

LAW ON COMPULSORY TRAFFIC INSURANCE

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I. GENERAL PROVISIONS

Basic provisions

Article 1

This Law shall regulate the compulsory insurance of: a) passengers in the public transport against consequences of a casualty - accident; b) owners, that is, users of motor vehicles and trailers; c) owners, that is, users of aircraft, and d) owners, that is, users of vessels, that is, motor boats, against liability for damages caused to third parties in the traffic and the other matters relevant to the compulsory traffic insurance.

Meaning of specific terms

Article 2

(1) The terms used in this Law shall have the following meaning:

1. **"Vessel or motor boat"** is a power driven craft defined in accordance with the Law on Inland Navigation;
2. **"Aircraft"** is a means defined in accordance with the regulations on air navigation;
3. **"Motor vehicles and trailers"** are motor vehicles and trailers defined in accordance with the Law on Vehicles;
4. **"Responsible insurance company"** is an insurance company with which the owner of the means of transport, which caused the accident, has concluded a contract for compulsory insurance;
5. **"Means of transport"** is a means of passenger transport in the public traffic, a motor vehicle and a trailer, an aircraft and a vessel or a motor boat;
6. **"Foreign motor vehicle"** is a motor vehicle registered outside the territory of the Republic of Macedonia;
7. **"Foreign aircraft"** is an aircraft registered outside the territory of the Republic of Macedonia;
8. **"Foreign vessel, that is, motor boat"** is a vessel, that is, a boat registered outside the territory of the Republic of Macedonia;
9. **"Beneficiary"** is a person entitled to compensation under the compulsory traffic insurance;
10. **"Injured party"** is a person who has suffered damage by the use of a means of transport;

11. **"Special Drawing Rights (SDRs)"** are special drawing rights (unit of account) defined by the International Monetary Fund, expressed in Denar counter-value of the National Bank of the Republic of Macedonia; and

12. **"Crete Agreement"** refers to the internal provisions adopted on the 26th General Assembly of the Council of Bureaux, held on the 30th and the 31st of May 2002, and which entered into force on the 1st of July, 2003.

Compulsory insurance contract

Article 3

(1) The owners of the means of transport shall be obliged, prior to start using the means of transport in the traffic, to conclude a compulsory insurance contract with the insurance company which holds a license for carrying out compulsory insurance activities.

(2) Registration of a means of transport, extension of the registration, issuance of temporary registration plates, as well as issuance of a sticker, may be performed after the body responsible for registration is presented with an evidence for a compulsory insurance contract concluded for the period of validity of the registration at the least.

(3) The compulsory insurance contract shall also cover the liability of all persons that operate the means of transport by the consent of the owner.

(4) The insurance company, carrying out compulsory insurance activities, shall be obliged to conclude the compulsory insurance contract in accordance with the provisions of this Law, the insurance terms and conditions and the premium tariffs.

Policyholder identification

Article 4

(1) The person operating the means of transport shall be obliged to have the insurance contract (insurance policy) or any other evidence of a concluded insurance contract when using the means of transport in the traffic, and he/she shall be obliged to provide the aforementioned at the request of an authorized person of the body of internal affairs who conducts traffic control for inspection.

(2) If the person operating the means of transport does not provide the requested evidence for inspection, the authorized person referred to in paragraph (1) of this Article shall be obliged to prevent the person from using the means of transport in the traffic, and to file misdemeanor charges before the competent court.

(3) In the event of a traffic accident, the person operating the means of transport shall be obliged to provide the personal identification documents and the insurance contract (policy) to all the participants in the traffic accident for inspection.

Right to file a claim for damage compensation

Article 5

(1) The injured party shall have the right to file a claim for damage compensation directly to the responsible insurance company.

(2) The injured party may file a lawsuit for damage compensation to a competent court only if he/she has previously filed a claim for compensation of damages to the responsible insurance company.

(3) The insurance company cannot file an objection against the injured party which on the basis of the law or the insurance contract might be filed against the insured party due to noncompliance with the law, the insurance terms and conditions or the insurance contract.

Conclusion of a new insurance contract in the event of revocation of the license for carrying out insurance activities in the classes of compulsory insurance

Article 6

(1) In the event of revocation of the license for carrying out insurance activities of the insurance company in one or several compulsory insurance classes pursuant to this Law, the person who has concluded a compulsory insurance contract with the respective insurance company shall be obliged to conclude a compulsory insurance contract with another insurance company prior to the termination of the insurance period remaining under the previously concluded contract. The person shall be obliged to conclude the new contract within a period of 30 days as of the day of publication of the decision on revocation of the license in the "Official Gazette in the Republic of Macedonia".

(2) The compulsory insurance contracts of the insurance company shall cease to be valid upon the expiry of 30 days as of the day of publication of the decision referred to in paragraph (1) of this Article in the "Official Gazette of the Republic of Macedonia".

(3) The premium paid for the new contract shall be divided in proportion to the time period remaining in accordance with the initial contract.

Collection, storage and use of personal data

Article 7

(1) The insurance companies and the National Insurance Bureau shall be obliged to collect, process, keep, use, and submit data required for conclusion of insurance contracts in accordance with the Law on Personal Data Protection and the special regulations referring to the database in the field of insurance.

(2) The insurance companies and the National Insurance Bureau may deliver the data referred to in paragraph (1) of this Article to a foreign insurance company or a foreign insurance bureau if a foreign person participates in an accident.

