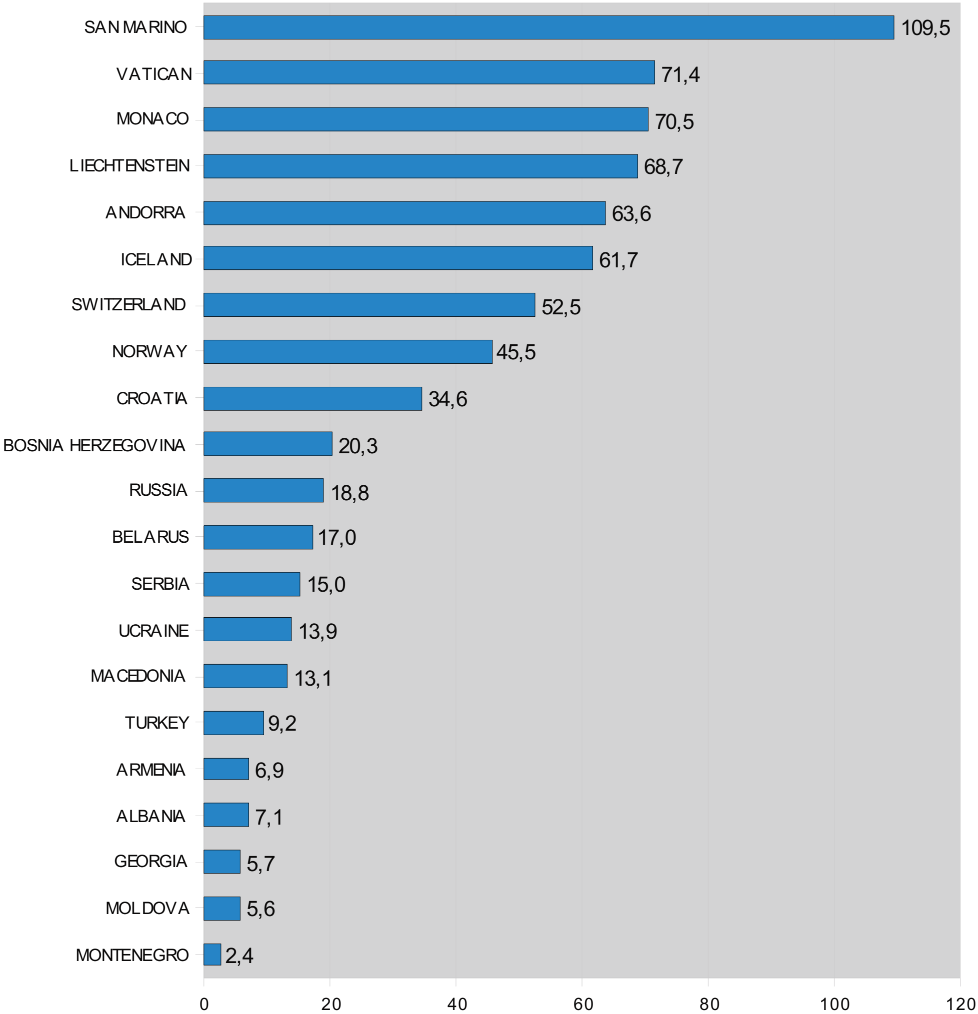
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

EUROPEAN UNION COUNTRIES
% REGISTERED MOTOCARS/RESIDENT POPULATION 2008



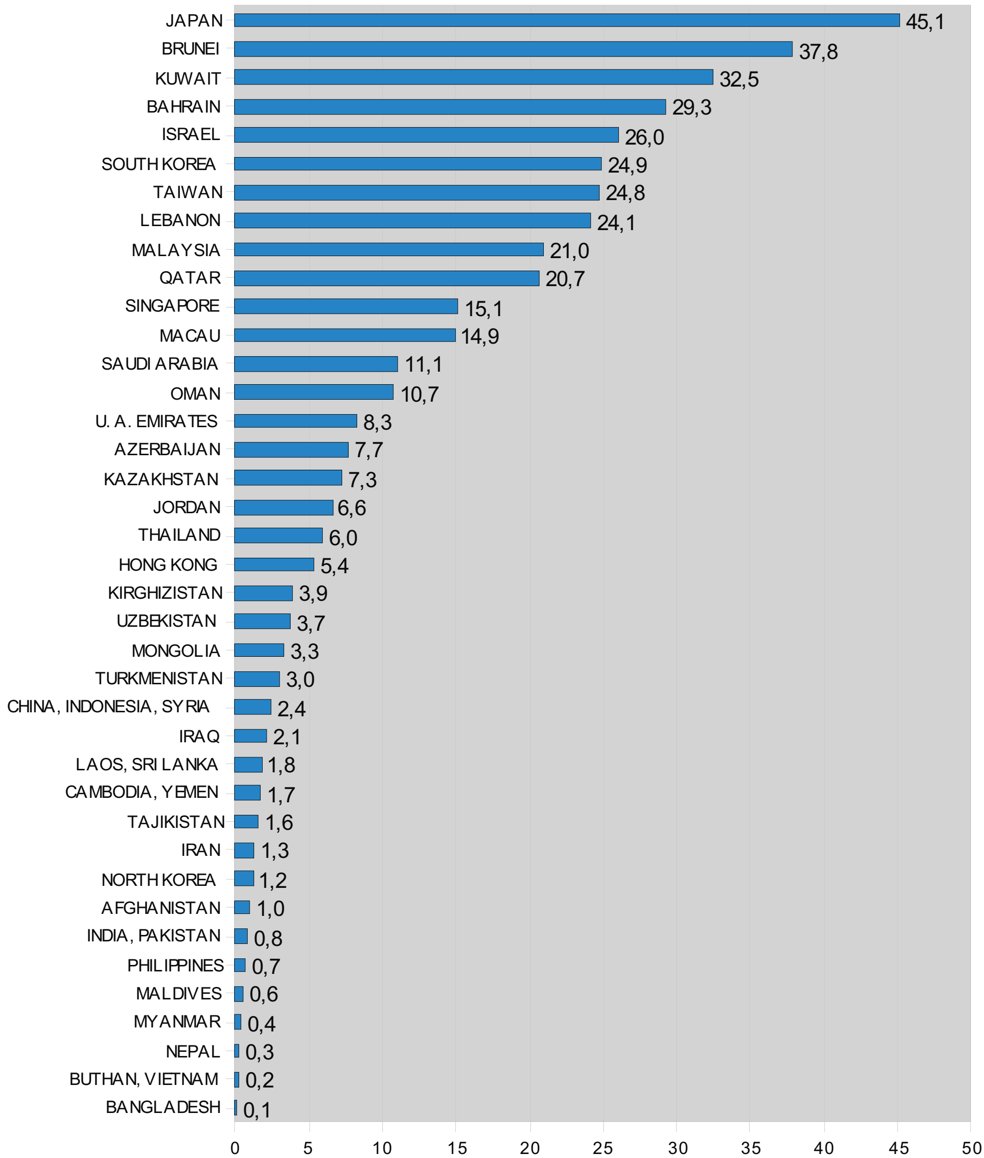
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OTHER EUROPEAN COUNTRIES
% REGISTERED MOTOCARS/RESIDENT POPULATION 2008



