

30/2024 Coll.

ACT

of 24 January 2024

on motor third party liability insurance

Parliament has agreed on the following act of the Czech Republic:

PART ONE

INTRODUCTORY PROVISIONS

Section 1

Scope

This Act incorporates the relevant European Union¹⁾ legislation and governs

- a) motor third party liability insurance (hereinafter referred to as "liability insurance");
- b) insurance covering the risk of an obligation to compensate for damage caused by the operation of vehicles while participating in an organised motor race or organised motor competition (hereinafter referred to as "motorsport insurance");
- c) the legal status, organisation and object of activity of the Czech Insurer's Bureau (hereinafter referred to as the "Bureau");
- d) the purpose of the creation, method of financing and provision of indemnity from the funds administered by the Bureau; and
- e) certain rules of supervision in the field of liability insurance.

Section 2

The vehicle and its operation

¹⁾ Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (codified version), as amended by Directive (EU) 2021/2118 of the European Parliament and of the Council.

Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (recast), as amended by Directives and Regulations of the European Parliament and of the Council 2011/89/EU, 2012/23/EU, 2013/23/EU, 2013/58/EU, 2014/51/EU, (EU) 2016/2341, (EU) 2017/2402, (EU) 2018/843, (EU) 2019/2177.

For the purposes hereof, a vehicle means

(a) a motor vehicle intended for movement on the ground, other than a rolling stock vehicle, propelled solely by mechanical power,

1. the maximum design speed of which exceeds 25 km.h-1, or

2. having an operating weight of more than 25 kg and a maximum design speed of more than 14 km.h-1,

(b) a trailer intended for use with a vehicle referred to in point (a).

(2) A vehicle driven solely by mechanical propulsion includes also the moped category pursuant to the directly applicable EU regulation²⁾ which meets the condition referred to in paragraph (1)(a), except for a moped equipped with an auxiliary power unit whose main purpose is to assist pedalling.

(3) A wheelchair used exclusively by a person with a physical disability shall not be regarded as a vehicle for the purposes hereof.

(4) For the purposes of liability insurance, operation of a vehicle means any use of the vehicle consistent with its normal function as a means of transport, irrespective of the characteristics of the vehicle and irrespective of the terrain in which the vehicle is used and whether the vehicle is stationary or in motion. If it is not clear in what capacity the vehicle was being used at the time of the damage, it shall be deemed to have been used as a means of transport.

Section 3

Normally based Vehicle

(1) For the purposes hereof, the territory in which a vehicle is ordinarily based means the territory of the State,

(a) whose registration plate or registration plate issued by another State (hereinafter referred to as the "registration plate") the vehicle bears,

(b) in which a plate assigned to the vehicle by an insurance company or other distinctive mark, which is similar to a registration plate, affixed to the vehicle has been issued if a registration plate is not required for such vehicle,

(c) in which the operator of the vehicle is resident or established, if such vehicle is not required to have a registration plate, a plate assigned by an insurance company or any other distinguishing mark equivalent to a registration plate; or

(d) in which the accident occurred, if the vehicle is without a registration plate although it should have been marked with such a plate or if the vehicle bears a registration plate which does not correspond to the vehicle, in cases where indemnity is provided under Section 62(b).

²⁾ Article 4 and Annex I of Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles.

(2) For the purposes hereof, a domestic vehicle means a normally based vehicle in the Czech Republic and a vehicle dispatched from another Member State to the Czech Republic, if the Czech Republic is the country of its final destination, upon acceptance of delivery by the purchaser, for a period of 30 days.

(3) For the purposes hereof, a foreign vehicle means a vehicle other than a domestic vehicle.

(4) For the purposes hereof, a Member State shall mean a Member State of the European Union and another Contracting State to the Agreement on the European Economic Area.

(5) For the purposes hereof, a third State means a State other than a Member State.

Section 4

National Insurers' Bureau

For the purposes hereof, the National Insurers' Bureau shall mean a professional organisation which brings together insurers authorised to carry on liability insurance and which is a member of the Council of Bureaux operating in accordance with Recommendation No 5 of the Sub-Committee on Road Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe of 25 January 1949, as amended and supplemented from time to time (hereinafter referred to as the "Council of Bureaux").

Section 5

Green Card

(1) For the purposes hereof, a green card means an international certificate proving to the fact that liability insurance has been taken out in respect of the vehicle referred to in that certificate or that the obligation to compensate for damage caused by the operation of that vehicle is guaranteed by the competent National Insurers' Bureau.

(2) A green card shall be issued by

(a) the insurer, on application by the policyholder, in the case of liability insurance relating to the operation of a domestic vehicle,

(b) by the Ministry of Interior, on application by the operator of the vehicle, in respect of a vehicle exempted from liability insurance under Section 7(1)(a) or (b), Section 7(1)(c)(1) or Section 7(1)(d), or

(c) the Ministry of Defence, on application by the operator of the vehicle, for a vehicle exempt from liability insurance under Section 7(1)(c)(2).

(3) The Bureau shall issue a green card to the policyholder immediately after the policyholder has arranged liability insurance relating to the operation of the foreign vehicle (hereinafter referred to as "boundary insurance").

PART TWO
LIABILITY INSURANCE

TITLE I

Basic Provisions

Section 6

Liability insurance obligation

(1) The operator of a domestic vehicle, other than the operator of a vehicle exempt from liability insurance and the person who has taken over the vehicle for repair, shall ensure that the risk of liability to compensate for damage arising from the operation of that vehicle is covered by liability insurance during

(a) the period of registration of the vehicle, in the case of a vehicle subject to registration of road vehicles (hereinafter referred to as "registered vehicle"); or

(b) the period during which the vehicle is capable of being driven, if it is not a registered vehicle.

(2) The operator of a registered vehicle shall be deemed to be the person who is the operator of that vehicle under the law governing the conditions of operation of vehicles on roads.

Section 7

Vehicles exempt from liability insurance

(1) Liability insurance shall not be required for the operation of vehicles

(a) of the components of the integrated rescue system, if the vehicles are not used for business purposes and are included in the territorial alarm plan under the law regulating the integrated rescue system,

(b) of the State included in the State Material Reserves,

(c) of the State operated by

1. the Security Information Service, the General Inspectorate of Security Forces, the Bureau for Foreign Relations and Information, customs authorities having the status of a police authority, departments of the Police of the Czech Republic in charge of investigations pursuant to the law regulating criminal proceedings, or

2. Military Intelligence or operated as vehicles of the Armed Forces,

d) of municipalities operated by a unit of the municipality's volunteer fire department,

(e) other than registered ones, which are operated only in premises or buildings that are enclosed or otherwise inaccessible to the public in accordance with other law,

(f) registered, if they are entered in the register of road vehicles as out of service and placed outside a place accessible to the public and if the necessary measures are taken to prevent their operation; this shall not apply if the vehicle has been taken out of service because of a failure to comply with the liability insurance obligation, pending the fulfilment of the obligations associated with the withdrawal of the vehicle from service under the law governing the conditions of operation of vehicles on roads,

(g) registered, if they are entered in the register of road vehicles as having been exported to another State or as being deregistered,

h) stolen, for the period during which the owner is unable to dispose with the vehicle,

(i) other than registered vehicles, if they are located outside a place open to the public and if the necessary measures are taken to prevent their operation; and

(j) when taking part in an organised motor race or organised motor competition taking place in a defined area outside the normal operation of vehicles on closed motor racing tracks or routes where the driver is not obliged to comply with the rules of the road (hereinafter referred to as “motorsport”).

(2) For damage caused by the operation of a vehicle referred to in paragraph (1)(f) to (i) while it is being operated without liability insurance, indemnity shall be provided from the guarantee fund.

(3) The driver of a vehicle exempted from liability insurance, the operation of which has caused the damage, shall inform the injured party that the vehicle is a vehicle exempted from liability insurance and of the information necessary to assert the right to indemnity.

(4) At the request of the operator of the vehicle, the following bodies shall issue a certificate of exemption from liability insurance

(a) the Ministry of Interior, if the vehicle is a vehicle exempt from liability insurance under paragraph (1)(a) or (b), paragraph (1)(c)(1) or paragraph (1)(d), or

(b) the Ministry of Defence if the vehicle is a vehicle exempt from liability insurance under paragraph 1(c)(2).

Section 8

Special provisions for motorsport

(1) The organiser of motorsport shall ensure that the risk of liability for damage arising from the operation of vehicles in motorsport is covered by motorsport insurance with minimum amounts in accordance with Sections 14 and 15 so that this insurance also covers claims arising during the preparation for motorsport, including training, testing and demonstration.

(2) The motorsport insurance may exclude losses under Section 22(a) to (g) and damage to the property of the person competing in the motorsport or the organiser of the motorsport.

(3) The insurer shall have the right to cancel the motorsport insurance and the right to withdraw from the motorsport insurance policy under the conditions laid down in the Civil Code.

(4) The injured party shall have the right to claim under the motorsport insurance against the insurer.

(5) For a damage caused by the operation of a vehicle during its participation in motorsport at a time when the liability insurance obligation or the motorsport insurance obligation has not been fulfilled, except for a damage under paragraph (2), indemnity shall be provided from the guarantee fund.

Section 9

Frontier Insurance

1) The driver of a foreign vehicle shall ensure that the risk of incurring an obligation to compensate for damage arising from the operation of that vehicle is covered by frontier insurance. This does not apply to the driver

(a) who is in possession of a valid green card; or

(b) whose obligation to compensate for damage arising from the use of that vehicle is guaranteed by the National Insurers' Bureau of the foreign State.

(2) Frontier insurance shall cover only claims occurring in a Member State.

(3) Frontier insurance shall be arranged with the Bureau at the latest when the foreign vehicle enters the Czech Republic or, in the case of expiry of the validity period of the green card, during the stay of this vehicle in the Czech Republic. Frontier insurance shall commence upon payment of the premium.

(4) The legislation governing the distribution of insurance and reinsurance shall not apply to the taking out or changing of frontier insurance.

TITLE II

Liability Insurance Conditions

Section 10

Basic Provisions

(1) The insurer shall conclude a liability insurance contract if the proposal for its conclusion does not contradict the law or the insurer's policy conditions and if the vehicle whose operation is to be covered by the liability insurance meets the conditions for its operation laid down by law.

(2) The insurer may only be an insurance company which is authorised to operate liability insurance in the Czech Republic under the law governing the insurance industry. In the case of frontier insurance, the insurer shall be the Bureau.

(3) The insurer may request an inspection of the vehicle at its own expense prior to the conclusion of the insurance contract.

(4) The insurer shall fix the amount of the premium in accordance with the conditions laid down by the Act regulating the insurance industry so as to ensure the continued fulfilment of the obligations arising from the operation of liability insurance and the payment of membership fees to the Bureau.

(5) The insured shall be anyone who is obliged to compensate the injured party for the damage caused by the operation of the vehicle whose operation is covered by the liability insurance. For the purposes hereof, an injured party means one who has a right to indemnity for damage arising out of the operation of a vehicle.

Section 11

Form and content of the insurance contract

- (1) A liability insurance contract may be concluded only in writing.
- (2) A single liability insurance contract may insure liability arising out of the operation of several vehicles if they have the same owner or operator, if the policyholder has an insurable interest in the conclusion of the contract based on the provision of a loan or other similar financial service for the purpose of acquiring title to the vehicle, or if the owner or operator of the vehicle and the policyholder are part of the same group.
- (3) A contract of liability insurance shall, in addition to the particulars prescribed by any other law, contain the designation of the operator of the vehicle, particulars of the vehicle the operation of which is covered by the liability insurance; if the liability insurance is operated on the basis of the freedom to provide services on a temporary basis, it shall also contain the address of the residence or registered office of the claims agent under Section 35.
- (4) If, at the time of conclusion of the insurance contract or amendment to the liability insurance, certain particulars of the vehicle are not known, the ignorance of which does not prevent the identification of the vehicle, the insurer shall communicate them to the insurer without undue delay, but not later than 15 days from the date of conclusion of the insurance contract or amendment to the liability insurance. The policyholder shall notify the insurer without undue delay of any change in the particulars relating to the policyholder, the vehicle or its operator.

Section 12

Interruption of Insurance

If an interruption of the liability insurance relating to the operation of a registered vehicle has been agreed, the policyholder shall prove to the insurer before the start of the interruption that the vehicle has been put out of service in accordance with the law governing the conditions of operation of vehicles on roads; otherwise the insurance shall not be interrupted.