(3) The insurance companies and the National Insurance Bureau shall cooperate with the body of internal affairs with regard to delivery of data relevant to conclusion of insurance contracts and decision-making upon damage compensation claims.

Vehicles of the ARM

Article 8

The provisions of this Law on compulsory insurance shall not apply to the means of transport of the Army of the Republic of Macedonia, except for the means of transport intended for civil use in the public traffic, on a daily basis.

Validity of other laws

Article 9

The provisions of the Law on Obligations and the Law on Insurance Supervision shall apply to all matters that are not regulated by this Law.

II. INSURANCE OF PASSENGERS IN THE PUBLIC TRANSPORT AGAINST CONSEQUENCES OF A CASUALTY – ACCIDENT

Contract for insurance of passengers in the public transport

Article 10

(1) The owners, that is, the users of means of transport registered for transport of passengers in the public traffic shall be obliged to conclude a contract for insurance of passengers against consequences of a casualty – accident with an insurance company.

(2) The contract referred to in paragraph (1) of this Article shall have to be concluded by the owners of:

- 1) buses used to provide public transport in the municipal, inter-municipal, and international route and special route traffic;
- 2) passenger motor vehicles for auto taxi transport of passengers and rent-a-car vehicles rented with a driver;
- 3) buses transporting workers to and from their work;
- 4) railway vehicles for transport of passengers;
- 5) all types of lake and river vessels, including the floating platforms and rafts transporting passengers on regular lines or for special purposes, as well as cruising and transport of tourists;
- 6) all types of rent-a-car vessels referred to in point 5 of this paragraph which are rented with at least one of the crew members;
- 7) aircraft and other means of public air transport of passengers on regular and special lines;
- 8) buses for transport of tourists by tourist enterprises; and
- 9) all other means of transport, irrespective of the type of propulsion, carrying out transport of passengers as a registered fee-charging activity.

(3) Where the owner of the means of transport and the user are not the same person, the user shall be obliged to conclude the contract referred to in paragraph (2) of this Article.

Passengers in the public traffic

Article 11

(1) Passengers in the public traffic, in terms of the provisions of this Law, shall be the persons who, with the intent to travel, are found on any of the means of public transport, regardless whether they have a ticket or not, as well as the persons within the station area, the port, the airport or in the immediate vicinity of the means of transport prior to boarding, that is, after the disembarking, who intended to travel with a particular means of transport or have traveled by it.

(2) The passengers referred to in paragraph (1) of this Article shall also be considered the persons entitled to transport or ride free of charge.

(3) The passengers referred to in paragraph (1) of this Article shall not be considered the persons who are doing the transport.

(4) The beneficiary shall bear the burden of proving that a particular person has been a passenger.

Minimum sum assured

Article 12

(1) The minimum sum assured at which the insurance for a single passenger in the event of death, permanent loss of the general working capacity and temporary incapacity to work must be agreed, shall be calculated in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia in the amount of:

- 1) Euro 4.500 in the event of death;
- 2) Euro 9.000 in the event of permanent loss of the general working capacity; and
- 3) Euro 2.200 in the event of temporary incapacity to work and the necessary medical treatment costs.

(2) In view of the insurance of passengers in the public transport against consequences of a casualty - accident referred to in Article 10 paragraph (1) point 7 of this Law, the minimum sum assured for all types of damages calculated in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia on the day of payment shall amount 250.000 Special Drawing Rights - SDRs.

(3) The liability of the insurance company arising from the insurance of passengers in the public transport cannot exceed the minimum sum assured laid down in paragraph (1) of this Article, unless a larger amount is envisaged by the insurance contract.

(4) The compensation for actual and necessary medical treatment costs and lost profit shall be paid irrespective of the sum assured paid in the event of permanent loss of the general working capacity.

(5) As of the day of the final determination of the permanent, that is, temporary working incapacity, the liability for compensation of further medical treatment costs and the lost profit shall cease to exist.

(6) Solely the medical treatment costs borne by the passenger shall be compensated.

Limitation of the liability of the company

Article 13

(1) Where the passenger, that is, the beneficiary has suffered a greater damage than the amount of the paid compensation with regard to this insurance, the aforementioned shall be entitled to indemnification by the person who has caused the damage, only for the remained amount of the damage suffered.

(2) The passenger, that is, the beneficiary who has been indemnified by the person that has caused the damage or the responsible insurance company shall not have the right to indemnification in respect of insurance of passengers in public transport against accident consequences in the amount of the damage paid.

III. THIRD PARTY LIABILITY INSURANCE FOR OWNERS OF MOTOR VEHICLES

1. AUTOMOBILE LIABILITY INSURANCE CONTRACT

Conclusion of automobile liability insurance contract

Article 14

The owner, that is, the user of a motor vehicle and a trailer shall be obliged to conclude a liability insurance contract for damages which, by the use of the motor vehicle, are inflicted on third parties due to death, bodily injury, health impairment, destroyed or damaged goods (hereinafter: automobile liability insurance), except for liability for damages of goods received for transport.