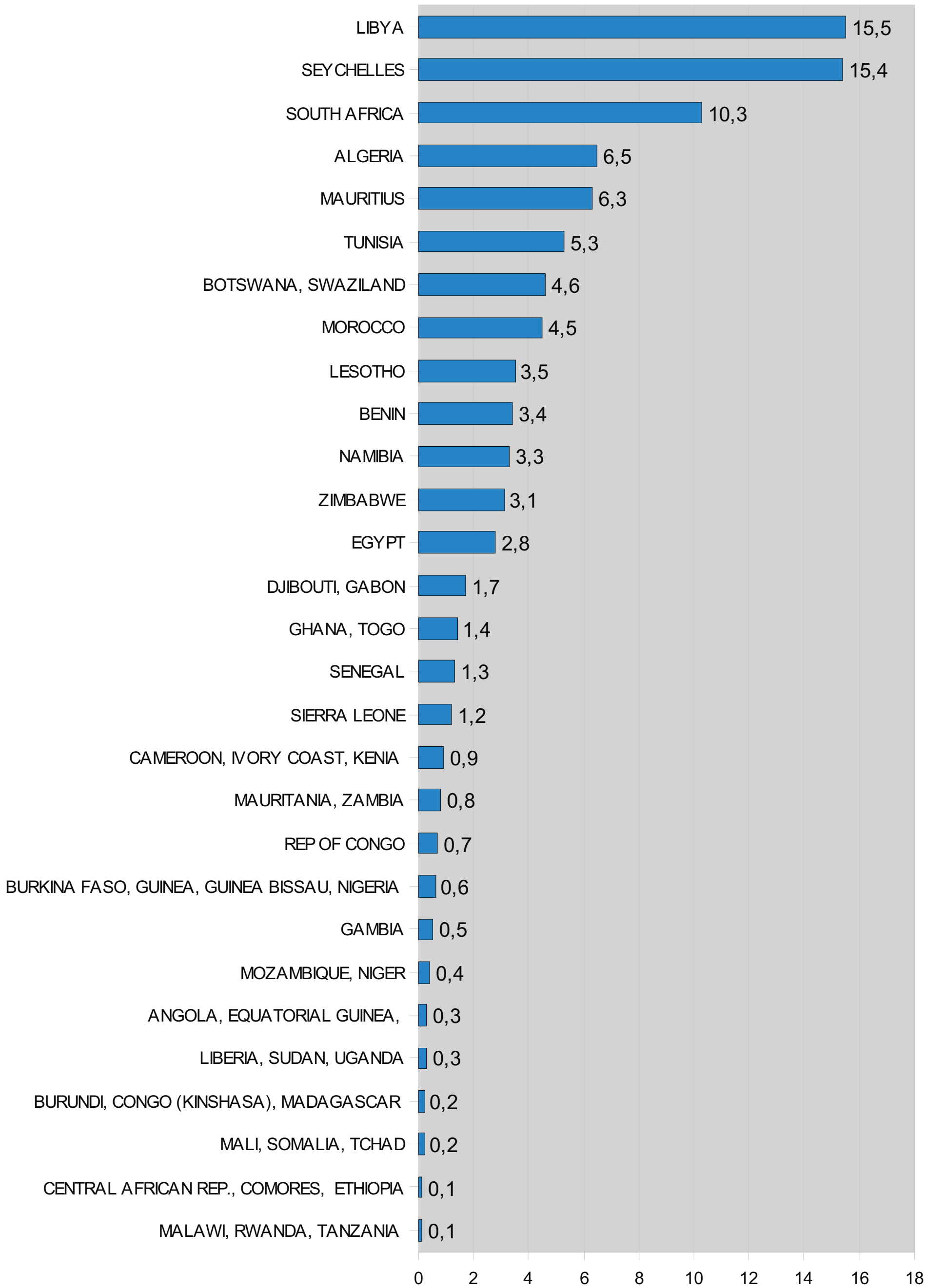
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

ASIAN COUNTRIES
% REGISTERED MOTOCARS/RESIDENT POPULATION 2008



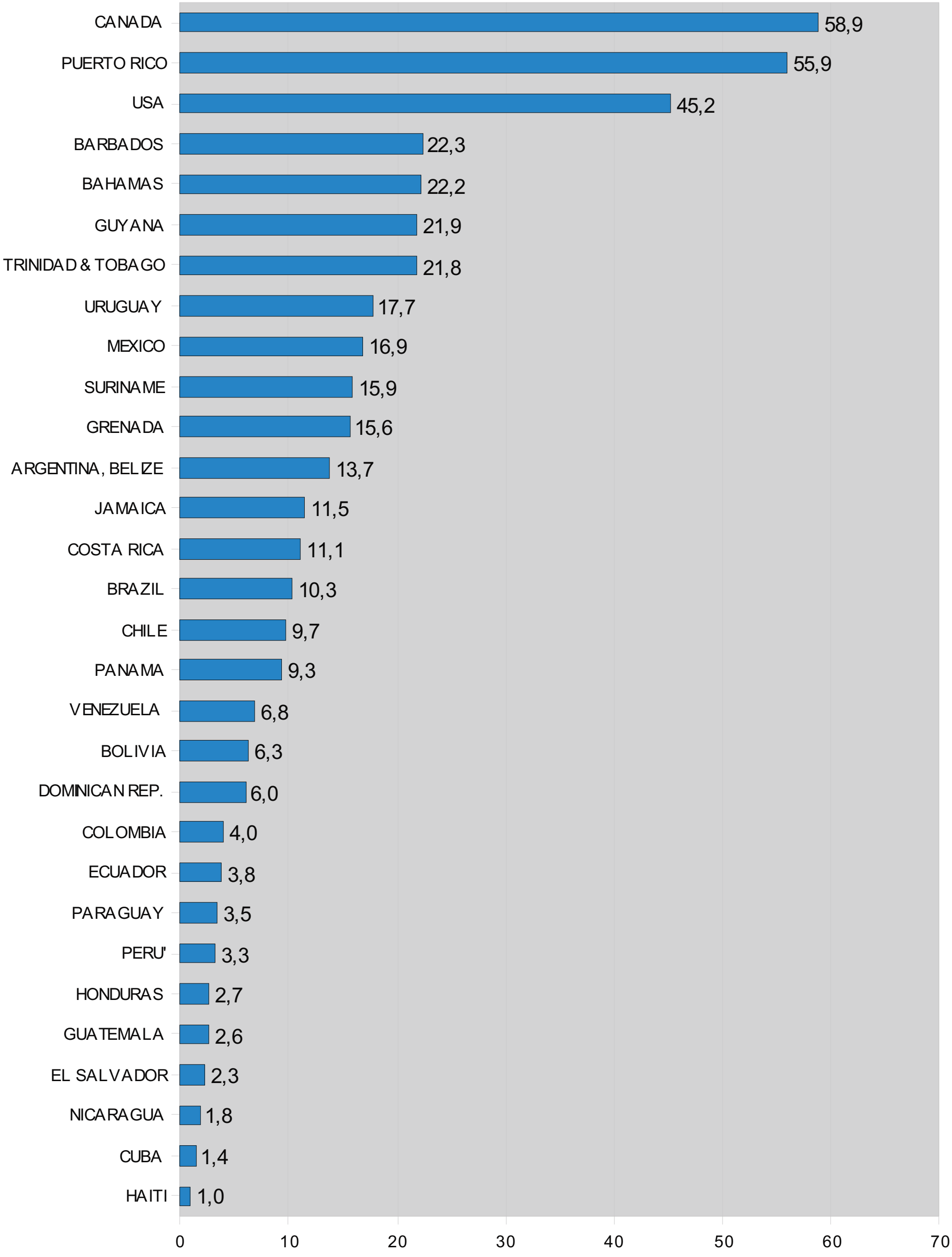
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AFRICAN COUNTRIES
% REGISTERED MOTOCARS/RESIDENT POPULATION 2008



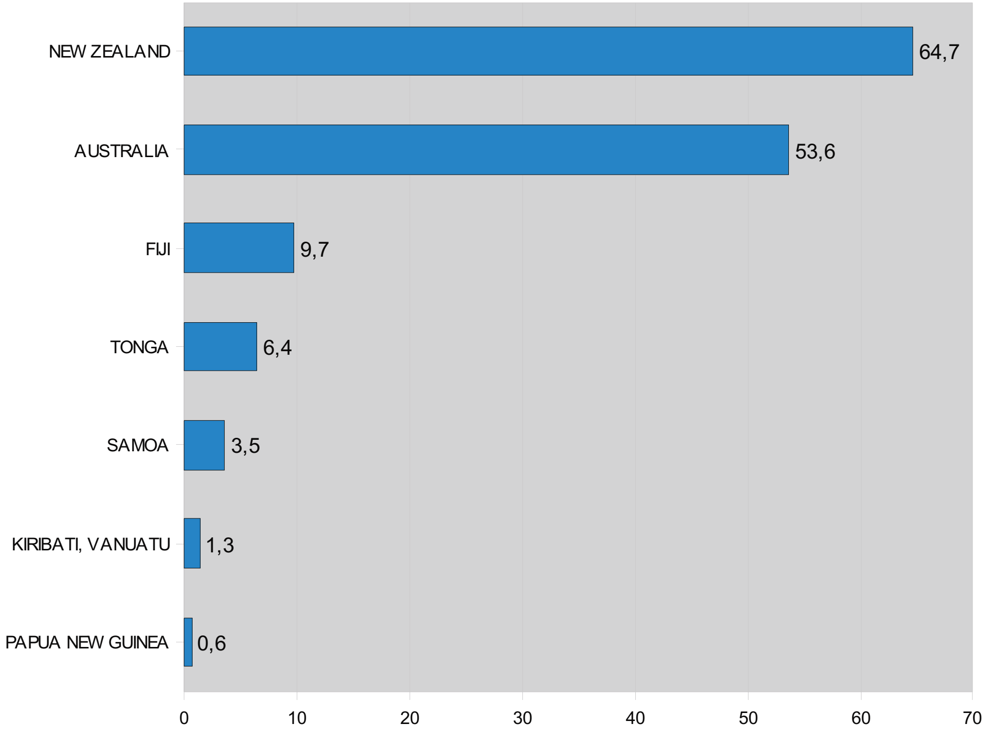
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AMERICAN COUNTRIES
% REGISTERED MOTORCARS/RESIDENT POPULATION 2008



