

# Common Compendium

## GR - Greece

Review date: 05/09/2023

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**Country Code:** GR

**Organisation (s):** MOTOR INSURERS' BUREAU-GREECE

### 1. Basic Information (GCB/GF/CB)

*This section is aimed at all three organisations. The questions are repeated three times to be filled out by each organization*

**1.1. If relevant, please indicate the name of the organisation that operates as:**

**Green Card Bureau:** Motor Insurers' Bureau Greece

**Guarantee Fund:** Click or tap here to enter text.

**Compensation Body:** Motor Insurers' Bureau Greece

**Information Centre:** Click or tap here to enter text.

**1.2. What is the legal status/form of your organisation? Only one option can be selected by each organisation.**

*Please answer in your capacity as Green Card Bureau:*

- Non-profit organisation
- Association of legal entities
- Limited liability company

**Other. Please specify.** Click or tap here to enter text.

*Please answer in your capacity as Guarantee Fund:*

**Non-profit organisation**

**Association of legal entities**

**Limited liability company**

**Other. Please specify.** Click or tap here to enter text.

*Please answer in your capacity as Compensation Body:*

**Non-profit organisation**

**Association of legal entities**

**Limited liability company**

**Other. Please specify.** Click or tap here to enter text.

**1.3. How is the ownership of your organisation structured? Only one option can be selected by each organisation.**

*Please answer in your capacity as Green Card Bureau:*

**Owned/controlled by all Members equally**

**Part of state government**

**Other. Please specify.** Owned/controlled by all members which contribute to its financing proportionally on the basis of their MTPL written premiums.

Click or tap here to enter text.

*Please answer in your capacity as Guarantee Fund:*

**Owned/controlled by all Members equally**

**Part of state government**

**Other. Please specify.**

Please answer in your capacity as Compensation Body:

- Owned/controlled by all Members equally
- Part of state government
- Other. Please specify.** As above

Click or tap here to enter text.

**1.4. How is the membership/governance of your organisation structured? Only one option can be selected by each organisation.**

Please answer in your capacity as Green Card Bureau:

- Only insurance undertakings are Member to the organisation**
- Mixed membership of insurance undertakings and other members
- Only Members participate in the governance
- Others may participate in the governance
- Other. Please specify.** Click or tap here to enter text.

Please answer in your capacity as Guarantee Fund:

- Only insurance undertakings are Member to the organisation
- Mixed membership of insurance undertakings and other members
- Only Members participate in the governance
- Others may participate in the governance
- Other. Please specify.** Click or tap here to enter text.

Please answer in your capacity as Compensation Body:

- Only insurance undertakings are Member to the organisation**
- Mixed membership of insurance undertakings and other members
- Only Members participate in the governance

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Others may participate in the governance

Other. Please specify. Click or tap here to enter text.

**1.5. Is your organisation a VAT liable entity? Only one option can be selected by each organisation.**

Please answer in your capacity as Green Card Bureau:

Yes

No

If answered yes to question 1.5., please indicate the VAT number: **EL 09016548**

Click or tap here to enter text.

If answered yes to question 1.5, is the service of claim handling VAT exempted?

Yes

No

In what instances is VAT refundable? Please specify. **Not refundable**

Please answer in your capacity as Guarantee Fund:

Yes

No

If answered yes to question 1.5., please indicate the VAT number: Click or tap here to enter text.

If answered yes to question 1.5, is the service of claim handling VAT exempted?

Yes

No

In what instances is VAT refundable? Please specify. Click or tap here to enter text.

Please answer in your capacity as Compensation Body:

Yes

No

If answered yes to question 1.5., please indicate the VAT number: **EL 09016548**

If answered yes to question 1.5, is the service of claim handling VAT exempted?

Yes

No

In what instances is VAT refundable? Please specify. **As above**

**1.6. For a full overview of your national GCB/GF/CB please provide the link of your website:**

**GCB:** [www.mib-hellas.gr](http://www.mib-hellas.gr)

**GF:** Click or tap here to enter text.

**CB:** [www.mib-hellas.gr](http://www.mib-hellas.gr)

*The following questions are only aimed at Guarantee Funds and Compensation Bodies .*

**1.7. On what legal basis is your organisation authorised to carry out compensation?**

*Please answer in your capacity as Guarantee Fund:*

**Please provide the name and date of the law:** Click or tap here to enter text.

*Please answer in your capacity as Compensation Body:*

**Please provide the name and date of the law:** Presidential Decree 237/86 (art. 27a ) codifying Law 489/1976 on Compulsory Insurance of Civil Liability arising from Motor Accidents as in force.