Exceptions to the right to damage compensation

Article 15

Any person shall be entitled to damage compensation under automobile liability insurance, apart from:

- 1) the person operating the motor vehicle which has caused the accident;
- 2) the owner, co-owner, insurance contractor and any other user of the vehicle who, at the moment of the accident, has not operated the motor vehicle, with the use of which the accident has been caused, but solely for the amount of the damage caused by destruction or damage of items;
- 3) the person who illegally appropriated the motor vehicle, as well as the accomplice in the illegal appropriation of the motor vehicle, with the use of which the accident has been caused, regardless if he/she has operated the motor vehicle at the moment of occurrence of the accident; and
- 4) the persons who have suffered the damage as a result of:
 - use of a motor vehicle at sports events for which an official consent has been granted, and at which a maximum speed is needed to be reached; and
 - use of a motor vehicle in an act of terrorism or military operations defined in accordance with the Criminal Code.

Right to subrogation

Article 16

(1) The automobile liability insurance shall also cover the damages caused by the use of a motor vehicle by an unauthorized person.

(2) An unauthorized person in terms of paragraph (1) of this Article shall be a person who:
a) operates a motor vehicle without an appropriate driving license (including a person who is being trained for obtaining a driving license without the presence of an authorized person), or
b) operates a motor vehicle in an illegal manner or a person who is an accomplice in such an act, or
c) operates a motor vehicle under the influence of alcohol over the level permitted by law, narcotics, or psychotropic substances.

(3) The insurance company which compensates the damage caused by the use of a motor vehicle by an unauthorized person shall have the right to reimburse the paid amount of damage compensation, including the interest rate and the costs incurred thereby by the unauthorized person.

Liabilities towards legal entities carrying out activities in health, disability or pension insurance

Article 17

(1) If the legal entity carrying out activities in health, disability or pension insurance files a claim for compensation of the funds spent for treatment and other costs for care incurred in accordance with the regulations on health insurance against the responsible insurance company, the responsible insurance company shall be obliged, within the scope of the responsibility of its insured person, to pay the compensation in the amount of these costs, that is, it shall be obliged to pay a proportional

amount of the contribution for disability or pension insurance, except in the event of a damage caused by the use of an uninsured or unknown motor vehicle.

(2) The proportional amount of the contribution for pension and disability insurance shall be determined in capitalized amount against the remaining period of length of service and according to the age of the natural person required for becoming entitled to an old-age pension.

Change of ownership of a motor vehicle

Article 18

If the owner of a motor vehicle is changed during the validity period of the insurance, the rights and obligations under the insurance contract shall be transferred to the new owner until the expiry of the current insurance period.

Change of registration data of a motor vehicle

Article 19

The owner of a motor vehicle shall be obliged to notify the insurance company with which it has concluded an automobile liability insurance contract, in writing, about the change of the registration data referring to the particular motor vehicle within a period of 15 days as of the day the change has occurred.

Minimum sum assured

Article 20

(1) The minimum sum assured, at which the automobile liability insurance may be agreed, calculated in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia on the day of payment, shall amount:

1) for damages caused by death, bodily injury and health impairment, upon a damaging event, regardless of the number of injured parties:

- Euro 200.000 for buses and freight vehicles,
- Euro 100.000 for other motor vehicles, and
- Euro 300.000 for motor vehicles transporting hazardous substances, and

2) for damages caused by destruction or damage of items, upon a damaging event, regardless of the number of injured parties:

- Euro 100.000 for buses and freight vehicles,
- Euro 50.000 for other motor vehicles, and
- Euro 150.000 for motor vehicles transporting hazardous substances.

(2) The liability of the insurance company under the automobile liability insurance cannot exceed the minimum sum assured referred to in paragraph (1) of this Article, unless a larger amount is envisaged by the insurance contract.

(3) If there are several injured parties and the total compensation exceeds the amount at which the automobile liability insurance is agreed, the rights of the injured persons against the insurance company shall be proportionally decreased.

(4) The insurance company that has paid a greater compensation for damage to a single injured party than the one the party is entitled to, having into consideration the proportional decrease of the compensation, since it has not been aware or could have been aware of the existence of other injured

parties, shall be liable towards the other injured parties only in the amount of the agreed automobile liability insurance.

2. Obligations of the insurance companies and the participants in a traffic accident

Exchange of information

Article 21

In the event of a traffic accident, the participants in the traffic accident shall be obliged to mutually exchange data from the personal identification documents, the registration data on the motor vehicle, and the documents that show that they have concluded an automobile liability insurance contract in accordance with this Law.

Notification to the insured's insurance company

Article 22

(1) The owner of the motor vehicle shall be obliged to notify the insurance company with which it has concluded an automobile liability insurance contract about the occurrence of a traffic accident and to submit a completed European Accident Report, within a period of 30 days as of the day of the accident.

(2) The non-observance of the deadline for notification referred to in paragraph (1) of this Article shall not affect the right of the injured party to damage compensation.

(3) If the owner of the motor vehicle fails to act in accordance with the provisions of paragraph (1) of this Article, the insurance company shall have the right to reimbursement of all the paid out funds or incurred costs that would not have been incurred if the owner of the motor vehicle has observed the deadlines for notification provided for in paragraph (1) of this Article.

Obligation for submission of information related to a traffic accident

Article 23

(1) The participants in the traffic accident shall be obliged, at the request of the responsible insurance company, to provide an elaborate notification of the circumstances under which the accident has happened, or they shall be obliged to compensate the damage incurred due to non-performance of the obligation for notification.

(2) The body of the internal affairs, as well as the other bodies conducting the procedure for traffic accidents, shall be obliged to provide data on the traffic accident at the request of the insurance company or of the injured parties.

