

Law 489/76 (Government Gazette A' 331)
“Compulsory Insurance of Civil Liability
arising from Motor Accidents”

As CODIFIED by Presidential Decree 237/86 (Government Gazette A' 110) “Codification of provisions of Law 489/76 as completed and amended by Law 1569/85 (Government Gazette A' 183) and Presidential Decrees 1019/1981 (Government Gazette A' 253) and 118/1985 (Government Gazette A' 35)” and modified under:

1. Law 1867/89, article 16 par. 1 (G.G. A' 227)
2. Presidential Decree 264/91 “Compliance with the provisions of EEC Directive 84/5 on the approximation of Laws of the Member States relating to insurance against Civil Liability in respect of the Use of Motor Vehicles” (G.G. A' 98)
3. Presidential Decree 314/93 “Compliance with certain provisions of EEC Directive 90/332 on the approximation of Laws of the Member States relating to the insurance against Civil Liability in respect of the Use of Motor Vehicles” (G.G. A' 134)
4. Law 2170/93 «Modification of Law Decree 400/70 regarding “Private Insurance Undertakings” and other provisions» (G.G. A' 150)
5. Law 2367/1995, article 16
6. Presidential Decree 252/96 “Compliance to the provisions of a) Community Insurance EEC Directives 88/357, 90/618, 90/619, 92/49, 91/674, b) Directive 91/371/EEC, EEC–Swiss Federation Agreement, c) Decision n. 94/1/ECSC, EC, Agreement concerning the European Economic Area and d) the Convention concerning the admission of Austria, Finland and Sweden to the European Union” (G.G. A' 186)
7. Law 2496/97 “Insurance Contracts, Amendments of Legislation on Private Insurance and other provisions” (G.G. A.87)
8. Law 2741/99 (G.G. A' 199)
9. Law 2753/99, article 16 (G.G. A' 249)
10. Law 2837/00 (G.G. A' 178)
11. Law 2919/01 (G.G. A' 128)
12. Presidential Decree 10/2003 (G.G. A' 7) “Conformity of Law Decree 400/70 (A 10) on “private insurance undertakings” as already in force and of Law 489/76 (A 331) regarding the “Compulsory insurance of civil liability arising from motor accidents” as already in force, with the provisions of Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives 73/239/EEC and 88/357/EEC (L.181/20.7.2000)”
13. Law 3419/2005 (G.G. A' 297) “General Commerce Registry and modernization of Chamber of Commerce Legislation”, article 26, par. 2

14. Law 3557/2007 (G.G. A'100) "Modification of Presidential Decree 237/1986 (G.G. A'110) whereby Law 489/1976 "Compulsory insurance of civil liability arising from motor accidents (G.G. A'331) and other provisions" was codified"
15. Law 3693/2008 (G.G. A'174) "Harmonization of the Greek legislation with Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC and other provisions"
16. Law 3746/2009 (G.G. A'27) "Deposit and Investment Guarantee Fund (TEKE), incorporation of the Directives 2005/14/EC regarding the compulsory insurance of motor vehicles and 2005/68/EC regarding reinsurances and other provisions"
17. Law 3867/2010 (G.G. A'128) "Supervision of private insurance, establishment of a private life insurance auxiliary fund, credit rating agencies and other provisions of the jurisdiction of the Ministry of Finance"
18. Law 4092/2012 (G.G. A'220) "Ratification of Legislative Act of 6 September 2012 "Amendment of the last passage of paragraph 1 of article 3 of Law 3986/2011 "Urgent Measures of Implementation of the Medium Term Financial Strategy Framework 2012 – 2015" (A' 152), as in force" (A' 174), of Legislative Act of 7 September 2012 "Elimination of the minimum participation percentage of the Greek State in ELPE, DEI, OPAP, ODIE, EYDAP, EYATH, ELTA, Port Authorities of Piraeus, Thessaloniki, Alexandroupoli, Volos, Elefsina, Igoumenitsa, Iraklio, Kavala, Kerkira, Lavrio, Patra and Rafina, and repeal of article 11 of L. 3631/2008 (A' 6), (A' 175)" and other provisions.
19. Law 4141/2013 (G.G. A'81) "Investment development tools, provision of credit and other provisions"
20. Law 4261/2014 (G.G. A'107) "Access in the activity of credit institutions and prudential supervision of credit institutions and enterprises (incorporation of the Directive 2013/36/EU), repealing of L. 3601/2007 and other provisions."
21. Law 4286/2014 (G.G. A'194) "General provisions for the creation of a hospital fees' system – establishment and statute of the company registered "System of hospital fees Company S.A." – conformity of National Law to the Directive 2012/39/EU of the committee of 26th November 2012 for the amendment of the Directive 2006/17/EC and other provisions"
22. Law 4364/2016 (G.G. A'13) "Conformity of the Greek legislation to Directive 2009/138/EC of the European Parliament and of the Council, of 25th November 2009, on the taking-up and pursuit of insurance and reinsurance business (Solvency II), in articles 2 and 8 of Directive 2014/51/EU of the European Parliament and of the Council of 16th April 2014 relating to the amendment of Directives 2003/71/EC and 2009/138/EC and of the Regulations (EC) No. 1060/2009, (EU) No. 1094/2010 and (EU) No. 1095/2010, in respect of the powers of the European Insurance and Occupational Pensions Authority (onwards E.I.O.P.A.) and the European Securities and Markets Authority, as well as in article 4 of Directive 2011/89/EU of the European Parliament and of the Council, of 16th November 2011, relating to the supplementary supervision of financial entities belonging to financial conglomerates and related provisions of the legislation on private insurance and other provisions"

23. Law 4438/2016 (G.G. A'220) "Harmonisation of the legislation with Directive 2014/17/EU of the European Parliament and the Council of 4th February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 and other provisions of the jurisdiction of the Ministry of Finance.
24. Law 4484/2017 (G.G. A'110) "Conformity of the Greek legislation to the provisions of the Directive 2016/881/EU and other provisions.

It is noted that article 57 of Presidential Decree 237/1986 provides that: "In case of discrepancy between the text of this Decree and the text of the provisions codified, the latter shall prevail".

CHAPTER A

General Provisions

Article 1

For the purpose of this Law:

- a) "Motor vehicle" denotes a vehicle moving on the ground and not on rails, propelled by mechanical power or by electrical energy, regardless of the number of wheels. All trailers, either coupled to the main motor vehicle or not, and bicycles equipped with auxiliary motor shall also be considered as "motor vehicles".
- b) "Insured" is the person whose liability is covered in accordance with the provisions of this Law.
- c) "Injured party" is the person entitled to compensation for loss or injury caused by a motor vehicle
- d) "Insurer" is the insurance undertaking covering the risk as well as the Auxiliary Fund and the International Insurance Bureau provided in articles 16 and 25* respectively.
- e) The territory in which the vehicle is normally based is:
The territory of the Member State of which the vehicle bears a registration plate, whether this be permanent or temporary; or in cases when a vehicle bears no registration plate or bears a plate which does not correspond or no longer corresponds to the vehicle and this vehicle has been involved in an accident, the territory of the state in which the accident occurred.

L. 3746/09
Article 28

In case no registration is required for certain types of vehicle which bear an insurance certificate or a distinguishing sign equivalent to the registration plate, the territory of the State in which the said sign or certificate is issued is deemed to be the territory in which the vehicle is normally based.

In case neither registration nor insurance plates or distinguishing sign is required for certain types of vehicle, the territory of the State of residence of the vehicle's keeper is deemed to be the territory in which the vehicle is normally based.

*** Note:**

In case of reference to articles whose numbers do not respond to their head-title, the text of P.D. 237/1986 shall prevail.

- P.D. 252/96
Article 34
par. 1
- f) “Insurance under Freedom of Services in Greece” means coverage of civil liability risks arising from motor vehicles, carriers’ liability excluded, by an insurance undertaking headquartered in another Member State or having a branch or agency in another Member State.
- P.D 10/2003
Article 2
- g) “Claims representative” within the meaning of this law, is the person appointed in Greece, subject to article 37a, by an insurance undertaking established in a Member State of EU and the European Economic Area.
- h) “Compensation Body” is defined as the “International Insurance Bureau” according to article 26 of this Law.
- L. 4364/2016
Article 278
par. 9
Valid from
1.1.2016
- i) The “Information Centre” is a Department of the “Auxiliary Fund for the insurance of liability arising from motor accidents” as defined in Article 27b of this Law.
- Note:** Previous regulation of L. 3557/2007 (article 1 par. 1) provided that the “Information Centre” is an organic unit of the Private Insurance Supervisory Committee as defined in article 27b of this Law.*
- L. 3557/2007
Article 1
par. 2
- j) “Internal Regulations of the Council of Bureaux” (Règlement Général du Conseil des Bureaux) (L.192/23 – July 31, 2003), is the agreement which according to paragraph 2 article 2 of Directive 72/166/EE of the Council of April 24 1972 (L103), integrated and replaced, as of August 1, 2003, pursuant to the decision of 28/7/2003 of the European Commission (L 192), all the provisions of the Uniform Agreement between Bureaux and the Multilateral Guarantee Agreement.
- L. 3746/09
Article 29
- ja) By way of derogation from the indent (e) of the present Decree, when a vehicle is dispatched from another Member State to Greece as its final destination, Greece shall be considered to be the territory where the vehicle is normally based, immediately upon acceptance of delivery by the purchaser for a period of thirty (30) days, even though the vehicle has not been formally registered. In the event that the vehicle is involved in an accident during the period of thirty (30) days while being uninsured, the Guarantee Fund shall be liable for the compensation provided for in paragraph 2 of Article 19 of the said Decree.

Article 2

1. Owners or keepers of motor vehicles circulating in Greece on road are obliged to have covered their third party liability arising therefrom, in accordance with the provisions of this law.

Circulation of such vehicles in areas accessible to the public or to a number of persons entitled to use such areas shall be deemed as road circulation.

L. 4141/2013
Article 26
par. 1

The insurance obligation exists continually from the granting of circulation licence and licence plates, regardless of whether the vehicle is actually circulating or operating, unless the immobility procedure has been followed.

L. 3557/2007
Article 2
par. 1

2. A motor vehicle which is normally based in the Greek territory and leaves its borders must carry an international insurance certificate (Green Card) valid at least in the territories of the EU Member States, the states of the European Economic Area and the other states whose National Motor Insurers' Bureaux are bound to apply Section III of the Internal Regulations.

L. 3746/09
Article 30

The present paragraph is no longer in force when the certificate form and the special badge provided for by article 5 paragraph 2 of the present Decree include a compulsory imprint of the relevant data in Latin characters.

L. 3557/2007
Article 2
par. 2

3. Should a motor vehicle as mentioned above circulate within the territory of those countries not belonging to the EEA, it must carry the international insurance certificate (Green Card), valid in such countries as provided for in Section II of the Internal Regulations. In case of non-compliance with the obligation of the above subparagraph, the owner, keeper and driver of the vehicle are - jointly and in several - liable towards the insurer and the Motor Insurers' Bureau, as provided for in the following articles.

Article 3

L. 3746/09
Article 31
par. 1

1. All motor vehicles belonging to the Greek State shall be exempted from compulsory motor insurance as well as, on condition of reciprocity, all motor vehicles belonging to foreign States, and those belonging to intergovernmental organisations, whereas some types of vehicles or vehicles with special registration plate can deviate from the provisions about compulsory motor insurance as specified by a Private Insurance Supervisory Committee decision. All vehicles exempted as above must be provided with a document issued by the competent Greek authorities, certifying their status. In cases of vehicles belonging to foreign States or intergovernmental organisations, this certificate must also name the authority or organisation which is liable to pay any insurance indemnity and which may be sued before the competent Greek Courts.