**1.8. Is compensation by your organisation subsidiary? Only one option can be selected by each organisation.**

*Please answer in your capacity as Guarantee Fund:*

Yes

No

**Please provide further explanations:** Click or tap here to enter text.

**If the compensation is subsidiary, which entities are excluded?** Click or tap here to enter text.

*Please answer in your capacity as Compensation Body:*

Yes

No

Please provide further explanations: Click or tap here to enter text.

If the compensation is subsidiary, which entities are excluded? The compensation is subsidiary to the compensation paid or owed by the **Social Security Organisations**.

## 2. Applicable law (GCB/GF/CB)

*This section is aimed at all three organisations. You are invited to complete this section in cooperation amongst your organisations, if applicable. Only one common answer is expected to be provided.*

2.1. Provide the title and if applicable, the number of your national law which forms the basis for making a claim (Road Traffic Act, Insurance Law, Liability Law, etc.)

P.D. 237/1986 /codifying Law 489/76 on “compulsory insurance of Civil Liability arising from Motor Accidents” as in force.

2.2. What liability regime do your organisations operate with? Only one option can be selected.

**Fault based liability**

Strict liability

Other . Please specify. Click or tap here to enter text.

2.3. Are there any restrictions to the activities of your organisations regarding the way the law applies to visitors with regard to:

Country of residence. Please specify. Click or tap here to enter text.

Nationality. Please specify. Click or tap here to enter text.

**Other**. Please specify. **The Greek Compensation Body is competent for the handling of claims of injured parties that are residents in Greece.**

Click or tap here to enter text.

2.4. For what types/categories of motor vehicles is insurance compulsory?

Article 2 para.1 of the MTPL Law provides that the owner or keeper of a motor vehicle circulating in Greece on road must have covered his third party liability arising therefrom, in accordance with the provisions of this Law.

The insurance obligation exists continually from the granting of circulation licence and licence plates, regardless of whether the vehicle is actually circulating or operating, unless the immobility procedure has been followed.

“Motor vehicle” is defined by art. 1 par. 1 o the Law as a vehicle moving on the ground and not on rails, propelled by mechanical power or by electrical energy, regardless of the number of wheels. Trailers whether or not coupled to the main motor vehicle and bicycles propelled by auxiliary motor are regarded as “motor vehicles”.

The “light personal electric vehicles”. (i.e. e-scooters, rollers, skateboards, segways and other light personal electric vehicles including electric wheelchairs for people with disabilities, scooters and handbikes for people with disabilities) with a maximum design speed not exceeding 25 km / h are not considered as vehicles.

**Are there any exemptions? Please specify.** Yes. Art.3 par. 1 P.D. 237/86 provides that: All motor vehicles belonging to the Greek State shall be exempted from compulsory motor insurance as well as, on condition of reciprocity, all motor vehicles belonging to foreign States, and those belonging to intergovernmental organisations, whereas some types of vehicles or vehicles with special registration plate can deviate from the provisions about compulsory motor insurance as specified by a Private Insurance Supervisory Committee decision. All vehicles exempted as above must be provided with a document issued by the competent Greek authorities, certifying their status. In cases of vehicles belonging to foreign States or intergovernmental organisations, this certificate must also name the authority or organisation which is liable to pay any insurance indemnity and which may be sued before the competent Greek Courts.

## 2.5. Does the MTPL insurance law apply to private areas?

**Yes**

**No**

**How do you define a private area according to your national law? Please specify.**

**Circulation on a ground accessible to the public or to a number of persons entitled to use such ground is assimilated to circulation on a road.**

Click or tap here to enter text.

**2.6. What is the minimum amount of cover required for material and personal injury damage? State the minimum value of sum insured, the date as of which it is in effect from and please indicate whether the limit is per accident or per victim:**

**From 1/1/2022 the minimum amounts of insurance cover in Greece are:**

- For bodily injury: EUR 1.300.000 per injured party.**
- For material damage: EUR 1.300.000 per accident, irrespective of the number of injured parties.**

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2.7. In which cases is an MTPL-insurer permitted by Law to reject/refuse cover for a third party claim? Please specify for the below-mentioned sub-items:

Accident caused by stolen vehicles: Click or tap here to enter text.