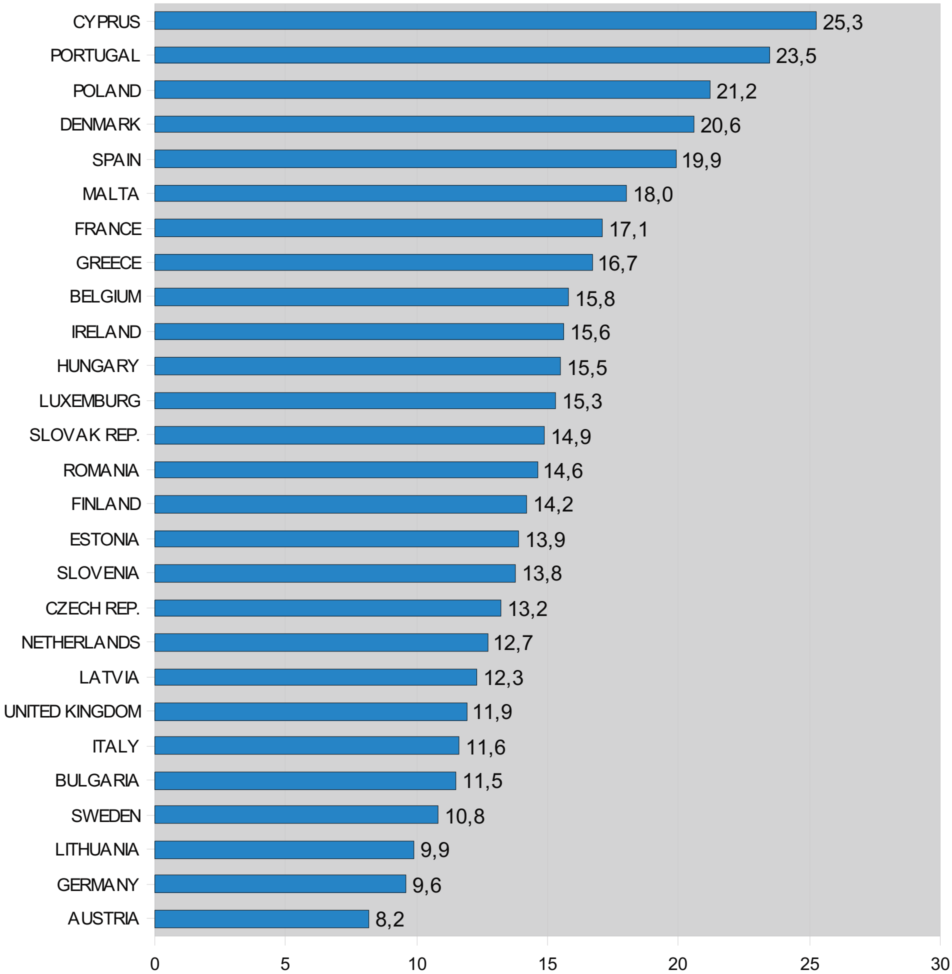
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OCEANIAN COUNTRIES
% REGISTERED MOTOCARS/RESIDENT POPULATION 2008



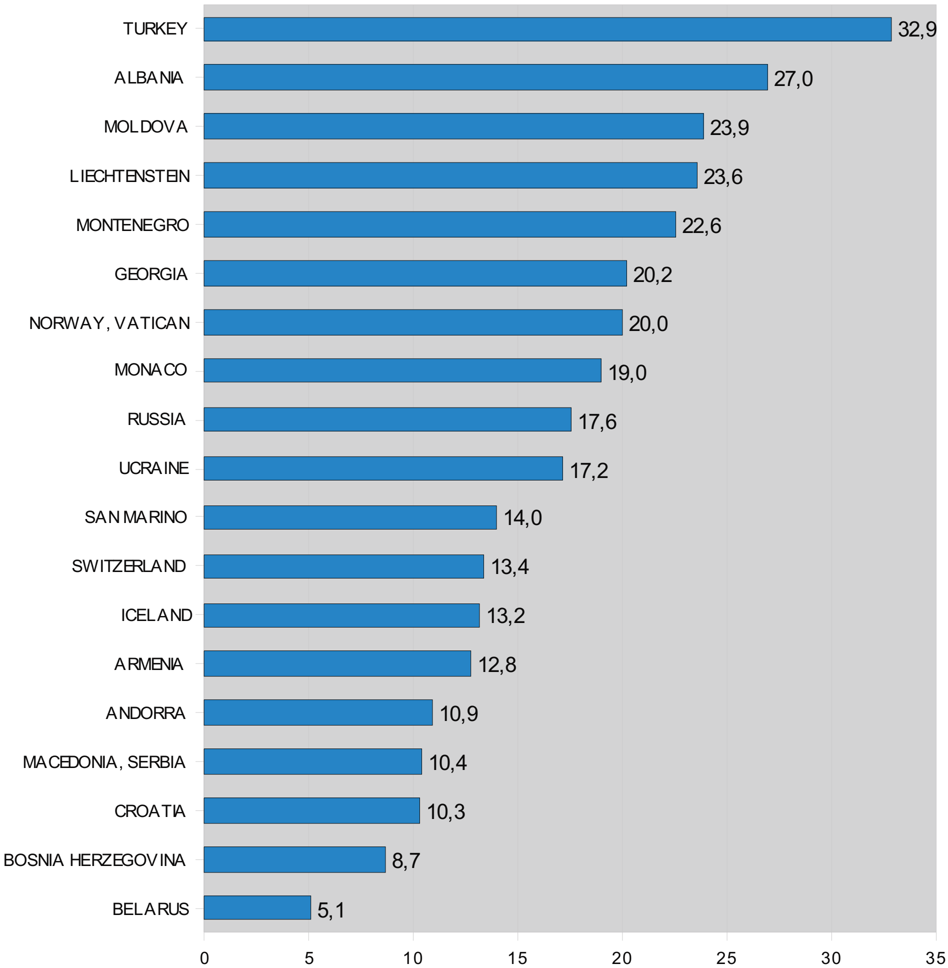
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

EUROPEAN UNION COUNTRIES
% COMMERCIAL VEHICLES/TOTAL CIRCULATING VEHICLES (2008)



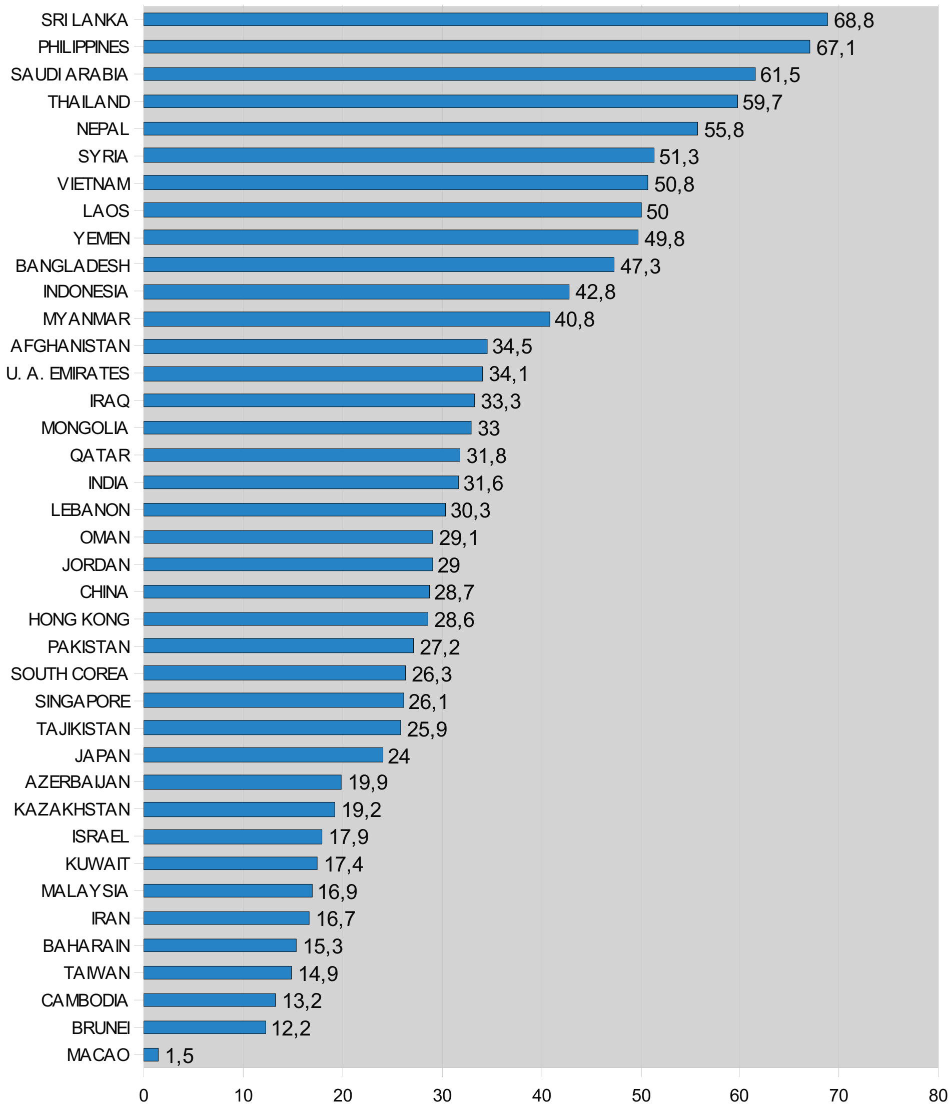
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OTHER EUROPEAN COUNTRIES
% COMMERCIAL VEHICLES/TOTAL CIRCULATING VEHICLES (2008)