L. 3746/09
Article 31
par.2

2. The Greek State and other entities exempted from compulsory motor insurance are liable towards the injured party for the obligations provided by article 6 hereof for

(a new par. 2 is added and the pre-existing paragraphs 2, 3, 4, 5 are re-numbered to 3, 4, 5, 6 respectively)

injury or damage caused by motor vehicles in Greece or in the territory of other EU Member States.

In the case of accidents caused in the territory of other EU Member States, the Motor Insurers' Bureau is, according to article 27 of the present Decree, competent for the settlement of claims.

3. The Greek State and other entities exempted from compulsory motor insurance are liable towards the injured party for the obligations provided for the Auxiliary Fund by article 19 hereof, if the damage has been caused by a person who has misappropriately possessed the vehicle that belongs to these.

4. By Presidential Decree issued upon proposal of the Minister of Commerce, motor vehicles belonging to public corporations or to public utility may be exempted from compulsory insurance, in accordance with the provisions of paragraphs 1 and 2 of Annex II of the European Convention, as ratified by Law 4147/1961, as they provide sufficient financial guarantees, ensuring the fulfilment of their obligations towards the injured parties.

L. 3746/09
Article 31
par. 3

5. The Private Insurance Supervisory Committee shall communicate to the other Member States and the European Committee a list of the entities whose motor vehicles are exempted from compulsory insurance, of certain types of motor vehicles and of motor vehicles with special registration plates, as well as a list of Authorities and Organizations who are liable, in accordance with this article.

L. 3746/09
Article 31
par. 4

6. In case the Motor Insurers' Bureau pays, according to article 27 and the provisions hereof, compensation to the corresponding Bureau of another State due to an accident caused within the territory of that State by a vehicle normally based in Greece, which is exempted from compulsory insurance and does not bear an international insurance certificate, shall have a right of recourse against the owner of such vehicle.

L. 3693/2008
Article 49
par. 1
Valid from
1.7.2008

7. The Executive Agencies of Transport Services referred to in article 1 paragraph 3 of L.2669/1998 (G.G. A '283) "Athens – Piraeus and Suburbs Urban Transport Organization" (ETHEL S.A., ILPAP S.A., ISAP S.A.) fall under the exception of article 3 of L.489/1976 for the time period between the insurance policy expiry date and the signing of a new one with an open bid procedure, but not for a time period more than six months since the insurance policy expiry. The above entities are obliged to fulfil by themselves

their obligations against damaged persons for insurance risks during the time period of the exception.

Article 4

L. 3419/05
Article 26
par. 2

1. Insurance coverage as referred to in the preceding articles shall be underwritten by insurers lawfully operating in Greece in motor vehicle third-party liability insurance.

L. 2170/92
Article 16
par. 1

2. In cases where it is established that insurance cover is unobtainable owing to the high level of risk or insufficiency of the premium, whether or not the class of insurance is subject to tariffs, the party liable subject to article 2 shall submit forthwith an application to the permanent special tariff commission for the determination of the premium and terms of the policy. This Commission is established by order of the Ministry of Commerce also regulating its operation. The Director of the Insurance Undertaking and Actuarial Department of the Ministry of Commerce shall be the President of the Commission, replaced by his lawful deputy, while members of the Commission shall comprise one (1) actuary of the competent Department and two (2) representatives of the Association of Insurance Companies. The Commission is authorised to set special premiums and eventually any special insurance conditions after assessing the nature, frequency, level and any other circumstance regarding the related risk. The Commission resolves by majority within ten (10) days. Its resolutions only come into force upon approval by the Minister of Commerce. In case the Commission fails to resolve within ten (10) days, the Minister of Commerce shall resolve on the matter. Upon submission of the related application to the permanent special commission, the applicant shall immediately submit to the insurance undertaking of his choice an application for insurance, also notifying the insurer on the initiation of the special tariff procedure. The insurance undertaking is not entitled to refuse the insurance coverage, which shall be provided from the time of submission of the related application for insurance, in accordance with the conditions provided under the above procedure.

3. Insurance, within the meaning of this article, also includes the following:

a. international insurance (green card) in accordance with the provisions of articles 5 par. 3 and 25 – 32* hereof.

b. border insurance provided in articles 33 – 35* hereof

* see Note on p.1

- c. the insurance of members of the mutual insurance cooperatives against civil liability arising from the use of motor vehicles.

Par. 4 is annulled by (Par. 4 provided that in certain cases of increased risk special premiums were laid down, approved under the procedure provided for in article 30 of P.D. 400/70).
L. 2170/93
Article 16
par. 2

Article 5

1. Without prejudice to the provisions of article 3 hereof, the circulation in Greece of motor vehicles not covered by insurance under article 2 hereof, is prohibited.
- L. 4261/2014
Article 169
par. 1
- 2 Insurance coverage under article 2 hereof:
 - A. starts only with the payment of the entire premium due to the insurer, before which the delivery of the insurance policy to the insured or the policy holder is prohibited.
 - B. is valid for the time period that is specified on the insurance policy, and
 - C. shall be evidenced before the authorities which are competent for the enforcement of sanctions of paragraph 4 hereof, by the possession of the insurance policy, which is sent by the insurer to the insured or the policy holder within 5 days since premium collection.
 - D. In case of insurance cover controls by the competent for the enforcement of the sanctions authorities within the above-mentioned period of five (5) calendar days, the presenting of the payment receipt of the vehicle's insurance premium due is sufficient.
- L. 4261/2014
Article 169
par. 2
- 2a The insurance company can invoke the expiration of the insurance policy against the injured party, after the elapse of sixteen (16) days from the day after the expiration date of the insurance coverage specified on the insurance policy, without any further action or notification of the insured or/and the policy holder.
 - 2b Renewal of the insurance contract is allowed only after the timely payment of the next insurance period's premium by the expiry date of the insurance contract at the latest.
 - 2c The insurance undertaking informs in real time the Information Centre of the entry into force and the validity duration of every new insurance policy and every renewal of them.
- 3 In case of a vehicle normally based in the territory of a country, the National Motor Insurers' Bureau of which has not subscribed to the Internal Regulations – Section III under article 2 par. 2 hereof, insurance cover is deemed to be in force in so
- L. 3557/2007

Article 2
par. 4

far as this vehicle bears a valid international insurance certificate issued by a Bureau headquartered abroad and established to issue international insurance certificates, having signed with the Motor Insurers' Bureau - Greece in accordance with article 27 of the present Decree, or by an insurer authorised to issue such certificates.

L. 3746/09
Article 32

L. 4286/2014
Article 14

4. In case of circulation of a vehicle without the insurance coverage pursuant to article 2, apart from the penalties cited in article 12, the following sanctions shall apply by act of the Police Authority:
- aa) Removal of the driver's licence for six (6) months
 - bb) Removal of the circulation licence along with the state licence plates of the vehicle for six (6) months and if the vehicle is involved in an accident, for two (2) years. In order for the circulation licence and the registration plate to be given back after the elapse of the above periods, the interested party must submit the relevant insurance policy.
 - cc) A monetary fine, imposed to the owner or the keeper of the vehicle and its driver, in favour of the Auxiliary Fund pursuant to article 16 of C.L. 489/1976, equal to EUR 1,000 for buses and trucks of public use, EUR 500 for cars and other vehicles of all types and EUR 250 for motorcycles. Only one fine is imposed in case the driver is the owner or the keeper of the vehicle. The above fine shall be collected in accordance with the provisions of the Code for the Collection of Public Revenues.

The following may be, exceptionally, returned before the elapse of the above removal periods:

- i. The driver's licence is returned, to the driver of the vehicle, upon presentation of the proof of payment of the imposed administrative fine as appropriate
- ii. The removed circulation licence of the vehicle along with the state licence plates are returned to the owner or keeper thereof, upon presentation of the proof of payment of the administrative fine imposed as appropriate and the relevant insurance policy of the vehicle.

A joint decision of the Ministers of Finance, of Development and Competitiveness, and of Infrastructure, Transport and Networks, Public Order and Citizen Protection, published in the Government Gazette, regulates every detail necessary for the implementation of this paragraph.

*** Note:** *L. 4261/2014 (article 169 par. 8) repeals Decision No. K4/2674/14.12.1977 (B' 1291) of the Minister of Commerce which determined the form of the insurance certificate and the special insurance badge.*

****Note:** *With L. 3746/09 article 32 the phrase “or in the non-European territory of an EEC Member State” is deleted.*

Remark 1: *Article 10 par. 5 (vii) of L. 2741/1999 provides that:
"The provisions of paragraph 4 of Article 5 of C.L. 489/1976 shall apply mutatis mutandis to self-propelled contractors' machinery, circulating uninsured."*

Remark 2: *By article 14 par. 2 of L. 4286/2014 the second passage of paragraph 1 of article 103 of the Road Traffic Act is annulled (L. 2696/1999), as in force*

Article 5a

L. 4141/2013
Article 26
par. 3

1. The detection of any uninsured vehicle and the pursuit of compliance of the owners thereof also by acceleration of the procedure of imposing administrative sanctions and penalties of paragraph 4 of article 5 and penalties of article 12 shall be conducted:

1. By the competent Police Authorities with onsite controls and

2. Electronically by diligence of the General Secretariat for Information Systems (GSIS) of the Ministry of Finance, which is appointed as the relevant department to this end, with the following procedure:

a) The GSIS of the Ministry of Finance undertakes to electronically crosscheck and process the data arising from the coupling of the following files (electronic databases):

aa) the records of the Information Centre of article 27b hereof, where the data of insured vehicles and of vehicles exempted from the obligation of civil liability insurance pursuant to article 3 hereof are electronically kept.

bb) the records of GSIS of the Ministry of Finance, where the data of vehicles the circulation licence of which, issued by the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks, are electronically kept.

cc) the records of any other public agency or Ministry authorised by law to issue vehicle circulation licences, where the data of said vehicles are electronically kept.

To this end, the Information Centre and the above public Departments or Ministries must continuously have the above records and data thereof at the disposal of the GSIS.

b) If the coupling and process of the abovementioned under case a' records and data detects a vehicle for which no compulsory – as per the provisions of article 2 – insurance coverage exists (namely it is an uninsured vehicle), the GSIS drafts a relevant act, which is sent with the relevant letter of notice to the owner of the said vehicle, inviting the owner to proceed immediately and the latest within eight (8) days from receipt thereof to the civil liability insurance, pursuant to article 2, for

L. 4484/2017
Article 31
par. 1

the circulation of their owned vehicle. By the same letter the GSIS notifies the owner of the vehicle of the process that needs to be followed for giving any further explanations, as regards his compliance or non-compliance with the obligation for insurance as per article 2. In this case, the issuance of an insurance policy requires the submission to the insurance undertaking of the letter of notification and an administrative fee in favour of the Greek State, the amount of which is specified by vehicle category as follows:

EUR 100 for motorcycles up to 250 cc

EUR 150 for motorcycles from 251 cc and above

EUR 200 for vehicles up to 1000 cc

EUR 250 for vehicles from 1001 cc and above

c) In case the vehicle's owner does not appear, does not provide satisfactory explanations and does not comply with the provisions of the previous case b', the GSIS sends the data of the said owner and of the vehicle thereof for which there is no insurance coverage pursuant to article 2, to the Police Authority of the place of residence of the vehicle owner, which accelerates the imposition of the sanctions and penalties provided in paragraph 4 of article 5 and in article 12.

2. The GSIS performs the procedure of cases a' and b' of paragraph 1 annually, at regular intervals, and at least twice a year, following an application of the Auxiliary Fund provided in article 16.

3. A decision of the Minister of Finance shall regulate any detail required for the implementation of this article.

L. 4484/2017
Article 31
par. 2
(In article 5a
paragraph 4 is
added)

4. By virtue of the decision of the Minister of Finance, following the assent of the Governor of the Independent Authority for Public Revenues (I.A.P.R.), an exemption from the implementation of this article in cases of areas declared in state of emergency may be, subject to certain conditions, provided.

