

"RS Official Gazette", 32/2010 and 99/2010

Pursuant to Article 19 paragraph 2 of the Law on Compulsory Traffic Insurance ("RS Official Gazette", No. 51/2009), the Governor of the National Bank of Serbia hereby issues the following

**DECISION
ON THE CONTENT OF MTPL POLICY FORM AND THE MANNER OF
KEEPING RECORDS OF ISSUED POLICIES**

1. This decision prescribes the content of the motor third party liability insurance contract-MTPL policy form (hereinafter: Policy) and the manner of keeping records of issued policies.
2. The policy shall be concluded on the form which is uniform for the territory of the Republic of Serbia.
3. The policy form shall have six sections respectively marked in different colors and/or shades.

The first section of the policy form shall contain the following elements:

1) in the left corner a space is provided for entry of identification details of the insurance company - insurer (logo, business name and seat, registration number, tax identification number (PIB), current account number and telephone number), below which it reads „Organizational Unit /Company Agent " to be completed with the name of the insurer's organizational unit /name of insurer's agent /name of legal entity selling the policy which is authorized for motor vehicle inspection in accordance with the regulations on road traffic safety (hereinafter: motor vehicle inspection station);

2) in the middle there is a policy name „MTPL Policy" and its registration number with the first two digits printed, designating the number under which the insurer issuing the policy is filed in the Register of Data on Insurance Companies kept by the National Bank of Serbia, while other digits shall be obtained from the records of the Association of Serbian Insurers (hereinafter: Association) and written and/or printed when issuing the policy;

3) in the right corner there is a policy serial number designated by the Institute for Manufacturing Banknotes and Coins - Topčider (hereinafter: Institute) when printing the Policy and it may also contain the policy barcode;

4) below the policy serial number, registration No. of the insurer with which the previous policy was contracted shall be entered as well as the registration number of the previous policy and the premium level specified in such policy.

In the space of the second section of the policy form the following shall be entered:

- 1) details of insured, as follows:
 - for natural person: name and surname, personal identification number, ZIP code and residence - street and number, No. of entrance and No. of apartment,
 - for legal entity: business name, registration number, tax identification number, ZIP code, seat, street and number;
- 2) details of motor vehicle, as follows: registration marking, type, year of manufacture, load, make and type, power, color, chassis number, capacity, number of registered seats and purpose.

The third section of the policy form shall be completed with the data on the insurance period, specifying the inception date and expiry date of insurance (day, month, year, hour and minute), while the space of the fourth section shall be completed with the data on the sum insured per any one loss event and/or with the article of the law on compulsory traffic insurance stipulating such sum, data on the risk area, rating group/subgroup, premium level, loadings /discounts and premium amount.

The fifth section of the form contains the title „Notes" and the space to enter identification details of the lessee and/or lease holder (name and surname, personal identification number, ZIP code and place of residence - street and number, number of entrance and number of apartment for natural person i.e. business name, registration number, tax identification number, ZIP code, seat, street and number for legal entity). If at the time of issue of a new policy the claim under the previous policies has not been included in malus calculation in any of the previous policies - this section shall be completed with the registration number(s) of previous policies, with such claim. This section can also contain other details relevant for the MTPL insurance.

The sixth section of the policy form contains the following text: „This MTPL insurance contract - policy has been concluded according to the insurance terms and conditions which are the integral part thereof." Below this text, on the left-hand side, a space is provided for the signature of an authorized person of the insurer/insurer's agent and number of authorization of the employee of the insurer's agent /vehicle inspection station (person authorized for selling policies), in the middle there is a space for the stamp of

the insurer /insurer's agent /vehicle inspection station, and on the right-hand side a space is provided for place and date of policy signing, and the stamp and signature of the insured.

Back of the original policy contains printed instructions for the procedure to be followed in case of a loss event, which shall read as follows:

„Dear insureds,

With the MTPL Policy you are covered against the liability for the loss you may cause to third parties by the use of a motor vehicle resulting in death, bodily injury, affected health or destruction of and/or damage to the objects taken for transport and intended for personal use of persons in the vehicle.

In case of loss event occurrence:

- proceed in accordance with the regulations on the road traffic safety;
- complete the European Traffic Accident Report only in case of a minor material damage and when no traffic accident participant requests police investigation on the scene of occurrence;
- call the police (number 92) and, if necessary, ambulance (number 94);
- cooperate with the representatives of the relevant authority who appear at the scene of occurrence;
- ask the policemen where and when you can receive the copy of investigation report;
- notify of the loss event occurrence the insurance company which has concluded MTPL insurance with the vehicle owner liable for the damage, within 15 days at the latest- for the purpose of damage assessment and right to compensation; the damage shall be assessed either by such insurance company or you shall be referred to another person authorized for damage assessment;
- do not make any repairs on the vehicle until the authorized persons have assessed the damage;
- file a claim to the insurance company which has provided the insurance coverage for the vehicle causing the damage;
- duly consider any statement you may sign and read it carefully before signing and/or check if it contains true and complete information;
- it is essential that you stay calm: calmness will help you to overcome this distressing situation with as little difficulties as possible".

4. Policy form is made in original and three copies. Below the name of the policy original there shall be a printed text „For the Insured ", and below

the name of the first copy there shall be the text „For the Ministry of Internal Affairs". The policy original and the first copy shall be submitted to the insured when concluding the policy. The insured shall submit the first copy of the policy to the Ministry of Internal Affairs (MUP) when registering the vehicle while the second copy shall be kept by the insurer. Below the policy name, this copy shall contain the following printed text „For the Insurer ". The third copy shall be kept by the organizational unit of the insurer /insurer's agent /vehicle inspection station. Below the policy name, this copy shall contain the following printed text „For the Agent ".

