Guarantee Fund Compendium
CZ – Czech Republic

Review date: 02/02/2022

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General information

Please provide the official full name of your Guarantee Fund.

Česká kancelář pojistitelů

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

A professional organization of MTPL Insurers founded by the law (Act No. 168/1999 Coll.).

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

Owned/controlled by all members equally.

1 - Unidentified or uninsured vehicles

1.1. What is the full identity (exact name, address, etc.) of the body established or authorised in accordance with Article 10 of the Codified Motor Insurance Directive? Please specify.

Please visit the CoB website or extranet.

1.2. What is the legal nature of this body?

Semi-public.

1.3. On what legal basis is it authorised to carry out compensation?

Law.

1.4. Is compensation by this body subsidiary?

No.

1.5. If the compensation is subsidiary, which entities are excluded?

N/A.

1.6. Is this body a VAT liable entity?

Yes.

1.7. If yes, please indicate the VAT number:

CZ699002538

1.8. If this body is a VAT liable entity, is the service of claim handling VAT exempted?

Yes.

1.9. Are there any specific provisions governing the recourse between this body and those responsible for the accident and other insurers or social security bodies obliged to compensate the victim for the same accident?

Yes.

1.10. If yes to question 1.9, what do these specific provisions consist of? Please specify briefly.

The law regulating the obligations and rights of the Guarantee Fund stipulates a general right of recourse against the person responsible for the accident.

1.11. Are people who voluntarily entered the vehicle which caused the damage when they knew that the vehicle was uninsured, excluded from the intervention of the body?

No.

1.12. In the event of an accident caused by an unidentified vehicle, is the intervention of the body subject to specific provisions as regards the compensation of damage to property?

Yes.

1.13. If yes to question 1.12, what are the specific provisions? Please specify briefly.

Damage to property is paid only if the damaged party sustained concurrently a serious injury and damage to the property exceeds 10.000, - CZK.

1.14. If yes to question 1.12, what are the conditions provided for by your legislation so that the personal injuries may be considered as significant (cf. Article 10.3 of the Codified Motor Insurance Directive)? Please specify briefly.

N/A.

1.15. If the injured party is not a resident of an EEA Member State, can it benefit from the intervention of the body?

Yes.

1.16. What periods of limitation are the demands for compensation addressed to the body subjected to? Please specify briefly.

The limitation period shall be 3 years and shall run from the day on which the right could have been exercised for the first time (for majority of claims relating to the property damage it means the date of the accident – in case of the bodily damage it differs and mostly it is from the day when the bodily damage could be properly evaluated).

The limitation period is interrupted in case of a Court proceeding. The limitation period is extended up to 10 years by a valid Court decision or by written acceptance of the claim (in respect of its legal basis and its amount) by the Insurer and/or the Bureau.

1.17. According to Article 11 of the Codified Motor Insurance Directive "In the event of a dispute between the body referred to in Article 10(1) and the civil liability insurer as to which must compensate the victim, the Member States shall take the appropriate measures so that one of these parties is designated to be responsible in the first instance for paying compensation to the victim without delay". Which of these parties has been designated in your country to be responsible in the first instance for paying compensation to the victim in the event of a dispute between the body and the insurer responsible for civil liability as to which must compensate the victim? Please specify.

The body.

1.18. Are there certain types of vehicles or certain vehicles having a special plate exempted from the obligation of compulsory MTPL insurance in your country? (Article 5.2 of the Codified Motor Insurance Directive)

Answer to this question is available in the Green Card Bureau Compendium, question 14.3.

1.19. If yes, please list those vehicles:

Answer to this question is available in the Green Card Bureau Compendium, question 14.4.

2 - Stolen vehicles or vehicles obtained by violence

2.1. Has your Member State made use of the possibility offered by Article 13(2) of the Codified Motor Insurance Directive to make the Guarantee Fund responsible for paying compensation instead of the insurer?

Yes.

2.2. If yes to question 2.1, what are the conditions provided in the event of compensation for damage to property? Please specify briefly.

Stolen vehicles are treated as uninsured by our legislation so the conditions of compensation are the same as for other uninsured vehicles.

2.3. If yes to question 2.1, 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?

No.

3 - Other cases of intervention by the body

3.1. Does the legislation of your Member State provide for other situations where the injured party can claim compensation from the body after a road traffic accident?

Yes.

3.2. If yes to question 3.1, what are these situations?

Case of insolvency of member insurer