

Green Card Bureau Compendium

EST - Estonia

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General information

MTÜ Eesti Liikluskindlustuse Fond

Non-profit organisation

Owned/controlled by all members

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?

The first version of the Compulsory Third Party Motor Insurance Law was introduced on 4th June 1992 and was enforced on 1st July 1993.

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

The present Law was introduced on 26th March 2014 and brought into force on 1st October 2014.

Question N° 2

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

Insurance is compulsory for motor vehicles and their trailers if they are contributing to road traffic and subject to registration.

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	5,600,000 EUR	N/A.	1,200,000 EUR	N/A.
Date of effect: 01.10.2014				

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 Insurer can reject a Third Party Claim if the aggrieved party is liable for causing the loss himself/herself, or if it is not a traffic loss.

The following shall not be compensated for:

- a) the share of damage exceeding the maximum amount of compensation;
- b) damage which a driver liable for causing damage caused to himself or herself, except the medical treatment expenses provided for in subsection 44 (1) of the Law;
- c) damage, except personal injury, caused to the owner or possessor of a vehicle driven by a driver liable for causing damage;
- d) loss of income, except in the cases of personal injury provided for in the Law;
- e) environmental deterioration resulting from damage, except reasonable expenses for liquidation of damages and reducing losses if ;
- f) damage arising from injury to or destruction of money, securities, works of artistic value or objects of precious metals (except personal effects);
- g) damage caused to a vehicle by an unidentified vehicle, unless there were severe personal injuries or death in the same accident;
- h) damage caused to a vehicle by a stone or other object on the road as a result of the movement of another vehicle;
- i) damage, that could not be defined as ordinary first party risk, except when the damage was caused by vehicles door to another vehicle .

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?

The time-limit is the same for all damages.

10.2. What is the specific time-limit?

Maximum 30 days.

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

In the event of a delay in the payment of compensation, the insurer required to compensate damage shall pay a fine for any delays the applicant is subject to in the compensation of the amount calculated according to the Law of Obligations Act § 113.

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.

A person having suffered from property or personal loss is entitled to present a claim for its indemnification within 3 years starting from occurrence of the traffic accident, if the occurrence of the traffic accident has been notified within the prescribed terms.

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

No.

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:

EE100929395

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

Claims handling is VAT exempted.

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

Usually 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?

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)

Yes.

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

Only in traffic on the territory of Estonia.

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

Estonian Traffic Insurance Fund

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:

Entry into a contract with regard to a vehicle in the possession of the Estonian Defence Forces, the Police and Border Guard Administration, the Security Police Board is not mandatory. The exemption is valid only for the use of the aforementioned vehicles in traffic on the territory of Estonia.

"Old" vehicles and sports vehicles, when not used in traffic.

Question N° 15

15.1. Any other special features?

No.