

Green Card Bureau Compendium

BG - Bulgaria

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General information

Please provide the official full name of your Bureau.

National Bureau of Bulgarian Motor Insurers

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.)?

Owned/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?

Original law: 11th February 1958; entry into force: 1st January 1958.

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

Present law: 29th December 2015; entry into force: 1st January 2016.

Question N° 2

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

Except for the vehicles indicated in point 2.2, third party insurance is compulsory for each vehicle propelled by own engine for travel on land and bearing a State registration number, as well as the trams, trolley-buses and the self-propelled machinery. Trailers and semi-trailers shall be also considered to be 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	5.112.919 €	N/A.	1.022.584 €	N/A.
Date of effect: 11/06/2012				

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 driver of the vehicle liable for the damage caused.

Question N° 7

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

An insurer shall not pay indemnity for:

1. Damages sustained by a guilty driver of a motor vehicle;

2. Damages, caused to the property of the guilty driver's family member;
3. Damages caused to a motor vehicle, driven by the insured, as well as for damages inflicted on property, transported by such motor vehicle;
4. Damages caused in the case of use of the motor vehicle for participation in races, provided that the observance of the road traffic rules was not mandatory for the participants in the race and unless otherwise stipulated;
5. Damages caused in the case of use of the motor vehicle during an act of terrorism or war, provided that the injury of the third parties is in direct relation with such act;
6. Damages caused by a motor vehicle transporting nuclear or other radioactive materials, as well as chemical or other materials posing an increased danger;
7. Environmental damages representing contamination or pollution of the environment;
8. For damages ensuing from loss or destruction of money, jewellery, securities, all sorts of documentation, stamps, coins or other such collections;
9. Reimbursement of payments effected by the system of the state social or health insurance upon or on the occasion of death or bodily injuries resulting from an accident;
10. Depreciation of the property damaged;
11. Fines and other pecuniary sanctions for the guilty driver in connection with the accident.

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?

The Bureau is procedurally legitimated for accidents occurred in Bulgaria. The correspondent (the insurer dealing with a claim on behalf of the Bureau) is not procedurally legitimated.

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 kinds of damages.

10.2. What is the specific time-limit?

The time-limit for final settlement of the claim may not be longer than three months as of the date of its presentation.

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

The Insurer and the Bureau are subject to an administrative pecuniary (fine). A legitimate interest on the amount of the insurance indemnity is due in case of failure of its determination and payment on time.

10.4. Are there any similar stipulations for provisional payments?

No legal provisions.

Question N° 11

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

Yes.

If yes, please specify.

Yes. The limitation period for legal proceedings against the Insured or the Insurer is 5 years from the day the event occurred. In the cases of excess resulting directly from an accident, the limitation period is 5 years from the date of occurrence or becoming aware of the excess. For the person who has subrogated to the rights of the injured party the prescription term is 5 years from the date on which the injured person was compensated.

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

Extension of the limitation period is not allowed. The period is interrupted when a lawsuit is brought. The limitation period is suspended from the date when the claim is presented before the insurer until the date of the pronouncement of the insurer or until the expiration of the maximum time limit for pronouncement.

If yes, please specify.

N/A.

Question N° 12

12.1. Is your Bureau a VAT liable entity?

Yes.

12.2. If yes, please indicate the VAT number:

BG 130764706

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

No.

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?

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)

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)

Yes.

If yes, please list those vehicles:

Are exempted from compulsory insurance:

- Vehicles not bearing registration plates issued by the State,
- Railroad vehicles, except the trams
- Self-propelled machinery with engine power of up to 10 KW: wheeled tractors, chain tractors, all kind of self-propelled machinery, all kind of self-propelled agricultural and forest machinery
- Trailers up to 750 kilograms.

Question N° 15

15.1. Any other special features?

No.