Remarks:

1. *L. 4141/2013 (Article 26 par.5) states that the provisions of Article 26 of this Law shall be in force from 15.4.2013.*

2. *Paragraphs 3 and 4 of article 31 of Law 4484/2017 provide that:*

“3. Wherever in article 5a of the P.D. 237/1986 it is referred as competent division the “General Secretariat for Information Systems” (GSIS) of the Ministry of Finance, the “Directorate of Electronic Governance” of the “I.A.P.R.” is denoted.

“4. This article is in force upon submission of this Law to the Greek Parliament (i.e. from 20.7.2017)

3. According to article 50 of Law 4484/2017, any administrative fees that were issued on the basis of article 5a of the P.D. 237/1986 until the submission of this Law before the Greek Parliament are cancelled and any paid amounts are returned.

Article 6

1. Insurance must cover the civil liability of the vehicle’s owner, keeper as well as that of any driver appointed to drive the vehicle or any person responsible for it. The civil liability of any person possessing the vehicle by theft or violence as well as of any person who has wilfully caused the accident is excluded.

P.D. 264/91
Article 2
par.1

2. Insurance coverage must include third party civil liability for death or bodily injury or damage to property including monetary compensation for pain and suffering or moral distress as well as liability for death or bodily injuries caused to members of the family of the insured, driver or any other person liable under the first paragraph, irrespective of any relation.

Insurance also includes the civil liability of the owner or keeper towards third parties in case the vehicle is stolen or possessed by violence.

Goods transported by the same vehicle are excluded from compulsory insurance.

Insurance does not cover civil liability to persons having voluntarily agreed to be carried in the vehicle, in so far as the insurer proves that these persons were aware that the vehicle had been deprived of its lawful holder by illicit means or that it was being used serving the purpose of committing a crime.

L. 4261/2014
Article 169
par. 11
(unabridged transfer
from article 6a
par. 4)

If an accident is caused by a tractor vehicle connected to a trailer, the insurers of the trailer and the truck, respectively, have joint and several (in solido) liability towards third party damages. The liability of these insurers is limited to the insured amount under the relevant policies, reserving the right of recourse of each insurer for allocation of the damage.

L. 2496/97
Article 37
par. 3

3. a) The insurer is liable on the basis of a single premium, throughout the duration of the policy, towards third parties who have sustained damage by the circulation of vehicles normally based in Greece, in the territory of Member States of the European Union, including the time period during the policy’s validity for which the vehicle stays in other Member States in other Member States during the agreement, in accordance with the legal provisions and compulsory

L. 3746/09
Article 33
par.1

insurance cover currently in force in the State where the accident occurred, or the cover specified by the policy or the Greek legislation, whichever is higher. The same shall apply for other States whose National Bureaux of international insurance are signatories to the Agreement provided for in article 2 par. 2 hereof.

b) The insurer is also liable towards nationals of other EU Member States who have been injured or suffered damage by any vehicle normally based in Greece during its passage through areas directly connecting the Greek State with the territory of other Member States, provided that the transit State does not have its own National Bureau for International Insurance. This liability shall be determined according to the provisions set out herein.

L. 2496/97
Article 37
par. 4.

c) The Motor Insurers' Bureau is also liable under the provisions of par. (a) for vehicles normally based in Greece which have caused injury or damage in the territory of the States referred to above.

L. 3557/2007
Article 3

d) The insurer has the right, when invoicing his services in concluding or renewing an insurance policy, to impose an additional premium based on objective criteria referred to in the policy and applicable in general for his insureds in cases where: aa) the driver of the insured motor vehicle has submitted a declaration accepting his responsibility regarding the cause of the accident, bb) the insurer has paid indemnity, according to the provisions hereof, to a person involved in the accident with his insured party.

e) When determining the premium for property damage of the insured motor vehicle, the insured motor vehicle's current value must be taken into account, calculated on the basis of model and age. If the insurer applies a premium that does not correspond to the actual value of the insured motor vehicle, the extra value amount is refunded to the policy holder or the insured with statutory interest. If the above amount is not refunded, the Minister of Development can impose a fine on the insurer of up to EUR 4,000.

4. Where the vehicle shall be exposed to special risks of civil liability, the insurance must include such special risks as well, while a special insurance certificate must also be issued. In such cases, the provisions of article 4* par. 4 shall apply. This obligation applies particularly in cases where the vehicle is due to participate in contests involving special risks, such as races or contests of speed, precision or dexterity (special coverage).

* Note: see note in article 4 par. 4

L. 3746/09
Article 33
par.2

5. The sum insured shall be at least equal to the amount specified each time by the Private Insurance Supervisory Committee decisions, for each type of risk subject to compulsory insurance.

As of 1 June 2009, the minimum limits of the sums insured may not fall below the amounts specified hereunder:

- a) EUR 500,000 for bodily injuries, per victim.
- b) EUR 500,000 for damage to property, per accident, irrespective of the number of victims.

As of 1 January 2011, the minimum limits of the sums insured may not be less than the amounts specified below:

- a) EUR 750,000 for bodily injuries, per victim.
- b) EUR 750,000 for damage to property, per accident, irrespective of the number of victims.

As of 1 June 2012, the minimum limits of the sums insured may not be less than the amounts specified below:

- a) EUR 1,000,000 for bodily injuries, per victim.
- b) EUR 1,000,000 for damage to property, per accident, irrespective of the number of victims.

The sums of this paragraph are subject to revision by decision of the Private Insurance Supervisory Committee in accordance with the European Consumer Price Index, as provided by the Council Regulation (EC) No. 2494/95, of 23 October 1995, concerning harmonized indices of consumer prices.

*** * IMPORTANT REMARK**

The Executive Committee of the Bank of Greece decided by Act 100/18.7.2016 (G.G. B' 2250) the following:

“1. The review of the minimum sums insured of article 6 par. 5 of P.D. 237/1986 in compliance with the European Index of Consumer Prices (E.I.C.P.) and as they were announced adjusted in the communication for the European Commission to the European Parliament and Council (CELEX 52016DC0246)

2. As of 1 January 2017 the minimum sums insured provided for in article 6 par. 5 of PD 237/1986 may not be lower than:

- a) EUR 1,200,000 per victim in case of bodily injury.
- b) EUR 1,200,000 per accident in case of material damage, irrespective of the number of victims.

This review is in force as of 1.1.2017.”

L. 3746/09
Article 33
par. 3

6. The insurer is obliged to proceed to the following within three (3) months from the date the injured party presented his claim for compensation either directly to the insurance undertaking of the person who caused the accident or to his claims representative:

L. 4261/2014
Article 169
par. 4

a. To submit a written reasoned compensation offer in cases where the liability is not contested and the damage has been assessed.

L. 4261/2014
Article 169
par. 5

b. To submit a written reasoned reply to the points included in the claim, in case where liability is contested, or it has not been clearly determined, or in the case the damage has not been fully assessed.

L. 4261/2014
Article 169
par. 10

Failure by the insurer to comply with the case of indent a. of this paragraph entails the payment of default interest on the amount of compensation offered by the insurance undertaking to the injured party, upon the elapse of the three-month period and until the day of the offer. Failure by the insurer to comply with the above obligations entails the imposition of the sanctions provided for in paragraph 2 article 38 hereof, whereas repeated failure to comply entails the imposition of sanctions either of article 120 of L.D. 400/1970 (Government Gazette A' 110), as in force, or paragraph 1 article 38 of the present Decree, at the discretion of the Private Insurance Supervisory Committee. This Regulation also applies to the settlement of claims made through the Motor Insurers' Bureau.

P.D. 10/2003
Article 3

7. In case the injured party is a permanent resident of a Member State other than Greece and has suffered injury or damage to property by a vehicle normally based in Greece or in the territory of other Member States and insured by an insurance undertaking established in Greece (having its headquarters or a branch in Greece), the insurance undertaking is obliged to proceed to the following within three (3) months from the date the injured party presented his claim for compensation either to the insurance undertaking or to its claims representative appointed in accordance with article 15 par. 1 indent f) and article 20 par. 2A indent f) of L.D. 400/70 as currently in force to:

L. 4261/2014
Article 169
par. 6

a) submit a written reasoned offer for compensation in cases where liability is not contested and the damages have been quantified, or

L. 4261/2014
Article 169
par. 7

b) submit a written reasoned reply to the points included in the claim in cases where liability is contested or has not been clearly determined or in case the damages have not been fully assessed.

Failure by the insurer to comply with the obligation under a) above, entails the payment of default interest on the amount of compensation offered by the insurance undertaking to the

injured party, upon the elapse of the three-month period and until the day of the offer.

Failure by the insurance undertaking to comply with the obligations laid down above entails the imposition of the sanctions provided for in article 38 of P.D. 237 / 1986 (A'110) as modified by L. 2170/93 (A'150) and L. 2496/97 (A'87).

L. 4261/2014
Article 169
par. 8

8. * The time of payment that is specified on the compensation offer should not exceed a 10-day period since the date of the offer, with the exception of a special agreement between parties. In case it has been agreed that the damage will be restored in its whole as such, the above-mentioned time limit should not exceed twenty (20) days since the day of the agreement, with the exception of a special agreement between parties.

L. 4261/2014
Article 169
par. 9

9. For the application of paragraphs 6 and 7 hereof, the accident declarations that are submitted under article 9 paragraph 1 hereof, any constat amiable and any written notification that an insured risk occurred, sent by letter, email or fax to the insurer by the insured or the policy holder or the third party entitled to compensation, are equated with the reimbursement demand.

* **Note:**

With L. 3557/2007 article 17 par.1a', former par. 8 had been repealed, which provided that general conditions of the insurance policies covering civil liability would be determined by decision of the Minister of Commerce

Article 6a

L. 4261/2014
Article 169
par. 12

(Former par. 1 of article 6a providing for the issuance of temporary insurance cover is annulled.)

L. 4261/2014
Article 169
par. 13
(par. 2 is re-numbered to par. 1 and par. 2 is replaced as alongside)

1. The insurance is valid within the area limits specified in the insurance policy without prejudice to paragraph 3 of article 6.
2. Where written communication between the insurer and the insured or the policy holder or the beneficiary to compensation is provided, it can be concluded either via letter, e-mail, fax, or mobile messaging to the contact details that the latter have declared in writing, or through legally recorded phone conversation, that these are the contact details via which they wish to contact with the insurer.
3. Both the policy holder and the insured, are obliged, in the event of a change in their address, without delay and in writing, to inform the insurer of their new address.

The insurer may proceed to any notification or communication to the policy holder or the insured at the last address declared by them.

L. 4261/2014
Article 169
par. 11

(par. 4 of article 6a related to truck and trailer insurance is deleted from article 6a and is added unabridged at the end of par. 2 of article 6 hereof)

Article 6b

L. 3557/2007
Article 4

1. Excluded from insurance are damages caused by:
 - a) a driver lacking a statutory driving licence for the motor vehicle category he drives.
 - b) a driver who was under the influence of alcohol or toxic substances at the time of the accident, in infringement of the Road Traffic Code (Law 2696/1999, G.G. A'57), as it applies, provided that the infringement in question was in causal effect to the cause of the accident. If the motor vehicle involved in the accident is the property of a passenger motor vehicle rental enterprise, the insurer's right to recourse is exercised only against the driver of the vehicle at fault, provided there is a valid rental document.
 - c) a motor vehicle which is being used for a different purpose than that specified in the insurance policy and the car licence, provided the use in question is in causal effect with the cause of the accident.
2. In addition to the cases in the previous paragraph, the insurance policy can also comprise other cases of exception of insurance coverage, provided that these cases concern optional insurance coverage. Any other exception is de jure invalid.
3. The exceptions mentioned above are valid only within the relation of the insurer and his insured party. The insurer shall not be dispensed from his liability towards the injured third parties by invoking such exceptions.

