

The settlement of Green Card claims in Slovakia

Key differences between Slovak and Czech law in non-material damages

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Kooperativa 

VIENNA INSURANCE GROUP

MINIMAL LIMITS OF INSURENCE COVER

Amendment of Law 381/2001 Coll. -NEW

PERIOD 1.4. 2007- 31.12. 2008

- 19 mio. SKK (556 000 EUR) - non-material damages
- 5 mio. SKK (14 6 000 EUR) - material damages

PERIOD 1.1. 2009- 31.12. 2011

- 2,5 mio. EUR - non-material damages
- 0,5 mio. EUR - material damages

PERIOD FROM 1.1. 2012

- 5 mio. EUR - non-material damages
- 1 mio. EUR - material damages

COMMERCIAL LIMITS (Kooperativa)

Higher cover for extra charges

60 mio SKK (1,754 mio. EUR)

- non-material damages

60 mio SKK (1,754 mio. EUR)

- material damages

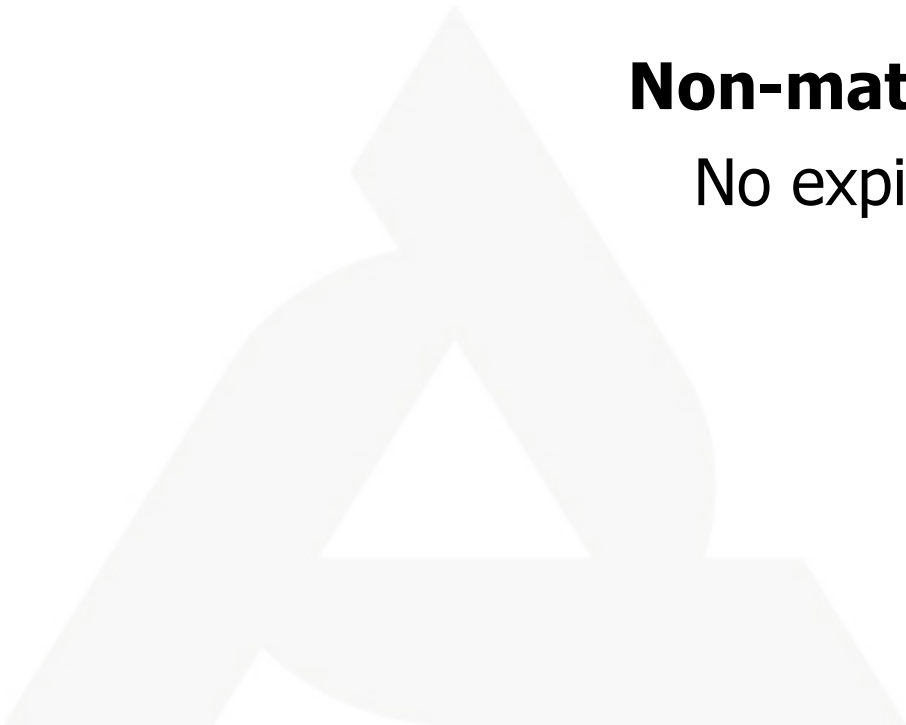
EXPIRATION OF RIGHT

Material damages

3 years

Non-material damages

No expiration of right



SCHEDULE OF IDEMNIFICATION

- 1. MATERIAL DAMAGES**
- 2. LOST PROFIT**
- 3. EXPENSES INCURRED FROM LEGAL REPRESENTATION**
- 4. DAMAGE TO HEALTH OR DEATH**

Act No. 381/2001 Coll.

LEGAL COSTS

UNTILL 1.4.2007

Compensation was determined based on Act No. 163/2002 Coll.

FROM 1.4. 2007

Reduction of legal costs (Amendment of Law 381/2001 Coll.)