Accident caused by drunk driving: Click or tap here to enter text.

Accident caused with intent (for instance homicide, suicide): Click or tap here to enter text.

Accident caused by a terrorist attack: Click or tap here to enter text.

Accident caused by a driver without a license: Click or tap here to enter text.

Other instances: The insurer has a recourse right against his insured in case of accidents caused by a driver without license, drunk driving, by a vehicle used for different use than the one registered for.

Click or tap here to enter text.

2.8. Does your national law require cover in respect of passengers carried in the vehicle?

Yes

No

Please specify. Click or tap here to enter text.

Is there any category of passenger excluded from this cover?

Yes

No

Please specify. Insurance does not cover civil liability to persons having voluntarily agreed to be carried in the vehicle, in so far as the insurer proves that these persons were aware that the vehicle had been deprived of its lawful holder by illicit means or that it was being used serving the purpose of committing a crime. The driver of the vehicle is excluded from the MTPL cover for damages suffered.

2.9. Does your national law require the insurer and/or Bureau to make an offer of compensation to a claimant within a specified time?

Yes

No



If yes, what is the nature of the damages to which the time-limit applies? **The obligation is for both material damage and bodily injuries in case the liability is not contested, and the damage has been assessed.**

If yes, what is the specific time-limit? **The time-limit is three (3) months from the date the injured party presented his claim for compensation either directly to the insurance undertaking or to its claims representative. In case the liability is contested, or the damage not fully assessed, the insurer is obliged within the above 3 months period, to submit a written reasoned reply on the points included in the claim..**

**2.10. What is the statute of limitation periods (prescription) according to your national law against the MTPL insurer when there is a direct action?**

**The injured party has the right of a direct action against the insurer under the policy up to the amount insured. This claim is prescribed after the elapse of five (5) years from the date of the accident, without prejudice to the provisions of the legislation in force regulating the suspension and interruption of the limitation period.**

**2.10.1. When does the period of limitation begin and when does it expire?**

**In respect to material damage:** Click or tap here to enter text. **It begins from the date of the accident and until the five year limitation expires.**

**In respect to bodily injuries:** Click or tap here to enter text. **It begins from the date of the accident and until the five year limitation expires.**

**2.10.2. Are there any provisions in your national law which allow the suspension/extension of the limitation period? How about interruption? Please specify.**

**General provisions of Civil Law governing the suspension (art. 255-257 Civil Code) or interruption of the time bar (art. 260-261 Civil Code) are applicable.**

**2.10.3. Are there special circumstances in your national law regarding statute of limitations? Please describe in short :**

Click or tap here to enter text.

**Are there any differences for limitation period of liable party? No**

*The following questions are only aimed at Compensation Bodies. Please answer in your capacity as Compensation Body:*

2.11. Under your legislation, does a victim who has requested compensation under Articles 24 and 25 of the Codified Motor Insurance Directive have the right to remedy against the decision/omission of the Compensation Body?

Yes

No

If yes, please specify (i.e. appeal to administrative authority, judicial review of the latter's decision or action to court directly, i.e., passive procedural legitimacy of the Compensation Body):

Click or tap here to enter text.

### 3. Trucks and trailers (GCB/GF/CB)

*This section is aimed at all three organisations. You are invited to complete this section in cooperation amongst your organisations, if applicable. Only one common answer is expected to be provided.*

3.1. Does your national law regulate trailers?

Yes

No

#### 3.2. Liability

3.2.1. If the truck is coupled with the trailer, does liability strictly fall on the truck or is there a division of liability? Please specify.

**Article 6 para. 2 of P.D. 237/86 provides that "If an accident is caused by a tractor vehicle connected to a trailer, the insurers of the trailer and the truck, respectively, have joint and several (in solido) liability towards third party damages. The liability of these insurers is limited to the insured amount under the relevant policies, reserving the right of recourse of each insurer for allocation of the damage"**

**According to the jurisprudence of the national courts, the liability falls on the truck. No division of liability is provided for.**

3.2.2. Can liability arise in case of an uncoupled trailer in an accident?

Yes

No

If yes, what are the conditions? Click or tap here to enter text.