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

ASIAN COUNTRIES
% COMMERCIAL VEHICLES/TOTAL CIRCULATING VEHICLES (2008)



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AFRICAN COUNTRIES
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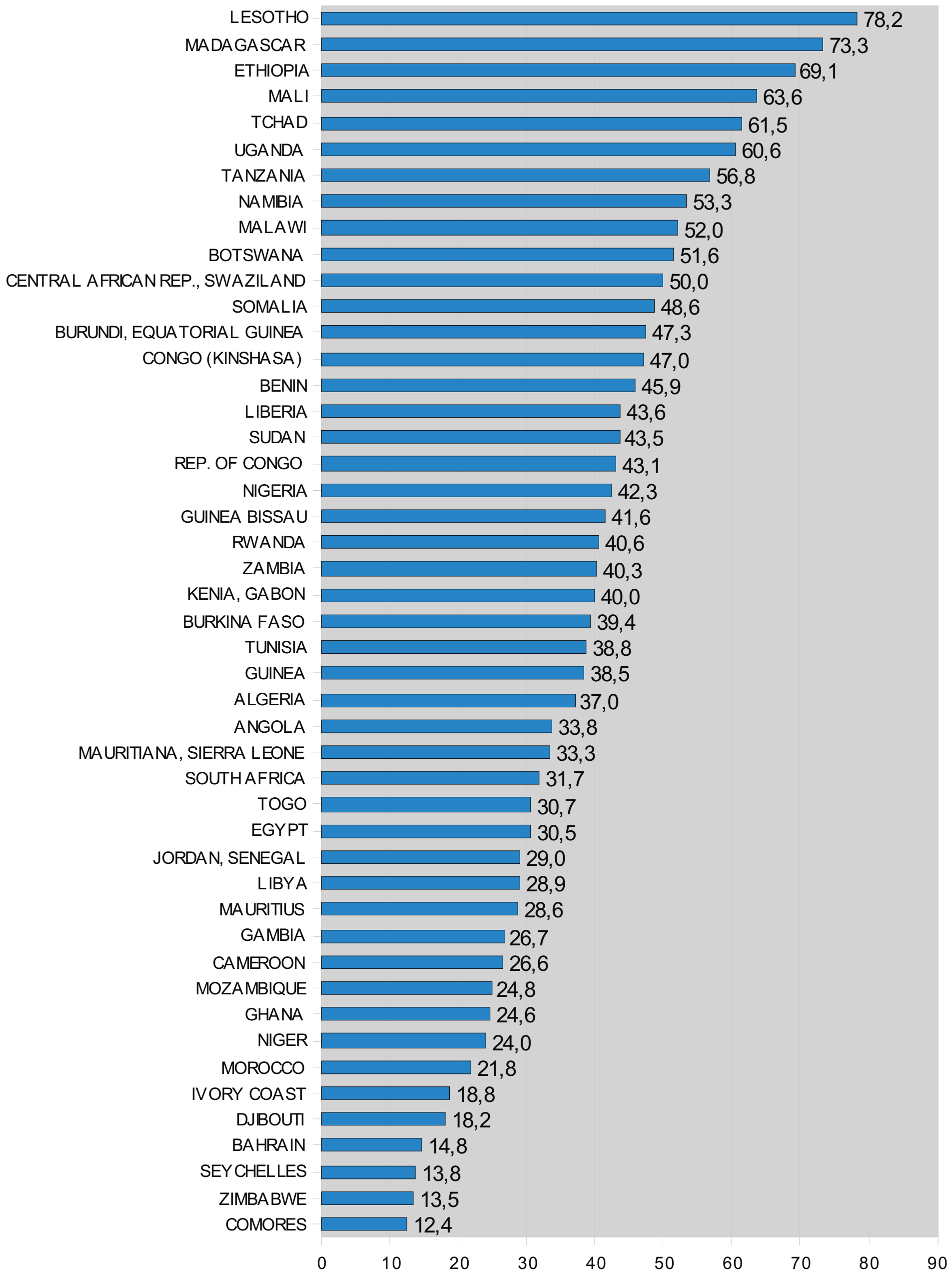

SOURCES: Istituto Geografico De Agostini, Novara, 2010.

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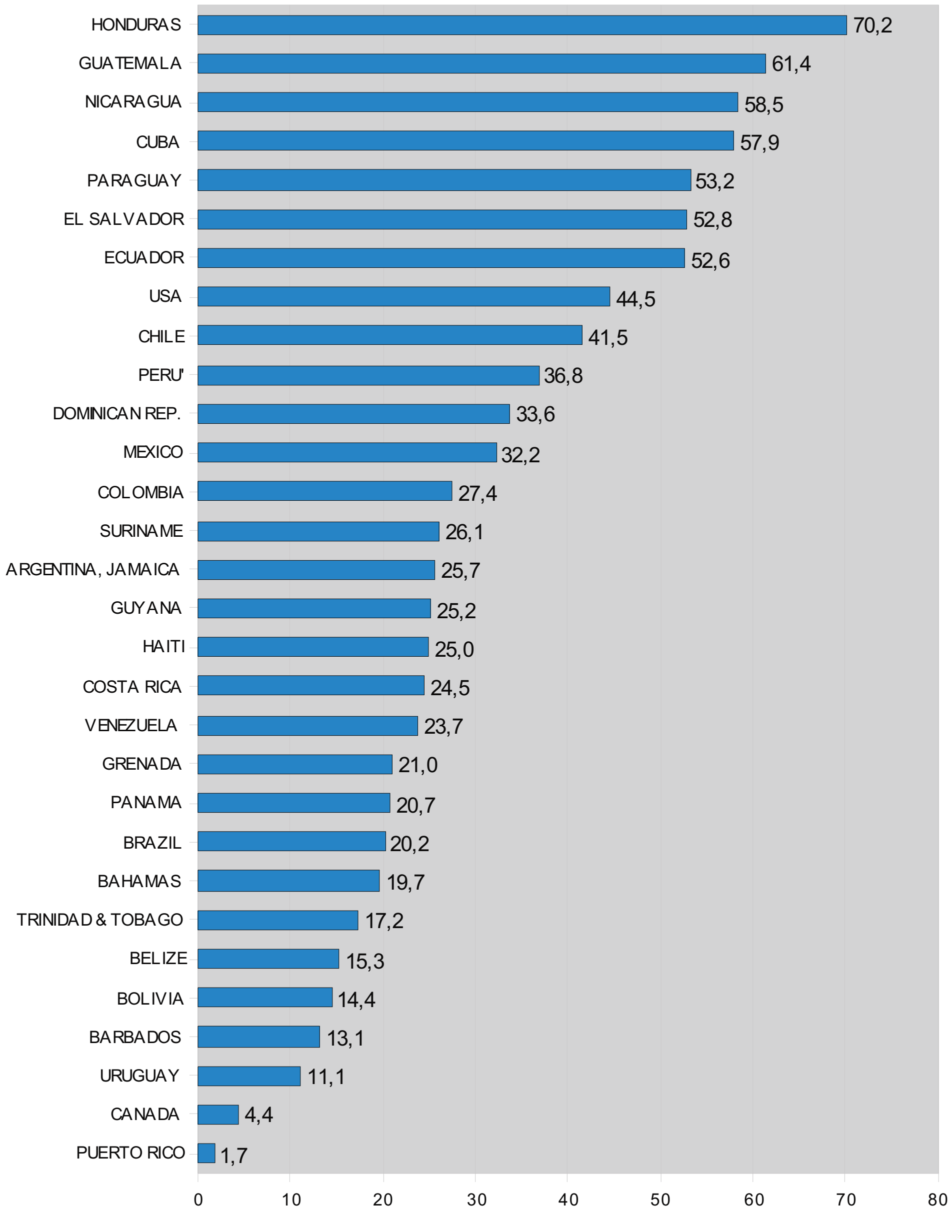
% COMMERCIAL VEHICLES/TOTAL CIRCULATING VEHICLES (2008)



