

# Green Card Bureau Compendium

## AL - Albania

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### General information

**Please provide the official full name of your Bureau.**

Albanian Insurance Bureau

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

Non – profit organisation

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

Controlled by all members equally

### 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?**

Presidential Decree No. 295 dated 15.09.1992 - entry in force 01.01.1993.

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

Law No. 10076, dated 12.02.2009 - Entry into force 19.03.2009

### Question N° 2

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

According to the Albanian Law, insurance is compulsory for all classes of motor vehicles moving on tyres. Motor vehicles moving on rails are excluded.

**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
For buses and freight vehicles, including trailers	LEK 150.000.000	LEK 20.000.000	LEK 15.000.000	LEK 15.000.000
For vehicles transporting hazardous substances	LEK 200.000.000	LEK 20.000.000	LEK 20.000.000	LEK 20.000.000
For the other vehicles, including the unidentified ones	LEK 50.000.000	LEK 20.000.000	LEK 10.000.000	LEK 10.000.000
<b>Date of effect: 12.02.2009</b>				
<b>Comment:</b>				
For personal damages caused by an accident or a number of accidents of the same event, the limit of cover is as follows:				
<ol style="list-style-type: none"> <li>1. Moral and existential damage resulting from death or partial and permanent impairment 1,000,000 Albanian Leks</li> <li>2. Moral and existential damage resulting from other damages 500,000 Albanian Leks</li> <li>3. Moral damage resulting from permanent total impairment 2,000,000 Albanian Leks</li> <li>4. Existential damage resulting from death or permanent total impairment 1,500,000 Albanian Leks;</li> </ol>				

5. Biological damage resulting from death or from permanent total impairment 1,000,000  
Albanian Leks

### 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 passengers who are employed in the vehicle of transport are excluded from this cover.

### Question N° 7

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

The insurer is not entitled to refuse the injured party claim, even in the case where the insured has not fulfilled his contractual obligations.

### 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?**

Yes.

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

Material Damages  
Non-Material Damages

**10.2. What is the specific time-limit?**

1. Material Damages "The competent Insurer shall inform the claimant within 30 days from the date of the submission of the claim for compensation"

2. Non-Material Damages "The competent Insurer shall inform the claimant within 90 days from the date of the submission of the claim for compensation"

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

According to the Law, provisions related to this aspect are as below:

1. The Albanian Financial Supervisory Authority penalizes when:
  - a) The Liable Insurer does not give reasonable information to the damaged party within the time limits set by the Law
2. If the liable insurer fails to provide a response to the injured party by deadlines defined by the Law, the injured party is entitled to file a civil case against the liable insurer.

**10.4. Are there any similar stipulations for provisional payments?**

No.

**Question N° 11**

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

Yes.

**If yes, please specify.**

2 years (Civil Law)

**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.**

Only in Civil Law.

Suspension is applied when:

1. The object is the compensation arising out of injury or death. In such cases the limitation takes effect from the day the request is presented to the State social insurance body and terminated on the day it is decided that the pension will be paid or on the day the said request is refused.

2. There is a force majeure.

The period of limitation can be interrupted by:

1. Any action of the obliged person (the debtor), who has fully and exactly known (accepted) the creditor's right;
2. Presenting the law-suit or counter-law-suit before the Law Court, even in case it has no jurisdiction on the case;
3. Any action that causes the debtor to be delayed;
4. Presenting the request for compulsory execution of the Law Court decision and any other executive titles.

**Question N° 12**

**12.1. Is your Bureau a VAT liable entity?**

COUNCIL OF BUREAUX

No.

**12.2. If yes, please indicate the VAT number:**

N/A.

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

N/A.

**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?**

No

**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?**

Yes.

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

Indemnity can be claimed from the Compensation Fund when:

1. the motor vehicle that caused the damage cannot be identified;
2. the owner of the motor vehicle is not insured according to the Law;
3. the motor vehicle identified or not, was stolen by the person responsible for the damage;
4. the indemnity cannot be paid by the Insurer because he is bankrupt;
5. the owner of the motor vehicle is not insured according to the Law, the passenger transported in the vehicle is entitled to compensation in the event of an accident.

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

Yes.

### 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)**

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)**

The provisions set for this Law shall not apply to specific categories of armed forces motor vehicles to be defined by means of each joint guideline of the Minister of Defense and the Minister of Finance.

**If yes, please list those vehicles:**

N/A.

<b>Question N° 15</b>
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**15.1. Any other special features?**