REVIEW NON-MATERIAL DAMAGES

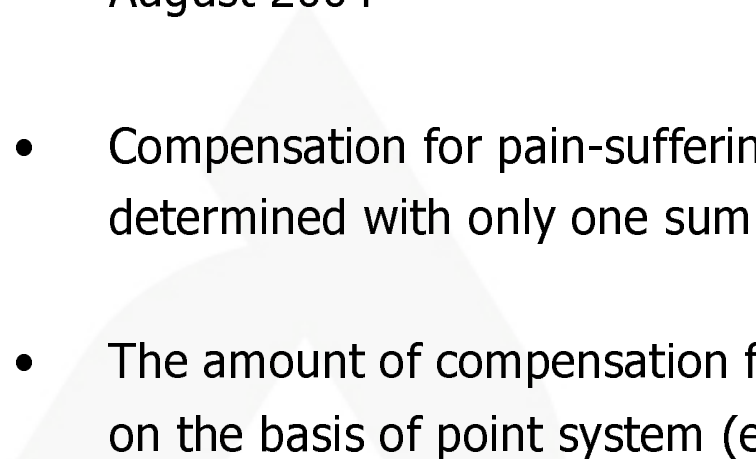
- PAIN AND SUFFERING
- HARM OF SOCIAL LIFE
- LOSS OF EARNINGS DURING ABSENCE FROM WORK
- LOSS OF EARNINGS AFTER ABSENCE FROM WORK – ANNUITY
- MEDICAL COSTS (SPA FEES, NURSING, ETC.)
- RECOVERY OF HEALTH – AND SOCIAL INSURANCE CO.
- BURIAL COSTS
- LOSS OF ALIMONY

PAIN AND SUFFERING, HARM OF SOCIAL LIFE

NEW SYSTEM OF BODILY INJURY – OUTLINE

- At the 31st July 2004 Slovak Parliament adopted new Act – 437/2004 concerning the non-material indemnification
- The items of the act covering the following categories:
 - pain and suffering
 - harm of social life
- The philosophy of the new act come out from the previous setting, remaining the **point system**
- The act limited the cases of extremely compensation in the field on non-material idemnification

PAIN AND SUFFERING, HARM OF SOCIAL LIFE

- The insurance company can increase the compensation for non-material loss, what was not possible in previous act
 - Above mentioned act does not concern legal actions before 1st August 2004
 - Compensation for pain-suffering and harm of social status is determined with only one sum /amount
 - The amount of compensation for specific personal injury is determined on the basis of point system (enclosure to the act)
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PAIN AND SUFFERING, HARM OF SOCIAL LIFE

- The total sum is evaluated by doctor who can increase the compensation about 100%
- The price of one point is equal to 2% of average salary in the Slovak economy (for the year 2004 one point was calculated on the level 6,75 EUR, in 2007- one point increased on 11 EUR)
- The maximum level of indemnification for non-material losses in 2007 is approximately 150 000 EUR
- The compensation determined by doctor can court increase about next 50%.

LOSS OF EARNINGS

Loss of earnings during absence from work.

*Difference between average income and contribution from Health
Insurance Co.*

Loss of earnings after absence from work.

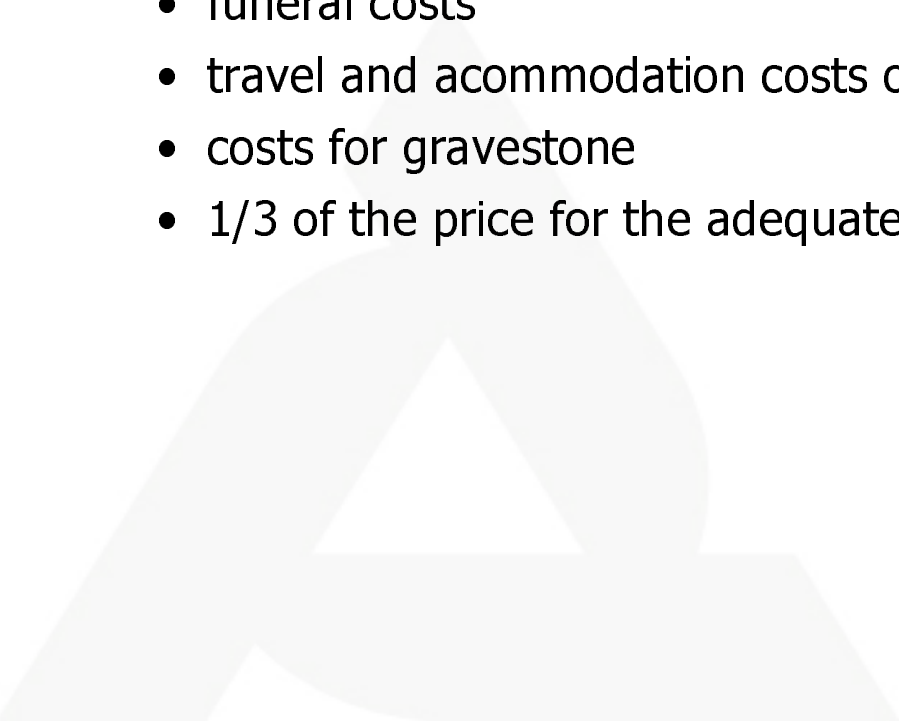
*Commonly the difference between former income and the income after the
accident will be indemnified*