Right to mediation

Article 24

(1) If the injured party is not satisfied with the damage compensation offered by the responsible insurance company, it shall have the right to initiate a mediation procedure in accordance with the regulations on the manner and procedure of mediation.

(2) The insurance company that carries out activities in automobile liability insurance shall be obliged, in the automobile liability insurance contract, to envisage the right to mediation in the cases where the injured party is not satisfied with the damage compensation offered by the responsible insurance company.

3. ACCIDENTS OUTSIDE THE TERRITORY OF THE REPUBLIC OF MACEDONIA

Compensation for damages abroad

Article 25

(1) The responsible insurance company shall be obliged to compensate the damage caused by the use of a motor vehicle on the territory of the member states of the Green Card Council of Bureaux, in the amount determined by the regulations of the member state in which the accident occurred, but by paying an additional premium for expanding the insurance coverage referred to in Article 20 of this Law.

(2) If the lowest sum assured in that state is lower than the sum assured under Article 20 of this Law, the responsible insurance company shall be obliged to compensate the damage to its insured person up to the amount of the sum assured laid down in Article 20 of this Law.

Compensation for damages abroad

Article 26

(1) The automobile liability insurance shall cover the damages caused on the territory of the member states of the European Union without paying an additional premium.

(2) The responsible insurance company shall be obliged to compensate the damage caused by the use of a motor vehicle on the territory of the member states of the European Union, in an amount determined by the regulations of the member state where the damage has occurred.

(3) If the lowest sum assured in the respective state is lower than the sum assured referred to in Article 20 of this Law, the responsible insurance company shall be obliged to indemnify its insured up to the amount of the sum assured laid down in Article 20 of this Law.

Authorized representative for damages

Article 27

(1) The insurance companies carrying out activities in automobile liability insurance shall be obliged to appoint an authorized representative for damages in the European Union member states (hereinafter: the authorized representative for damages).

(2) Authorized agent for damages referred to in paragraph (1) of this Article shall be a person who, on behalf of, and for the account of the insurance company registered for carrying out activities in automobile liability insurance in accordance with this Law, collects information, takes measures required for settlement of damage compensation claims and makes appropriate payments upon the damage compensation claims in the state of permanent place of residence of the injured party, on the basis of:

- damages that occurred on the territory of a member state of the European Union that is not a member state of the permanent place of residence of the injured party, that is, of third countries whose National Insurance Bureau is a member of the green card system, without the influence of the

legislation regulating the civil liability and the international private law of third countries, and
- damages caused by the use of motor vehicles insured in the member states of the European Union and which originate from its territory.

(3) The authorized representative for damages referred to in paragraph (1) of this Article shall have to hold all the required authorizations in order to represent the insurance company against the injured parties and the state bodies.

(4) The authorized representative for damages shall have to be capable of processing the claims for damage compensation in the official language of the country of his/her appointment.

(5) The authorized representative for damages may be appointed by one or several insurance companies.

(6) The injured party, that is, its insurance company shall also have the right to submit the claim for damage compensation directly to the person that has caused the accident or to the responsible insurance company.

(7) The legal entities to which the rights of the injured party against the person having caused the accident or the responsible insurance company have been transferred on the basis of law or the legal entities referred to in Article 17 of this Law shall not have the right to claim a refund of the damage compensation from the authorized representative for damages.

(8) The insurance company shall be obliged, via the Information Center within the National Insurance Bureau, to notify the information centers of the other member states of the European Union in which it has appointed an authorized representative for damages, of the name and address of the appointed authorized representatives.

Time period within which the authorized representative accepts or rejects the liability

Article 28

The responsible insurance company, that is, its authorized representative for damages shall be obliged, within a period of three months as of the day of filing the claim for damage compensation by the person having suffered the damage:

- to make an offer of compensation for damages, in the cases where the liability is indisputable and the damage has been investigated completely, and
- to respond to the claim for damage compensation, in the cases where the liability is disputable or it is not precisely established, that is, where the damage has not been investigated completely.

4. ACCIDENTS ON THE TERRITORY OF THE REPUBLIC OF MACEDONIA

International document for automobile liability insurance

Article 29

(1) A person who enters the territory of the Republic of Macedonia with a foreign motor vehicle must compulsorily have a valid international document for automobile liability insurance valid on the territory of the Republic of Macedonia or another evidence of the existence of such insurance which covers the damages at least to the amount referred to in Article 20 of this Law.

(2) The competent body for internal affairs, at the border crossing point of entry in the Republic of Macedonia, shall check whether the requirements referred to in paragraph (1) of this Article are met.

Evidence of a concluded insurance contract

Article 30

(1) As international documents and evidence referred to in Article 29 paragraph (1) of this Law shall be considered the documents the validity of which is recognized by the National Insurance Bureau.

(2) The National Insurance Bureau shall be obliged to notify the competent body for internal affairs, in writing, in regard to the recognition of the validity of the international documents and evidence.

Presentation of evidence of a concluded insurance contract

Article 31

The driver of a foreign motor vehicle that has a valid international document for automobile liability insurance – automobile liability insurance contract shall be obliged to present evidence of such a contract on request of an authorized person.

Compulsory border insurance

Article 32

(1) The persons that do not have a valid international document or evidence as referred to in Article 30 of this Law shall be obliged, at the border crossing point of the Republic of Macedonia, to conclude an automobile liability insurance contract with an insurance company which is a member of the National Insurance Bureau. The contract must be concluded for the period of stay of the vehicle on the territory of the Republic of Macedonia, but not less than 15 days.