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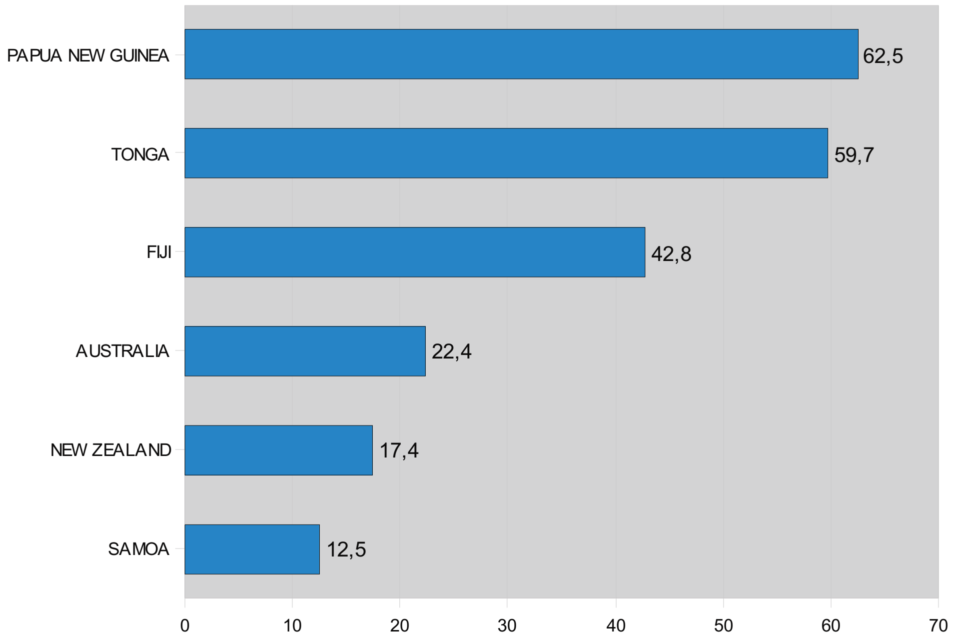
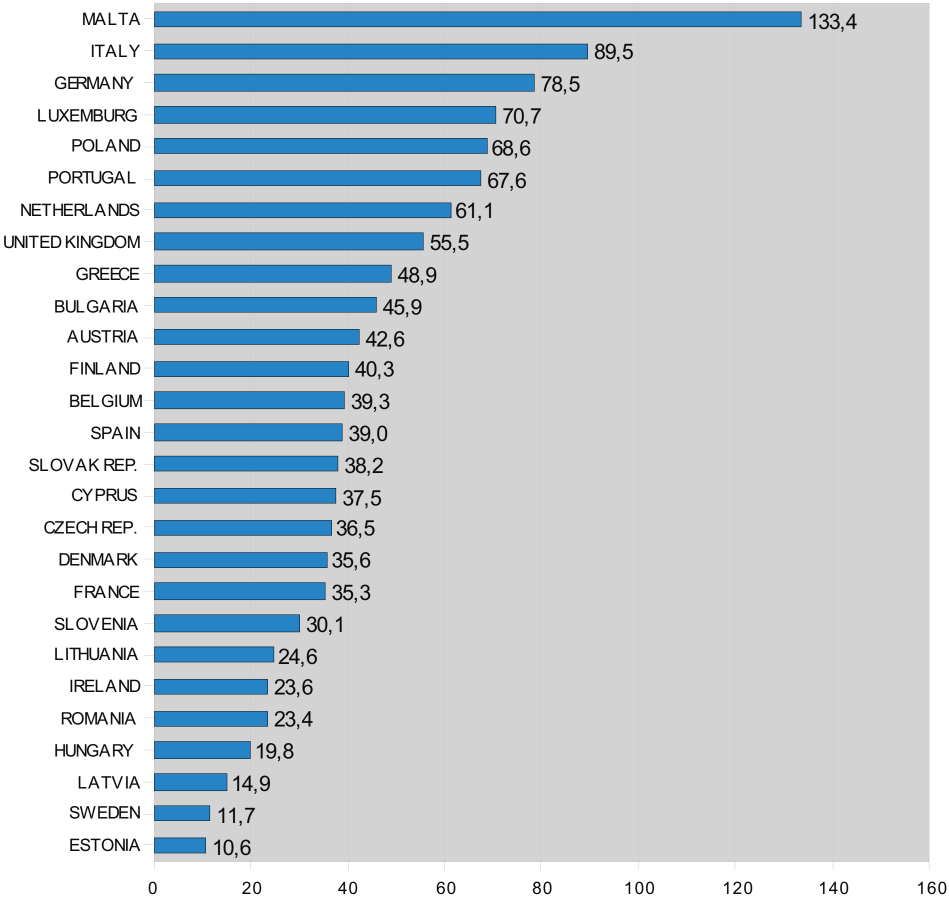
% COMMERCIAL VEHICLES/TOTAL CIRCULATING VEHICLES (2008)



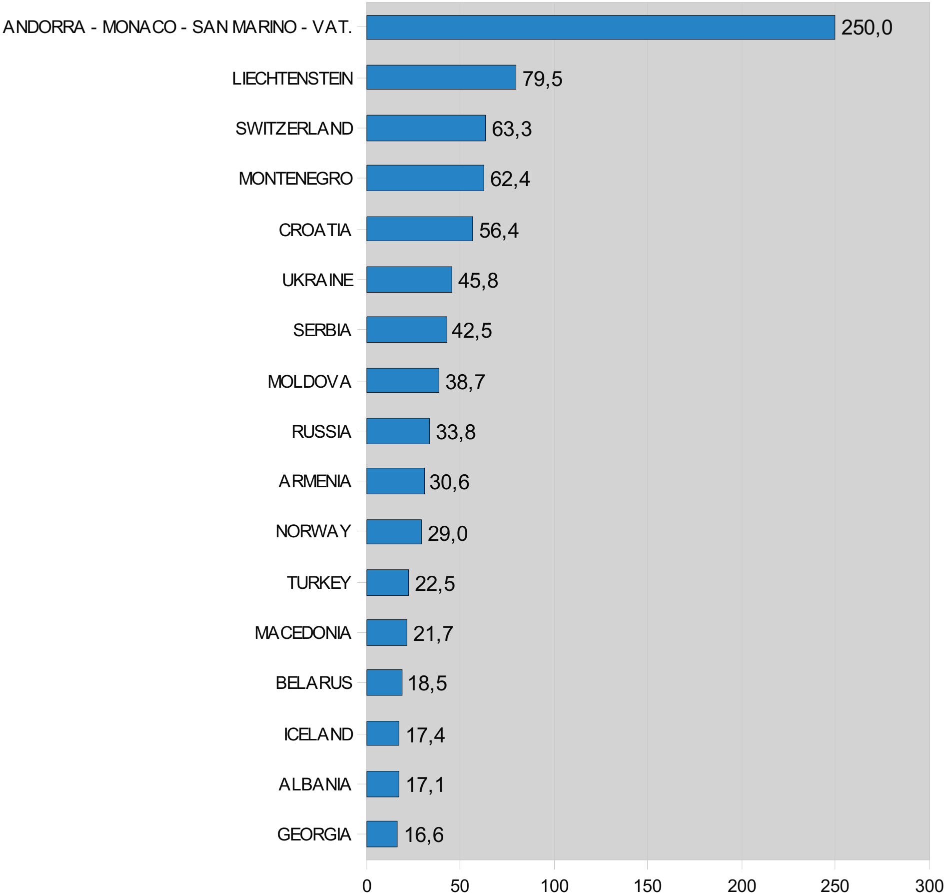
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

EUROPEAN UNION COUNTRIES
VEHICLES/1 KM ROADS (2008)