3.3. Do trailers need to bear a registration plate in your country?

Yes

No

If yes, please specify the conditions: **All trailers, either coupled to the main motor vehicle or not are also considered as “motor vehicles” and bear a registration plate.**

3.4. Is the trailer given separate plates or does it bear the same registration plate as the truck?

Yes

No

Please specify. **Both cases**

3.5. Does your country have an established practice in determining where (the component parts of) a truck-trailer combination bearing the registration plates of different countries is/are:

- “normally based”

Yes

No

Please specify. [Click or tap here to enter text.](#)

- “originating from”

Yes

No

Please specify. [Click or tap here to enter text.](#)

3.6. Is there an obligation to insure the truck and the trailer separately?

Yes

No

If yes, please specify the conditions/exemptions: **When they bear separate registration plates**

**3.7. Do trailers need their own Green Card?**

**Yes**

No

Please specify. **Only in case the truck and the trailer bear a separate registration plate**

**3.8. If there is no insurance obligation for a trailer in your country but liability is ascertained under the applicable law, does the Guarantee Fund intervene?**

Yes

No

Please specify. Click or tap here to enter text.

**3.9. If there exists a separate liability, is a claimant obliged to make a claim against either the truck or the trailer?**

Yes

**No**

Please specify. **Based on the joint liability it is at the discretion of the claimant to make a claim against either the insurer of the truck or the insurer of the trailer.**

**3.10. If there is a division of liability?**

Yes

**No**

If yes, Please specify.

- the criteria (i.e. joint/several liability, percentage): Click or tap here to enter text.

- on what is the division of liability based (i.e. law/jurisprudence/agreement between insurers)?

Click or tap here to enter text.

**3.11. Can the division of risk between truck and trailer be based on any other rules than liability (e.g. such as on the basis of double insurance)?**

Yes

**No**

Please specify.

3.12. Who is responsible for the damage to a connected trailer in case of a solo accident?

**The towing unit**

The trailer

**Other. Please specify.** Click or tap here to enter text. **Please specify.** Click or tap here to enter text.

3.13. Who is responsible for the damage to a connected trailer in cases involving Third Parties?

The towing unit

The trailer

A third party, depending on the situation

**Other.** Please specify. Click or tap here to enter text. **It depends on the circumstances of the accident**

#### 4. Property Damage – Claims (GCB/GF/CB)

*This section is aimed at all three organisations. You are invited to complete this section in cooperation amongst your organisations, if applicable. Only one common answer is expected to be provided.*

4.1. For the following sub-items please state the different possibilities for a claimant to file a claim against a MTPL-insurer for property damage

4.1.1. How is vehicle damage covered with regards to repair costs?

**The claimant is entitled to full compensation of his actual damage**

4.1.2. How is vehicle damage covered with regards to total loss?

**The claimant is entitled to full compensation of the current value (market value) of the vehicle.**

4.2. Does the claimant have right to compensation for loss of value for a damaged vehicle?

**Yes**

No

If yes, Please specify. Click or tap here to enter text.

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4.3. Does the claimant have right to compensation for costs of expert reports?

Yes

No

If yes, Please specify. [Click or tap here to enter text.](#)

4.4. Does the claimant have right to compensation for costs of vehicle recovery/rescue and towing a vehicle to a repair shop?

Yes

No

If yes, please specify the criteria: [Click or tap here to enter text.](#)

4.5. Does the claimant have right to compensation for the loss of use of a damaged vehicle?

Yes

No

If yes, please specify the criteria: **For professional vehicles only and on the basis of proof provided**

4.6. Does the claimant have right to compensation for costs of hiring another vehicle in case of a damaged vehicle and/or a lump sum as a substitute?

Yes

No

If yes, please specify the criteria: **on the basis of proof of the need and the cost incurred**

4.7. Does the claimant have right to compensation for registration fees related to cases where the vehicle is a total loss?

Yes

No

If yes, please specify the criteria: [Click or tap here to enter text.](#)

4.8. Does the claimant have right to compensation for costs related to overnight accommodation and meals?

Yes

No

If yes, please specify the criteria: **on the basis of proof of the need and the cost incurred**

4.9. Does the claimant have right to compensation for pre-financing costs related to a vehicle damage (for instance borrowing money because of an accident)?