Section 13

Minimum Amounts

- (1) For the purposes hereof, the minimum amounts means the maximum amounts paid by insurer in respect of a single claim.
- (2) The minimum amounts shall be stated separately in the insurance contract, namely the minimum amounts for bodily injury or death under Section 14 and the minimum amounts for damage to property under Section 15.
- (3) The minimum amounts under Sections 14 and 15 shall not apply if, pursuant to a regulation of the European Union issued pursuant to Article 9 of Directive 2009/103/EC, as amended by Directive (EU) 2021/2118, those amounts have been newly set at amounts higher than the minimum amounts under Sections 14 and 15. For the conversion of the newly set amounts into Czech crowns, the exchange rate announced by the Czech National

Bank for the date from which the minimum amounts apply shall be used. In such a case, the newly established minimum amounts shall apply to an insurance contract with an minimum amounts lower than the minimum amounts under Sections 14 and 15.

(4) In a case under subsection (3), the insurer shall have the right to adjust the amount of the premium for the following policy period within 1 year from the date of publication of the newly determined minimum amounts in the Official Journal of the European Union. If the insurer fails to notify the policyholder of the adjustment of the premium within that period, the policyholder's right to adjust the premium shall lapse.

(5) If the policyholder disagrees with the amount of the adjusted premium pursuant to subsection (4), they may express their disagreement within 1 month of the date on which they became aware of the adjustment of the premium amount. In such a case, the insurance shall lapse on the date on which the insurer receives the policyholder's disagreement. However, if the insurer does not draw the policyholder's attention to this consequence in the notification referred to in subsection 4, the insurance shall continue and the amount of the premium shall not be altered in the event of the policyholder's disagreement.

Section 14

Minimum amounts for injury or death

(1) The minimum amounts in the event of a damage referred to in Section 17(2)(a) shall be at least CZK 50,000,000 for each injured party, including indemnity for costs as referred to in subsection (2).

(2) Within the amounts referred to in subsection (1), the costs incurred for medical services covered under Section 18(a), other recourse compensation under Section 18(b) and (d) and the costs of intervention by the Fire Rescue Service of the Czech Republic (hereinafter referred to as the "Fire Rescue Service") and the municipal voluntary fire brigade unit under Section 18(c) shall be covered if the intervention is in connection with an accident resulting in bodily injury or death.

Section 15

Minimum amounts for damage to property

(1) The minimum amounts for a claim under Section 17(2)(b) and (c) shall be at least CZK 50,000,000 irrespective of the number of injured parties.

(2) If the total amount of the rights claimed by more than one injured party exceeds the minimum amounts, the indemnity shall be reduced for each of them in proportion to that minimum amount to the total amount of the rights claimed by all the injured parties.

(3) Within the amount referred to in subsection (1), the costs of the intervention of the fire rescue service and the municipal volunteer fire brigade unit referred to in Section 18(c) shall be covered if the intervention is in connection with the insurance event resulting in damage to property.

Section 16

Claims history in liability insurance

(1) The insurer shall, in setting the amount of the premium or any variation thereof, take into account, in a manner which is not discriminatory, the previous claims history of the liability insurance of the policyholder or, if so agreed, of the operators of the vehicle if they are not the policyholders, for a period of not less than 5 years but not more than 20 years.

(2) In taking into account the claims history under subsection (1), the insurer shall not take into account

(a) the period of interruption of liability insurance, and

(b) the indemnity in the event of an insured loss if the obligation to indemnify has arisen to the person who

1. took over the vehicle for repair, or

2. used the vehicle without the knowledge or against the shall of the operator of the vehicle; this shall not apply if the operator of the vehicle negligently allowed such use.

(3) The insurer shall publish on its website a general policy on the use of the declaration of loss of liability insurance in determining the amount of the premium.

(4) The Bureau shall process the data on the claims history of liability insurance. The insurer who has transmitted the data to the Bureau shall be responsible for its accuracy.

Liability Insurance Scope

Section 17

(1) Liability insurance shall provide insurance indemnity for damage caused by the operation of the vehicle specified in the insurance contract.

(2) Except as otherwise provided by this Act, the insured shall be entitled to have the insurer indemnify the injured party to the extent and in the amount to which the insured has incurred the obligation to indemnify

(a) the loss sustained by bodily injury or death,

(b) the reasonable costs incurred in caring for the health of the injured animal and the damage caused by the damage, destruction or loss of an item, as well as the damage caused by the theft of an item if the natural person has lost the ability to care for it,

(c) lost profit and

(d) reasonable legal costs incurred in the exercise of the rights referred to in points (a) to (c); however, in respect of the damage referred to in point (b) or (c), only in the event of the expiry of the time limit referred to in Section 2798(2) of the Civil Code or the unjustified refusal or unjustified reduction of the insurance indemnity by the insurer.

(3) The right to indemnity from the insurance shall arise if the damage occurs during the period of liability insurance, except during the period of its interruption.

(4) The insurer shall provide the insurance indemnity to the extent and in the amount referred to in subsection (2) in money, unless otherwise agreed with the insurer, up to the minimum

amount. If the agreed minimum amounts is lower than the minimum amounts, the insurer shall provide insurance indemnity up to the amount of the minimum amounts.

Section 18

The insured has the right to be reimbursed by the insurer for

(b) the costs incurred by the health insurer for health services fully or partially covered by public health insurance under the law governing public health insurance, if the health insurer covered those health services provided to the injured party,

(c) recourse compensation under the law governing sickness insurance,

(d) the costs of the intervention of a fire brigade or a unit of a voluntary fire brigade covered under the law governing fire brigades,

(e) recourse compensation to an institution from another Member State which, in accordance with the legislation governing the social security system, has provided the injured party with an indemnity under that security and which is entitled to reimbursement of that indemnity against the insured person under that legislation; and

(f) salvage costs pursuant to the Civil Code, including costs incurred in complying with an obligation to eliminate the consequences of a traffic accident for safety, hygiene or environmental reasons.

Territory of Liability Insurance

Section 19

The liability insurance shall cover, on the basis of a single premium, claims arising in the Member States and in the territories of the States designated by the Assembly of Members of the Bureau pursuant to Section 57(4)(g).

Section 20

(1) In the event of a damage arising out of the operation of a domestic vehicle in another Member State, the scope of liability insurance shall be governed by the law of that State unless that scope is wider hereunder or under the insurance contract.

(2) In respect of a damage arising from the operation of a vehicle by a citizen of a Member State during their direct journey between the territories of 2 Member States, the legislation of the Member State in which the vehicle is normally based shall apply even if the territory through which such citizen is travelling and in which the accident occurred is not covered by the jurisdiction of any national insurers' Bureau.

Liability Insurance Exclusions

Section 21

(1) If an owner of a vehicle who is not the operator of the vehicle suffers damage as a result of the operation of their vehicle which was being driven by another person at the time of the occurrence of the damage, or if a person who rightfully disposes with the vehicle as their own or who rightfully exercises a right in respect of that vehicle for themselves suffer damage, and if another person was driving the vehicle at the time of the occurrence of the damage, the insurer shall compensate that owner or that person only for the damage pursuant to Section 17(2)(a) hereof, including the costs incurred by the health insurer under Section 18(a), and other recourse compensation under Section 18(b) and (d).

(2) In the case of a collision between vehicles owned by the same person, the right to claim for damage to that person arises only if the vehicles involved in the collision are operated by different operators and that person is not the operator of the vehicle on which the damage occurred.

Section 22

The insurer shall not indemnify

(a) damage sustained by the driver of the vehicle from the operation of which the damage was sustained, to the extent that it was caused or aggravated by circumstances attributable to them,

(b) damage to the vehicle from the operation of which the damage occurred, as well as to the goods carried by that vehicle, except for damage to goods that the person transported by this vehicle was wearing or carrying at the time of the occurrence of the damage, to the extent that the insured is obliged to compensate for the damage,

(c) damage as referred to in Section 17(2)(b) and (c) arising between the vehicles of a combination comprising a motor vehicle and a trailer, as well as damage to the goods carried by those vehicles, unless the damage is caused by the operation of another vehicle,

(d) damage caused by the handling of the load of a stationary vehicle,

(e) the costs incurred in providing medical treatment, sickness insurance benefit or a pension as a result of a damage referred to in Section 17(2)(a) suffered by the driver of the vehicle in the operation of which that damage was sustained, to the extent that it was sustained or increased as a result of circumstances attributable to them,

(f) the damage caused by the operation of a vehicle in an act of terrorism or an incident of war, if that operation is directly related to that act or incident; and

(g) damage caused by the use of a vehicle in motor sport.

Section 23

Prohibition to Refuse or Reduce Indemnity

Indemnity for damage caused by the operation of a vehicle, to the extent that the insured is obliged to compensate for such damage, may not be refused or reduced.

Section 24

Special Provisions for the Termination of Liability Insurance

(1) Liability insurance relating to the operation of a domestic vehicle shall also lapse

(a) by termination pursuant to the Civil Code,

(b) on the date of notification to the insurer of the termination of the policyholder's insurable interest in the liability insurance,

(c) by its theft; if the time of the theft of the vehicle cannot be precisely determined, the vehicle shall be deemed to have been stolen as soon as the Police of the Czech Republic or a police authority of another State has received notification of the theft of the vehicle,

(d) on the date of its withdrawal from service in accordance with the law governing the conditions of operation of vehicles on roads, unless it has been agreed to discontinue such insurance, or

(e) on the date of entry of its termination in the register of road vehicles; in the case of a vehicle other than a registered vehicle, the date on which an irreversible change has occurred which makes it impossible to operate the domestic vehicle.

(2) The policyholder shall notify the insurer without undue delay of the occurrence of the damage referred to in subsection (1)(b) to (e), the change of ownership of the vehicle and the change of its operator.

Section 25

Liability Claims History Statement

(1) An insurer with whom liability insurance is taken out or with whom liability insurance was last taken out shall issue a statement of claims history to the policyholder within 15 days of the date on which the policyholder requests it to do so. The statement shall be drawn up in Czech and English. In the case of an insurer which has ceased its liability insurance business in the Czech Republic, the statement shall be issued by the Bureau.

(2) The form and particulars of the statement referred to in subsection (1) shall be governed by directly applicable European Union legislation issued pursuant to Article 16 of Directive 2009/103/EC, as amended by Directive (EU) 2021/2118.

TITLE III

Liability Insurance Rights and Obligations

Section 26

Insured's Obligations towards injured party

The insured shall, without undue delay, provide the injured party, at their request, with the information necessary for the exercise of the injured party's right to indemnity pursuant to S. 28(1), but at least

(a) their name and address of residence or registered office,

(b) the name and address of the residence or registered office of the owner and operator of the vehicle,

- (c) the name of the insurer and, where applicable, the address of the insurer's branch office in the Czech Republic,
- (d) the number of the insurance policy; and
- (e) the registration number of the vehicle or data enabling identification of a vehicle other than the registered vehicle.

Section 27

Insured's Obligations towards Policyholder

- (1) The insured shall notify the insurer without undue delay that a claim has occurred, stating the facts relating to the claim, shall submit to the insurer documents relating to the claim and shall comply with the insurer's instructions during the investigation of the claim.
- (2) The insured shall notify the insurer without undue delay that
 - (a) a right to indemnity has been asserted against them and shall comment on the indemnity claimed and the amount thereof,
 - (b) administrative or criminal proceedings have been instituted in connection with the claim, and shall immediately inform the insurer of the progress and outcome thereof; and
 - (c) the injured party has asserted the right to indemnity before a court or other competent authority if the insured becomes aware of this fact.

Section 28

Injured Party's Right to Indemnity under Liability Insurance against Insurer

- (1) The injured party shall have the right to claim indemnity under the liability insurance against the insurer.
- (2) When exercising the right to insurance indemnity, the injured party shall submit a joint accident report if the accident is not subject to notification to the Police of the Czech Republic under the Act regulating road traffic. A contractual arrangement requiring notification to the Police of the Czech Republic of a traffic accident in a case not subject to notification under the law governing road traffic shall not be taken into account. The right to indemnity from liability insurance against the insurer shall not be conditional on such notification.
- (3) In the event of a damage caused by a combination of vehicles consisting of a towing vehicle and a trailer subject to liability insurance, the injured party shall have the right to insurance indemnity against the insurer who has arranged liability insurance for the trailer if the details of the towing vehicle cannot be ascertained.
- (4) If the particulars of the towing vehicle are subsequently ascertained, the insurer shall, subject to subsection (3), have a right against the insurer who has taken out liability insurance in respect of the towing vehicle, or against the Bureau in the case of a damage

under Section 62, to recover the insurance indemnity provided to the injured party to the extent that liability is given in respect of the towing vehicle.

