

## Car accident

Specific information about: how to dispute a decision taken by the vehicle insurer, any penalties if the accident procedure is not respected, on the procedure for claiming compensation and others

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### Appeal against the vehicle insurer's decision

If you are a customer of a financial market operator (including an insurance company), you may file a complaint (in written, oral or electronic form) at the customer service department of the financial market operator. After receiving the complaint, the financial market operator will examine it and provide a reply within 30 days from the date of receipt of the complaint. In particularly complicated and justified cases, complaints are examined within 60 days from the date of receipt.

The Financial Ombudsman is the authority appointed to protect customers of financial market operators (including customers of insurance companies) and to represent their interests. The Ombudsman is responsible, in particular, for examining applications in individual cases brought when financial market operators reject customers' complaints.

### Determination of insurance premiums

Tariffs and the amount of insurance premiums for compulsory insurance are determined by insurance companies. If a premium tariff is determined or changed, an insurance company must inform the supervisory authority about this tariff and the basis for determination. This information should include, in particular, a loss ratio analysis and an analysis of the costs of insurance services

justifying each change in the tariff.

An IT database containing, inter alia, information on compensation and benefits paid under insurance contracts is maintained by the Insurance Guarantee Fund (Ubezpieczeniowy Fundusz Gwarancyjny).

The Fund makes the insurance-related data collected available to owners of motor vehicles who concluded third party insurance contracts for owners of motor vehicles, i.e. information on damages caused in connection with the ownership of these vehicles in the last 5 years or information on the absence of such damages.

If you wish to obtain such data, you must submit a request to the Insurance Guarantee Fund to make them available. The Fund will make the data available to you in written form within 15 days from the date of receipt of your request.

## **Verification of claims history**

At present, records of claims from other countries cannot be verified.

Work is currently underway to amend Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability. The draft directive introduces the possibility of verifying records of claims from other countries.

## **Contact details of the relevant authority**

Data on claims representatives appointed by insurance companies and data on compensation bodies established in each EU Member State are collected by the Insurance Guarantee Fund.

## **Accident procedure**

### **Information on the procedure in case of an accident involving vehicles**

If you have been involved in an incident covered by compulsory insurance, you must:

1. take all measures necessary to ensure safety at the site of the incident, try to mitigate the consequences of the incident and provide medical assistance to the injured parties as well as, where possible, secure the property of the injured parties;
2. where possible, prevent the damage from becoming worse;
3. immediately notify the police of the incident if it has resulted in any casualties or its circumstances suggest that an offence has been committed;
4. provide information necessary to identify the insurance company to the other parties involved in the incident, including data on the insurance contract;

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Damage must be reported to one of insurance companies which sell third party liability insurance for owners of motor vehicles, which then conducts proceedings, calculates compensation and sends documentation to the Insurance Guarantee Fund.

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