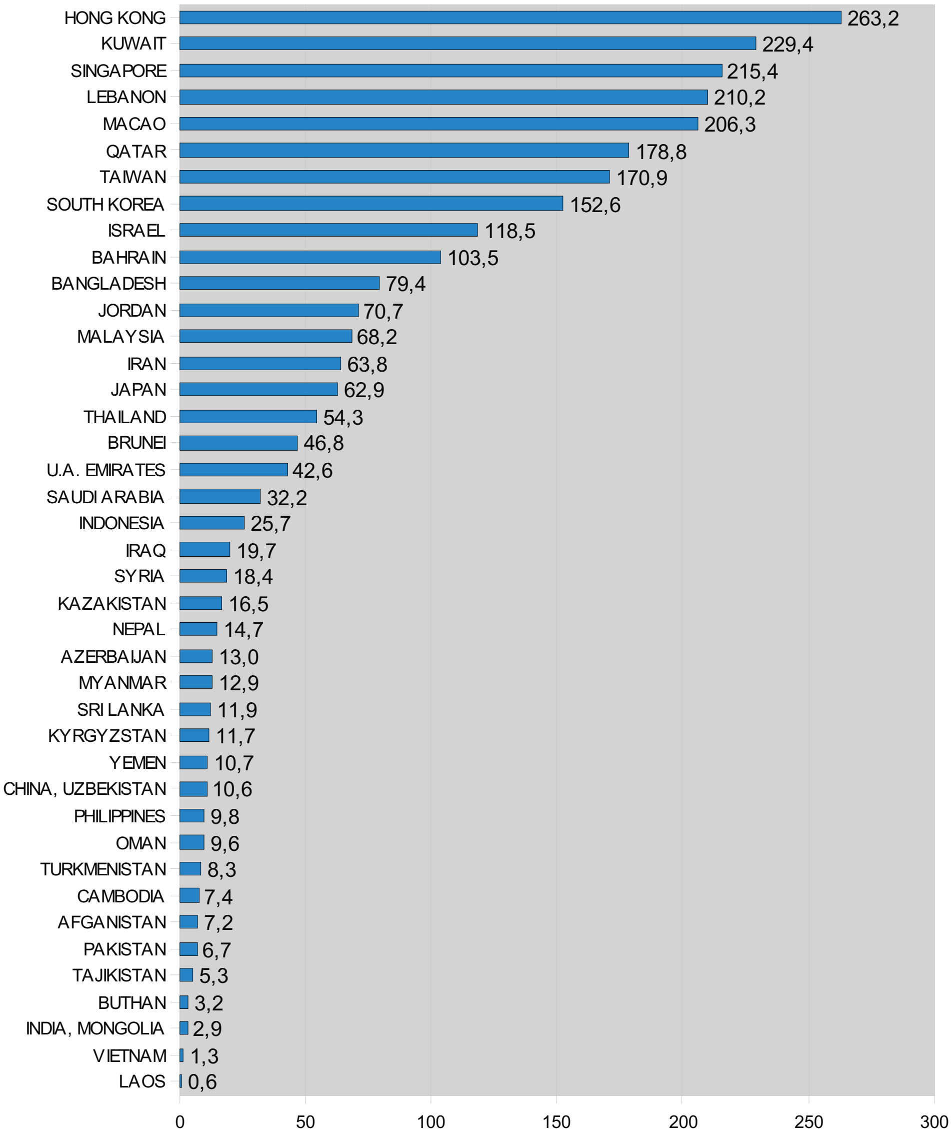
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OTHER EUROPEAN COUNTRIES
VEHICLES/1 KM ROADS (2008)



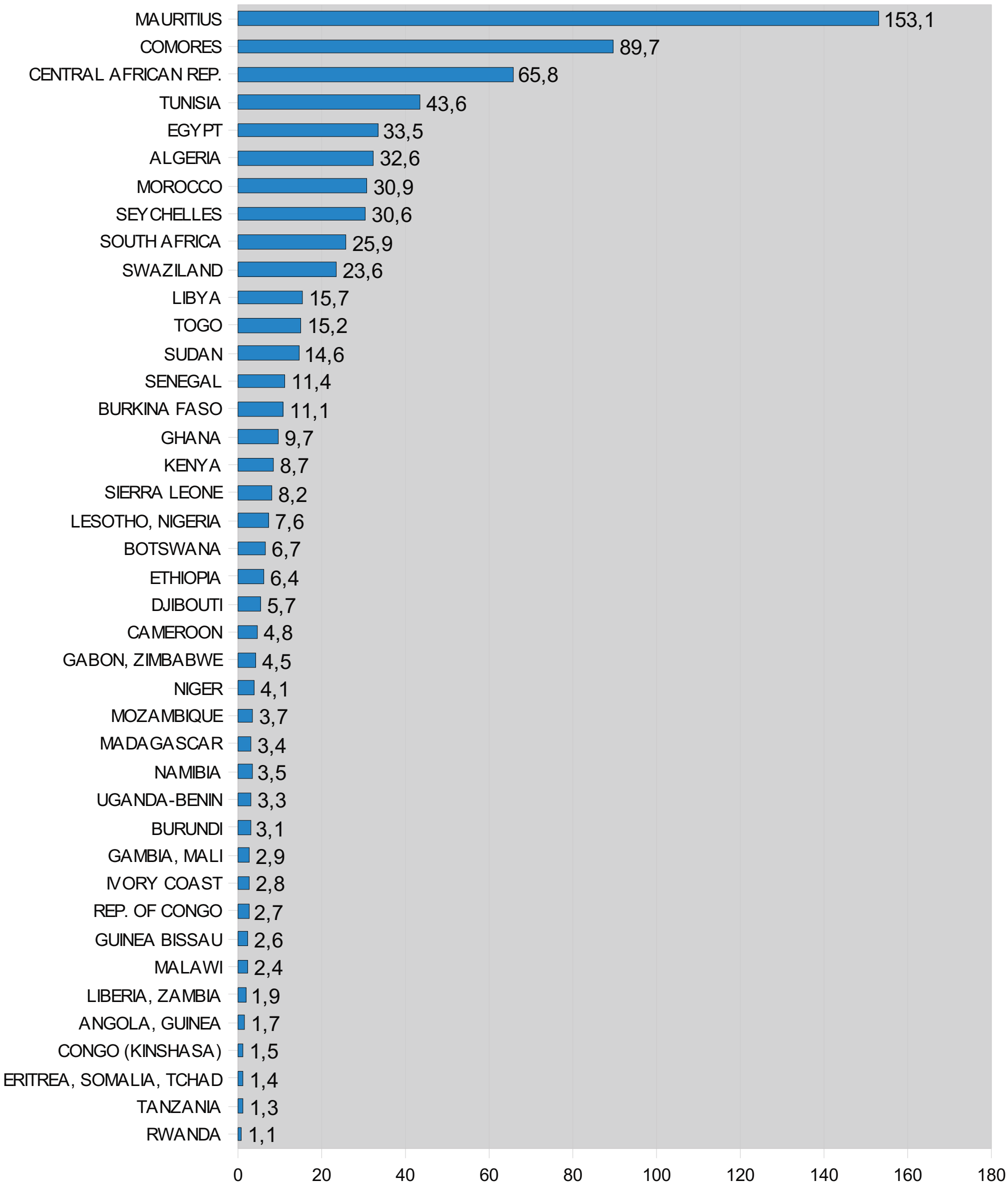
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

ASIAN COUNTRIES
VEHICLES/1 KM ROADS (2008)



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

AFRICAN COUNTRIES
VEHICLES/1 KM ROADS (2008)