Section 29

Insurer's investigation

The insurer may not make the conclusion of the investigation of the claim conditional on the conclusion of criminal or misdemeanour proceedings, unless the information to be obtained from the outcome of those proceedings is relevant to the conclusion of the investigation of the claim and the insurer has not been able to obtain it in any other way, even with the exercise of professional diligence.

Section 30

Data from the vehicle recording equipment

The insurer and the Bureau shall process data from the recording equipment of the vehicle in the course of the investigation of the claim if the vehicle has been compulsorily equipped with such equipment. The operator of the vehicle shall make the data from this equipment available to the insurer or the Bureau.

Section 31

Disclosure of data by public authorities

- (1) The Police of the Czech Republic shall provide the Bureau with data on traffic accidents and on vehicles under investigation necessary for the investigation of a damage event in a manner allowing remote access.
- (2) A criminal law enforcement authority or an authority competent for the investigation of a misdemeanour or an act which has the characteristics of a misdemeanour shall provide the Bureau, at its justified request, with the data necessary for the investigation of the claim and shall allow the Bureau to inspect and make copies of the file in the matter relating to the claim, provided that this does not jeopardise criminal proceedings, proceedings for a misdemeanour or proceedings for an act which has the characteristics of a misdemeanour.
- (3) The scope of the provision of data under subsection (1) shall be determined by the Ministry of Finance by a decree.

Section 32

Insurer's right to reimbursement of indemnity paid

- (1) The insurer is entitled to receive reimbursement of the indemnity from the insured paid on their behalf if it proves that the insured
 - (a) caused the damage intentionally or by the operation of a vehicle which they used without the knowledge or against the shall of its operator,
 - (b) without reasons worthy of special consideration, has failed to comply with the obligation under the law governing road traffic to make a joint record of the accident or to report the accident constituting the claim and, as a result, the possibility of a proper investigation by the insurer or the insurer's ability to exercise that right to indemnity has been impeded or excluded,
 - (c) left the scene of the accident without reasons worthy of special consideration or otherwise made it difficult or impossible to establish the actual cause of the accident,
 - (d) without reasons worthy of special consideration, has failed to fulfil the obligation under Section 27 and, as a result, the possibility of a proper investigation by the insurer has been impeded or excluded,

- (e) without reasons worthy of special consideration, as the driver of the vehicle, refused to submit to a test for alcohol, narcotic or psychotropic substances or medicinal products which, according to the information leaflet, have a significant effect on the ability to drive or operate machinery, at the request of the competent authority,
 - (f) has driven a vehicle without a relevant driving licence, except for the driving of a vehicle by a person who, under the supervision of a driving instructor, is undergoing training in driving a motor vehicle, is taking a driving test, is preparing for a driving test, is taking a test as part of a driving test or is participating in a training course for novice drivers, in accordance with the law governing the acquisition and improvement of competence to drive motor vehicles,
 - (g) has driven a vehicle while under a driving ban; or
 - (h) has driven a vehicle under the influence of alcohol, a narcotic or psychotropic substance or a medicinal product which, according to the package leaflet, has a significant effect on the ability to drive or operate machinery.
- (2) The insurer is entitled to receive reimbursement of the indemnity from the insured paid on their behalf if it proves that the cause of the damage was the following:
- (a) the design or technical condition of the vehicle, the operation of which caused the damage, does not comply with the requirements of road safety, the safety of persons operating it, the persons or goods being transported, or
 - (b) the roadworthiness of the vehicle which caused the damage was not approved.
- (3) The operator of the vehicle shall also be jointly and severally liable with the insured for indemnity under subsection (1)(f) to (h), unless they prove that they could not have influenced the actions of the insured.
- (4) To the extent that the insurer is entitled to receive reimbursement of the indemnity from the insured paid on their behalf, the insurer is not obliged to provide indemnity to the insured which the insured himself has provided to the injured party as damage indemnity.
- (5) The insurer is entitled to receive reimbursement of the indemnity provided from the policyholder in respect of a damage caused by the operation of a vehicle if the cause thereof was a fact which, by reason of knowingly false or incomplete answers, the insurer could not have discovered when arranging the insurance.

Section 33

Payment for damage caused by the operation of a vehicle excluded from liability insurance

- (1) The injured party is entitled to indemnity in respect of damage caused by the operation of a vehicle excluded from liability insurance against the State for which the following act:
- (a) the Ministry of Interior, in the case of a damage arising from the operation of a vehicle excluded from liability insurance under Section 7(1)(a) or (b), Section 7(1)(c)(1) or Section 7(1)(d), or
 - (b) the Ministry of Defence in the case of a damage caused by the operation of a vehicle exempted from liability insurance pursuant to Section 7(1)(c)(2).
- (2) The State shall provide indemnity for a damage arising from the operation of a vehicle excluded from liability insurance under Section 7(1)(a) to (d) to the same extent as the insurer.
- (3) The operator of a vehicle excluded from liability insurance under Section 7(1)(a) or (b), Section 7(1)(c)(1), or Section 7(1)(d) shall notify the Ministry of Interior pursuant to Section 27. The operator of a vehicle exempt from liability insurance under Section 7(1)(c)(2) shall notify the Ministry of Defence of these facts.

(4) If a damage occurs as a result of the operation of a vehicle excluded from liability insurance under Section 7(1)(a) through (d) in the territory of another State under Section 19, the Bureau shall provide indemnity for that damage.

(5) If the Bureau provides indemnity for a damage arising from the operation of a vehicle excluded from liability insurance under Section 7(1)(a) to (d), the Bureau shall be entitled to recover from the State what it has paid, including expenses incurred in settling the claim.

(6) If the State provides indemnity for a damage arising from the operation of a vehicle excluded from liability insurance under Section 7(1)(a) to (d) or reimburses the Bureau for what it has paid for that damage, the State shall, subject to the conditions of Section 32(1), have a right against the individual who caused the damage to recover what it has paid.

TITLE IV

Claim Representatives

Section 34

Insurer's claims representative for another Member State

(1) An insurer domiciled in the Czech Republic shall appoint a claims representative in each other Member State. This shall also apply to an insurer established in a third State, except in those Member States in which that insurer has been authorised to carry on the business of liability insurance. The claims representative shall be resident or established in the Member State in which they are appointed.

(2) The claims representative referred to in subsection (1) shall handle claims in the name and on behalf of the insurer, including the final settlement of rights asserted by the injured party. For this purpose, they shall collect the information necessary to investigate the rights claimed by the injured party and take measures to settle them, where the damage has been caused by the operation of a vehicle in respect of which the insurer has taken out liability insurance, if

(a) the Member State in which the injured party is domiciled or has their registered office is different from the Member State in which the insurer has its registered office or the branch which took out the liability insurance,

(b) the vehicle is normally based in a Member State other than that in which the injured party is domiciled, and

(c) the damage occurred

1. in a Member State other than the State in which the injured party is domiciled or has their TITLE office, or

2. in a third State whose national Bureau of insurers has joined the green card scheme.

(3) A claims representative referred to in subsection (1) may act for more than one insurer. They shall be authorised to act on behalf of the insurer in relation to the injured party, to settle the rights of the injured party to the full extent claimed and be able to act in the official language of the Member State of residence or registered office of the injured party. The appointment of a claims representative as referred to in subsection (1) shall not preclude the right of the injured party to assert a right to indemnity against the person liable to compensate for that damage or a right to claim the insurance indemnity against the insurer.

(4) The insurer shall communicate to the Bureau the name and address of the residence or registered office of the claims representative referred to in subsection (1), the State for which they have been appointed and any changes to those particulars within 7 days of the date of appointment of the claims representative or of the date on which those particulars change. The

Bureau shall forward that information without undue delay to the competent information centres of the Member States.

Section 35

Claims representative of an insurer from another Member State for the Czech Republic

(1) An insurer with its registered office in another Member State which carries on liability insurance business in the Czech Republic on the basis of the freedom to provide services on a temporary basis shall appoint a claims representative in the Czech Republic. This claims representative shall be domiciled or established in the Czech Republic.

(2) The claims representative referred to in subsection (1) shall, on behalf and for the account of the insurer, handle claims, including the final settlement of rights asserted by the injured party. For this purpose, they shall collect the information necessary to investigate the rights claimed by the injured party and take measures to settle them,

(a) where the damage has been caused by the operation of a domestic vehicle,

(b) where the insurer has taken out liability insurance in respect of the vehicle referred to in point (a), if the injured party is resident or established in the Czech Republic, and

(c) if the accident occurred in a Member State or in a third State whose national Bureau of insurers has joined the Green Card system.

(3) A claims representative referred to in subsection (1) may act for more than one insurer. They must be authorised to act on behalf of the insurer in relation to the injured party, to settle the rights of the injured party in full and be able to act in the Czech language. The appointment of a claims representative pursuant to subsection (1) shall not exclude the right of the injured party to assert a right to indemnity against the person who is obliged to compensate for such damage or a right to insurance indemnity against the insurer.

(4) The appointment of a claims representative pursuant to subsection (1) shall not constitute the establishment of a branch of the insurer and the activity of the claims representative shall not be considered a form of establishment in the Czech Republic.

(5) The insurer shall notify the Bureau of the name and address of the registered office of the claims representative referred to in subsection (1) within 7 days from the date of their appointment. The insurer shall notify the Bureau of any change concerning this claims representative within 7 days from the date on which the change occurred.

(6) The claims representative referred to in subsection (1) shall act on behalf of the insurer referred to in subsection (1) with the Bureau in matters relating to claims investigated by that claims representative, even if the authority to act on behalf of the insurer with the Bureau under Section 52(3) is vested in another person.

Section 36

Claims representative for the Czech Republic

(1) A claims representative appointed in accordance with European Union law¹⁾ in the Czech Republic by an insurance company which has been granted a licence to operate liability insurance in another Member State and which does not operate liability insurance in the Czech Republic shall, on behalf of and for the account of that insurance company, investigate claims, including indemnity for damage caused to an injured party residing or having its registered office in the Czech Republic by the operation of a vehicle,

- (a) for which the insurance company has taken out liability insurance,
 - (b) which is usually based in another Member State, and
 - (c) the operation of which has caused damage in a Member State or in a third State whose national Bureau of insurers has joined the Green Card system.
- (2) The claims representative referred to in subsection (1) shall collect the information necessary to investigate the rights of the injured party and make arrangements to settle them where the damage was caused by the operation of a vehicle if the insurer had taken out liability insurance in force at the time of the occurrence of the accident. They must be authorised to act on behalf of the insurer in relation to the injured party, to settle the rights of the injured party to the full extent and be able to act in the Czech language and must be domiciled or established in the Czech Republic. The appointment of a claims representative pursuant to subsection (1) shall not preclude the right of the injured party to assert a right to claim indemnity for the damage against the person who is obliged to compensate for such damage or a right to claim insurance indemnity against the insurer.
- (3) The claims representative referred to in subsection (1) shall, in relation to the injured party, exercise the rights and obligations of the insurer hereunder, including representing the insurer before the courts in deciding on such rights or obligations.
- (4) A claims representative under subsection (1) may act for more than one insurance company. Their appointment shall not constitute the establishment of a branch of an insurance company and the activities of the claims representative shall not be deemed to constitute establishment in another Member State.

Section 37

Claims representative under the right to establish branches or the freedom to provide services on a temporary basis

- (1) Where an insurance company carries on liability insurance business in the Czech Republic under the right to establish branches as an insurer with its registered office in another Member State, it is deemed that the duties of the claims representative under Section 36(1) to (3) are performed by the TITLE of that branch in the Czech Republic, unless the insurance company has appointed another person as claims representative for liability insurance business arranged by it in respect of the operation of a vehicle which is usually based in another Member State.
- (2) Where an insurance company carries on liability insurance business in the Czech Republic on the basis of the freedom to provide services temporarily as an insurer pursuant to Section 35(1), it is deemed that the duties of the claims representative pursuant to Section 36(1) to (3) are performed by the claims representative pursuant to Section 35, unless the insurance company has appointed another person as claims representative for liability insurance contracts concerning the operation of a vehicle which is usually based in another Member State.

TITLE V

Record-keeping and inspection activities Records of liability insurance

Section 38

- (1) The insurer shall provide the Bureau with information on the formation, the period of interruption, the change and the termination of liability insurance.
- (2) The Bureau shall provide the data referred to in subsection (1) relating to registered vehicles to the Ministry of Transport.

(3) The Ministry of Transport shall provide the Bureau with data held by it on vehicles, their owners and operators, including personal data and registration changes.

(4) The insurer shall provide the Bureau with data on claims and insurance incidents, including personal data.