L. 3746/09
Article 34

The insurer shall not be exempted also of his liability towards the injured passengers, invoking the exception of case b' paragraph 1 of this article, because they were aware or should have been aware that the driver of the motor vehicle was under the influence of alcohol or toxic substances at the time of the accident and any other contractual insurance policy clause to the contrary shall be invalid ineffective in relation to the compensation claim of such passengers.

Article 6c

L. 3746/09
Article 35

The policy holder or the insured has the right to ask from the insurance undertaking, or the liquidation officials, in the case of its winding up, at any time, for a certificate regarding third party compensation claims related to the motor vehicle or the vehicles covered by the insurance policy for at least the last five-year period of the contractual relations or the non-existence of such claims. The insurance undertaking, or the liquidation officials, must provide such a certificate within fifteen days from the date such a request was submitted, otherwise the penalties of article 120 of L.D. 400/1970 is it stands, are imposed and applied accordingly

Article 7

P.D. 264/91
Article 4

The following persons are not considered third parties within the meaning of article 2 par. 1 and article 6 par. 2 hereof:

- a) the driver of the vehicle that caused the injury or damage
- b) any person whose liability is covered by the insurance policy
- c) any person having concluded the policy with the insurer
- d) the lawful representatives of the legal entity insured or of any unincorporated association.

Article 8

L. 3557/2007
Article 5

1. In the event that the motor vehicle ownership is transferred by reason of death, the rights and obligations of the insured deceased are transferred de jure to the heir, unless the latter notifies the insurer in writing that he does not accept them, within thirty (30) days of the devolution of inheritance and its cause.

L. 3746/09
Article 36

2. If ownership or possession of the motor vehicle is transferred in any lawful way, the insurance policy is de jure terminated thirty (30) days after the date of transfer and the insurer must return any unearned insurance premium.

The insurance policy termination is valid against all, without any necessary action from the part of the insurer.

L. 3557/2007
Article 5

3. If, after the transfer of the motor vehicle according to the previous paragraph, a new insurance policy is concluded for the same motor vehicle, the existing insurance relation ceases to be in force and the only party liable against the injured third parties is the last insurer.

Article 9

L. 3557/2007
Article 6*
par. 1

1. The policy holder or the insured are obligated to immediately declare every accident in which the insured motor vehicle is involved to the insurer, without undue delay and within eight (8) working days from becoming aware of the accident.
2. The insured is obliged to take all possible action for limiting the damage and to provide the insurer with all documents and information according to the insurance policy. He is also obliged to provide, when requested by the insurer, any other document and information which are at his disposal and are necessary for current or future trial proceedings conducted by the insurer.
3. In the case of an intentional breach of the obligations as defined in the previous paragraphs, the policy holder or the insured may be obliged, by decision of a competent court of law, to pay compensation to the insurer of up to EUR 2,000.
4. Payment to the insured or the injured third party or rebate of an amount due exceeding EUR 100 is made by issuing a crossed cheque in his name or by a deposit in his bank account. Lawyer fees are likewise paid by the insurer in case the insurance compensation is paid for the execution of a court decision or is the outcome of an out-of-court settlement.

* Note

*Provision of Law 3557/2007 article 6 paragraph 2 provides that:
"The Decision of the Minister of Development, issued within six (6) months from the publication of the present, specifies the settlement and payment procedure of any compensation to the beneficiaries, arising from any insurance policy, as provided by its conditions and the provisions of P.D. 237/1986, already in force, as well as more specific pertinent conditions and prerequisites, and the administrative sanctions imposed in case of their violation."*

Article 9a

P.D. 10/2003
Article 4

1. The injured party who is a permanent resident of Greece and the accident occurred:
 - a) within the territory of a Member State other than Greece and was caused by a vehicle normally based and insured in a Member State or
 - b) within the territory of a third country, without prejudice to the legislation of third countries on civil liability, the Motor Insurance Bureau of which has adhered to the Green Card System and the accident was caused by a vehicle normally based and insured in a Member State,

shall submit an application to the claims representative, in accordance with article 37a hereof, appointed in Greece by the insurance undertaking of the liable party or directly to the insurance undertaking, mentioning his claims arising from the accident.

Within three (3) months from the date the injured party presented his claim for compensation, the claims representative or the insurance undertaking is obliged to proceed to the following:

- a) make to the injured party a reasoned compensation offer in case where the liability is not contested and the damage has been assessed.
- b) Provide a reasoned reply to the points made in the claim, in case the liability is contested or the damage has not yet been fully assessed.

In case the injured party has not received the aforementioned within three months, then he may apply to the “Compensation Body” in accordance with the procedures provided for in article 27a hereof.

Article 10

L. 3557/2007
Article 7

1. The injured party has the right of a direct action against the insurer under the policy up to the amount insured.
2. This claim is prescribed after the elapse of five (5) years from the date of the accident, without prejudice to the provisions of the legislation in force regulating the suspension and interruption of the limitation period.
3. In the event that there are several injured parties and the aggregate indemnity exceeds the amount insured, the right of each injured party against the insurer is limited proportionately until the whole insured amount is exhausted. In case the insurer who is not aware of the existence or the amount of other claims or following a court decision pays to any injured party an amount exceeding that of the latter's proportionate share, the insurer's liability towards the remaining injured parties is limited only until the insured amount is exhausted. The remaining injured parties have a right of recourse to recover from the party who has received the amount in excess.
4. In cases where the injured party is a permanent resident of a foreign country, the claim may be paid in the currency of the country of the beneficiary's permanent residence.

L. 2741/99
Article 10
par. 5 h)

5. The court hearing of the principal action filed against an insurance undertaking, the Auxiliary Fund as per article 19 hereof, or other party liable, for loss of income due to accidents caused by a motor vehicle, shall be declared inadmissible,

unless a document is produced certifying the prior service of a copy of the writ of action to the competent Public Financial Service of the plaintiff.

(Case vi of par. 5i of Article 10 of Law 2741/99 provides that: “*the provision under the above case also applies on currently pending cases, for which no final decision has yet been rendered*”)

Article 11

L. 3557/2007
article 8

1. The insurer may not raise any objection arising from the insurance policy against the injured party who presents a claim under the provisions of Article 10 paragraph 1 hereof, without prejudice to the insurer’s right to bring such action against the policy holder, the insured and the vehicle’s driver.

L. 4261/2014
Article 169
par. 14

(Par. 2 which provided that “according to article 11a cancellation, termination, expiry or suspension of the insurance policy may be opposed against an injured third party only if the accident occurred sixteen (16) days after notice of cancellation, termination, expiry or suspension has been given by the insurer” is annulled and par. 3 and 4 of article 11 are re-numbered to 2 and 3 respectively)

2. In case where consecutive insurance policies exist, only the last one is valid and the last insurer is solely liable for payment of indemnity to the injured third party. Previous insurance policies are de jure null and void; without any notification or cancellation required.

L. 3746/09
Article 37

3. The insurance undertaking may not oppose any deductible amounts borne by the the policy holder or the insured himself against the injured party who is entitled to compensation for loss or injury caused by a motor vehicle.

Article 11a

Early termination of an insurance policy

L. 4261/2014
Article 169
par. 15

1. An insurance policy may be terminated at any time by the parties involved with a written agreement.
2. The policy holder and/or the insured may terminate the insurance policy at any time with a letter sent by fax or email to the contact details of the insurance company as they appear on its official website on its printed material. The termination becomes valid for the contracting parties at the same time the aforementioned termination letter is received.
3. The insurance undertaking may by a letter terminate the insurance policy only for violation of an essential condition by the policy holder or the insured, providing proof of the said

violation. The policy holder or the insured are notified, by statement of termination addressed to them that their non-compliance with the violated essential condition within thirty (30) days from the service of the termination statement will bring the termination of the insurance policy.

4. The letter, as referred in the above paragraph, is sent to the address of domicile or residence of the policy holder or the insured as it appears on the insurance policy. The last address stated in writing by the policy holder and/or the insured to the insurer is considered to be the address of domicile or residence. The effects of the letter are brought about regardless of the policy holder's or the insured's refusal to take delivery of the letter, their not being found at the last stated address of domicile or residence, or their not collecting such letter from the Post Office.
- 5 In any case of early termination of the insurance policy in accordance with paragraphs 1,2 and 3 hereof, the insurance undertaking informs accordingly to the Information Centre of the Auxiliary Fund. In the case of paragraph 3 hereof this information cannot be given earlier than the 30th day of the dispatch of the relevant letter. The insurer may invoke the termination of insurance policy against an injured third party after the elapse of sixteen (16) days from the notification as provided in the previous indents.

Article 12

L. 2170/93
Article 17
Par. 1

Owners or keepers of any vehicle driven or permitted to be driven by third persons without being insured as provided in this law, shall be punished with two (2) up to twelve (12) month imprisonment and with a fine at least the equivalent in DRS of 300 ECU. The same penalties shall also apply to any person putting in circulation a motor vehicle he does not own and is not insured as provided herein.

L. 3746/09
Article 38

The provisions of article 103 of Law 2696/1999 shall apply in all other cases. (G.G. A'57)

Note:

The provision of paragraph 2 of article 31 of Law 3904/2010 provides that:

"Violations of the provisions of Article 12 of Law 489/1976, as amended by article 17 of Law 2170/1993, are fined with an amount of up to EUR 3,000."

Article 13

L. 3557/07
article 10
par. 1

1. No control shall be conducted to verify the existence of valid insurance cover to vehicles entering or circulating in Greece, which are normally based in the territory of another State the National Motor Insurance Bureau of which has countersigned

(the former par. 2 & 3 are re-numbered as paragraphs 1 & 2 respectively and the re-numbered paragraph 1 is replaced as above)

L. 3746/09
Article 39

with the respective Greek Bureau Section III of the Unified Agreement.

2. No control shall be conducted in order to verify the existence of insurance cover against civil liability in respect of the use of motor vehicles, which are normally based in the territory of another EU Member State and motor vehicles which are normally based within the territory of a third country and enter Greece through the territory of another EU Member State.

Random controls to verify this insurance cover may be conducted, however, as long as they do not involve discriminations and are conducted within general controls not aiming solely to the verification of the existence of insurance cover.

Article 14

1. Motor vehicles may not be provisionally seized for claims arising from accidents caused by these vehicles, when they are insured – under Greek or international insurance cover - in accordance with the provisions of this law, unless the amount claimed exceeds the amount insured, in which case the motor vehicle may be provisionally seized for the amount in excess.
2. By exception, the injured party is entitled to proceed to the provisional seizure of the motor vehicle insured for claims arising from accidents caused by that vehicle, in cases where the owner, holder or driver of the vehicle fails to make to his insurer the declaration provided for in article 9 hereof.
The insurer may also proceed to the above action in case of recourse against the owner of the vehicle.

Article 15

L. 4261/2014
Article 169
par. 6

1. Permit to organise car races or contests of speed, precision or dexterity is granted by the competent Authority under the provisions of article 49 par. 2c of L.2696/1999 (A' 57) only if the existence of the general and special insurance cover provided in article 6 hereof is confirmed and in so far as there is civil liability insurance coverage of the organisers against any accident arising from the organisation and conduct of the race or contest.

2. Organising races or contests such as those referred to in the preceding paragraph without compliance to the provisions set out therein, is penalised as provided by article 12 par.1 hereof.

CHAPTER B

Auxiliary Fund

Article 16

A legal entity of private law, under the name “Auxiliary Fund for the insurance of Liability arising from Motor Accidents” (hereinafter referred to as “AUXILIARY FUND”) is hereby established and it is headquartered in Athens and is under the control and supervision of the Minister of Commerce. This entity shall be governed by the provisions of this Law.

Article 17

The scope of the Auxiliary Fund is the payment of insurance indemnities for civil liability arising from motor accidents, as more particularly provided by article 19 hereof.