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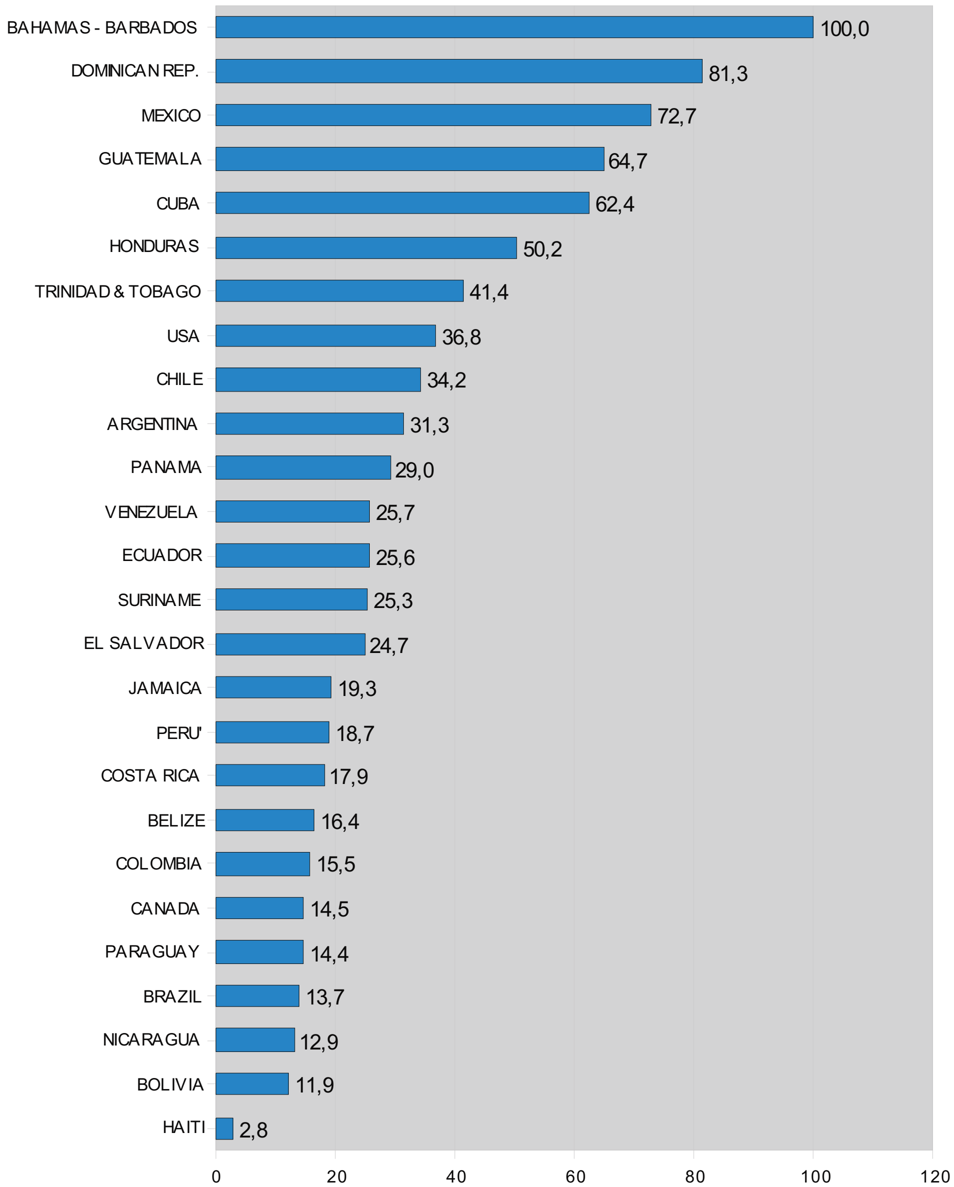
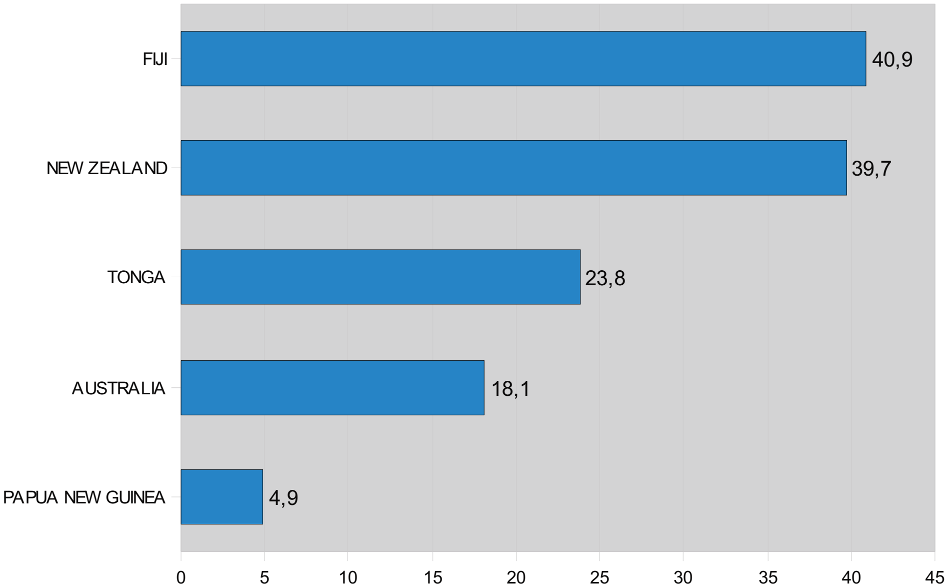
AMERICAN COUNTRIES
VEHICLES/1 KM ROADS (2008)



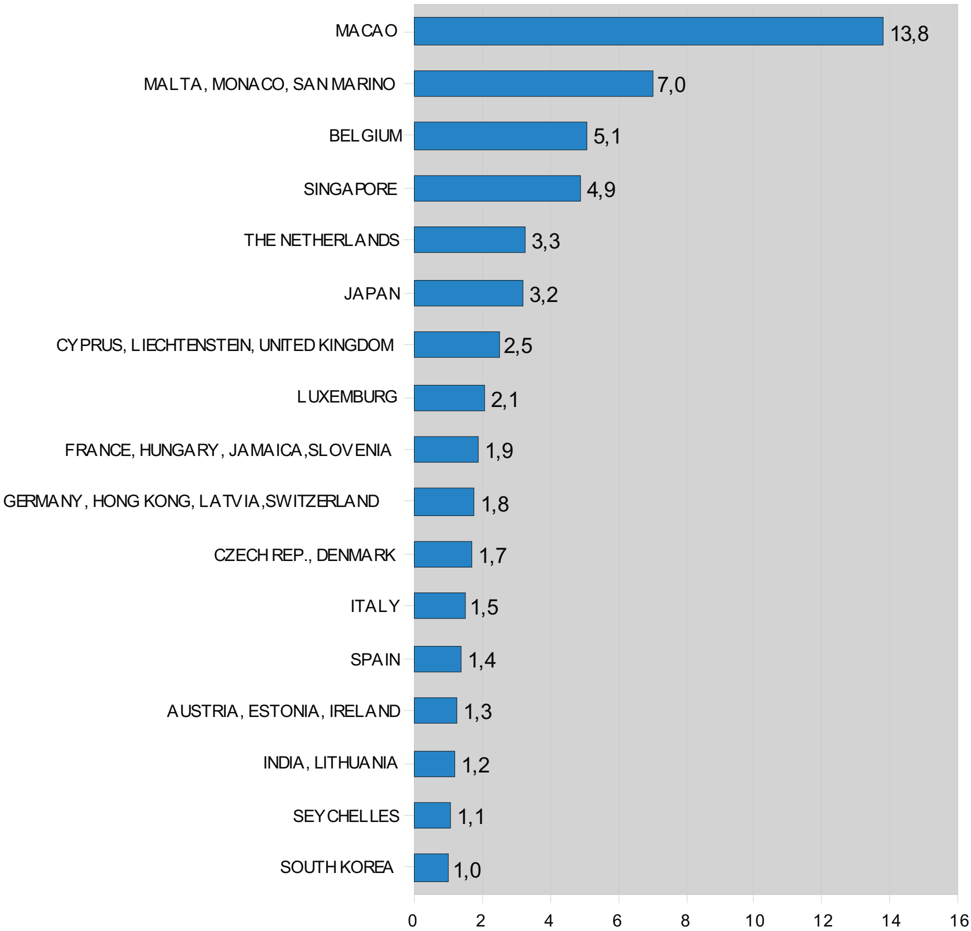
SOURCES: Istituto Geografico De Agostini, Novara, 2010.

OCEANIAN COUNTRIES
VEHICLES/1 KM ROADS (2008)



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

KM ROADS / 1 SQ. KM AREA
WORLD'S TOP (2008)



SOURCES: Istituto Geografico De Agostini, Novara, 2010.