(5) The Bureau shall process the data referred to in subsection (4) for the purposes of keeping statistics pursuant to this Act or the Act regulating the insurance industry and for the prevention of road traffic accidents and insurance fraud in insurance related to the operation of vehicles.

(6) The scope of provision of data under subsections (1), (3) and (4) is determined by the Ministry of Finance by a decree.

Section 39

The data kept by the Bureau concerning liability insurance, vehicles and their owners or operators shall be processed by the Bureau to comply with its duties hereunder and shall be made available to insurers, to the authorities competent to enter data and changes thereto in the Register of Road Vehicles, to the authorities competent to deal with a misdemeanour hereunder or to the authorities competent to deal with an act which has the characteristics of a misdemeanour hereunder.

Section 40

(1) The data referred to in Section 38 (1) to (4), Section 39 and Section 44 (1) shall be provided electronically in a manner that allows remote and continuous access.

(2) The data under Section 38(1) and (3) and Section 44(1) shall be provided in real time.

(3) The data referred to in Section 38(2) and (4) and Section 39 shall be provided without undue delay.

Section 41

(1) The Bureau shall process personal data on natural persons, including birth numbers. Such data may only be processed if necessary for the performance of the tasks assigned to the Bureau by this or any other law, and also for a purpose other than that for which they were originally collected.

Section 42

Information Centre of the Bureau

(1) The Bureau ascertains and keeps data on

(a) the registration plates of domestic vehicles and vehicle identification numbers (VINs),

(b) the numbers of insurance policies relating to the liability insurance of domestic vehicles, the dates of commencement and termination of liability insurance,

(c) green card numbers and policy numbers relating to frontier insurance,

(d) the insurers and the claims representatives appointed by them pursuant to Section 34,

(e) the claims representatives referred to in Sections 35 and 36; and

- (f) vehicles dispatched from the Czech Republic to another Member State and vehicles dispatched from another Member State to the Czech Republic.
- (2) The data referred to in subsection (1)(a) shall be collected by the Bureau through the Ministry of Transport. The data referred to in subsection (1)(a) relating to vehicles exempted from liability insurance under Section 7(1)(a) or (d) shall be collected by the Ministry of the Interior. Information relating to vehicles exempted from liability insurance under Section 7(1)(b) or (c) shall not be collected by the Bureau.
- (3) In the case of a damage caused by the operation of a vehicle exempt from liability insurance under Section 7(1)(a) or (b), Section 7(1)(c)(1) or Section 7(1)(d), the Ministry of the Interior notifies the Bureau without undue delay that it shall provide indemnity for that damage. This applies mutatis mutandis to the Ministry of Defence in the case of a damage caused by the operation of a vehicle excluded from liability insurance under Section 7(1)(c)(2).
- (4) Information relating to vehicles normally based in another Member State and vehicles dispatched from one Member State to another Member State and information on claims representatives under Section 36 shall be obtained by the Bureau through the information centres of those Member States. The Bureau cooperates with the information centres of other Member States to ensure that the necessary information on dispatched vehicles is available.
- (5) The information referred to in subsections (1) to (3) shall be kept in such a way that the injured party can always obtain from the Bureau, within 7 years from the date of the claim, information on
- (a) the business name and registered office address of the insurer who arranged the liability insurance in respect of the operation of the vehicle from the operation of which the injured party sustained the loss,
 - (b) the number of the liability insurance policy and the date of commencement and termination of the liability insurance,
 - (c) the claims representative,
 - (d) the owner and operator of the vehicle at the time of the occurrence of the accident; and
 - (e) the person or public authority who/which the injured party should address in the event that the damage is caused by the operation of a vehicle excluded from liability insurance.

Section 43

Reporting duties of the Bureau

- (1) The Bureau shall, without undue delay, communicate to the injured party residing or having their registered office in the Czech Republic, at their request, the information referred to in Section 42(5) as well as the name and address of the residence or registered office of the owner, operator or registered keeper of the vehicle from the operation of which the injured party sustained a damage, if the accident occurred in a Member State through the operation of a vehicle normally based in a Member State; in the case of a claims representative pursuant to Section 36, the Bureau shall also communicate the address of the registered office of the insurance company which appointed the claims representative.
- (2) The Bureau shall communicate to an injured party residing or having their registered office in another Member State, at their request, the information referred to in subsection (1) if
- (a) the claim occurred in the Czech Republic, or
 - (b) the damage was caused by the operation of a domestic vehicle.
- (3) An injured party who requests data pursuant to subsection (1) or (2) shall, in their request, inform the Bureau of

- (a) the date and place of the claim, including the identification of the Member State in which the claim occurred; and
 - (b) the registration plate or other data enabling the identification of the vehicle from which the damage occurred and, in the case of a registration plate issued by another State, the State in which it was issued, if known to the injured party.
- (4) Upon request, the Bureau provides data concerning the domestic vehicle to the information centre of another Member State in which the injured party resides or has its registered office or in which the accident occurred.
- (5) Subsections (1) to (3) also apply in the case of an injured party whose domicile or registered office is in a Member State other than the Czech Republic, if the same data would have been provided in that State to an injured party whose domicile or registered office is in the Czech Republic.
- (6) The Bureau communicates to the Police of the Czech Republic a list of states for which the obligation to compensate for damage caused in the Czech Republic by the operation of vehicles usually based in their territory is guaranteed by the national insurers' Bureau of that state, and publishes an updated form of the list on its website.

Section 44

Control of third party liability insurance in respect of the operation of a vehicle

- (1) The Police of the Czech Republic shall carry out an inspection of the liability insurance for the operation of a domestic vehicle in the Czech Republic on the basis of data maintained by the Bureau.
- (2) The Police of the Czech Republic shall check the liability insurance of a foreign vehicle in the Czech Republic by checking the green card. This does not apply to foreign vehicles for which the obligation to compensate for damage caused by their operation in the Czech Republic is guaranteed by the national insurers' Bureau of another state.
- (3) The Police of the Czech Republic may carry out a liability insurance check on a vehicle normally based in another Member State in a manner which does not involve stopping the vehicle. For this purpose, it shall use data held by the Bureau and shared with other competent authorities of the Member States. The data so processed may be used only for the purposes of the liability insurance check and only for the period necessary to verify compliance with the liability insurance obligation. After such verification, the data must be deleted without undue delay. If it is not possible to verify compliance with the liability insurance obligation, the data shall be kept only for the time necessary for such verification.
- (4) The data referred to in subsections (1) and (3) shall also be processed by the Police of the Czech Republic for the purpose of notifying a misdemeanour pursuant to Section 86(1) and preventing a vehicle without liability insurance from being driven and assessing the conditions for releasing the vehicle pursuant to the law governing road traffic. Once this purpose has been achieved, the Police of the Czech Republic shall delete such data without undue delay.
- (5) A check of liability insurance carried out by the Police of the Czech Republic shall not be aimed exclusively at verifying liability insurance, unless it is a check carried out on all vehicles which does not require the vehicle to stop.

Section 45

Contribution to the Bureau for the period without liability insurance

- (1) The Bureau shall process the data referred to in Section 38(1) and (3) for the purpose of establishing a breach of duty under Section 6(1) and in connection with the recovery of contribution and costs under subsection (2).

(2) The operator of a domestic vehicle shall pay to the Bureau an contribution for each day of the breach of duty under Section 6(1) and the fixed costs of the out-of-court enforcement of the right to the contribution.

(3) The amount of the contribution shall be calculated as the product of the number of days referred to in subsection (2) and the daily rate according to the type of vehicle.

(4) The amount of the daily rate of contribution, the types of vehicles for the purposes of the daily rate of contribution referred to in subsection (3) and the amount of the Bureau's lump sum costs associated with the out-of-court exercise of the right to contribution referred to in subsection (2) shall be determined by the Ministry of Finance by a decree, taking into account the highest market premium rates by type of vehicle and the costs of the out-of-court exercise of the right.

Section 46

Request for payment of the contribution for the period without liability insurance

(1) If the Bureau discovers a breach of the obligation under Section 6(1), it shall, in writing, require the operator of a domestic vehicle to pay a contribution for the period without liability insurance.

(2) The notice shall contain a description of the reasons for the right to the contribution, a quantification of the amount of the contribution and the costs incurred by the Bureau, a deadline for compliance with the obligation to pay the contribution of at least 30 days from the date of receipt of the notice, and an instruction to the operator of the domestic vehicle of their rights and obligations, including the possibility to provide the Bureau with evidence of circumstances precluding the right to the contribution.

Section 47

Termination of the obligation to pay the contribution for the period without liability insurance

The obligation to pay the contribution for the period without liability insurance and the costs incurred by the Bureau in enforcing the right to the contribution out of court shall cease if the Bureau does not, within 1 year from the date on which the obligation to pay the contribution arose, give written notice to the operator of the domestic vehicle to pay the contribution if they are persons registered in the Register of Road Vehicles. In other cases, the period of 1 year does not start until the Bureau becomes aware of who the operator of the domestic vehicle is.

PART THREE

ACTIVITIES AND ORGANISATIONAL STRUCTURE OF THE BUREAU

TITLE I

Bureau Activities

Section 48

Basic Provisions

(1) The Bureau is a professional organisation of insurers. It is a legal entity with its registered office in Prague, which shall be entered in the Commercial Register.

(2) The provisions of the Act regulating the insurance sector relating to the activities of insurance companies apply mutatis mutandis to the activities of the Bureau which are subject to supervision by the Czech National Bank, unless stipulated otherwise herein.

Section 49

Scope of Bureau Activities

The Bureau

- (a) administers the Guarantee Fund and the damage Prevention Fund, including the management of the assets related to these funds,
- (b) arranges frontier insurance,
- (c) acts as an information centre,
- (d) performs tasks related to its membership in the Council of Bureaux,
- (e) enters into agreements with other national insurers' Bureaux and guarantee funds of other States, information centres and bodies entrusted in other Member States with the handling of indemnity claims, and carries out the tasks arising from those agreements,
- (f) cooperates with public authorities in matters relating to liability insurance,
- (g) keeps records and compile and publish statistics for the purposes of liability insurance and the performance of other tasks of the Bureau hereunder,
- (h) participates in the prevention of accidents in road traffic and in the prevention of insurance fraud in insurance related to the operation of vehicles,
- (i) processes, for its own needs, for the needs of its members or other national insurers' Bureaux and their members, the data referred to in Section 31(1) on traffic accidents, including photographic documentation, and on vehicles in search of the Police of the Czech Republic in a manner allowing remote access to the data; the Bureau shall also process such data for statistical purposes,
- (j) concludes contracts relating to the security of obligations arising from its activities pursuant to Section 62,
- (k) ensures, through its information system, the use of data from the information systems of the public administration to an insurance company carrying on insurance business in the Czech Republic or to a pension company pursuant to the Act regulating supplementary pension savings,
- (l) processes and shares with insurance companies the client's meaningless identifier created by the Bureau or the insurance company for the purpose of identifying a person,
- (m) processes and shares with pension companies a meaningless client identifier created by the Bureau or the pension company for the purpose of identifying a person; and
- (n) maintains and administers the register of health insurance of foreigners and provides data from it in accordance with the law regulating the residence of foreigners in the territory of the Czech Republic.

Section 50

Use of information from information systems

In order to perform its tasks hereunder, the Bureau shall use data from public administration information systems to the extent and under the same conditions as an insurance company authorised to operate in the Czech Republic.

Section 51

Audit and separation of assets of the Bureau

- (1) The Bureau shall arrange for the audit of the financial statements in accordance with the law regulating auditing activities.
- (2) The assets in the guarantee fund designated for compensation on account of the insolvency or liquidation of an insurance company under Section 68 shall be kept by the Bureau in an accounting separate from the other assets in that fund.

TITLE II

Membership in Bureau

Section 52

Establishment of membership in the Bureau

- (1) Membership in the Bureau commences on the date of the enforceability of the decision of the Czech National Bank granting the insurer permission to carry on liability insurance. An insurer with its registered office in another Member State who intends to carry on liability insurance business in the Czech Republic shall become a member of the Bureau on the date of the actual commencement of such business.
- (2) An insurer with its registered office in another Member State who intends to carry on liability insurance business in the Czech Republic shall notify the Bureau in writing without undue delay of
 - (a) the date on which the liability insurance business is expected to commence in the Czech Republic through a branch office or on the basis of the freedom to provide services on a temporary basis and of the name, date of birth and address for service of the person authorised to deal with the Bureau on behalf of the insurer, in case of a natural person, and of the name and address of the registered office, in case of a legal entity,
 - (b) the date of the actual commencement or termination of the liability insurance business in the Czech Republic, not later than that date; and of
 - (c) a change in the person authorised to act on behalf of the insurer with the Bureau, not later than the date on which the change takes effect.
- (3) Until the Bureau receives written notice from an insurer domiciled outside the Czech Republic as to who is authorised to deal with it on behalf of the insurer, the following shall deal with the Bureau on behalf of that insurer:
 - (a) the TITLE of a branch office established in the Czech Republic if liability insurance is carried on through that office; or
 - (b) the claims representative for the Czech Republic under Section 35, if the liability insurance is carried on the basis of the freedom to provide services on a temporary basis.