Yes

No

If yes, please specify the criteria: Click or tap here to enter text.

4.10. Does the claimant have right to compensation for general costs (i.e. telephone and mailing costs, administrative costs, etc)?

Yes

No

If yes, please specify the criteria: Click or tap here to enter text.

4.11. Any other instances/cases which are covered?

Yes

No

If yes, Please specify. **The claimant is entitled to compensation for moral damage**

4.12. How can the claimant claim recovery for damages if the responsible vehicle is uninsured?

Please specify. **Submit a claim to the Guarantee Fund**

## 5. Personal Injuries and death – Claims (GCB/GF/CB)

*For the following sub-items please state the different possibilities for a claimant to file a claim against a MTPL-insurer for bodily injury. Please specify for each question when applicable.*

5.1. Does the claimant have right to compensation for costs of medical treatment?

**Yes.**

No.

Please specify. [Click or tap here to enter text.](#)

5.1.1. Does your national law make a distinction between public and private healthcare?

Yes.

**No.**

Please specify. [Click or tap here to enter text.](#)

5.2. Does the claimant have right to compensation for costs of care and increased needs due to an accident?

**Yes.**

No.

Please specify. **on the basis of proof of the need and the cost incurred**

5.3. Does the claimant have right to compensation for disability?

**Yes.**

No.

Please specify. **on the basis of proof of the need and the cost incurred**

5.4. Does the claimant have right to compensation for pain and suffering?

**Yes**

No

If answered yes, how is the amount of compensation assessed (fixed sum, tables, court)? Please specify.

**By court**



5.5. Does the claimant have right to compensation for loss of earnings?

**Yes.**

No.

Please specify. **On the basis of proof**

5.6. Does the claimant have right to compensation for loss of future earnings?

**Yes.**

No.

Please specify. **On the basis of proof**

5.7. Does the claimant have right to compensation for loss of dependency (for instance a victim is fatally injured in a traffic accident and leaves a spouse/children behind)?

**Yes.**

No.

Please specify. **On the basis of proof**

5.8. Does the claimant have right to compensation for funeral expenses?

**Yes.**

No.

Please specify. **On the basis of proof**

5.9. Does the claimant have right to compensation for moral damages (limitations in life, loss of quality, etc)?

**Yes.**

No.

Please specify. [Click or tap here to enter text.](#)

Is it part of the pain and suffering according to your national law?

**Yes.**

**No.**

Please specify. Click or tap here to enter text.

5.10. Does the claimant have right to compensation in case of aggravation of the damage suffered?

**Yes.**

**No.**

Please specify. Click or tap here to enter text.

5.11. Are relatives/next of kin entitled to compensation (tort, pain and suffering, other)?

**Yes.**

**No.**

Please specify. **Only in case of death for pain and suffering for close relatives**

5.12. Any other cases? Please specify.

Click or tap here to enter text.

## 6. Claims Settlement Procedures – in and out of court (GCB/GF/CB)

*This section is aimed at all three organisations. You are invited to complete this section in cooperation amongst your organisations, if applicable. Only one common answer is expected to be provided.*

6.1. What evidence is considered as acceptable/lawful in your country? More than one of the following options can be selected.

**Constat amiable (European Accident Statement)**

**Police report**

**Pictures**

**Witness statements**

**Medical statements**

Other

**Please specify in detail:** Click or tap here to enter text.

## 6.2. Out of court settlement

6.2.1. What are the conditions for filing a claim according to your national law? Please specify in detail:

**The same as in court cases**

6.2.2. Do you require proof for the following 3 indicators and please specify in detail (including limitations):

- Proof of involvement – including the recording/requirement of the accident (i.e police report, constat amiable, etc.)

Yes

No

**Please specify.** Click or tap here to enter text.

- Proof of damage

Yes

No

**Please specify.** Click or tap here to enter text.

- Proof of causal link between liability and damage

Yes

No

**Please specify.** Click or tap here to enter text.

6.2.3. Is a visiting victim required to file a report about the accident to the local authorities before returning to the State of residence?

Yes

**No**

Please specify. Click or tap here to enter text.

If they fail to do so, does that exclude the visiting victim from filing a claim for compensation?

Yes

**No**

Please specify. Click or tap here to enter text.