(2) If the driver fails to meet the obligation referred to in paragraph (1) of this Article, the body of the internal affairs shall not allow him/her to enter the country.

Compensation for damages caused by foreign motor vehicles

Article 33

(1) The injured party who has suffered a damage by the use of a foreign motor vehicle may file a claim for damage compensation to the National Insurance Bureau or directly to the insurance companies - members of the National Bureau, provided that there is a valid international document or evidence of the existence of an automobile liability insurance of the vehicle as referred to in Article 31 of this Law.

(2) The National Insurance Bureau may transfer the processing and payment of the compensation claims referred to in paragraph (1) of this Article to the insurance companies - members of the Bureau that carry automobile liability insurance.

(3) The insurance company to which the compensation claim has been transferred shall be obliged to process it and to settle it in accordance with the international motor vehicles insurance contracts, within a period of three months as of the day of filing the claim along with the necessary documentation.

(4) If the insurance company - member of the National Insurance Bureau that has processed and settled the claim for damage compensation for a foreign insurance company on the basis of concluded international contracts does not get a refund to which it is entitled to under the international

contracts, the member of the Bureau shall be refunded from the Guarantee Fund, in accordance with the manner determined by the National Bureau.

(5) If a higher amount is agreed by the insurance contract for a vehicle with foreign registration plates, the National Insurance Bureau shall guarantee up to the amount of the foreign vehicle insurance coverage.

Obligation of the National Insurance Bureau for sending notifications

Article 34

If the National Insurance Bureau or its member receives a claim for damage compensation in accordance with Article 33 of this Law, the Bureau or the member shall be obliged to notify the competent bureau or the member of the country in which the foreign motor vehicle is registered, and if known, to notify the responsible insurance company.

5. INFORMATION CENTER

Establishment of an information center

Article 35

For the purpose of efficient decision-making on claims for compensation of the damages caused by the use of motor vehicles, the National Insurance Bureau shall be obliged to establish an information center.

Duties of the information center

Article 36

(1) The information center referred to in Article 35 of this Law shall carry out the following activities:

- 1) collect data and keep a register of data;
- 2) update the data of the register referred to in point 1 of this paragraph; and
- 3) offer assistance to injured parties in collection of data from the register referred to in point 1 of this paragraph and in collection of data from the registers of the information centers of the European Union member states.

(2) The register referred to in paragraph (1) point 1 of this Article shall contain data on:

- 1) the registration marks of the registration plates, makes, models, types, chassis numbers, that is, bodies of the vehicles, registered in the Republic of Macedonia;
- 2) the number of the automobile liability insurance policy for the vehicles referred to in point 1 of this paragraph;
- 3) the date of termination of the validity of the automobile liability insurance contract;
- 4) the name and head office of the insurance company, carrying out activities in compulsory automobile liability insurance;
- 5) the name and surname, personal identification number, date and place of birth, permanent and temporary residence of the insured person;
- 6) the name and/or head office of authorized representatives, appointed by the insurance companies of other member states of the European Union in the Republic of Macedonia; and
- 7) the list of the motor vehicle exempted from the provisions of this Law within the Republic of Macedonia.

(3) The data referred to in paragraph (2) of this Article shall be collected from the databases of insurance companies, as well as from the records of registered vehicles of the body of internal affairs.

(4) The insurance companies shall be obliged to submit the data referred to in paragraph (2) of this Article to the Information Center on a quarterly basis, within a period of seven days upon the completion of the quarter.

(5) On request of the Information Center, the data referred to in paragraph (2) of this Article may be also obtained from the information centers of the other member states of the European Union.

(6) The data referred to in paragraph (2) points 1, 2, 3, 4 and 5 of this Article shall be kept in the Information Center for at least seven years upon the termination of the registration of the motor vehicle or upon the termination of the insurance contract.

Cooperation with information centers of other member states

Article 37

For the purpose of carrying out the activities referred to in Article 36 paragraph (1) point 3 of this Law, the Information Center shall cooperate with the information centers of other member states of the European Union.

Notification for obtaining information on request

Article 38

(1) The Information Center shall be obliged, on request of the injured party, within a period of seven years as of the day of the accident, from its register of data or from the register of data of the information center of another member state of the European Union, immediately upon receipt of the request, to submit the following data:

- 1) name and address of the insurance company with which the person that caused the accident has concluded an automobile liability insurance contract;
- 2) number of the insurance policy referred to in point 1 of this paragraph; and
- 3) name and address of the authorized representative in the Republic of Macedonia, appointed by the insurance company of the member state of the European Union with which the person that caused the accident has concluded an automobile liability insurance contract.

(2) The Information Center shall be obliged, on request of the injured party, to submit data on the name and address of the owner, user, that is, registered user of the motor vehicle, provided that the injured party proves that there is a legal interest for obtaining such information.

(3) The Information Center shall obtain the data referred to in paragraph (2) of this Article from the insurance company or from the Ministry of the Interior.

(4) The Information Center shall be obliged to also submit to the injured party data on the name of the person that has operated the motor vehicle which caused the damage, and which is exempted from the provisions of this Law.