Section 53

Termination of membership in the Bureau

Membership in the Bureau terminates on the date of the enforceability of the decision of the Czech National Bank revoking the insurer's authorisation to provide liability insurance. An insurer with its registered office in another Member State which carries on liability insurance business in the Czech Republic shall cease to be a member of the Bureau on the date of termination of that business.

Section 54

Basic duties of a member of the Bureau

- (1) A member of the Bureau shall pay membership fees to the Bureau. The membership fee of a member of the Bureau who operates liability insurance on the basis of a licence granted by the Czech National Bank shall include the amount they contribute to the financing of the compensation payment due to the bankruptcy or liquidation of the insurance company pursuant to Section 68.
- (2) The membership fee shall be determined by a fixed amount per vehicle specified in the insurance policy or by a percentage of the premium written.
- (3) In the event of a shortage of assets to pay the compensation for the insolvency or liquidation of an insurance company pursuant to Section 68, an extraordinary membership contribution may be determined only for those members authorised by the Czech National Bank to carry on liability insurance.
- (4) A member of the Bureau is liable for the debts of the Bureau for which the Bureau has not established corresponding assets in the same proportion as its share of the total membership fees of all members of the Bureau. A member of the Bureau established in another Member State is not liable for debts of the Bureau arising out of an indemnity arising out of the bankruptcy or liquidation of an insurance company under Section 68.
- (5) A member of the Bureau takes into account in its own calculation of the solvency capital requirement under the law governing insurance the risk of a change in the amount of the guarantee referred to in subsection (4). For this purpose, the Bureau shall provide its members with data on its assets and liabilities.

Section 55

Obligations to inform in relation to membership in the Bureau

- (1) The Czech National Bank shall, without undue delay, communicate to the Bureau any facts known to it pursuant to Section 52 or 53.
- (2) If the Czech National Bank suspends the authorisation of a member of the Bureau to conclude liability insurance contracts under the law regulating the insurance sector or orders the member to transfer the liability insurance contribution, it notifies the Bureau without undue delay.

TITLE III

Organisation of Bureau

Section 56

Bureau Bodies

The bodies of the Bureau are

- (a) the Assembly of Members,
- (b) the Board of Directors,
- (c) the Supervisory Board,
- (d) the Executive Officer; and
- (e) the damage Prevention Fund Committee.

Section 57

Assembly of Members

- (1) The highest body of the Bureau is the Assembly of Members. Every member of the Bureau has the right to attend the Assembly of Members. The Board of Directors convenes an Assembly of Members at least once every 12 months. The Board of Directors convenes the Assembly of Members so that it is held no later than 30 days after the date on which the Audit Committee or at least one third of the members of the Bureau so request.
- (2) An Assembly of Members has quorum if a majority of the members of the Bureau who are carrying on liability insurance business in the Czech Republic otherwise than on the basis of the freedom to provide services on a temporary basis are present. If the Assembly of Members is not quorate, the Board of Directors convenes a new Assembly of Members to be held not later than 30 days from the date of the previous Assembly of Members. In such a case, the Assembly of Members possesses quorum if at least one third of the members of the Bureau who are carrying on liability insurance business in the Czech Republic otherwise than on a temporary basis are present.
- (3) Each member has one vote. The Assembly of members decides by a majority of the votes of the members present.
- (4) The Assembly of Members has the following powers
 - (a) to elect and remove members of the Board of Directors and the Audit Committee,
 - (b) to determine the amount of annual and extraordinary membership fees,
 - (c) to approve the budget of the Bureau,
 - (d) to approve the financial plan of the Bureau for the following calendar year, including a projection of the cash flows in the Guarantee Fund (hereinafter referred to as the "financial plan of the Bureau"),
 - (e) to adopt the Statutes of the Bureau and approve amendments thereto,
 - (f) to approve the financial statements of the Bureau,
 - (g) to determine the territorial scope of the liability insurance provided for in Section 19,
 - (h) to appoint and remove the representatives of the Bureau on the damage Prevention Fund Committee,
 - (i) to rescind or amend decisions of the Board of Directors; and
 - (j) to decide such matters as it may reserve to itself.
- (5) Any member of the Bureau or the Executive Director may invoke the invalidity of a resolution of the Assembly of Members for violation of the law or the statutes of the Bureau. The provisions of the Civil Code on the invalidity of a decision of a body of the Association apply *mutatis mutandis*.

Section 58

Board of Directors

- (1) The Board of Directors is the statutory body of the Bureau and consists of 5 members. Each member of the Board of Directors acts externally on behalf of the Bureau.
- (2) The Board of Directors has the following powers
 - (a) to elect from among its members and remove the Chairperson and Vice-Chairperson of the Board,
 - (b) to appoint and remove the Executive Director and the Deputy Executive Director,
 - (c) to manage the assets of the Bureau,
 - (d) to approve the internal organisational rules of the Bureau and amendments thereto,
 - (e) to ensure publication, documentation and other activities related to the activities of the Bureau,

(f) to approve the proposal for the distribution of the assets of the damage Prevention Fund for the following calendar year; and

(g) to decide on the extent of the Executive Director's authority to manage the assets in the damage Prevention Fund.

(3) The Board of Directors decides by a majority vote of all its members. The Board of Directors usually meets once a month and the meeting is convened by its Chairperson or Vice-Chairperson.

Section 59

Audit Committee

(1) The Audit Committee is the controlling body of the Bureau. The Audit Committee supervises the exercise of the powers of the Board of Directors, the performance of the activities of the Bureau and its management, and the payment by the members of the Bureau of their membership fees within the time and in the amount specified.

(2) The Audit Committee has three members and elects and dismisses its chairperson from among its members. A member of the Audit Committee may not at the same time be a member of the Board of Directors, in an employment or other similar relationship with the Bureau, nor a statutory body or a member thereof, nor a member of the supervisory body, nor a proxy of a member of the Bureau.

(3) For the purpose of the audit, the Bureau provides the members of the Audit Committee with the necessary documents and true and complete information on the facts to be ascertained. The members of the Bureau have the same obligations if the subject of the audit is the amount of the membership fee paid by that member of the Bureau.

(4) The Audit Committee reports its findings to the Board of Directors, which shall discuss them and take appropriate action. If these measures concern the subject of supervision pursuant to Section 83, the Board of Directors shall also notify the Czech National Bank without undue delay.

Section 60

Executive Director

The Executive Director may legally act to ensure the functioning of the Bureau and, unless otherwise determined by the Board of Directors, take all measures and decisions necessary to ensure the proper functioning of the Bureau between meetings of the Board of Directors.

PART FOUR

FUNDS MANAGED BY THE BUREAU

TITLE I

Guarantee Fund

Section 61

Creation and use of assets in the Guarantee Fund

- (1) The Guarantee Fund consist of
- (a) contributions received for the period without liability insurance,
 - (b) premiums received for frontier insurance,
 - (c) membership fees received from members of the Bureau; and
 - (d) reimbursements received for indemnity from the Guarantee Fund.

(2) Expenses relating to the operation of the Bureau are covered by the Bureau from membership fees and from the premium for the frontier insurance. Expenses relating to the exercise of the right to contributions for periods without liability insurance and to compensations for indemnities from the Guarantee Fund and to indemnities from the Guarantee Fund shall be paid by the Bureau in priority from contributions for periods without liability insurance and from compensations for indemnities from the Guarantee Fund.

(3) The Bureau shall establish a fund within the Guarantee Fund for the event of bankruptcy or liquidation of an insurance company which has been granted a licence to operate liability insurance by the Czech National Bank (hereinafter referred to as the "bankruptcy fund"), in an amount corresponding to the value at risk of the Bureau's own resources at a confidence level of 99.5% and within a time horizon of 1 year set for the risk of bankruptcy or liquidation of the insurance company.

(4) The projection of cash flows in the Guarantee Fund is based on current and credible information and realistic assumptions about cash flows in the following calendar year and based on appropriate actuarial and statistical methods. The projection shall take into account all additions and withdrawals of assets necessary to meet the indemnity of the Guarantee Fund.

(5) The Executive Director of the Bureau submits the financial plan of the Bureau to the Assembly of Members for approval. The Assembly of Members approves the financial plan of the Bureau not later than on 31 December and determines the level of membership contributions in accordance with its conclusions so that the Bureau has sufficient assets for the projected indemnity from the Guarantee Fund in the following calendar year.

(6) The Executive Director monitors quarterly the use of assets according to the financial plan of the Bureau and, in the event of unexpected adverse developments, proposes to the Membership Assembly the approval of extraordinary membership contributions in an amount sufficient to meet the requirements of the Guarantee Fund. The Assembly of Members shall discuss this proposal and determine the extraordinary membership contributions in the appropriate amount.

Section 62

Compensation provided from the Guarantee Fund

The Bureau provides the following from the Guarantee Fund:

(a) indemnity to the injured party for damage caused by the operation of an unidentified vehicle which the unidentified party is obliged to compensate; indemnity for damage to property or loss of profit arising in connection with damage to property shall be provided by the Bureau only if such damage exceeds CZK 10,000 and if, as a result of the same event, the injured party has suffered serious bodily injury, permanent bodily injury of a nature which impairs social life, or death,

(b) indemnity for damage caused by the operation of a vehicle which the person whose obligation to indemnify for such damage is not covered by liability insurance is obliged to pay,

1. in the case of a vehicle the operation of which is covered by liability insurance, or
2. in the case of a vehicle the operation of which is not covered by liability insurance, if this Act provides that the indemnity for damage caused by the operation of that vehicle shall be provided from the Guarantee Fund,

(c) indemnity for damage caused by the operation of a foreign vehicle, which the person whose obligation to compensate for such damage is covered by the frontier insurance is obliged to compensate,

(d) indemnity for damage caused by the operation of a foreign vehicle, the driver of which is not obliged to ensure that the risk of incurring an obligation to compensate for damage

caused by the operation of that vehicle is covered by frontier insurance when operating that vehicle in the Czech Republic,

(e) indemnity for non-performance of the obligation by the insurer, to the same extent as the Bureau is obliged to provide indemnity under (a) and (b),

(f) indemnity for failure to locate the vehicle or the insurer in the event of a claim in another Member State, to the same extent as the Bureau is obliged to pay under points (a) and (b),

(g) indemnity in respect of the insolvency or liquidation of the insurer,

(h) indemnity for damage caused by the operation of a vehicle dispatched from another Member State to the Czech Republic as the state of destination, if liability insurance has not been arranged for the vehicle pursuant to this Act and the damage occurred within 30 days of the date on which the purchaser took delivery of the vehicle, even if the vehicle was not registered in the Czech Republic.

Section 63

Conditions of compensation provided from Guarantee Fund

(1) The Bureau provides indemnity under Section 62(a), (b) and (d) to (h) to the same extent and on the same terms as the insurer provides indemnity.

(2) The maximum minimum amounts under Section 62(a), (b) and (e) to (h) in respect of any one claim are the minimum amounts. This is without prejudice to Section 20(1).

(3) An investigation of the claim by the Police of the Czech Republic is the condition for the right to indemnity from the Guarantee Fund under Section 62(a).

Section 64

Dispute over compensation provided

If there is a dispute between the Bureau and the insurer or between the Bureau and the State as to who is to provide the injured party with an indemnity, the Bureau shall provide the injured party with an indemnity from the Guarantee Fund. This is without prejudice to its right to compensation for the indemnity so provided.

Compensation for the insurer not fulfilling their obligations

Section 65

(1) The Bureau provides indemnity from the Guarantee Fund if

(a) the insurer or the claims representative appointed by the insurer has not, within 3 months of the date of notification of the claim, notified the injured party why the investigation of the claim cannot be completed and the insurance indemnity provided,

(b) the insurer established in another Member State has not appointed a claims representative in the Czech Republic in accordance with Section 35; or

(c) the insurer has not appointed a claims representative in the Czech Republic in accordance with Section 36.

(2) Compensation under subsection (1)(b) shall be provided to an injured party domiciled or established in the Czech Republic in the event of a claim arising out of the operation of a vehicle if

- (a) liability insurance in respect of its operation was taken out by an insurer operating liability insurance on the basis of freedom to provide services on a temporary basis,
- (b) it is a domestic vehicle; and
- (c) the accident occurred in a Member State or in a third country indicated by the insurer on the green card.