Article 18

P.D. 252/96
Article 34
par. 2

1. All insurance companies conducting motor vehicle liability insurance shall compulsorily and automatically become members of the Auxiliary Fund, including those providing insurance in Greece under freedom of services within the meaning of article 1 f) hereof, the mutual co-operatives covering such risk, as well as public law corporations or public utility organisations whose vehicles are exempted from compulsory insurance as provided by article 3 par. 3 hereof.

(Par. 2 provided that the members of the Auxiliary Fund were obliged to pay contributions in accordance with article 20 and 23. This provision is ANNULLED by L. 2170 / 93, article 18 par. 1 thereof).

Article 19

L. 3746/09
Article 40
par.1

1. The Auxiliary Fund is obliged to pay to the injured parties the indemnity as per par. 2 of this article due to death or bodily injuries or damage to property caused by motor accidents when:
 - a) The person liable remains unidentified. In this case, however, no obligation for compensation exists, unless – at the same time – the accident has resulted in bodily injuries requiring hospitalisation, as long as the hospitalisation lasted

for at least five days in public or private hospital, and a police authority has dealt with the accident.

- b) The accident was caused by vehicles in respect of which the obligation provided by article 2 hereof has not been fulfilled.

Error correction
(P.D. 264/91
(G.G. A'143)

The persons who wilfully got on board the vehicle that caused the accident are exempted from this provision as long as the Auxiliary Fund provides sufficient evidence of their knowledge that the vehicle was not insured.

L. 4092/2012
Article 4
case a
(G.G. A'220)

Former item c) is repealed, which provided as follows: "c) the accident was caused by a vehicle driven by a person who intentionally caused the accident" and former items d) and e) are renumbered as c) and d) respectively.

- c) The insurer became bankrupt or the execution of a court judgement against him was fruitless or the licence for operation of an insurance undertaking has been revoked due to violation of the law.

L. 2496/97
Article 37, par.21
L. 4092/2012
Article 4 case b

In this case, the Auxiliary Fund has the right of recourse towards the insurance intermediary of a sum not exceeding EUR 1,500, unless the intermediary provides sufficient evidence that he was not aware and could not be reasonably expected to be aware of the impending insolvency and/or licence revocation. The above limitation of the intermediary's liability shall not apply if the latter acted fraudulently. Moreover, in this case the Auxiliary Fund shall have its own claim against any reinsurer for his obligations towards the insurer arising from the reinsurance agreement covering the liability arising from road accidents of motor vehicles.

L. 3746/09
Article 40
Par.2

- d) The accident was caused by certain types of motor vehicles or certain motor vehicles with a special registration plate for which third party liability is not covered in accordance to article 2 hereof. In this case, the Auxiliary Fund, which has already paid indemnity for bodily injuries or damage to property caused by a motor vehicle of a special type or with a special registration plate of another Member State, has the right of recourse against the respective Auxiliary Fund of the territory where the vehicle is normally based.

L. 4092/2012
Article 4
case c

2. The compensation paid by the Auxiliary Fund for pecuniary claims due to pain and suffering cannot exceed the amount of EUR 6,000 for each beneficiary. The compensation for sections a' and b' of the previous paragraph of this article may not exceed the minimum limits of the insured amounts at the time of the accident, as per article 6 paragraph 5.

In the cases of section c' of the previous paragraph the total amount for compensation is paid in accordance to the following:

- a) for compensation of up to EUR 4,000, a total amount equal to 90% thereof shall be paid,
- b) for compensation from EUR 4,001 up to EUR 10,000, a total amount equal to 87.5% thereof shall be paid, with a minimum of EUR 3,600,
- c) for compensation from EUR 10,001 up to EUR 30,000, a total amount equal to 85% thereof shall be paid, with a minimum of EUR 8,750,
- d) for compensation from EUR 30,001 up to EUR 60,000, a total amount equal to 80% thereof shall be paid, with a minimum of EUR 25,000,
- e) for compensation from 60,001 up to EUR 100,000, a total amount equal to 70% thereof is paid, with a minimum of EUR 48,000, and
- f) for compensation exceeding EUR 100,000, a total amount equal to 70% thereof shall be paid, with a maximum of EUR 100,000.

The Auxiliary Fund is obliged to pay compensation even above EUR 100,000 for persons who have sustained disability, the nature and degree of which as well as the amount of compensation of which shall be determined by joint decision of the Minister of Finance and Labour and the Minister of Social Security and Welfare, issued following an opinion of the Disability Certification Centre (KEPA). The above opinion shall be stipulated within thirty (30) days from the receipt of the relevant request of the Ministry of Finance by KEPA. In case of expiry of this period of thirty (30) days without action, the joint ministerial decision shall be issued without this opinion.

The regulation of this paragraph includes claims that have already been raised against the Auxiliary Fund, without affecting, however, claims that have been awarded by a final court decision.

Compensation beneficiaries may claim the remaining amount of the damage by the common liquidation.

In the cases specified in the preceding paragraph, the Auxiliary Fund is obliged to pay interest calculated in each case at a rate of six percent (6%) per annum.

A decision of the Minister of Finance, issued following a suggestion of the Bank of Greece, may modify said percentage.

Compensation claims against the Auxiliary Fund are subject to the limitation period of paragraph 2 of article 10.

3. In the cases specified in par. 1, the injured party has the right of a direct action against the Auxiliary Fund, which however may not be exercised against the members of the latter.

P.D. 264/91
Article 5
par. 2

The Auxiliary Fund, upon request of the injured party and based on the information provided by the latter, is obliged to give a reasoned reply in respect of the payment or non-payment of the compensation.

P.D. 314/93
Article 2

However, the Auxiliary Fund may not demand – in order to proceed to the payment of indemnity – from the injured party to prove, in any way, that the liable for the accident party is not able to or refuses to pay.

4. Upon payment of the compensation the Auxiliary Fund is subrogated to all the rights of the injured party arising from the accident against the party liable to pay compensation or his insurer. By exception, in cases specified in par. 1 d), the Auxiliary Fund is not subrogated to the injured party's rights arising from the accident against the party liable to compensation; it is however subrogated to the privilege of the insured as per article 10 of L.D. 400/70 "On Private Insurance Undertakings" (Government Gazette 10).

P.D. 264/91
Article 5
par. 3

5. The Auxiliary Fund shall only be liable to pay the sum representing the difference between the sum claimed and the sum already paid to the injured party by the Social Security Fund or any other social security organisation, for the same cause.

L. 3557/07
Article 10
par.2

The previous section does not apply in cases where the Greek Motor Insurers' Bureau pays compensation according to the provisions hereof to foreign Motor Insurers' Bureaux for accidents occurring outside Greece.

P.D. 314/93
Article 3

In case of disagreement between the Auxiliary Fund and the civil liability insurer on who is liable to compensate the victim for bodily injuries caused by an unidentified vehicle or for damage to property and bodily injuries caused by an uninsured vehicle, the Auxiliary Fund is at first stage liable to compensate the victim. If it is finally decided that the civil liability insurer should have provided full or partial compensation to the victim, the insurer shall return to the Auxiliary Fund the amount due which was paid by the latter.

[par. 6 currently in force]

L. 2919/2001
Article 25
par. 3

6. All indemnities paid by the Auxiliary Fund to beneficiaries of insurance compensation for civil liability arising from motor vehicle accidents, are free of stamp duty.

P.D. 10/2003
Article 7
(adds par.6
to article 19 of
L. 489/76.
The former par.6
must therefore be
re-numbered by
correction)

7. The Auxiliary Fund is obliged to pay the indemnities demanded by the compensation bodies of the Member States up to the amount paid to permanent residents in such states due to damage caused by:

- a) motor vehicles normally based in Greece, which are not insured
- b) unidentified motor vehicles when the accident occurred in Greece
- c) not insured vehicles of third countries whose International Insurance Bureaux are members of the Green Card System, provided the accident occurred in Greece.

Upon payment of the indemnity, the Auxiliary Fund is proportionately subrogated according to par. 4 of this article.

Law 4092/2012
Article 4
case d

8. Lawsuits against the Auxiliary Fund are admissible, only when the plaintiff has submitted, prior to the lodging of the lawsuit, to the Auxiliary Fund a written compensation demand, with all documents proving the claim attached. The Auxiliary Fund must provide a reasoned reply to the demand within three (3) months from the submission thereof, in accordance with paragraph 6 of article 6 of this Law. After receipt of the reply of the Auxiliary Fund or the elapse of the above period without action, the injured party may bring a lawsuit against the Auxiliary Fund.

Article 20

L. 2367/95
Article 16

Law 4092/2012
Article 4 case e

P.D. 252/96
Article 34
par.3

Law 4092/2012
Article 4 case e

1. a) For the fulfilment of the purpose of the Auxiliary Fund, a contribution is imposed in favour of the latter, determined by decision of the Minister of Commerce and calculated at a rate not exceeding 6% on the gross written premiums of the motor vehicle civil liability sector. Such contribution is 70% borne by the insurance undertakings and 30% by those insured. In cases where such insurance is conducted under Freedom of Services within the meaning of article 1 f) hereof, such contribution shall be calculated on the gross written premiums from insurance policies concluded under the freedom of services in Greece. This contribution is borne at a rate of 70% by the insurance undertaking and 30% by the insured. The rate payable by the insured is specified on the insurance policy and is exempted from any tax or other fiscal charge, apart from stamp duties. The stamp duty is rendered by the insurance undertaking in accordance with the provisions of Presidential Decree 160/1978 (G.G. A'34).

<p>Law 4092/2012 Article 4 case f</p>	<p>Mutual insurance undertakings must pay to the Auxiliary Fund the contributions corresponding to primary cooperatives, which they reinsure, regardless of whether they received the said contributions or not.</p> <p>b) Within fifteen (15) days from the expiry of the two-month calendar period, insurance undertakings shall remit to the Auxiliary Fund the contributions corresponding to the insurance policies concluded or renewed by them during these last two months, regardless of whether such premiums have been collected or not.</p>
<p>Law 4092/2012 Article 4 case g</p>	<p>In case of delayed payment, the contribution is increased by the current late interest rate.</p> <p>Said contributions, with the exception of the sums required for the fulfilment of the obligations of the Auxiliary Fund, are invested under the responsibility of its Administrative Committee or deposited in an interest-bearing account at a Bank legally operating in Greece.</p>
<p>Law 4092/2012 Article 4 case h</p>	<p>A decision of the Auxiliary Fund shall regulate item and procedural issues for the method of collection of contributions. The Auxiliary Fund is obliged, one month after expiry of every two calendar months, to inform the Bank of Greece on the amount of contributions it received, in detail for every undertaking, as well as the payment date of the contribution, and notify which companies did not pay their contributions.</p> <p>c) The Minister of Commerce may modify the contribution percentage in favour of the Auxiliary Fund, however without - in case of increase - said contribution exceeding the limit cited in item a' of this paragraph.</p>
<p>L.2496/97 Article 37 par.25 (par 3 and 4 are re-numbered as 2 and 3 respectively)</p>	<p>2*. In order to meet its obligations, the Auxiliary Fund may contract loans and assign or pledge as security for such loans claims currently payable or future claims owed to it up to a maximum of 2/3 of their total value.</p>
<p>Law 4364/2016 Article 278 par. 14</p>	<p>Any compulsory execution against the Auxiliary Fund, either seizure or garnishment, is suspended from the date of this Law enters in force until the 31st December 2018.</p>

*** Note:**

Par. 2 was annulled by virtue of article 37 par. 24 of L. 2496/1997 (Gov. Gaz. 87 A), which provides the following:
“Par. 2 of article 20 of L. 489/1976 is hereby annulled. Monetary amounts which had been invested or deposited in bank accounts in accordance with the aforementioned par. 2 annulled, in favour of the Insured’s Aid Account are invested in favour of the Auxiliary Fund, under the responsibility of the Administrative Committee, or transferred to the bank account provided in article 20 par. 1 b) of L. 489/1976”. Paragraphs 3 and 4 have been re-numbered into 2 and 3 respectively.