6. DAMAGE COMPENSATION SERVICE

Establishment of a damage compensation service

Article 39

(1) The National Insurance Bureau shall be obliged to establish a service for damage compensation for payment of damage compensation claims submitted by injured parties with permanent place of residence in the Republic of Macedonia, in the cases where:

- the accident occurs in another member state of the European Union, that is, state whose National Insurance Bureau is a member of the green card system,
- the accident is caused by a motor vehicle insured in a member state of the European Union and which originates from its territory, and
- solely in exceptional cases where the responsible insurance company, that is, its authorized representative failed to meet its obligations pursuant to this Law.

(2) The injured parties referred to in paragraph (1) of this Article may file a claim for damage compensation to the damage compensation service if:

1) within a period of three months as of the day of filing the claim for damage compensation to the responsible insurance company or to its authorized representative, the responsible insurance company or its authorized representative have not decided on the claim for damage compensation submitted by the injured party, and

2) the responsible insurance company has not appointed an authorized representative in the Republic of Macedonia. In such case, the injured party shall not have the right to file a claim for damage compensation to the damage compensation service if the claim for damage compensation has been filed directly to the responsible insurance company and if, within the period of three months as of the day of filing the claim, a response with an explanation has been delivered by the responsible insurance company.

Decision-making on damage compensation claims

Article 40

(1) The damage compensation service shall be obliged to act upon the claim for damage compensation within a period of two months as of the day of receipt of the claim.

(2) The damage compensation service shall terminate the procedure if the insurance company or its authorized representative provides a reasonable response regarding the claim for damage compensation.

(3) The damage compensation service shall be obliged, within a period not exceeding three days, to notify the following of the receipt of the claim for damage compensation, as well as of the taking of appropriate measures:

- the insurance company or its authorized representative,
- the damage compensation service in the member state of the European Union where the head office of the insurance company is located and where the automobile liability insurance contract has been concluded, and
- the person who has caused the accident, if known.

Exceptions to the right to damage compensation by the damage compensation service

Article 41

(1) The injured party referred to in Article 39 of this Law that has initiated a court procedure directly against the responsible insurance company, cannot file a claim for damage compensation to the damage compensation service.

(2) The legal entities to which the rights of the injured party for damage compensation have been transferred from the person that has caused the accident or the responsible insurance company and the legal entities referred to in Article 17 of this Law shall not be entitled to damage compensation by the damage compensation service.

(3) The damage compensation service that has paid the claim for damage compensation to the injured party referred to in Article 39 of this Law shall have the right to claim compensation for the amount of the damage paid by the damage compensation service of the member state of the European Union where the head office of the insurance company which concluded the automobile liability insurance contract is located.

(4) The damage compensation service shall be obliged to compensate the amount of the paid damages to the damage compensation service of a member state of the European Union in the cases of an obligation under an automobile liability insurance contract of an insurance company with a head office on the territory of the Republic of Macedonia, in accordance with the concluded international agreements.

Payment of funds on the basis of unidentified and uninsured motor vehicles

Article 42

If the vehicle that caused the damage cannot be identified, that is, if the responsible insurance company cannot be determined within a period of two months as of the day of occurrence of the accident, the injured party referred to in Article 39 of this Law may file a claim for damage compensation to the damage compensation service.

The damage compensation service that has paid the damages shall have the right to claim compensation of the paid amounts and costs in accordance with the concluded international agreements:

- 1) in the cases where it is impossible to determine the responsible insurance company, from the guarantee fund of the member state of the European Union wherefrom the motor vehicle originates;
- 2) in the cases where it is impossible to identify the vehicle, from the guarantee fund of the member state of the European Union on the territory of which the accident happened; and
- 3) in the cases where the vehicles originate from third countries, from the guarantee fund of the member state of the European Union where the accident occurred.

Payment of funds to the damage compensation service

Article 43

(1) The insurance companies carrying out automobile liability insurance activities shall be obliged to pay in funds to the damage compensation service, in an amount proportional to the premium realized in the class for the previous quarter, for the current quarter of the current year.

(2) The insurance companies shall be obliged to pay the funds referred to in paragraph (1) of this Article within a period of 15 days as of the day of receipt of the notification by the National Insurance Bureau.

(3) The amount of the initial funds of the damage compensation service shall be determined by the Agreement on Establishment of the Bureau, and the Bureau shall further manage the funds depending on the current needs about which it shall notify the insurance companies.

(4) The funds of the damage compensation service shall be formed separately from the other funds of the Bureau.

7. COMMISSION FOR AUTOMOBILE LIABILITY INSURANCE

Establishment of a Commission for Automobile Liability Insurance

Article 44

(1) The Government of the Republic of Macedonia shall establish a Commission for Automobile Liability Insurance (hereinafter: the Commission).

(2) The Commission referred to in paragraph (1) of this Article shall be composed of three members and a president. The president and one member of the Commission shall be appointed on a proposal of the Ministry of Finance, one member shall be appointed on a proposal of the Insurance Supervision Agency, and one member on a proposal of the National Insurance Bureau.

(3) In the case of equal number of votes, the deciding vote shall be the one of the president.

Competences of the Commission

Article 45

(1) The Commission shall prepare a premium tariff for automobile liability insurance and shall propose to the Government a minimum and maximum rate of technical premium for automobile liability insurance. Upon adoption of the tariff, it shall be published in the "Official Gazette of the Republic of Macedonia".

(2) The Government of the Republic of Macedonia, on a proposal of the Commission, shall adopt a decision on the amount of the additional premium for the issuance of international green cards.