(3) Compensation under subsection (1)(c) shall be provided to an injured party residing or having their registered office in the Czech Republic in the event of a claim arising from the operation of a vehicle if

- (a) liability insurance in respect of its operation has been arranged by an insurance company pursuant to Section 36,
- (b) the vehicle is a vehicle normally based in another Member State; and
- (c) the accident occurs in a Member State or in a third State whose national insurers' Bureau has joined the green card system.

(4) The injured party is not entitled to compensation if

- (a) they have already exercised their right to insurance indemnity with the insurer referred to in Section 35(1) which has taken out liability insurance in respect of the operation of the vehicle which caused the damage, or with their claims representative, and if they have received a statement from either of them within 3 months of the date of exercise of the right,
- (b) they have already exercised the right to claim the insurance indemnity with the insurance company referred to in Section 36 which has taken out liability insurance in respect of the operation of the vehicle which has caused the damage, or with its claims representative, and has received a statement from one of them within three months of the date of exercise of the right; or if
- (c) legal proceedings have been commenced in the matter against the insurer under Section 35(1) or against the insurer under Section 36.

Section 66

(1) The Bureau shall, within 2 months of the date on which the right to compensation is exercised, provide the person who has exercised the right to compensation with the compensation or, within that period, inform them of the reasons for which it is reducing the compensation or for which it is refusing to provide the compensation. This is not applicable if, within that period, the insurer or the insurance company pursuant to Section 36 shall, directly or through its claims representative, provide the person who has exercised the right to compensation with insurance indemnity for the loss sustained or shall inform them of the reasons for which it is reducing its compensation or for which it is refusing to pay.

(2) Where a right of indemnity is claimed, the Bureau informs without undue delay

- (a) the insurer under section 35(1) or the insurer under section 36 or their claims representative under section 35 or 36,
- (b) the authority responsible for settling the compensation claim in the Member State of the TITLE office of the insurance company referred to in Section 36 which has taken out liability insurance in respect of the operation of the vehicle in respect of which the damage occurred; and
- (c) whoever is liable to compensate for the damage caused by the operation of the vehicle, if known.

(3) The Bureau confirms in the information under subsection (2) that it has complied with the obligation under subsection (1).

Section 67

Compensation for failure to identify the vehicle or the insurer in case of claims in another Member State

The Bureau also provides compensation from the Guarantee Fund to an injured party residing or having their registered office in the Czech Republic in the event of a claim arising from the operation of a vehicle in another Member State if

- (a) the vehicle from the operation of which the damage occurred cannot be identified, or
- (b) within 2 months of the date of the occurrence of the damage, the insurance company which is obliged to provide insurance indemnity for the damage caused by the operation of the vehicle cannot be identified.

Compensation due to insolvency or liquidation of insurance company

Section 68

1) The Bureau provides compensation from the Guarantee Fund to an injured party residing or having their registered office in the Czech Republic in the event of an accident arising from the operation of a vehicle if

- (a) liability insurance has been taken out by an insurance company which is, according to a final decision, bankrupt or in liquidation and which, prior to the decision on bankruptcy or entry into liquidation, operated liability insurance in the Member State,
- (b) the vehicle is a vehicle normally based in a Member State; and
- (c) the accident occurred in a Member State.

(2) The Bureau provides compensation from the Guarantee Fund to an injured party who is domiciled or established in a third State in the event of an accident arising out of the operation of a vehicle if

- (a) liability insurance has been arranged by an insurance company which is, according to a final decision, bankrupt or in liquidation and which, prior to the decision on bankruptcy or entry into liquidation, operated liability insurance in the Czech Republic, and
- (b) the accident occurred in the Czech Republic.

Section 69

(1) To the person who has exercised the right to compensation, the Bureau provides such compensation within 3 months from the date on which the right to compensation was exercised, or within this period it shall inform them of the reasons for which it reduces the compensation or for which it refuses to provide compensation. If the investigation of the claim cannot be completed within this period, the Bureau shall inform the claimant within this period of the reasons. If it appears from the results of the investigation of the claim so far that the injured party is entitled to at least partial compensation, the Bureau grants them partial compensation within this period and shall inform them of the reasons.

(2) The Bureau shall publish on its website a model form for exercising the right to compensation.

(3) Where a right to compensation is exercised in respect of a claim arising from the operation of a vehicle normally based in another Member State, the Bureau informs without undue delay the insurance company which has arranged the liability insurance and which is, according to a final decision, bankrupt or in liquidation, and the competent authority of its home Member State pursuant to the law governing insurance. The Bureau has the right to request from the competent authority, the insurance company, its claims representative, the administrator, the liquidator or

the competent authorities of the Member States the information necessary to investigate its obligation to provide compensation.

Section 70

(1) Where the competent authority of another Member State informs a domestic insurance company or a branch of an insurance company from a third State, which has had its authorisation to carry on liability insurance withdrawn by the Czech National Bank and which is bankrupt or in liquidation by virtue of a final decision, of the fact that a right to compensation has been exercised on account of its bankruptcy or liquidation, the domestic insurance company or branch of the insurance company from a third State shall without undue delay inform that authority whether it shall provide the insurance indemnity to the person who exercised the right to compensation or the reasons for which it reduces the insurance indemnity or for which it refuses to provide it. This applies mutatis mutandis to the administrator or liquidator of such insurance company.

(2) The Bureau communicates to the members of the Council of Bureaux and to the competent compensation authorities in other Member States the details of a domestic insurance company or a branch of an insurance company from a third country which has had its authorisation to carry on liability insurance withdrawn by the Czech National Bank and which is, according to a final decision, bankrupt or in liquidation.

Section 71

Right of the Bureau to reimbursement for indemnity from the Guarantee Fund

1) If the Bureau has provided an indemnity from the Guarantee Fund, it is entitled to reimbursement of what it has provided against

(a) the person who is liable to compensate for the damage caused by the operation of the vehicle, in the case of a claim under section 62(a), (b) or (h); and the debt corresponding to that claim, including the costs of authorising another person to deal with the case and providing the indemnity, shall be payable jointly and severally by all those who are liable to compensate for the damage caused,

(b) the operator of the motorsport, in the case of a claim under Section 62(b) for damage caused by the operation of the vehicle in the course of its participation in the motorsport,

(c) the Guarantee Fund or the competent national insurers' Bureau in another State in the case of a claim under Section 62(d),

(d) the authority responsible for settling compensation claims in the Member State of the TITLE office of the insurance company referred to in Section 36 which has taken out liability insurance in respect of the operation of the vehicle which caused the accident, in the case of a claim under Section 62(e); or

(e) the body responsible for settling the compensation claim in another Member State, in the case of a claim under Section 62(g).

(2) Where the Bureau has provided an indemnity from the Guarantee Fund under Section 62(f), it is entitled to recover what it has provided from the Guarantee Fund in the Member State in which

(a) the loss or damage occurred if the vehicle from the operation of which the loss or damage occurred cannot be identified or if the damage was caused by the operation of a vehicle which is normally based in a third State; or

- (b) in which the vehicle from the operation of which the damage occurred is normally based if the insurance company which arranged the liability insurance in respect of the operation of that vehicle cannot be identified.
- (3) If the Bureau has provided an indemnity from the Guarantee Fund which was in dispute between it and the insurer or between it and the State under section 64 and it appears on further investigation that the insurer or the State should have provided the indemnity, the Bureau is entitled to recover against the insurer or the State what it has provided.
- (4) Where the Bureau has provided indemnity from the Guarantee Fund under Section 62 (e) and (f), the rights of the injured party against the person liable to compensate for the damage arising out of the operation of the vehicle and against the insurer under Section 34 or Section 35(1) or the insurer under Section 36 who are liable to provide indemnity in respect of that damage pass to the Bureau.
- (5) If the Bureau provides an indemnity from the Guarantee Fund under Section 62(g), the rights of the injured party against the person who is obliged to indemnify for the damage arising out of the operation of the vehicle and against the insurance company which is obliged to provide indemnity for that damage, shall pass to the Bureau, except for the rights of the injured party against the policyholder or the insured who is obliged to indemnify for the damage, to the extent that the obligation of the insured to indemnify is covered by liability insurance taken out by an insurance company which is, under a final decree, bankrupt or in liquidation.
- (6) The claim of the Bureau for compensation for the indemnity paid out from the Guarantee Fund and the claim which has been transferred to the Bureau as a result of the provision of the indemnity paid out from the Guarantee Fund is deemed to have been filed in the case of insolvency proceedings of the debtor in accordance with the law regulating insolvency and the methods of its resolution.

Section 72

Reimbursement for indemnity provided in another Member State

- (1) Where an authority responsible for the settlement of compensation claims in another Member State provides compensation to an injured party residing or having its registered office in that Member State on account of a default by the insurer or compensation on account of an undetected vehicle or insurance company for a damage arising from the operation of a domestic vehicle, the Bureau shall compensate the injured party from the Guarantee Fund without undue delay after the authority has exercised its right to compensation.
- (2) Where the body responsible for settling compensation claims in another Member State provides compensation to an injured party resident or established in that Member State on account of the bankruptcy or liquidation of an insurance company for a damage arising from the operation of a vehicle whose liability insurance was arranged by the insurance company, which has been authorised to carry on liability insurance business by the Czech National Bank and which, according to a final decision, is bankrupt or in liquidation, the Bureau shall compensate them from the Guarantee Fund for such indemnity within a reasonable period of time, but not later than 6 months from the date on which the right to compensation is asserted by that body.

TITLE II

damage Prevention Fund

Section 73

Establishing damage Prevention Fund

- (1) The Bureau shall establish a damage Prevention Fund to be used to prevent damage arising from the operation of vehicles.
- (2) The damage prevention fund consists of
 - (a) a levy on premiums received under subsection (3),
 - (b) the proceeds from the investment of the temporarily unencumbered assets of that Fund and other assets referred to in Section 58(2)(f) for the preceding calendar year; and
 - (c) the levy referred to in subsection (4) in that calendar year.
- (3) A member of the Bureau shall pay into the damage Prevention Fund 3% of the annual liability insurance premiums received for each calendar year. The contribution to the damage Prevention Fund shall be paid by the member of the Bureau in quarterly instalments, with the instalment for the first quarter of each calendar year due by April 30, the second quarter by July 31, the third quarter by October 31, and the fourth quarter by January 31 of the immediately following calendar year.
- (4) The Bureau determines the transfer of assets from the Guarantee Fund to the damage Prevention Fund up to the difference between the revenues and expenditures of the Guarantee Fund for the preceding calendar year, taking into account the financial plan of the Bureau.

Section 74

Use of the damage Prevention Fund

- (1) The assets in the damage Prevention Fund shall be used only to pay expenses related to
 - (a) the acquisition of equipment or means in kind necessary for the activities of the basic units of the integrated rescue system and other units of the integrated rescue system providing planned assistance on call in the field of prevention and prevention of damage from vehicle traffic,
 - (b) the modification of technology and the operation of the Fire and Rescue Service's operations and information centres in connection with the provision of necessary assistance to motorists,
 - (c) the implementation of programmes in accordance with priority road safety measures approved by the Government,
 - (d) the implementation of programmes for the prevention of damage from vehicle traffic and
 - (e) administrative and organisational support for the activities of the damage Prevention Fund Committee and the provision of expert assessment of applications for the provision of assets from the damage Prevention Fund under (c) and (d) and control of compensation provided.
- (2) The assets in the damage Prevention Fund shall be made available in a given calendar year as follows:
 - (a) not less than 60 per cent to the fire brigade and the municipal volunteer fire brigade units, of which not less than 20 per cent shall be provided to the municipal volunteer fire brigade units; that amount shall be provided
 1. to the fire brigade to cover its costs under subsection 1(a) and (b), and
 2. to municipal volunteer fire brigades to cover the costs referred to in subsection 1(a),
 - (b) at least 15 % to other components of the integrated rescue system and at least 15 % for the implementation of the programmes referred to in subsection 1(c) and (d); and

- (c) a maximum of 2 % to cover the expenditure referred to in subsection 1(e).
- (3) The recipient of assets from the damage Prevention Fund shall, at the request of the damage Prevention Fund Committee, provide the damage Prevention Fund Committee with information and documents relating to the use of those assets and allow it to carry out an inspection of their use. If the recipient of the damage Prevention Fund assets fails to document their use or violates the purpose of their use, the recipient shall return the assets to the damage Prevention Fund.