Furthermore, the contributions of the members thereof cannot be offset against any debts of the Auxiliary Fund towards them.

Remark: Previous regulation of L. 4092/2012 (article 4 case i) provided the suspension of the compulsory execution until the 31st December 2016.

3. The Auxiliary Fund has the right to file a lawsuit against its members in order to collect their contributions.

Law 4092/2012
Article 4
case ia

4. The registration fee of every new member to the Auxiliary Fund is EUR 50,000. The minimum annual contribution of each member, regardless of the amount of the gross written premiums, shall be EUR 10,000.

Article 21

1. The General Assembly of its members is the supreme body of the Auxiliary Fund, entitled to resolve on all matters, while its decisions are binding even on absent or dissenting members.

2. The General Assembly is exclusively competent to resolve on matters regarding:

a) the appointment or revocation of the members of the Administrative Committee as defined in article 22.

b) The approval or modification of the budget, statement of account and balance sheet.

c) The drafting of internal regulations governing the whole operation of the Auxiliary Fund according to the provisions of this Law. Such regulations shall apply only upon approval by the Minister of Commerce and publication in the Government Gazette.

d) The conclusion of insurance to cover the insolvency of its members regarding the fulfilment of their obligations towards the Auxiliary Fund.

3. The number of votes at the disposal of each member during the next year in the Fund's General Meetings is determined in proportion to the contribution paid to the Fund by each member by decision of the Minister of Commerce issued annually and published in the Government Gazette.

The Administrative Committee as per article 22 hereof is obliged to submit by the end of November each year to the Ministry of Commerce a list of the members' contributions to the Auxiliary Fund for that year. Pending the issue of the above Ministerial Decision, each member is entitled to vote in General Assemblies with one vote per one million DRS of motor vehicle premium income of the preceding year. Members with an income of less than one million DRS are entitled to one vote, regardless of the actual sum of premium income.

Article 22

1. The administration of the Auxiliary Fund is conducted by the Administrative Committee which is obliged, under the conditions required by law, to take any measure necessary (contracting loans, engaging personnel, procurement of materials etc.) to facilitate the aims of the Auxiliary Fund. This Committee consists of nine (9) members elected by the General Meeting and one (1) member without voting rights, appointed by decision of the Minister of Commerce. The Administrative Committee elects its Chairman among its elected members. It publishes in the Government Gazette (Bulletin for Sociétés Anonymes and limited liability companies) the annual report and the annual balance sheet of the Auxiliary Fund, which shall include special chapters with the annual statement of account and the annual balance sheet of the Insured's Aid Account.
2. The Auxiliary Fund is represented both in court and out of court by the Chairman of the Administrative Committee. Following the decision of the Administrative Committee, it may also be represented in general or for specific cases by one or more of its members or other persons.

Article 23

Following the decision of the Minister of Commerce published in the Government Gazette, and upon the opinion of the General Assembly of the members of the Auxiliary Fund, the following are regulated:

L. 2170/93
Article 18
par.3
which repeals case
under a, while cases
b, c, d and e are re-
numbered as a, b, c
and d respectively.

- a) the composition, convening, operation and competence of the Administrative Committee provided by article 22 hereof.
- b) the time and method of convening meetings, the quorum, the way resolutions are made and operation of the General Assembly.
- c) any refund of amounts to the members during the operation of the Fund.
- d) any details necessary to the operation of the Auxiliary Fund.

Article 24

The Auxiliary Fund may be dissolved by Presidential Decree issued with the proposal of the Minister of Commerce after the opinion of the General Meeting of its Members. The same Decree shall also provide for the liquidation and the distribution of the Fund's assets.

Article 25

1. Failure by any member of the Auxiliary Fund to comply with the provisions of this Law, the Presidential Decrees and the Ministerial Decisions issued for the implementation thereof shall entail the revocation of its licence to operate in the branch of motor vehicle liability insurance.
2. A new licence may only be granted to an insurance undertaking whose licence had been revoked as provided in the preceding paragraph, after one year from the date of revocation and after thorough and complete settlement of all related obligations.
3. In case any member withdraws from the Fund due to the revocation of its licence to operate the branch of motor vehicle liability insurance, the member shall be entitled to recover from the Fund, six months after the end of the fiscal year during which the licence was revoked, any balance of its contributions, after deduction of its proportion of claims and expenses paid up to the time of its withdrawal and also of its proportion on the provisions for claims outstanding.

Par. 4 is annulled by
Law 4438/2016
Article 53

(Par. 4 is annulled, which provided that “As from the date the insurance undertaking is declared bankrupt or its operation licence is revoked due to violation of the law, the Auxiliary Fund shall be automatically subrogated to all rights and obligations of the insurance undertaking arising from insurance policies for motor vehicle liability insurance. Pending trials shall be continued by the Auxiliary Fund without further action.”)

5. By decisions published in the Government Gazette (Bulletin for Sociétés Anonyme and limited liability companies) the Minister of Commerce may subsume under the provisions of this Law those insurance undertakings whose operation licence has been revoked prior to the date on which this Law comes into force.

Law 4092/2012
Article 4
case ib

A decision of the Minister of Finance, issued following a suggestion of the Bank of Greece, may determine special conditions for the payment of compensations by the Auxiliary Fund, in case of licence revocation due to violation of the law or bankruptcy of the insurance company.

6. The provisions of this Law as amended do not affect the provisions of Law 1380/1983 “Amendments and Completion of Provisions concerning Private Insurance Undertakings”

CHAPTER C

Motor Insurers' Bureau

Article 26

A legal entity of private law under the name "Motor Insurers' Bureau" supervised and controlled by the Minister of Commerce, headquartered in Athens and governed by the provisions of this Law is hereby established.

Article 27

L.3557/07
Article 10
par. 3a

1. The Motor Insurers' Bureau shall settle claims and pay compensation on behalf of foreign Motor Insurers' Bureaux, within the limits provided by the provisions hereof, regarding accidents caused by motor vehicles circulating in Greece which are normally based in the territory of States whose respective Bureaux apply Section II of the Internal Regulations, provided these vehicles bear a valid international insurance certificate (Green Card). In respect, however, of vehicles not subject to an insurance cover control as provided by article 13 paragraph 1 hereof, the aforementioned obligations of the Motor Insurers' Bureau subsist even if these vehicles do not bear an international insurance certificate (Green Card), or even if they are not insured.

L.3557/07
Article 10
par. 3b

L. 2496/97
Article 37
par.8

2. Settlement of claims in Greece shall be conducted either directly by the Motor Insurers' Bureau or by members thereof acting as agents, appointed by the Bureau, or by nominated correspondents of foreign insurers following the proposal of the Bureau of their country of establishment and the approval of the Greek Bureau.

L. 2496/97
Article 37
par. 9

3. The Motor Insurers' Bureau shall also be liable for compensation for accidents which occurred in the territory of states with which the agreements provided by article 2 par. 2 hereof have been concluded, caused by vehicles normally based in Greece. Similarly, the Bureau shall also be liable for compensation for accidents which occur in the territory of states with the Bureau of which the Agreement provided by article 30 par. 1 hereof has been concluded, in so far the vehicle which caused the accident bears a valid international insurance certificate issued by the Bureau.

L.2496/97
Article 37
par.10

4. a) When the vehicle which is normally based in Greece is uninsured, the Motor Insurers' Bureau shall have a right of recourse against the owner, keeper and driver for the sum of compensation paid to third parties or payable to the corresponding Bureau of the state in which the accident

L.3746/09
Article 41

occurred, as well as against the Auxiliary Fund in the cases set out in article 19 passages b', c', d' and e' of this Decree. The same shall apply to motor accidents caused to nationals of other European Union Member States in accordance with the provisions of article 6 par. 3 of that Law.

- b) In case the insurer has paid compensation under article 6 par. 3 a) hereof, which exceeds the limit of his liability, as defined in article 29 par. 1, the insurer shall have a right of recourse against the Motor Insurers' Bureau for the amount paid in excess.

Article 27a

P.D. 10/2003
Article 5
which adds
article 27a

1. The "Compensation Body" set out in article 1 hereof shall be liable for the compensation to the injured parties who are residents in Greece and have suffered any damage by the circulation of vehicles in other Member States or third countries, the International Insurance Bureaux of which are members of the Green Card System, by vehicles insured and normally based in the territory of a Member State other than their state of residence, provided that the conditions of the following paragraph are fulfilled.
2. The "Compensation Body" shall settle claims, in accordance with the legislation of the country where the accident occurred, and provide compensation to the above injured parties, upon their request, provided that:
 - a) within three months from the date on which the injured party presented his claim to the insurance undertaking covering the vehicle the use of which caused the accident or to its claims representative, the insurance undertaking or its claims representative have not given a reasoned reply to the points made in the claim, or
 - b) the insurance undertaking has failed to appoint a claims representative in Greece. In this case the injured parties may not present a claim to the "Compensation Body" if they have presented a claim for compensation directly to the insurance undertaking of the vehicle the use of which caused the accident and they have received a reasoned reply within three months.
3. The "Compensation Body" upon presentation of the claim as provided above, shall immediately notify:
 - a) the insurance undertaking covering the vehicle the use of which caused the accident, or its claims representative,
 - b) the compensation body of the Member State in which the insurance undertaking which has issued the policy is established,

- c) if known, the person who caused the accident that it has received a claim from the injured party and that it will respond to that claim within two months from the presentation of that claim.
4. The “Compensation Body”, based on the information provided by the injured party, shall settle the claim, after the elapse of the above two-month time limit, in accordance with the legislation of the state where the accident occurred and shall provide compensation, in so far it is liable to do so.

However, the “Compensation Body” may not demand – in order to proceed with the payment of indemnity – that the injured party provide evidence that the person liable to pay compensation is unable or refuses to pay – without prejudice to the provisions of par. 2 and 10 of this article.

5. Upon payment of the compensation, the “Compensation Body” may demand the recovery of the sum paid as compensation from the compensation body of the Member State in which the insurance undertaking that has issued the policy is established, subject to the agreement concluded between the compensation bodies of the Member States.
6. The “Compensation Body” is subrogated to all the rights of the injured party arising from the accident against the person that caused the accident or their insurance undertaking, up to the amount paid to the above injured party as compensation for any damage to property or bodily injury or up to the amount paid to the Compensation Body of another Member State.
7. The compensation paid by the “Compensation Body” is limited to the amount payable for the same cause to the injured party by the Social Security Fund or by any other Social Security organisation.
8. The “Compensation Body” shall be liable to pay compensation to injured parties who are residents in Greece and have suffered an accident in another Member State:
- a) caused by an unidentified vehicle
 - b) in case the insurance undertaking covering the vehicle that caused the accident cannot be identified
 - c) in cases of uninsured vehicles of third countries the International Insurance Bureau of which is a member of the Green Card System.

Compensation is payable in accordance with the procedure provided by par. 4 of this article.

9. The “Compensation Body” has a right of recovery for the amount paid in accordance with par. 8, against:
 - a) the Auxiliary Fund of the Member State in which the vehicle is normally based, in case the insurance undertaking remains unidentified,
 - b) the Auxiliary Fund of the Member State in which the accident occurred, in case the vehicle remains unidentified,
 - c) the Auxiliary Fund of the Member State in which the accident occurred in case of uninsured vehicles of third countries within the meaning of par. 8 of this article.

10. The “Compensation Body” shall not intervene or shall terminate any intervention, when the insurance undertaking of the liable party or its claims representative has proceeded to the related actions. Moreover, in case the injured party has lodged a lawsuit directly against the insurance undertaking, then he may not claim compensation from the “Compensation Body”.

11. Ministerial Act No. K4-4523/86 of the deputy Minister of Commerce “Organisation and Operation of the Motor Insurers’ Bureau” is appropriately modified and completed by decision of the Minister of Development. (Government Gazette / Bulletin of Sociétés Anonyme and limited liability companies 3087/23-10-1986).