6.2.4. Which are the conditions according to your national law in considering a vehicle as identified? Please specify in detail.

**Registration plate identified**

6.2.5. Are there any other requirements for filing a claim?

Yes

**No**

If yes, please specify in detail. Click or tap here to enter text.

6.2.6. Are legal fees for out of court settlements reimbursed?

Yes

**No**

If yes, how are these fees assessed/calculated?

6.3. Court settlements

6.3.1. What are the requirements when filing a claim in relation to civil and/or criminal proceedings? Please specify in detail:

**The same as mentioned in 6.2.2.**

6.3.2. What legal remedies are available (possibility of appeal, etc.)? Please specify in detail:

**Remedy in second (Court of Appeals) and third degree (Supreme Court)**

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**6.3.3. How do you handle any costs in connection with proceedings in and out of court and please specify the types of costs (lawyers fee, legal fees, court experts, translation, etc.)? Please specify in detail.**

**Out of court (arbitration/mediation, etc.)** : Click or tap here to enter text. **on the basis of agreement between the parties**

**In court**: Click or tap here to enter text. **On the basis of the court decision**

**6.4. Any other procedure of settlement? Please specify.**

Click or tap here to enter text.

## **7. Involvement of National Guarantee Funds (GF) EEA/Non-EEA**

*This section is aimed only at Guarantee Funds. Please only provide answers to this section in your capacity as Guarantee Fund.*

**7.1. In which cases does your National Guarantee Fund intervene (stolen vehicles, intent, etc.)? Please specify in detail. (Article 11 MID).**

Click or tap here to enter text.

**7.2. What is the procedure (including any specific requirements) to be followed by a claimant when filing a claim to your national Guarantee Fund? Please specify.**

Click or tap here to enter text.

**7.3. Can a claimant who is resident in a foreign country make a claim against your National Guarantee Fund? Please specify.**

Click or tap here to enter text.

**7.4. Are there any exceptions when handling a claim for uninsured and/or unidentified vehicles (excess, property damage only when bodily injury, severity of bodily injuries, passenger voluntarily entering an uninsured vehicle, other)? Please specify in details.**

Click or tap here to enter text.

**7.5. Does the statute of limitations mentioned above under “Applicable Law” apply for the National Guarantee Fund or are there any exceptions?**

Yes

No

If yes, Please specify. Click or tap here to enter text.

**7.6. Involvement of the Guarantee Fund or any other bodies responsible for insolvencies for protection of victims in case of insolvency of an MTPL insurer? / Insurance Guarantee Scheme**

When does this intervention mechanism start its intervention? Only one option can be selected.

The insurance undertaking is subject to bankruptcy proceedings

The insurance undertaking is subject to winding up proceedings

The insurance undertaking has had the authorisation withdrawn

After withdrawal of the authorisation

Please specify. Click or tap here to enter text.

**7.7. Stolen vehicles- Are people who voluntarily entered the vehicle which caused the damage when they knew that the vehicle was stolen, excluded from the intervention of the body?**

Click or tap here to enter text.

## **8. Involvement of Green Card Bureaux (GCB)**

*This section is aimed only at Green Card Bureaux. Please only provide answers to this section in your capacity as Green Card Bureau.*

**8.1. What is the procedure (including any specific requirements) to be followed by a claimant when filing a claim to your national Green Card Bureau? Please specify.**

**The claimant when filing a claim submits an application form stating the foreign vehicle's registration number and its country of origin , make (and model) of the foreign vehicle, insurance details if available and proof of involvement of the purporting liable vehicle (i.e police report, witnesses, constat amiable etc).**

**For more advice on road accidents in Greece you can consult our website [https://www.mib-hellas.gr/mib/?LANG=en&A=MC\\_Atyxima-Ellada-Symvoules.html&CF=menu\\_2\\_4\\_1](https://www.mib-hellas.gr/mib/?LANG=en&A=MC_Atyxima-Ellada-Symvoules.html&CF=menu_2_4_1)**

**8.2. Does a claimant resident in a foreign country have a direct right of action against the local Bureau of the country of accident or the agent/ insurer representing the Bureau?**

**Yes**

**No**

**Please specify. Only against the Bureau**

**8.3. Are there any other considerations that claimants should bear in mind? Please specify.**

Click or tap here to enter text.