Section 75

damage Prevention Fund Committee

- (1) The damage Prevention Fund Committee is the body of the Bureau for the development of damage prevention programs and for the distribution of assets in the damage Prevention Fund.
- (2) The Committee has 9 members and consists of 2 members appointed and removed by the Director-General of the Fire Service, 1 member appointed and removed by the President of the Police, 1 member appointed and removed by the Minister of the Interior, 1 member appointed and removed by the Minister of Health, 1 member appointed and removed by the Minister of Transport, and 3 members elected by the Assembly of Members. The damage Prevention Fund Committee elects and removes a chairman and a deputy chairman from among its members. The activities of the damage Prevention Fund Committee are managed by the chairman or, in their absence, by the deputy chairman. A quorum is present if at least two thirds of its members are present, and it acts by a majority of the members present.
- (3) The performance of the duties of a member of the damage Prevention Fund Committee is deemed to be prevented by reason of any other act in the public interest.
- (4) The damage Prevention Fund Committee
- (a) prepares a proposal for the distribution of assets from the damage Prevention Fund for the following calendar year,
 - (b) establishes vehicle damage prevention programs,
 - (c) establishes criteria for evaluating proposals under paragraph (a),
 - (d) approves the internal rules relating to its activities,
 - (e) submits to the Board of Directors a draft decision authorising the Executive Director to manage the assets in the damage Prevention Fund; and
 - (f) controls the use of the assets in the damage Prevention Fund.
- (5) A proposal under subsection (4)(a) shall be submitted by the damage Prevention Fund Committee to the Board for approval. Before approving the proposal, the Board of Directors shall seek the views of the Ministry of the Interior and the Ministry of Transport; it shall allow them at least 30 days to give their views.
- (6) The damage Prevention Fund Committee prepares a report on the activities of the damage Prevention Fund for the previous calendar year by June 30 and also publishes it in a manner that allows remote access. The report contains information on the activities of the damage Prevention Fund Committee under subsection 4 and on the use of the assets of the damage Prevention Fund

PART FIVE

OTHER REQUIREMENTS FOR OPERATION OF THE BUREAU

Section 76

Principles of conduct of the Bureau

(1) In the course of its activities under Section 49, the Bureau shall act with professional diligence and exercise prudence, in particular by not carrying out those activities in a manner that is prejudicial to the property entrusted to it by third parties or that endangers its security and stability.

(2) The internal affairs of the Bureau are governed by its statutes and other internal regulations of the Bureau.

Section 77

Rules for outsourcing

(1) The Bureau puts in place measures to avoid unreasonable risk arising from the failure of the provider of the outsourced activity of the Bureau and ensures its interaction with the Bureau and the Czech National Bank and access to data on the outsourced activity by the Bureau's bodies, the supervisory authority to which the Bureau is subject and the auditor referred to in Section 51(1).

(2) The Bureau informs the Czech National Bank in advance of its decision to outsource its activities pursuant to Section 9(1), Section 62 or Sections 78 to 80.

Section 78

Generating of reserves

(1) The Bureau shall make provisions for liabilities relating to claims on the Guarantee Fund which have not yet been reported or paid (hereinafter referred to as "provisions for claims on the Guarantee Fund"). Their amount is determined by actuarial methods in accordance with the conditions laid down for the establishment of technical provisions under the law governing the insurance sector.

(2) In calculating the provisions for indemnity from the Guarantee Fund and the Insolvency Fund, the Bureau shall proceed in a prudent, reliable and objective manner, using information from the financial markets and information from its members. The calculation of these reserves shall be consistent with such data and information.

Section 79

Actuarial activities

(1) The Bureau establishes and maintains an effective system to ensure the performance of actuarial activities, which includes ensuring the adequacy of the methodologies used, underlying models, data and assumptions applied in the calculation of reserves for claims on the Guarantee Fund, the bankruptcy fund and the estimation of future claims in the cash flow projection.

(2) The Bureau may delegate the performance of actuarial activities only to a person who has knowledge of actuarial and financial mathematics and expertise and experience in professional and other standards appropriate to the activity performed, so that they are performed by persons with knowledge and experience appropriate to the nature, extent and complexity of the risks associated with the Bureau's activities.

Section 80

Prudent investment principle

The Bureau

- (a) shall invest only in assets whose risks it is able to properly identify and manage and adequately take into account in assessing its overall needs, and therefore it continuously assesses the impact of risk factors on its investments and invests in such a way as to ensure the safety, liquidity and profitability of the overall portfolio; the location of such assets shall not limit their availability,
- (b) shall invest the assets intended to settle liabilities in a manner that is appropriate to the nature and duration of the liabilities arising from its operations,
- (c) diversifies its investments so as to avoid excessive reliance on any particular asset, issuer or group of persons, geographical area or excessive accumulation of risk in the portfolio as a whole, and investments in assets issued by the same issuer or issuers belonging to the same group shall not expose the Bureau to an excessive concentration of risk,
- (d) in the case of investments in assets that are not traded on a European regulated market or a foreign market equivalent to a regulated market under the law governing capital markets, it does not exceed its prudent level; and
- (e) enters into derivative contracts only on condition that the obligations arising therefrom contribute to risk reduction or facilitate efficient portfolio management; points (a), (c) and (d) apply mutatis mutandis in such a case.

Section 81

Disclosure of information

- (1) The Bureau prepares the financial statements and submits them for approval to the Assembly of Members, prepares an annual report in accordance with the law governing accounting, which includes the audited financial statements, and publishes them in a manner allowing remote access not later than 4 months after the end of the financial year.
- (2) The Bureau publishes on its website information about itself, its members and its activities.
- (3) The information referred to in subsection (2) shall be published by the Bureau as at 31 March, 30 June, 30 September and 31 December. The Bureau shall not publish information that is sensitive or confidential. Information is deemed to be sensitive if its disclosure would prejudice the position of the Bureau. Information is considered confidential if the Bureau is under an obligation of confidentiality.
- (4) The scope, form and time limits for the disclosure of information under subsection (2) shall be determined by the Ministry of Finance by decree.

Section 82

Obligation to inform towards the Czech National Bank

- (1) The Bureau provides the Czech National Bank with information about itself, its financial situation and its activities as at 31 March, 30 June, 30 September and 31 December. Such information shall be accurate, complete in all material respects, relevant and comprehensible.
- (2) The Bureau provides the Czech National Bank with information on the fulfilment of the information obligations of insurers pursuant to Section 38(1) and (4) as at 31 March, 30 June, 30 September and 31 December.
- (3) The Bureau shall submit its annual report to the Czech National Bank within the time limit referred to in Section 81(1).

(4) The Bureau informs the Czech National Bank without undue delay of any change in its by-laws.

(5) The Czech National Bank determines the scope, form, time limits and manner of providing information under subsections (1) and (2) by decree.

PART SIX

SUPERVISION, BREACHES, CONFIDENTIALITY AND ACCESS TO FILES

TITLE I

Supervision

Section 83

Scope of Supervision

(1) The activities of the Bureau are supervised by the Czech National Bank.

(2) The supervised activities of the Bureau comprise

(a) the operation of frontier insurance,

(b) the establishment of reserves and the insolvency fund,

(c) the creation, use of and compensation provided from the Guarantee Fund under Sections 61 and 62 and the management of assets under Section 80,

(d) the performance of the duties relating to the contribution for the period without liability insurance; and

(e) the fulfilment of information obligations under Sections 38, 43 and 82.

Section 84

Exercise of supervision

Supervision is based on a prospective approach commensurate with the nature, extent and complexity of the risks associated with the activities of the Bureau. Supervision is exercised in a transparent and accountable manner. In exercising supervision over the activities of the Bureau, the Czech National Bank shall be similarly guided by the provisions of the Insurance Act relating to the supervision of insurance companies.

Section 85

Remedial measures in relation to the Bureau activities

(1) If the Czech National Bank discovers a breach of an obligation in the course of supervision, it may, depending on the nature and seriousness of the deficiency discovered, order the Bureau to remedy it within a specified period of time.

(2) The Bureau shall inform the Czech National Bank without undue delay of the rectification of the deficiency and of the manner in which the rectification is to be carried out.

TITLE II

Misdemeanour

Section 86

- (1) An operator of a domestic vehicle commits a misdemeanour by failing, contrary to Section 6(1), to ensure that the risk of an obligation to compensate for damage arising from the operation of the vehicle is covered by liability insurance.
- (2) A motorsport organiser commits a misdemeanour by failing, contrary to Section 8(1), to ensure that the risk of an obligation to compensate for damage arising from the operation of vehicles in a motorsport is covered by motorsport insurance.
- (3) The driver of a foreign vehicle commits a misdemeanour by failing to ensure, contrary to Section 9(1), that the risk of an obligation to compensate for damage arising from the operation of that vehicle is covered by frontier insurance.
- (4) An insurer commits a misdemeanour by
 - (a) taking out a policy of liability insurance which provides a lower level of insurance protection for the insured than is provided by Sections 13 to 15, 17 to 19 or 21,
 - (b) failing to disclose information to the extent or in the manner required by Section 38(1) or (4) or Section 40,
 - (c) failing, in contravention of Section 2797(1) of the Civil Code, without undue delay to commence an investigation of the claim or to communicate the results of the investigation in a proper and timely manner to the person who has asserted a right to the insurance indemnity; or
 - (d) failing to communicate to the notifier, when investigating the claim, within the time limit laid down, the reasons why it was unable to complete the investigation, in accordance with Section 2798(2) of the Civil Code.
- (5) The Bureau commits a misdemeanour by
 - (a) entering into a policy of boundary insurance that provides a lower level of insurance protection for the insured than is provided for in Section 9(2), Section 13 to 15, Section 17, Section 18 or Section 21,
 - (b) failing to provide an indication of the commencement, period of discontinuance, variation or termination of liability insurance to the Ministry of Transport, the insurer, the authority competent to record particulars and variations thereof in the Road Vehicle Register, the authority competent to deal with a misdemeanour or the authority competent to deal with conduct which constitutes a misdemeanour, in contravention of Section 38(2), Section 39 or Section 40(3),
 - (c) infringing the information obligation under Section 43(1),
 - (d) failing to provide the insured with the indemnity referred to in Section 63(1),
 - (e) failing to inform the person who has exercised the right to compensation within a specified period of time of the reasons for which they reduce the compensation or for which they refuse to comply, in contravention of Section 66(1) or Section 69(1),
 - (f) failing to comply with any of the information obligations under Section 82 or Section 85(2),
 - (g) failing to comply with a remedial measure under Section 85(1); or
 - (h) having repeated deficiencies in its activities for which the Czech National Bank has imposed corrective measures on it.
- (6) A misdemeanour is punishable by a fine not exceeding
 - (a) CZK 50,000 if the breach is a misdemeanour under subsection (1) or (3),
 - (b) CZK 1,000,000 if the breach is a misdemeanour under subsection 2, or
 - (c) CZK 5,000,000 if the breach is a misdemeanour under subsection 4 or 5.

Section 87

- (1) Misdemeanours referred to in Section 86 (1) to (3) shall be dealt with by the municipal authority of the municipality with extended competence, in the capital city of Prague by the authority of its municipal district, unless the Statute of the Capital City of Prague provides that

such misdemeanours shall be dealt with only by the authorities of certain municipal districts. For a misdemeanour under Section 86(1) or (3), the Police of the Czech Republic may also impose a fine by order on the spot.

(2) Misdemeanours under Section 86(4) and (5) shall be dealt with by the Czech National Bank.

(3) The local jurisdiction of the administrative authority to deal with an misdemeanour under Section 86 (1) to (3) is governed by the place of permanent residence of the natural person suspected of the misdemeanour, or, depending on the type of residence of the foreigner, the place of residence in the territory of the Czech Republic of the natural person suspected of the misdemeanour, or the place of registered office of the legal entity or natural person suspected of the misdemeanour.

TITLE III

Confidentiality

Section 88

Confidentiality of persons supervising the Bureau activities

(1) Persons supervising the activities of the Bureau shall maintain confidentiality with regard to the facts of which they have become aware in the course of their supervisory activities, with the exception of facts communicated in generalised or aggregate form from which it is not possible to identify the individual person to whom the fact relates. This obligation persists even after the termination of the employment or other similar relationship. The obligation of confidentiality also applies to members of advisory bodies and other persons involved in the exercise of supervision.

(2) The persons referred to in subsection (1) may not use information which they have obtained in the performance of their duties or employment for themselves or for another.