(2) The Commission shall establish criteria for compensation of the damage caused by death, bodily injury and health impairment and shall submit them to the courts to be used in making a decision on the compensation of the damage caused by death, bodily injury and health impairment. [2](#)

(3) For the purpose of preparing the premium tariff of automobile liability insurance, preparing the proposal on the amount of the additional premium for the issuance of international green cards, and establishing the criteria for indemnification, the Commission may, where necessary, engage actuaries, legal and medical experts, and other expert persons.

(4) On request of the Commission, the insurance companies and the National Insurance Bureau shall be obliged to submit to the Commission insurance statistical data and other information necessary for the exercise of its competences.

Determination of the minimum and maximum technical premium rate

Article 46

The Government of the Republic of Macedonia on a proposal of the Commission shall, once a year, determine the minimum and maximum technical premium rate for automobile liability insurance.

IV. THIRD PARTY LIABILITY INSURANCE OF AIRCRAFT OWNERS

Third party liability insurance contract of aircraft owners

Article 47

(1) The owner, that is, the user of aircraft entered in the aircraft register of the Republic of Macedonia shall be obliged to conclude an insurance contract against liability for damages that the aircraft may cause to third parties resulting in death, bodily injury, health impairment, destruction or damage of

items, except for liability for damages of items received for transport during flight, as well as while grounded.

(2) A damage caused by the use of an aircraft shall also be considered the damage caused to a third party by falling or throwing items from the aircraft.

(3) The insurance referred to in paragraph (1) of this Article shall not apply to the passengers carried by the aircraft, as well as the persons who, by order of the owner, that is, the user of the aircraft or on its behalf, carry out the transport.

(4) The minimum sum assured at which the aircraft third party liability insurance may be agreed, in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia on the day of the payment, shall be in the amount of:

No.	Type of aircraft	Sum assured (SDRs)
1.	Hang gliders, ultralight gliders and paragliders	5.000
2.	Powered gliders, balloons, powered hang gliders and ultralight aircraft with maximum takeoff weight of up to 20 kg	8.000
3.	Aircraft with maximum takeoff weight from 20 to 500 kg	500.000
4.	Aircraft with maximum takeoff weight from 500 to 1.000 kg	1.000.000
5.	Aircraft with maximum takeoff weight from 1.000 to 2.700 kg	1.500.000
6.	Aircraft with maximum takeoff weight from 2.700 to 6.000 kg	4.500.000
7.	Aircraft with maximum takeoff weight from 6.000 to 25.000 kg	12.000.000
8.	Aircraft with maximum takeoff weight from 25.000 to 100.000 kg	50.500.000
9.	Aircraft with maximum takeoff weight above 100.000 kg	90.000.000
10.	Aircraft with maximum takeoff weight up to 6.000 kg, not used for commercial transport of passengers	50.000

(5) The obligation of the insurance company for damage compensation on the basis of a third party liability insurance may not be higher than the minimum sum assured as referred to in paragraph (4) of this Article, unless the insurance contract provides for larger amount.

(6) If the amount at which the insurance has been agreed does not suffice to compensate all the damages caused by the same damaging event, the damages to persons shall be primarily compensated. If there are several injured parties, and the total compensation exceeds the amount at which the aviation liability insurance has been agreed, the rights of the injured parties towards the insurance company shall be proportionally decreased.

(7) The insurance company which has paid the damage to the injured party in an amount higher than the one to which the injured party is entitled according to the proportional decrease of the compensation, since the company has not been aware of the existence of other persons who have suffered a damage, shall be liable towards the other persons solely to the amount agreed in the contract for compulsory liability insurance.

Foreign aircraft

Article 48

It shall be compulsory for a foreign aircraft entering the airspace of the Republic of Macedonia to have a third party liability insurance as referred to in Article 47 paragraph (1) of this Law, unless another damage compensation security is provided or unless otherwise determined by an international agreement.

V. THIRD PARTY LIABILITY INSURANCE OF OWNERS OF VESSELS, THAT IS, MOTOR BOATS

Third party liability insurance contract of an owner of a vessel, that is, a motor boat

Article 49

(1) The owner, that is, the user of a vessel, that is, a motor boat with motor propulsion of more than 1.125 kW registered for business purposes, sports and recreation, entered in the register of vessels and/or register of boats (hereinafter: vessels and motor boats) shall be obliged to conclude an insurance contract against liability for damages that the vessel, that is, the motor boat may cause to third parties resulting in death, bodily injury, health impairment, destruction or damage of items, except for liability for damages to items received for transport.

(2) The insurance referred to in paragraph (1) of this Article shall not apply to the passengers carried on the vessel, that is, the motor boat, as well as the persons who, by order of the owner, that is, the user of the vessel, that is, the motor boat or on its behalf, carry out the transport.

(3) The minimum sum assured at which the vessel, that is, the motor boat third party liability insurance may be agreed, in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia on the day of the payment, shall amount:

No.	Type of vessel	Sum assured in EURO
1)	boats, scooters, and speedboats with power up to 3.75 kW	7.500
2)	boats with power between 3.75 and 11.25 kW	15.000
3)	boats, yachts, and vessels and other motorboats with power between 11.2 and 37.50 kW	40.000
4)	vessels with more than 37.50 kW	100.000

(4) The obligation of the insurance company for damage compensation on the basis of the vessel, that is, the motor boat third party liability insurance may not exceed the minimum sum assured referred to in paragraph (3) of this Article, unless the insurance contract provides for a larger amount.