P.D. 10/2003
 Article 6 which adds
 Article 27b

Article 27b

L.4364/2016
 Article 278
 par 10
 Valid from 1.1.2016

1. The Information Centre is a Department of the Auxiliary Fund for the insurance of liability arising from motor accidents of article 16 of this Law.

Note: With L. 3557/2007 (article 10 par.4) it was provided that the Information Centre consists a Department of the Supervision Committee of Private Insurance. Then, with the provisions of L. 3867/2010 (GG 128 A") it was specified that the Information Centre shall be, as of the day of elimination of the Supervision Committee of Private Insurance, a Department of the Auxiliary Fund of insurance liability for motor accidents established by article 16 of L. 489/1976 (GG 331 A'). Any special or technical issue for the implementation of this provision shall be regulated with Bank of Greece Decisions.

L.3746/09
 Article 42
 par.1

2. The object of the Information Centre is to provide information to any party involved in a traffic accident:
 - a) which was caused by a motor vehicle bearing Greek registration plates, or

- b) provided that the accident occurred within the territory of a Member State of the European Union and the European Economic Area, or it occurred within the territory of a third country whose International Insurance Bureau has adhered to the Green Card System, and the accident was caused by motor vehicles normally based and insured in a Member State of the European Union and the European Economic Area.
3. Furthermore, the information centre may provide similar information on vehicles which are normally based in Greece and which have been involved in accidents in Greece, so that the injured parties having legal interest are facilitated in their claiming for compensation.
- For the fulfilment of its objectives, the Information Centre shall be responsible for:

- a) keeping a registrar or co-ordinating the collection of the following information: *
- Registration number of every vehicle bearing Greek registration plates (registration number, full name and address of owner(s), make and type of vehicle)
 - Number of the insurance policy covering civil liability arising from motor vehicle accidents, as well as its validity period *
 - The insurance undertaking that has issued the policy, with full details, or the entity providing insurance cover to the vehicle, when the latter falls under the exceptions of article 3 hereof, as well as the claims representatives appointed by the insurance undertakings in other Member States.
 - The claims representatives appointed in Greece by all insurance undertakings established in the European Union or the European Economic Area, operating the motor civil liability insurance branch.
 - A list of the vehicles exempted from compulsory insurance against civil liability according to article 3 hereof and article 4 b of EEC Directive 72/166.
- b) The Information Centre shall assist all parties entitled to obtain the information referred to under a) above and shall coordinate the collection and distribution of such information.

* **NOTE:** With Paragraph 2 of article 42 of Law 3746/09, the indent which provided the collection of information for the numbers of the Green Card or Frontier Insurance Certificates of the Greek Motor Insurers' Bureau for a particular type of vehicles according to article 4 element b of the Directive 72/166/EEC is deleted.

In order to collect the information under a) above, the Information Centre shall apply to the insurance undertakings and insurance co-operatives operating in Greece, operating the motor civil liability insurance branch, bodies which are exempted from compulsory insurance (article 3 hereof and article 4b of EEC Directive 72/166) as well as the vehicle registration Authorities (Eulex). Such information may be collected through the submission of the corresponding data by the above bodies or through the direct access of the Information Centre that must be provided to the latter by the above bodies, to their computerised records, so that the I.C. obtains online real time the data and information that must be at its disposal.

All details regulating the collection of the relative information shall be determined by joint decision of the Minister of Development and other competent, as appropriate, Ministers.

4. The information mentioned in par. 3 a) of this article shall be kept for a period of seven years from the date the vehicle is deleted from the records of the Information Centre or from the date of expiration of the insurance policy.

The information centres of the European Union Member States shall cooperate in order to exchange information, in accordance with the cooperation agreement they have concluded.

5. All individuals or legal entities having suffered damage from motor accidents, as well as any other party having a legitimate interest, may request and instantly receive by the information centre of the Member State of their residence or the Member State of the registration plates borne by the vehicle or the Member State in which the accident occurred, the following information:
 - a) the name and address of the insurance undertaking or the organisation appointed for vehicles which fall under the exceptions set out in article 3 hereof
 - b) the insurance policy number
 - c) the name and address of the insurance undertaking's claims representative in Greece who is competent for the claim settlement.

The Information Centre shall provide the injured party with the name and address of the owner or usual driver or registered keeper of the vehicle if the injured party proves that he has legitimate interest in obtaining such information. In order to collect such information, the information centre shall address itself either to the insurance undertaking or the bodies referred to in par. 3 b) of this article.

6. All insurance undertakings headquartered in Greece, the mutual insurance co – operatives, the branches in Greece of insurance

undertakings headquartered in the European Union or the European Economic Area or third countries as well as the companies operating under FOS in Greece (Class 10 of motor civil liability insurance), are obliged to provide the Information Centre with the following information:

- the registration number of all vehicles for which they provide insurance against civil liability
- the insurance policy number as well as its term of effect
- the Green Card number

The Motor Insurers' Bureau shall provide the Information Centre with the numbers of the frontier insurance policies concluded, as provided for in article 4 b of EEC Directive 72/166.

The way of submitting the above information as well as all related time limits are determined by ministerial decision. Failure by insurance companies to comply with the above obligations shall entail the imposition of penalties provided by article 38 of L. 489/1976 (P.D. 237/1986).

7. The Ministries of Transportation and Communication, of Environment, Town Planning and Public Works, of Public Order, of Agriculture, of National Defence and Internal Affairs, of Public Administration and Decentralisation, as well as the Public Power Corporation shall provide the Information Centre with all information on vehicles they have registered or else provide the Information Centre with direct access to the computerised records they keep. This information includes: registration numbers, full name of owner, address of residence or headquarters in case of legal entities, make and type of vehicle. Any modification of the above data shall be timely sent to the Information centre in case direct access to their computerised archives is not provided.

L.3746/09
Article 42
par.3

8. A 'Central Database' operates at the Information Centre, which provides without delay to victims of traffic accidents, to insurers, or their legal representatives all basic data required for the claim settlement. All special or technical matters and necessary details for its implementation are determined by decision of the Private Insurance Supervisory Committee.

L. 4141/2013
Article 26
par. 4

9. The Information Centre must have the information it keeps in its records and cited in case a' of paragraph 3 hereof at the disposal of GSIS at all times, in order to conduct electronically, the inspection and detection of vehicles that are not covered by the compulsory, pursuant to the provisions of article 2, insurance coverage (namely detection of uninsured vehicles), pursuant to the special provisions of article 5a hereof.

Article 28

P.D. 252/96
Article 34
par. 4

1. All insurance companies operating the motor civil liability insurance branch, whether headquartered in Greece or abroad and whether they provide insurance cover through their establishment in Greece or through the free provision of services as defined in article 1 f) hereof, shall automatically and compulsorily obtain membership in the Motor Insurers' Bureau. The latter shall have the right of recourse against the establishment in Greece of insurance undertakings registered in other Member States in cases where the insurer conducts motor civil liability insurance abroad from its establishment in Greece through the provision of services, for all sums the Bureau may be required to pay on behalf of these undertakings under the provisions of the international agreements between Bureaux.
2. The members of the Bureau are required to cover the civil liability of their insureds for accidents caused abroad by motor vehicles normally based in Greece, issuing for this purpose the appropriate international insurance certificate.
3. The certificate forms are supplied by the Motor Insurers' Bureau, in the form that they are used internationally.
4. Companies headquartered abroad shall participate compulsorily and automatically in the Greek Motor Insurers' Bureau, being subject to the provisions of article 29 hereof.
(The provision allowing these companies to issue cards of the Bureau of their head office has been repealed).
5. Mutual insurance co-operatives as defined in article 35 par.4 of L.D. 400/70, as amended, shall also compulsorily become members of the Motor Insurers' Bureau if they cover motor third party liability.

L.2496/97
Article 37
par. 11

L.2496/97
Article 37
par. 12

L.3557/2007
article 17
par. 1 case b
(entire section b'
and letter "a"
are deleted)

Note:

By the transitional clause of L.3557/2007, article 16, par. 2, it is provided that:

"Within six (6) months of publication of the present Law in the Government Gazette all mutual insurance co-operatives regulated by the provisions of article 35, paragraphs 1 and 3 and leg. d. 400/1970, articles 36 and 37, as in force, shall become members of the Motor Insurers' Bureau forasmuch as they cover the same risks."

Article 29

1. The liability of a member of the Motor Insurers' Bureau deriving from the issue of an international insurance certificate is limited to the amount specified in article 6 par. 5 hereof. The amount exceeding the sum insured, according to the aforementioned paragraph, is paid by the Motor Insurers' Bureau.

On the occurrence of an accident, the member providing insurance cover shall be obliged, to pay to the Motor Insurers' Bureau the equivalent sum of the above limit, within ten working days from the date of notification by the Motor Insurers' Bureau.

2. Any sums which a member has failed to pay in performance of its obligations provided by the preceding paragraph, shall be paid to the Motor Insurers' Bureau by the other members in proportion to their insurance premium income relating to motor third party insurance liability during the business year preceding that of the accident, without prejudice to the Motor Insurers' Bureau's right of recourse against the member liable.
3. Any member failing to comply with its obligations set out in par. 1 and 2, shall be subject to the penalties provided by article 38 hereof.

L. 2496/97
Article 37
Par.13

4. By decision of the Management Committee, the Motor Insurers' Bureau may refuse to supply international insurance certificates to any member who fails to meet its obligations as provided by this Law and the relevant Ministerial Decisions, and it may further require that the member no longer issues international insurance certificates with which it has already been provided, and that it returns all forms which remain in its possession and have not yet been issued.

P.D. 252/96
Article 34
Par.5

5. The provisions of paragraphs 1 to 3 of this article do not apply to insurance undertakings – members of the Motor Insurers' Bureau which conduct motor third party liability insurance through the free provision of services as specified in article 1 f) hereof. The obligations of these members regarding the issue of international insurance certificates of the Greek Bureau are regulated by article 27 par. 2 hereof and by the Internal Regulations.

L. 3557/2007
article 10
par. 5
(second section
of par. 5
is replaced
as follows)

The liabilities of the above members arising from the issuance of an international insurance certificate (Green Card) of the Greek Bureau are regulated according to article 27, paragraph 2 hereof and Section II of the Internal Regulations.

Article 30

L. 3557/07
article 10
par. 6

1. The Motor Insurers' Bureau countersigns the text that includes the obligatory provisions of the Internal Regulations and is obliged to abide by these provisions as well as the provisions of Section II of this Agreement countersigned with the respective Bureaux regarding relations between these Bureaux based on the international insurance certificate (Green Card).

Likewise, the Motor Insurers' Bureau is obliged to abide by the provisions of Section III of the Internal Regulations, based on the deemed insurance cover, whose text it has countersigned, with the Bureaux mentioned in the Annex of the decision of the European Committee dated 28.7.2003 (L192), of the Member States of the European Economic Area and the associated states which acceded to the Multilateral Guarantee Agreement as per article 17 of the Internal Regulations.

The Motor Insurers' Bureau also signs all other agreements necessary for the fulfillment of its obligations.

2. Any agreement signed under the preceding paragraph, apart from the obligations it establishes between the contracting Bureaux, also creates direct rights and obligations of the members of the Bureau in respect of the policies each of those members has concluded.
3. Such agreement is exempted from any contribution in favour of the Jurists' Pension Fund or of any other legal entity.
4. Failure by any member to pay an insurance claim shall entail that all other members shall cover the amount paid by the Bureau, without prejudice to the right of recourse against the company which has issued the policy.

