

Green Card Bureau Compendium

A - Austria

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General information

Please provide the official full name of your Bureau.

Verband der Versicherungsunternehmen Österreichs

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

Private Association of legal entities

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

Controlled by the board of motor insurers

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?

01.06.1930

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

01.09.1994

Question N° 2

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

Generally, all registered vehicles and trailers.

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
Motorcycles, motorised cycles, motor vehicles and trailers (except Omnibuses)	6.300.000 €		1.400.000 €	
Omnibus-trailers and such lorries with provision for transport of more than 8 persons up to 19 besides the driver)	15.200.000 €			
The sums insured are increased for each limited additional 5 places to 3.800.000 €				
Motor vehicles and Trailers which are destined for the transport of dangerous goods and which actually	7.600.000 €	15.200.000 €	15.200.000 €	

carry dangerous goods.			
Date of effect: 01/01/2017			

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?

No.

Question N° 7

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

The claim of the Third Party can be rejected when the accident occurs 3 months after the Insurer has informed the licence authorities of the end of the insurance.

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, but only against the Bureau.

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?

Yes.

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

All claims.

10.2. What is the specific time-limit?

3 months after the claimant has notified the case to the insurer/Bureau.

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

4 % interests of delay.

10.4. Are there any similar stipulations for provisional payments?

Yes.

Question N° 11

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

Yes.

If yes, please specify.

Claims to be prescribed within 3 years from the date of knowledge of the damage and the person causing the damage, which is normally the date of accident.

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.

The limitation period is interrupted by a law-suit or acknowledgement of a claim.

Question N° 12

12.1. Is your Bureau a VAT liable entity?

It depends on the activity

12.2. If yes, please indicate the VAT number:

ATU 4497 2008

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

It depends on the activity

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

It depends on the activity

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

It depends on the activity

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?

No

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?

N/A.

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

N/A.

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

N/A.

Question N° 14 – For countries concerned by Section III of the Internal Regulations

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)

Vehicles of state authorities are exempted, but most are voluntarily TPL-insured

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

Various public entities which cannot be listed by name

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

As no vehicles with Austrian plates are derogated, Verband der Versicherungsunternehmen Österreichs is the responsible body if the vehicle is not voluntarily TPL-insured.

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:

Vehicles owned by State Authorities.

Question N° 15

15.1. Any other special features?

No.