

# Green Card Bureau Compendium

## IRL – Ireland

Review date: 04/12/2020

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### General information

**Please provide the official full name of your Bureau.**

Motor Insurers' Bureau of Ireland  
5 Harbourmaster Place  
IFSC  
Dublin 1

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

Private company limited by Guarantee

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

All motor insurers writing Class 10 business must be a Member of MIBI with each Member Company having equal voting rights.

### Question N° 1

**1.1. What was the date of the original Law, which introduced Compulsory Third Party Motor Insurance and what was the date of its entry into force?**

Road Traffic Act, 1933.

**1.2. What is the date of the present Law and of its entry into force?**

Road Traffic Act, 1961 and as amended subsequently.

## Question N° 2

### 2. Which are the classes of motor vehicles for which insurance is compulsory?

All classes of motor vehicle excluding all Government vehicles and those operated under a deposit with the Government and pedestrian controlled vehicles which are neither constructed nor adapted for use for carrying the driver or a passenger.

## Question N° 3

### 3. Is the Law applicable to foreign visitors?

Yes

## Question N° 4

### 4. Does the Law apply in respect of liability for both personal injury and damage to property?

Yes

## Question N° 5

5. What is the minimum limit of cover required for personal injury damage? State the minimum value of sum insured, date with effect from and please indicate whether the limit is per accident or per victim.

Type of vehicle	Personal injuries		Material damage	
	Per accident	Per victim	Per accident	Per victim
All		Unlimited	€1,120,000	
<b>Date of effect:</b> Material Damage limit increased, with effect from 21 December 2011, to €1,120,000, per claim whatever the number of victims.				

### Question N° 6

**6.1. Does the Law require cover in respect of passengers carried in the vehicle?**

Yes

**6.2. Is there any category of passenger excluded from this cover?**

No

### Question N° 7

**7. Under what conditions is an insurer permitted by Law to reject a third party claim? Please specify.**

The Insurer can reject a third party claim if the policy contains the following conditions:

- a. by specifying by name of the persons to be covered;
- b. by specifying by name of the persons not to be covered;
- c. by specifying by name of persons whose employees are covered;
- d. by requiring persons so covered to be accompanied by a named person or an employee of a named person;
- e. by specifying that the vehicle must not have been stolen or obtained by violence or taken without the consent of the owner or other lawful authority;
- f. by specifying age parameters for driving.

### Question N° 8

**8. Is there a direct right of action by a third party against an insurer?**

Yes

### Question N° 9

**9. Does a claimant resident in a foreign country have a direct right of action against the local Bureau or the insurer representing the Bureau?**

Yes.

### Question N° 10

**10.1. Does the Law require the insurer and/or Bureau to make an offer of compensation to a claimant within a specified time?**

Yes; either a reasoned offer or a reasoned reply.

**If yes, what is the nature of the damages to which the time-limit applies?**

All accidents as specified by the Codified Directive 2009/103EC.

**10.2. What is the specific time-limit?**

3 months.

**10.3. Which are the other provisions of the Law in this respect? (e.g. sanctions)**

Sanction for failure to comply is as per Regulation 59 of EU Framework Regs 1994.

**10.4. Are there any similar stipulations for provisional payments?**

No.

<b>Question N° 11</b>
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**11.1. Is there a limitation period for legal proceedings against the insured or the insurer?**

Yes

**If yes, please specify.**

Property damage – 6 years

Personal Injury – 2 years

**11.2. Are there any provisions in the Law which allow for the suspension or extension of that limitation period?**

Yes.

**If yes, please specify.**

Yes - Personal Injury claims limitation period is subject to:

- a. Minors: period runs from age of majority (18 years)
- b. Claims against estate of deceased person limitation period of 2 years.
- c. Personal Injuries Assessment Board ) legal stipulations

<b>Question N° 12</b>
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**12.1. Is your Bureau a VAT liable entity?**

Yes.

**12.2. If yes, please indicate the VAT number:**

0647243L

**In this case is the service of claims handling by the Bureau VAT exempted?**

Yes.

**12.3. Is an MTPL insurer in your market a VAT liable entity?**

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Yes.

**If yes, is the service of claims handling by an MTPL insurer VAT exempted?**

Yes.

**12.4. Is a specialised claims handling office a VAT liable entity?**

Yes.

**If yes, is the service of claims handling by this entity VAT exempted?**

Yes.

### **Question N° 13**

[Note: Questions addressed to non-EEA Bureaux only. For EEA Bureaux, see Section 2 & 3]

**13.1. Is there a Guarantee Fund in your Country?**

N/A.

**If yes, what are the conditions and limits of intervention of the Guarantee Fund?**

N/A.

**13.2. Are these conditions and limits applicable to non-residents whether they are the cause of, or victims of, accidents?**

N/A.

### **Question N° 14 – For countries concerned by Section III of the Internal Regulations**

**14.1. Are there natural or legal persons (public or private) exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.2 of the Internal Regulations)**

Yes

**If yes, please list the persons exempt from compulsory MTPL insurance:**

Dublin Bus, Bus Eireann and Iarnrod Eireann

**In this case please also indicate the authorities or bodies responsible for compensation:**

The relevant Government Department

**14.2. Are there certain types of vehicles or certain vehicles bearing a special plate exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.3. of the Internal Regulations)**

N/A

If yes, please list those vehicles:

<b>Question N° 15</b>
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**15.1. Any other special features?**

All personal injury claims must be submitted to the Personal Injuries Assessment Board prior to issue of legal proceedings (PIAB Act, 2003)