Article 31

L.3746/09
Article 43

1. An international insurance certificate is issued on completion of a printed form supplied by the Bureau according to the internationally used standard form.
2. This certificate is issued in order to enable the insured to exercise his rights arising from the agreement signed between the Greek Bureau and the corresponding Bureau of the state in which the accident occurred.
3. The Motor Insurers' Bureau accepts and receives any loss advice regarding accidents caused in Greece by vehicles normally based outside the territory of Greece, in so far as it is required by article 27 hereof to settle the claim and pay compensation for the accident.

4. Under such circumstances, the Bureau acts as proxy of the foreign insurer. The party who suffered damage following an accident caused in Greece by a vehicle normally based outside the territory of Greece has a direct action against the Motor Insurers' Bureau in so far as the provisions related to the vehicle and specified in this article are fulfilled, without prejudice to the right of action reserved to the Bureau which makes the payment.

Article 32

1. In case a vehicle which is exempted from the insurance cover inspection under article 13 par. 2 hereof has been involved in an accident in Greece, any Authority or insurance undertaking having dealt with the accident shall report promptly in writing to the Motor Insurers' Bureau the territory in which the vehicle involved is normally based, its registration number and full insurance particulars of the vehicle(s) involved in the accident in Greece.
2. The Motor Insurers' Bureau shall forward the abovementioned particulars so reported to the corresponding Bureau of the state in which every vehicle involved in the accident is normally based.

Article 33

1. The administrative bodies of the Motor Insurers' Bureau are the General Assembly of its members and the Management Committee.
2. The Management Committee consists of ten members. One of them, without voting rights, is appointed by the Minister of Commerce while all other members are elected by the General Assembly. The Committee elects its Chairman among its elected members.
3. By decision of the Minister of Commerce issued upon the opinion of the General Assembly, and published in the Government Gazette, the contributions which every member of the Motor Insurers' Bureau is obliged to pay shall be determined in accordance with the following provisions:
 - a) To cover operating expenses, the members shall pay to the Motor Insurers' Bureau as a registration fee, a sum at least equal to the equivalent in DRS of EUR 3,000. For the following years, the contribution rate of each member shall be calculated in proportion to the insurance premium income from motor insurance during the previous accounting year.

L. 2496/97
Article 37
par. 14

b) To meet the obligations of the Motor Insurers' Bureau arising from uninsured vehicles and from the direct settlement of claims from accidents caused in the territory of the Greek State or abroad by vehicles normally based abroad or in Greece respectively, and also in order to meet the reinsurance costs for its obligations arising under this Law, each member shall pay an annual contribution, calculated in proportion to its premium income from motor liability insurance during the previous accounting year. If the Management Committee estimates that the funds at any time available to the Bureau are insufficient to cover its outstanding obligations, each member shall contribute an additional proportionate sum within one (1) month from the date the related decision was made.

P.D. 252/96
Article 34
par. 6

4. Particularly in the case of insurance provided through the free provision of services within the meaning of article 1 f) hereof, contributions to the Motor Insurers' Bureau shall be calculated under the provisions currently in force for insurance undertakings established in Greece.

5. Article 24 hereof shall apply by analogy in case a member fails to comply with its obligations set out in the preceding paragraph.

L.2496/97
Article 37
par. 15

6. Article 25 hereof shall apply by analogy in case a member fails to comply with the obligations set out in this article in respect of contributions.

L. 2837/2000
Article 3
par. 4

7. As for the rest, articles 21 to 24 hereof shall apply for the Motor Insurers' Bureau.

L. 2496/97
Article 37
par. 16

8. By decision of the Minister of Development, issued upon a resolution of the General Assembly and published in the Government Gazette, additional proportionate contributions may be imposed, if the Management Committee estimates that the funds at any time available to the Bureau are insufficient to cover its outstanding obligations.

Article 34

L. 2170/93
Article 18
par. 5

By decision of the Minister of Commerce, issued upon a resolution of the General Assembly of the members of the Motor Insurers' Bureau and published in the Government Gazette, the following shall be determined:

a) The contributions payable by each member of the Motor Insurers' Bureau as well as the basis of their calculation to cover the obligations and guarantees undertaken by the Bureau as well as its operating expenses.

- b) The composition, convening, operation and competence of the Management Committee as defined in article 33 hereof.
- c) The time and method of convening, the quorum, voting on resolutions and operation of the General Assembly.
- d) Any refund of sums to the members during the operation of the Bureau.
- e) Any details necessary for the operation of the Bureau.

Article 34a

L.2496/97
Article 37
par. 18

1. Where in this Law the term “Member State of the EU” is used, the Member States of the European Union and of the European Economic Area are denoted.

L.3557/07
Article 10
par. 7

2. The obligations of the Motor Insurers’ Bureau, as a whole, which have arisen either before or after July 1, 2003, are regulated by the provisions of the Internal Regulations.

CHAPTER D

Frontier Insurance

Article 35

1. Vehicles entering Greece on which insurance cover control is conducted and which do not bear a valid international insurance certificate as provided for in article 5 par. 3 hereof, must upon entrance into the Greek territory obtain insurance cover through special insurance (“frontier insurance”) as provided for in the following article.
2. This special insurance (frontier insurance) shall be concluded for a period of 30 days and is not renewable. The provisions of article 6 par. 3 hereof shall apply likewise in this case.

Article 36

1. The Motor Insurers’ Bureau shall appoint at each border station and port of entrance into the country a representative authorised to underwrite frontier insurance on behalf of all members of the Bureau.
Such representative may be an individual or a legal entity as well as any official performing police or customs duties. Such representatives may be indemnified by decision of the Minister of Commerce, at the expense of the Bureau.

2. Frontier Insurance is concluded in accordance with the conditions and premium tariffs applicable in Greece.
3. A special document is issued for frontier insurance, the form of which is determined by decision of the Minister of Commerce.

Article 37

1. The Motor Insurers' Bureau shall keep a separate account of the premiums, claims (paid and outstanding) and of all other expenses of frontier insurance.
2. The Motor Insurers' Bureau is liable towards the injured party, the latter having a direct action against the Bureau.
3. As for the rest, the provisions of law regarding the Motor Insurers' Bureau shall apply to frontier insurance.

Article 37a

P.D. 10/2003
Article 8
which adds
Article 37a

1. The claims representative, who must be appointed in Greece pursuant to article 4 of the Directive 2000/26/EU by all insurance undertakings established in any Member State of the E.U or the E.E.A. and conducting insurance class 10 "motor civil liability Insurance", the carriers' liability excluded, shall have the following qualifications and obligations:

He must have a good command of the Greek language, have his permanent residence or domicile in Greece, be competently authorised to represent the insurance undertaking appointing him and to fully satisfy all claims of the injured parties who are permanent residents of Greece arising from accidents caused by vehicles insured by the said undertaking.

2. The above representative shall collect the necessary information relating to the above claims, in order to make a settlement of such claims and shall take all measures necessary to negotiate the claim settlement of claims. He shall further possess sufficient authority to represent the insurance undertaking before the injured parties who may be entitled to present a claim for compensation and also to fully satisfy such claims and, to the extent necessary, shall represent the undertaking before the public authorities with respect to such claims. Moreover, he shall proceed to any action defined in article 9a hereof.
3. The compulsory appointment of a claims representative by no means affects the right of the injured parties or their insurers to bring direct action against the person responsible for the accident or his insurance undertaking.

- 4 In case the claims representative fails to comply with the provisions of directive 2000/26 in order to satisfy the parties injured, the Supervisory Authority shall inform the corresponding Supervisory Authority of insurances of the state in which the insurance undertaking is established, so that all necessary measures are taken.

CHAPTER E

Final and transitory provisions

Article 38

- | | |
|---------------------------------------|---|
| L. 2170/93
Article 19
par.1 | 1. Failure by an insurance undertaking to comply with the provisions hereof and with the Presidential Decrees and Ministerial acts issued for the implementation of this Law, shall entail the revocation of its licence for conducting motor vehicle liability insurance. |
| L. 3557/07
Article 10
par.8 | 2. Beyond the consequences laid down in the previous paragraph, the Minister of Development can impose a fine of up to EUR 3,000 on an Insurance company that: a) refuses, unjustifiably to underwrite or renew an insurance policy according to the conditions of obligatory insurance included in this Law or b) does not conform to the provisions of this Law and to the Presidential Decrees and Ministerial Decisions in execution thereof according to the conditions of the previous paragraph. This amount can be readjusted by a decision of the Minister of Commerce. |
| P.D. 10/2003
Article 5
par.2 | <p>The Minister may impose a fine of up to EUR 20,000 to any insurance undertaking which fails to comply with the provisions of article 6 par. 7 of article 27b hereof and with the Ministerial acts issued for the implementation thereof.</p> <p>3. In case the licence to operate of a motor liability insurance undertaking is revoked under par. 1 of this article, the undertaking concerned shall cancel its policies in force, without prejudice to the provisions of article 11 par. 2 hereof and shall refund to the insured the unearned premiums of such policies, after deducting an amount equal to 25 % of the premiums.</p> |
| L. 4261/2014
Article 169
par. 7 | <p><i>(Paragraph 4 of article 38 which provided that “in the event of the Hellenic Association of Insurance Companies not complying with the provisions of article 4 par. 1 hereof, a fine of EUR 2,000 to EUR 4,000 is imposed” is annulled)</i></p> |

Article 39

1. A levy on the net premium of the class of Motor Insurance may be imposed in favour of the National Road Fund by decision of the Minister of Commerce. Such levy may be increased up to 3 % by presidential Decree issued on the proposal of the Minister of Commerce.
2. The above levy is entered separately in the insurance policy and is payable by the insured.
3. The insurance undertakings are obliged to pay to the National Road Fund within one month from the end of each quarter, the levies collected during that quarter.
4. The National Road Fund shall make exclusive use of its revenue under par. 1 for the signalling of the national and provincial road network.
5. By decision of the Minister of Development part of the contribution provided for in par. 1 hereof may be made available to the Auxiliary Fund for the performance of its objectives. The details regarding the implementation of this paragraph shall be regulated by similar decision of the Minister of Development.

L. 2496/97
Article 37
par. 27

The provisions of articles 40-56 of P.D. 237/1986 which codified the provisions of articles 22-28 of L. 1569/85 (G.G. A'183) regarding the constitution and operation of public law entity under the name "SEPTA" (Body of Special Surveyors of Motor Accidents) have been annulled with article 16 par.1 of L. 1867/89 (G.G. A'227).

Article 57

In case of differences between the text of this Decree and the text of the statutes codified, the latter shall prevail.

Article 58

This Law shall be in force from the date of its publication in the Government Gazette.

The publication and application of this Decree is entrusted to the Deputy Minister of Commerce.*

*** Note:**

Par. 20 of article 37 of L. 2496/97 provides that wherever in the provisions of L. 489/1976, as applicable, reference is made to the Minister of Commerce, the Minister of Development is denoted.

Remark:

Law 3557/2007 “Modification of Presidential Decree 237/1986” (G.G. A’110) whereby Law 489/1976 “Compulsory insurance of civil liability arising from motor accidents (G.G. A’331) and other provisions” was codified, provides the following:

1. The provisions of Law 2496/1997, as in force, (article 17, par. 1b) shall complementarily apply for all cases not specifically regulated by the provisions of P.D. 237/1986.
2. The Minister of Commerce’s decision number K4/585/1978 (G.G. 795/Bulletin for Sociétés Anonymes and limited liability companies) is annulled. (Article 17 par. 1b)
3. All other general or specific provisions regulating cases dealt by this Law or dissenting from the provisions of this Law are annulled. (Article 17 par. 2)
4. Finally, it is noted that provisions of L. 3557/2007 (G.G. A’100) come into effect after its publication in the Government Gazette, i.e. May 14, 2007, with the exception of the cases provided for differently in its specific provisions (L. 3557/2007, article 18).

The present Law constitutes an unofficial codification of Law 489/76, as subsequently modified, and has been rendered into English by the services of the Motor Insurers’ Bureau - Greece. In every instance the Greek text overrides the English version.