SOURCES

EUROPEAN UNION

A.C.A. - Association des Companies d'Assurances - LUXEMBURG

ABI – Association of British Bureau - LONDON

AIDA – Estonian Chapter – TALLINN

AIDA – Romanian Chapter – BUCHAREST

AIDA – Slovenian Chapter – LJUBLJANA

AIDA – Spanish Chapter – MADRID

AIDA – Italian Chapter – ROMA

Alianca Aseguradora S.A. – PORTO

APSAD – Assemblée Plénière des Sociétés d'Assurances Dommages – PARIS

Assicurazioni Generali – Malta Branch – VALLETTA

Assicurazioni Generali – ROME

Assicurazioni Generali – Republic of Ireland's Branch – DUBLIN

Assicurazioni Generali – Delegación para España – MADRID

Assicurazioni Generali – Generalagenturet for Denmark – COPENHAGEN

Association of Insurance Companies Greece – ATHENS

Associaçao Portuguesa de Seguradores – LISBOA

AV Van Ameyde Intershade b.v. – RIJSWIJK

AVUS Group – VIENNA

AVUS – Internationale Schadensregulierungen – J. Pscheidl & Dr. Pscheidl – GRAZ

AVUS Belgium – BRUXELLES

AVUS Luxemburg – LUXEMBURG

AVUS Portugal – LISBON

Baltica – BALLERUP

BALVA – Joint Stock Insurance Co. – LATVIA

British Insurance Law Asscociation – LONDON

Bureau Belge des Assureurs Automobliles – BRUXELLES

Bureau of Compulsory Motor Insurance – PRAGUE

Czech Insurance Association – PRAGUE

Dansk Forening for International Danish Motor Insurer's Bureau – COPENHAGEN

Deutsche Büro – Grüne Karte e.V. – HAMBURG

Estonian Traffic Insurance Fund – RIGA

Fédération Française des Sociétés d'Assurance – PARIS

Finnish Motor Insurers' Centre – HELSINKI

Forsakringsforbundet Sweden – STOCKHOLM

Generali Belgium – BRUXELLES

Generali Biztosito Rt – BUDAPEST

Generali France Assurances – PARIS

Generali Pojistovna a.s. – PRAGUE

Generali Versicherungs AG – MUNICH

Generali Versicherung AG – WIEN

German Insurance Association – BERLIN

Gesamtverband der Deutschen Versicherungswirtschaft e.V. – BERLIN

HUK – Verband Büro – BONN

Hungarian Financial Supervisory Authority – BUDAPEST

Hungarian Motor Insurance Bureau – BUDAPEST

I. K. Rokas Law Office – ATHENS

Instituto de Seguros de Portugal – LISBON

Insurance Association of Cyprus – NICOSIA

Insurance Supervision Agency – LJUBLJANA

Jura Praxis – MADRID

La Estrella Seguros – MADRID

Liikennevakuutusyhdistys – Finnish Motor Insurers' Bureau – HELSINKI

M.I.C. – Motor Insurance Company – SOFIA

Ministerul Finantelor – Supervisory Office of Insurance Activity – BUCHAREST

Ministry of Finance – Service of the Superintendent of Insurance – NICOSIA

Motor Insurers' Bureau of Ireland – DUBLIN

Northern Star Insurance Co. Ltd – GLOUCESTER

Norwegian Motor Insurers' Bureau – OSLO

OFESAUTO – MADRID

Polish Geen Card Bureau – WARSZAWZA

T. Henry Ellis – Head Department of Law – University of Limerick – LIMERICK

Romanian Insurance Association – BUCHAREST

Slovak Insurance Supervisory Authority – BRATISLAVA

Slovenian Insurance Association – LJUBLJANA

Slovenska Poistovna a.s. – BRATISLAVA

State Insurance Supervisory Authority – VILNIUS

T. Henry Ellis – Head Department of Law – University of Limerick – LIMERICK

The Financial Supervisory Authority – REYKJAVIK

Trafikforsakringsforeningen – Swedish Motor Insurer's Bureau – STOCKHOLM

Trenité Van Doorne – Advocaten en Notarissen – ROTTERDAM

Triglav Insurance Company Ltd – LJUBLJANA

Verband der Versicherungsunternehmen Österreichs – WIEN

Verband van Verzekeraars – THE HAGUE

Warta – Insurance & Reinsurance Co. Ltd – WARSZAWZA

7M – Insurance and Reinsurance Co. – SOFIA

EUROPE EXTRA EU

Alpjodleger Bifreidatryggingar a Islandi – REYKJAVIK

ASITO – Joint Stock Insurance Co. – KISHINEV

Assurances Mourenon-Giannotti (Generali Agency) – MONACO

AVUS Turkey – ISTANBUL

Croatia Osiguranje – ZAGREB

Croatian Insurance Bureau – ZAGREB

Embassy of San Marino in Italy – ROME

Generali Assurances – GENEVE

Generali Sigorta S.A. – ISTANBUL

Genevoise Assurances – GENEVE

Ingosstrakh Insurance Co. – MOSCOW

INSIG – Instituti I Sigurimeve – Insurance Institute of Albania – TIRANA

Monaco Embassy in Italy – ROME

National Insurance Bureau – SKOPJE

Osiguruvanje Makedonija a.d. – SKOPJE

Schweizerische Versicherungsverband – ZURICH

State of Guernsey Traffic Committee – ST. SAMPSONS

Touring Club Suisse – GENEVE

Trafikkforsikringsforeningen – Norwegian Motor Insurers' Bureau – OSLO

Turkish Insurance & Reinsurance Association – Motor Insurance Bureau – ISTANBUL

Union Suisse Assurances – GENEVE

ASIA

Adamjee Insurance Co. Ltd – KARACHI

AIDA – Indonesian Chapter – JAKARTA

AIDA – Lebanese Chapter – BEIRUT

AIDA – Japanese Chapter – TOKYO

Assicurazioni Generali – Far East Office – SINGAPORE

Assicurazioni Generali – Hong Kong Life Branch – HONG KONG

Assicurazioni Generali – Japan Branch – TOKYO

Assicurazioni Generali – Middle East Office – DEIRA

Automobile Insurance Rating Association of Japan – TOKYO

Bimeh Markazi Iran – International Direction – TEHERAN

J.B. Boda & Company (Pvt) Ltd – BOMBAY

Central Bank of Malaysia – KUALA LUMPUR

Department of Finance – Insurance Commission – MANILA

Embassy of India in Italy – ROME

Embassy of the Philippines in Italy – ROME

Israel Insurance Association – The Green Card Bureau – TEL AVIV

Joshiro Jamono – Faculty of Law Aichi Gaknin University – AIKI

LG Insurance Co. ltd – SEOUL

Mongolian People's Republic Consulate – TRIESTE

Mr. Lee Sing-ying – Istituto Culturale ed Economico di Taipei – ROME

Mr. Liu Chung-tang – Ministry of Finance – Department of Insurance – TAIPEI

Mr. Renzo Cavalieri – Camera di Commercio Italo-Cinese – MILANO

Naschitz, Brandes & Co. – TEL AVIV

Royal Insurance Corporation of Bhutan – General Department – PHUNTSHOLING

Ministry of Commerce – Department of Insurance – BANGKOK

The Commissioner of Insurance – HONG KONG

The National Bank of Kazakhstan – ASTANA

AFRICA

AIDA – Moroccan Chapter – CASABLANCA

AIDA – Tunisian Chapter – TUNIS

AVUS Maroc – MARRAKESH

AVUS Tunisie – TUNIS

Mr. Denis Cangy – Consul of Mauritius – ROME

Mr. Cesare Cavalieri – JOHANNESBURG

Embassy of the Republic of Ghana in Italy – ROME

Embassy of the Republic of Uganda in Italy – ROME

Ethiopian Insurance Corporation – ADDIS ABEBA

Financial Services Commission – PORT LOUIS

Prof. Peter H. Havenga – Faculty of Law – Dept. Mercantile Law UNISA – PRETORIA

Kenya Reinsurance Corporation – NAIROBI

Lesotho National Insurance Co. – MASENU

National Insurance Corporation of Tanzania – DAR ES SALAAM

Swan Insurance Co. Ltd – PORT LOUIS

The National Insurance Co. Ltd – LILONGWE

The Standard General Insurance Co. Ltd – JOHANNESBURG

The Zambia State Insurance Corporation Ltd – LUSAKA

Unic Ltd – MARINA LAGOS

AMERICA

AIDA – Argentine Chapter – BUENOS AIRES

AIDA – Ecuadorian Chapter – GUAYAQUIL

AIDA – Paraguayan Chapter – ASUNCION

Anglo Mexicana de Seguros S.A. – MEXICO

Aseguradora General S.A. – GUATEMALA

Assicurazioni Generali – Sucursal de Panama- PANAMA

Assicurazioni Generali – United States Branch – NEW YORK

Banco centrale del Uruguay – Superintendencia de Seguros y Reaseguros – MONTEVIDEO

Mr. Jon Biasetti – Lord, Bissel & Brook – CHICAGO

La Boliviana de Seguros y Reaseguros S.A. – LA PAZ

Bureau d'Assurance du Canada – MONTREAL

Embassy of the Dominican Republic in Italy – ROME

Financial Services Commission of Ontario – NORTH YORK

Generali Argentina – BUENOS AIRES

Generali do Brazil – RIO DE JANEIRO

Generali Peru – Compania de Seguros – LIMA

Grenadina de Seguros S.A. – BOGOTA

Instituto Nacional de Seguros – SAN JOSE

Insurance Company West Indies (ICWI) – KINGSTON

Prof. Spencer L. Kimball – University of Chicago – CHICAGO

Office Assurance Vehicules Contre Tiers – PORT-AU-PRINCE

Puerto Rican-American Insurance Co. – SAN JUAN

Salazar, Pardo, & Jaramillo – Abogados – BOGOTA

Seguros America – SANTO DOMINGO

Superintendencia de Banca y Seguros – LIMA

Superintendencia de Seguros – CARACAS

Superintendencia de Seguros Privados – RIO DE JANEIRO

Superintendencia de Seguros y Reaseguros – PANAMA

USA Embassy in Italy – ROME

OCEANIA

DLA Piper Group – SYDNEY

Motor Accidents Authority (New South Wales) – SYDNEY

The Hon. Mr. Justice Derrington – Judge’s Chambers, Supreme Court – BRISBANE

International Compensation Consultants Limited – WELLINGTON

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The report has been later on update consulting the magazines The Review, L'Argus de l'Assurance, Aseguradora, Assicurazioni and Calendario Atlante De Agostini 2010.