5. Policy form shall be printed by the Institute.

In the beginning of each calendar year, the insurance company shall submit to the Institute the annual plan for the needed policies, observing that according to such plan the request for delivery of policy forms in individual orders shall be sent maximum seven days before the requested delivery.

The insurance company ordering the printing of policy forms shall bear the costs of printing and shall submit to the Institute the evidence of payment of such costs, at the latest upon the delivery of these forms.

6. Upon the delivery of policy forms to the insurance company, the Institute shall inform the Association of the serial numbers of such policies.

7. The insurance company and the Association shall keep records of policies and all policy data by applying the information systems which ensure the collection of comprehensive and accurate data in accordance with the needs and requirements of business operations, keeping and processing of such data, their timely availability to the interested users, their high reliability and protection against unauthorized access, continuity of business operations, adequate capacity and performance in accordance with the scope of activities performed in the process of keeping such records as well as a reliable connection for the data exchange with the participants in the process of such record keeping.

The information systems referred to in paragraph 1 of the item hereof should support the requirements of the said paragraph and items from 8 to 12 of the Decision hereof and ensure the keeping of records of all data contained in the policy.

In the process of issuing policies, the persons authorized for selling policies shall, when entering data in the policy and issuing and/or printing the policy, use such software solutions which ensure timely submission of data to the insurance company and the Association.

8. In accordance with the regulations of the Association, the data relating to the records shall be electronically exchanged between the insurance companies, the Association and the persons authorized for selling policies, and the list of such persons shall be available on the website of the Association.

9. The insurance company shall submit to the Association the details of legal entities /insurance agents /vehicle inspection stations with which it has concluded the insurance agency agreement as well as the details of the insurance company's employees authorized for selling policies, and employees of legal entities/insurance agents/vehicle inspection stations with which it has concluded the insurance agency agreement.

The National Bank of Serbia shall enable the Information Centre of the Association to electronically receive the data on persons who have been issued and/or revoked the license for insurance agency and on the persons who have been issued and/or revoked the authorization for agency activities.

10. Upon the electronic request of the person authorized for selling policies for the assignment of the policy registration number, the Association shall automatically and immediately assign to such person the first available policy registration number which enables such person to print the policy.

The request referred to in paragraph 1 of the item hereof shall particularly contain the following data:

- 1) on the insurer (registration number);
- 2) on the policy serial number, policy inception date and policy expiry date;
- 3) on the insured, lessee and/or lease holder (name and surname and the personal identification number - for natural person i.e. business name and registration number - for legal entity);
- 4) on motor vehicle (registration marking and chassis number);
- 5) on previous insurance (registration number of previous insurer, registration number of previous policy and previous premium level).

Policy is printed electronically - applying the integrated information system.

Upon obtaining the policy registration number, the person authorized for selling policies shall print the data referred to in item 7 of the Decision hereof on the policy form and send them electronically to the insurance company issuing the policy, in accordance with the internal regulations of such company.

11. Policy registration number shall not be assigned in the following cases:

- 1) when for the current insurance period the valid policy has already been issued for the same chassis number of a motor vehicle;
- 2) when the person requesting the assignment of such number is not authorized by the insurance company to sell policies;
- 3) when the person requesting the assignment of such number is not authorized by the National Bank of Serbia for insurance agency or when such authorization has been revoked;
- 4) when the policy serial number has been cancelled, issued to another vehicle, belongs to a stolen or lost policy, to the policy not returned by the person who has ceased to sell insurance or to the policy declared null and void;
- 5) when the request for assignment of such number does not contain the data referred to in item 10 paragraph 2 of the Decision hereof.

The Association shall electronically inform the insurance company of the denied request for assignment of policy registration number, stating the reasons for such denial.

12. Insurance company shall verify the received data on issued /sold policies and shall submit to the Association electronically signed policies every fifteen days in the manner stipulated in item 7 of the Decision hereof.

The Association shall submit to the National Bank of Serbia the list of all policies, by insurers, for which the difference between the original data from the request for the assignment of policy registration number and the data referred to in paragraph 1 of the item hereof has been identified.

The insurance company and the Association shall provide in their information systems all data on made changes-modifications (name and surname of a person who has made a change to the data, exact date and time of the change) and the data on chronology i.e. sequence of such changes (value of the previous data item).

13. The insurance company shall keep records of issued/returned policies at all levels - applying the information system referred to in item 7 of the Decision hereof.

14. Upon request, the Association shall submit to the National Bank of Serbia the data of which it keeps records in accordance with the Decision hereof.

15. As of 1 April 2011, the insurance company shall keep records of the sold policies on the policy form printed in accordance with the Decision hereof.

In the records referred to in paragraph 1 of the item hereof the insurance company shall include the relevant data for 2010 from the records the insurance company has kept in accordance with the regulations and by-laws of business policy applicable until the effective date of the Decision hereof.

16. The insurance company can issue policies on the forms printed in accordance with the regulations applicable until the effective date of the Decision hereof - up to 31 March 2011.

17. Exceptionally from item 5 paragraph 2 of the Decision hereof, the insurance company shall, until 1 June 2010, submit to the Institute the annual plan for the policies needed in 2011.

18. Until 31 March 2012, the data on the policy serial number shall be entered in the request referred to in item 10 paragraph 2 provision 5 of the Decision hereof instead of the data on the policy registration number, when such number is not available.

19. This Decision shall enter into force on the eighth day following the day of its publication in the "RS Official Gazette".

Dec. No. 34
12 May 2010
B e l g r a d e

G o v e r n o r
National Bank of Serbia

Radovan Jelašić, sign.