MEDICAL COSTS AND RECOVERIES

- Indemnification is paid according to medical expertise, for example costs for special food, home-nursing
- The recoveries of Health and Social Insurance Companies are paid also

FUNERAL COSTS

Indemnification contains:

- burial costs
 - funeral costs
 - travel and accommodation costs of family members who lived in the same household
 - costs for gravestone
 - 1/3 of the price for the adequate costs for clothes
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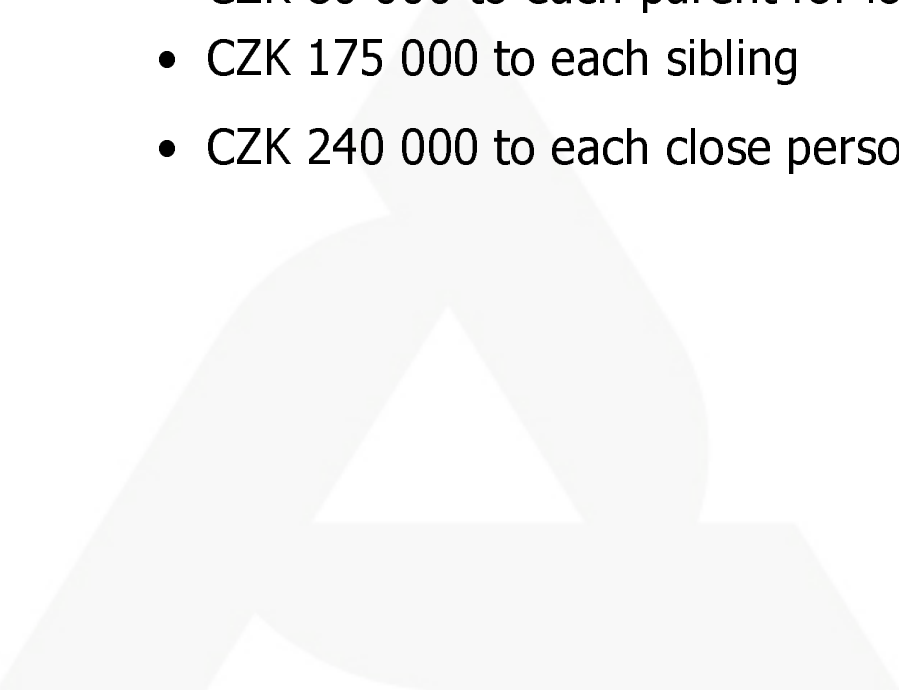
KEY DIFERENCES SK/CZ LAW

CZECH LAW- CASES OF DEATH
CIVIL CODE § 444

LUMP SUM OF COMPENSATION FOR SURVIVORS



Amounts and Beneficiaries

- CZK 240 000 to the spouse
 - CZK 240 000 to each child
 - CZK 240 000 to each parent
 - CZK 80 000 to each parent for loss of unborn child
 - CZK 175 000 to each sibling
 - CZK 240 000 to each close person who is sharing the common household
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CZECH LAW CASES OF PERSONAL INJURY

- Act 440/2001 Coll, in force 1st January 2002
- Method of calculation –the point system
- **The price of 1 point is fixed -120 CZK**
- **In the act, there are not limit mechanisms for the indemnification as in the Slovak law.**
- The highest amounts of indemnification (according the court decision are between 1-1,3 mil EUR.

Thanks for attention

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