Section 89

Confidentiality of persons working for the Bureau and confidentiality other persons

Members of the bodies of the Bureau and its employees, as well as persons working for the Bureau, shall maintain confidentiality with regard to the activities of the Bureau and matters related thereto, with the exception of information given in generalised or aggregate form and information transmitted by the Bureau pursuant to this Act or by decision of the Bureau. The obligation of confidentiality persists even after the termination of the employment or other similar relationship.

Section 90

Exceptions to the obligation of confidentiality

(1) It is not deemed a breach of the obligation to maintain confidentiality under Section 88 or 89 to provide information exempted from that obligation under the law regulating the insurance industry.

(2) For the purpose of preventing the occurrence of road traffic accidents and preventing and detecting insurance fraud and other wrongful acts, the Bureau and insurance companies shall inform each other and share information about facts relating to liability insurance and its

brokerage, including information about the agents of the parties to the insurance and other persons involved in the claim or insurance event.

(3) The Bureau treats data communicated by other persons or public authorities as if they were data from its own activities.

TITLE IV

Viewing Bureau Files

Section 91

(1) The Bureau, upon written request of a person who demonstrates a legal interest, allows that person to view and make copies of the file kept by the Bureau in connection with the claim or of a similar record of the progress of the investigation of the claim, after the completion of the investigation of the claim, and of those records which relate to the reason for refusing to provide the indemnity or to the calculation thereof. This is without prejudice to the obligation of the Bureau to maintain confidentiality of facts pursuant to Sections 89 and 90.

(2) The Bureau shall not comply with a request under subsection (1) if, following a written enquiry by the Bureau, the competent authority, on the grounds that criminal proceedings or the hearing of a misdemeanour may be threatened, notifies it in writing of its opposition to the viewing of the insurance company's file. The Bureau sends this request to the competent authority within 30 days of the date of the request referred to in subsection (1) if criminal or misdemeanour proceedings have been initiated in connection with the claim.

PART SEVEN

COMMON, TRANSITIONAL AND REPEAL PROVISIONS

Section 92

Obligation to inform about statutory liability insurance

Generali Česká pojišťovna a.s. submits to the Bureau, by 31 March each year, a report on the exercise of rights and obligations arising from statutory motor vehicle liability insurance pursuant to the legislation in force before the date of entry into force of Act No 168/1999 Coll., on motor vehicle liability insurance and on amendments to certain related acts (Motor Vehicle Liability Insurance Act), including an account of this activity.

Transitional provisions

Section 93

(1) On the date of entry into force hereof, the minimum amounts for liability insurance contracts concluded before the date of entry into force hereof with a minimum amounts lower than the minimum amounts under Section 14(1) or Section 15(1) shall be increased to the level set out herein.

(2) The provisions of Section 13(4) and (5) apply mutatis mutandis in relation to the increase in the minimum amounts under subsection (1).

Section 94

- (1) The rights and obligations arising from damage caused by the operation of a vehicle which occurred before the date of entry into force hereof is governed by Act No. 168/1999 Coll., as in force before the date of entry into force hereof, even if the right or obligation arose from the date of entry into force hereof.
- (2) Time limits under Act No. 168/1999 Coll., as in force before the date of entry into force hereof, which began to run before the date of entry into force hereof, are not affected by this Act.
- (3) The certificate of duration of liability insurance pursuant to Section 13(1)(b) of Act No. 168/1999 Coll., as in force before the date of entry into force hereof, shall be used to prove the previous claims history for insurance contracts for which the proposal for their conclusion was submitted before the date of entry into force hereof.
- (4) In issuing green cards and in providing data before the first day of the eighth calendar month following the date of promulgation hereof, the insurer shall comply with Section 3(3) and Section 15(1) of Act No. 168/1999, as in force before the date of entry into force hereof. When operating a vehicle on a road, the driver thereof and the Police of the Czech Republic shall, before the first day of the eighth calendar month following the date of promulgation hereof, proceed in accordance with Section 17(1) of Act No. 168/1999 Coll., as in force before the date of entry into force hereof.
- (5) In taking into account the previous claims history of liability insurance, the insurer shall, until the applicability of the directly applicable European Union regulation issued pursuant to Article 16 of Directive 2009/103/EC, as amended by Directive (EU) 2021/2118, proceed pursuant to Section 3b(2) of Act No. 168/1999, as in force before the date of entry into force hereof.
- (6) The amount of the daily rate of contribution for operation without liability insurance for types of vehicles the operation of which was not subject to liability insurance before the date of entry into force hereof shall be determined by the Ministry of Finance for a maximum period of 2 years from the date of entry into force hereof, taking into account the highest market premium rates for liability insurance for motorcycles with an internal combustion engine displacement of up to 50 cc.

Section 95

- (1) The Czech Insurers' Bureau under Act No. 168/1999 Coll., as in force before the date of entry into force hereof, is deemed to be the Bureau hereunder. It shall bring its activities into conformity with this Act within 6 months from the date of entry into force hereof.
- (2) The claims representatives established under Act No. 168/1999 Coll. as in force before the date of entry into force hereof is deemed to be claims representatives hereunder.
- (3) The Guarantee Fund and the damage Prevention Fund under Act No. 168/1999, as in force before the entry into force hereof, is deemed to be the Guarantee Fund and the damage Prevention Fund hereunder.
- (4) The use of assets in the funds administered by the Bureau received before the effective date hereof is governed by this Act from the effective date hereof.

Section 96

Repealing Provisions

The following provisions are repealed:

1. Act No 168/1999 Coll., on insurance against liability for damage caused by the operation of a vehicle and on amendments to certain related acts (the Vehicle Liability Insurance Act).
2. Act No 307/1999 Coll., amending Act No 168/1999 Coll., on insurance against liability for damage caused by the operation of a vehicle and amending certain related Acts (the Vehicle Liability Insurance Act).
3. Part Eleven of Act No 56/2001 Coll., on the Conditions of Operation of Vehicles on Roads.
4. Part Seventeen of Act No 320/2002 Coll., amending and repealing certain Acts in connection with the closure of district authorities.
5. Part One of Act No 47/2004 Coll., amending Act No 168/1999 Coll., on motor vehicle liability insurance and amending certain related Acts (Act on motor vehicle liability insurance), as amended, Act No 586/1992 Coll., on income taxes, as amended, Act No 200/1990 Coll., on misdemeanours, as amended, and Act No 40/1964 Coll., the Civil Code, as amended.
6. Part Fifteen of Act No 377/2005 Coll., on supplementary supervision of banks, credit unions, insurance companies and securities dealers in financial conglomerates and on amendments to certain other acts (Act on financial conglomerates).
7. Part Nine of Act No 57/2006 Coll., on amending acts in connection with the unification of financial market supervision.
8. Part Fifty-Five of Act No 296/2007 Coll., amending Act No 182/2006 Coll., on bankruptcy and methods of its resolution (Insolvency Act), as amended, and certain acts in connection with its adoption.
9. Part One of Act No. 137/2008 Coll., amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of a Vehicle and on Amendments to Certain Related Acts (the Vehicle Liability Insurance Act), as amended, Act No. 363/1999 Coll., on Insurance and on Amendments to Certain Related Acts (the Insurance Act), as amended, Act No. 56/2001 Coll, Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of Vehicles and on Amendments to Certain Related Acts (the Vehicle Liability Insurance Act), as amended by Act No. 307/1999 Coll., as amended, and Act No. 48/1997 Coll., on Public Health Insurance and on Amendments to Certain Related Acts, as amended.
10. Part Fourteen of Act No 274/2008 Coll., amending certain acts in connection with the adoption of the Act on the Police of the Czech Republic.
11. Part Four of Act No 278/2009 Coll., amending acts in connection with the adoption of the Insurance Act.
12. Part Fifty-six of Act No 281/2009 Coll. amending certain acts in connection with the adoption of the Tax Code.
13. Part Twelve of Act No 341/2011 Coll., on the General Inspectorate of Security Forces and amending related acts.
14. Part Thirteen of Act No 18/2012 Coll. amending certain acts in connection with the adoption of the Act on the Customs Administration of the Czech Republic.
15. Part One of Act No. 160/2013 Coll., amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of a Vehicle and on Amendments to Certain Related Acts (Act on Insurance of Liability for damage Caused by the Operation of a Vehicle), as amended, Act No. 238/2000 Coll., on the Fire Rescue Corps of the Czech Republic and on Amendments to Certain Acts, as amended, and Act No. 586/1992 Coll., on Income Taxes, as amended.
16. Part Two of Act No. 239/2013 Coll., amending Act No. 56/2001 Coll., on the conditions of operation of vehicles on the roads and amending Act No. 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and amending certain related acts (Act on insurance of liability for the operation of a vehicle), as amended by Act No. 307/1999 Coll., as amended, and other related acts.

17. Part Twenty-Six of Act No. 303/2013 Coll. amending certain acts in connection with the adoption of the recodification of private law.
18. Act No. 354/2014 Coll., amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of a Vehicle and on Amendments to Certain Related Acts (the Vehicle Liability Insurance Act), as amended, and Act No. 239/2013 Coll., amending Act No. 56/2001 Coll., on the conditions of operation of vehicles on roads and amending Act No. 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and amending certain related acts (Act on insurance of liability for the operation of a vehicle), as amended by Act No. 307/1999 Coll., as amended.
19. Part Four of Act No. 304/2016 Coll., amending Act No. 277/2009 Coll., on Insurance, as amended, and other related acts.
20. Part Four of Act No. 63/2017 Coll., amending Act No. 56/2001 Coll., on the Conditions of Operation of Vehicles on Roads and amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of a Vehicle and on Amendments to Certain Related Acts (the Vehicle Liability Insurance Act), as amended by Act No. 307/1999 Coll., as amended, and other related acts.
21. Part Sixty-Nine of Act No. 183/2017 Coll. amending certain Acts in connection with the adoption of the Act on Liability for Misdemeanours and Proceedings thereon and the Act on Certain Misdemeanours.
22. Part One of Act No. 293/2017 Coll., amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of a Vehicle and on Amendments to Certain Related Acts (the Vehicle Liability Insurance Act), as amended, and Act No. 586/1992 Coll., on Income Taxes, as amended.
23. Part Four of Act No 49/2020 Coll., amending Act No 21/1992 Coll., on Banks, as amended, and Act No 253/2008 Coll., on Certain Measures against the Legalization of Proceeds of Crime and Terrorist Financing, as amended, and certain other acts.
24. Part Five of Act No. 432/2022 Coll., amending Act No. 56/2001 Coll., on the Conditions of Operation of Vehicles on Roads and amending Act No. 168/1999 Coll., on Insurance of Liability for damage Caused by the Operation of Vehicles and on Amendments to Certain Related Acts (Act on Insurance of Liability for damage Caused by the Operation of Vehicles), as amended by Act No. 307/1999 Coll., as amended, and other related acts.
25. Part Two of Act No. .../2023 Coll., amending Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic and on amending certain acts, as amended, and Act No. 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and on amending certain related acts (Act on insurance of liability caused by the operation of a vehicle), as amended.
26. Decree No 205/1999 Coll., implementing Act No 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and on amendments to certain related acts (the Vehicle Liability Insurance Act).
27. Decree No 429/2002 Coll. amending Decree No 205/1999 Coll. implementing Act No 168/1999 Coll., on insurance against liability for damage caused by the operation of a vehicle and amending certain related acts (the Vehicle Liability Insurance Act).
28. Decree No 309/2004 Coll., amending Decree No 205/1999 Coll., implementing Act No 168/1999 Coll., on insurance against liability for damage caused by the operation of a vehicle and amending certain related acts (the Vehicle Liability Insurance Act), as amended by Decree No 429/2002 Coll.
29. Decree No 186/2008 Coll., amending Decree No 205/1999 Coll. of the Ministry of Finance implementing Act No 168/1999 Coll., on insurance against damage caused by the operation of a vehicle and amending certain related acts (Act on insurance against damage caused by the operation of a vehicle), as amended

30. Decree No. 417/2017 Coll., amending Decree No. 205/1999 Coll., of the Ministry of Finance, implementing Act No. 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and on amendments to certain related acts (the Vehicle Liability Insurance Act), as amended.

31. Decree No 425/2021 Coll. amending Decree No 205/1999 Coll. of the Ministry of Finance implementing Act No 168/1999 Coll., on insurance of liability for damage caused by the operation of a vehicle and on amendments to certain related acts (the Vehicle Liability Insurance Act), as amended.

PART EIGHT

FORCE

Section 97

This Act comes into force on the first day of the second calendar month following the date of its promulgation, except for the provisions of Section 16(3) and Section 25, which shall come into force on 23 April 2024, and the provisions of Section 38(1), Section 40(2) and Section 44(1), which shall come into force on the first day of the eighth calendar month following the date of its promulgation.