

Compensation Body Compendium

CH – Switzerland

Review date: 16/09/2022

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1. What is the full identity (exact name, address, etc.) of the Compensation Body established or approved in accordance with Article 24 of the Codified Motor Insurance Directive? Please specify.

Please visit the CoB [website](#) or [extranet](#).

2. What is the legal nature of this body?

Semi-public.

3. On what legal basis is it authorised to carry out compensation?

Art. 79d Road Traffic Act (RTA).

4. Is compensation by this body subsidiary?

No.

5. If the compensation is subsidiary, which entities are excluded?

N/A.

6. Is this body a VAT liable entity?

No.

If yes, please indicate the VAT number:

N/A.

In this case, is the service of claim handling VAT exempted?

N/A.

7. Are there any specific provisions governing the recourse between this body and those responsible for the accident and other insurers or social security bodies obliged to compensate the victim for the same accident?

Yes.

If yes, what do these specific provisions consist of? Please specify briefly.

According to art. 54a para. 2 of the Ordinance on vehicle insurance (OAV), the Compensation Body takes into account "the compensation paid by the social security bodies when granting its own compensation".

8. Under your legislation, does a victim who has requested compensation under Articles 24 and 25 of the Codified Motor Insurance Directive have the right to remedy against the decision/omission of the Compensation Body?

No.

If yes, please specify (appeal to administrative authority, judicial review of the latter's decision or action to court directly, i.e. passive procedural legitimacy of the Compensation Body):

N/A.

9. Are there natural or legal persons (public or private) exempt from the obligation of compulsory MTPL insurance in your country? (Article 5.1 of the Codified Motor Insurance Directive)

Yes.

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

The Swiss Confederation and cantons (art. 73 para. 1 RTA).

Please also indicate the authorities or bodies responsible for compensation:

For damages caused by army vehicles: Militär Schadenzentrum VBS, Maulbeerstrasse 9, CH-3003 Bern, +41 31 323 45 86, info@schadenzentrumvbs.ch

10. Are there certain types of vehicles or certain vehicles having a special plate exempted from the obligation of compulsory MTPL insurance in your country? (Article 5.2 of the Codified Motor Insurance Directive)

No, all categories of motor vehicle in use on public roads have the obligation of compulsory insurance (art. 63 para 1 RTA).

If yes, please list those vehicles:

N/A.