

Green Card Bureau Compendium

AND – Andorra

Review date: 10/12/2020

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General information

Please provide the official full name of your Bureau.

OFICINA ANDORRANA D'ENTITATS D'ASSEGURANÇA D'AUTOMÒBIL

What is the legal status (form) of your Bureau (non-profit organisation, association of legal entities, limited liability company, etc.)?

It is a public law corporation that groups insurers that operate in the country in the branch of motor third part liability, non-profit.

How is the ownership/membership of your Bureau structured (e.g. owned/controlled by all members equally, part of state government, etc.)?

It has its own legal personality and it groups with compulsory nature all the insurers equally, and it is supervised by Government.

Question N° 1

1.1. What was the date of the original Law, which introduced Compulsory Third Party Motor Insurance and what was the date of its entry into force?

21st December 1961

1.2. What is the date of the present Law and of its entry into force?

The Code of Circulation promulgated on June 10, 1999, and come into effect on July 28, 1999.

Question N° 2

2. Which are the classes of motor vehicles for which insurance is compulsory?

All categories of motor vehicles.

Question N° 3

3. Is the Law applicable to foreign visitors?

Yes.

Question N° 4

4. Does the Law apply in respect of liability for both personal injury and damage to property?

Yes.

Question N° 5

5. What is the minimum limit of cover required for personal injury damage? State the minimum value of sum insured, date with effect from and please indicate whether the limit is per accident or per victim.

Type of vehicle	Personal injuries		Material damage	
	Per accident	Per victim	Per accident	Per victim
All	50.000.000 €			
Date of effect: 10/05/2006				

Question N° 6

6.1. Does the Law require cover in respect of passengers carried in the vehicle?

Yes.

6.2. Is there any category of passenger excluded from this cover?

The Insured and the vehicle's driver responsible for the accident.

Question N° 7

7. Under what conditions is an insurer permitted by Law to reject a third party claim? Please specify.

None.

Question N° 8

8. Is there a direct right of action by a third party against an insurer?

Yes.

Question N° 9

9. Does a claimant resident in a foreign country have a direct right of action against the local Bureau or the insurer representing the Bureau?

Yes.

Question N° 10

10.1. Does the Law require the insurer and/or Bureau to make an offer of compensation to a claimant within a specified time?

No, only by Court Order.

If yes, what is the nature of the damages to which the time-limit applies?

N/A.

10.2. What is the specific time-limit?

N/A.

10.3. Which are the other provisions of the Law in this respect? (e.g. sanctions)

N/A.

10.4. Are there any similar stipulations for provisional payments?

N/A

Question N° 11

11.1. Is there a limitation period for legal proceedings against the insured or the insurer?

Yes.

If yes, please specify.

For legal proceedings: 6 months (if the offence is considered to be very serious, limitation period can be extended to 1 year).

11.2. Are there any provisions in the Law which allow for the suspension or extension of that limitation period?

Yes.

If yes, please specify.

Institution of legal proceedings (since the entry into force of the new Criminal Code: 23/09/2005)

Question N° 12

12.1. Is your Bureau a VAT liable entity?

Yes.

12.2. If yes, please indicate the VAT number:

D-800447-N

In this case is the service of claims handling by the Bureau VAT exempted?

Yes.

12.3. Is an MTPL insurer in your market a VAT liable entity?

Yes.

If yes, is the service of claims handling by an MTPL insurer VAT exempted?

Yes.

12.4. Is a specialised claims handling office a VAT liable entity?

Yes.

If yes, is the service of claims handling by this entity VAT exempted?

Yes.

Question N° 13

[Note: Questions addressed to non-EEA Bureaux only. For EEA Bureaux, see Section 2 & 3]

13.1. Is there a Guarantee Fund in your Country?

Yes.

If yes, what are the conditions and limits of intervention of the Guarantee Fund?

The Fund compensates within the conditions and limits set forth by law and regulations in accordance with the definitive Court order:

Limits:

- maximum per claim: 300.000,00€

Bodily injury:

- maximum through death: 50.000,00€
- total permanent disablement: 75.000,00€

Property damage:

- maximum 25.000,00€ (with a 10% excess on property damage and a minimum 600,00€)
- hospitalisation/drug costs and temporary disablement : overall maximum: 15.000,00€

(Date of effect: 01/01/2018)

13.2. Are these conditions and limits applicable to non-residents whether they are the cause of, or victims of, accidents?

Yes, if reciprocity exists.

Question N° 14 – For countries concerned by Section III of the Internal Regulations
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14.1. Are there natural or legal persons (public or private) exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.2 of the Internal Regulations)

No.

If yes, please list the persons exempt from compulsory MTPL insurance:

N/A

In this case please also indicate the authorities or bodies responsible for compensation:

N/A

14.2. Are there certain types of vehicles or certain vehicles bearing a special plate exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.3. of the Internal Regulations)

No.

If yes, please list those vehicles:

N/A.

Question N° 15

15.1. Any other special features?

No.