(5) If the amount of the agreed insurance does not suffice to compensate all the damages caused by the same damaging event, the damages to persons shall be primarily compensated. If there are several injured parties, and the total compensation exceeds the amount at which this insurance has been agreed, the rights of the injured parties against the insurance company shall be proportionally decreased.

Foreign vessels, that is, motor boats

Article 50

The foreign owners of a vessel, that is, motor boat shall be obliged to present evidence that they hold a valid foreign policy for liability or to conclude such insurance in the Republic of Macedonia while using the vessel, that is, the motor boat in the waters of the Republic of Macedonia.

VI. NATIONAL INSURANCE BUREAU

Establishment of a National Insurance Bureau

Article 51

(1) The insurance companies shall, by an agreement, establish a National Insurance Bureau (hereinafter: the Bureau).

(2) The Bureau referred to in paragraph (1) of this Article shall be established by at least two insurance companies which hold a license for carrying out insurance activities in the class of automobile liability insurance.

(3) The Bureau shall acquire the capacity of a legal entity by the entry in the trade register.

(4) The Bureau shall adopt a Statute which shall be approved by the Insurance Supervision Agency grants.

Activities of the Bureau

Article 52

The Bureau shall carry out the following activities:

- 1) carry activities in accordance with the international agreements for insurance against liability of the owners and the users of motor vehicles (green card) and represent the insurance companies in the international organizations of insurance companies;
- 2) issue and print international green cards for the needs of the members;
- 3) keep statistical records and perform statistical processing of the statistical data obtained from the insurance companies in accordance with statistical insurance standards, and publish them on a quarterly basis on its website;
- 4) install and maintain a central system for recording policies and damages caused by the use of motor vehicles;
- 5) carry out activities of joint interest for the insurance companies, prescribed in the Law on Trade Companies or the Statute of the Bureau, as well as other activities for which it is authorized by its members;
- 6) adopt a Code of Ethics of the insurance companies;
- 7) cooperate with other bodies on issues in the field of insurance; and
- 8) carry out other activities in accordance with this Law.

(2) The insurance companies shall be obliged to submit the data required for keeping the statistical records referred to in paragraph (1) point 3 of this Article, on a quarterly basis.

(3) The insurance companies shall be obliged to enter the data on damages and policies referred to in paragraph (1) point 4 of this Article in the central system simultaneously with their entry in the internal records of the company.

Work plan of the Bureau

Article 53

(1) The Bureau shall be obliged to draw up a work plan, on an annual basis, and to submit it to the Insurance Supervision Agency no later than the 31st of December in the current year for the following year.

(2) The work plan referred to in paragraph (1) of this Article shall also contain an assessment of the liquidity of the Bureau, financial sources required for meeting the obligations of the Bureau, as well as the manner of managing the funds of the Guarantee Fund.

Business books and reports of the Bureau

Article 54

(1) The Bureau shall be obliged to keep business books and to prepare annual reports, to prepare accounting documents, to value the items of the business balance sheets and the annual accounts, and to notify the public about the data of the annual reports, in accordance with the provisions of the Law on Trade Companies.

(2) The Bureau shall keep the business books and shall prepare business balance sheets according to the chart of accounts and the balance spread sheets intended for the insurance companies.

(3) The Bureau shall be obliged to prepare an annual account and an annual report for the business year which is the same as the calendar year and it shall submit it to the Insurance Supervision Agency in the first quarter of the current year for the previous year.

(4) The annual report of the Bureau shall include a certificate and an opinion from an authorized actuary.

Agreement for the establishment of the Bureau

Article 55

(1) The agreement for the establishment of the Bureau shall lay down:

- 1) the activities it carries out;
- 2) the manner of financing;
- 3) the organization;
- 4) the management and the decision-making;
- 5) the general acts of the Bureau;
- 6) the acceptance of new members;
- 7) the withdrawal and exclusion of the members;
- 8) the conditions and the manner of establishing the Guarantee fund; and
- 9) other matters relevant to the Bureau and its members.

(2) The Insurance Supervision Agency shall mandatorily grant consent to the agreement referred to in paragraph (1) of this Article.

Exclusion of a member of the Bureau

Article 56

(1) If a member of the Bureau fails to meet the obligations for financing and the other obligations laid down in the agreement for establishment, as well as the obligations assumed by the Bureau arising from its membership in international insurance associations or laid down in international agreements, the Bureau shall set a time period within which they are to be met, which may not be longer than 30 days, and shall notify the Insurance Supervision Agency thereof.

(2) If a member of the Bureau fails to meet the obligations within the time period referred to in paragraph (1) of this Article, the Bureau, upon a previous consent of the Insurance Supervision Agency, shall exclude the insurance company from the membership in the Bureau and shall revoke the approval of the insurance company to issue green cards.

Supervision of the Bureau

Article 57

The Insurance Supervision Agency shall supervise the operation of the Bureau.

VII. GUARANTEE FUND

Establishment of a Guarantee Fund

Article 58

(1) The National Insurance Bureau shall be obliged to establish a Guarantee Fund intended for payment of:

1) damages that have occurred on the territory of the Republic of Macedonia by unknown and uninsured motor vehicles and trailers, uninsured vessels and motor boats, as well as uninsured aircraft;

2) damages that have occurred on the territory of the Republic of Macedonia by means of transport registered for transport of passengers in public transport for which the owners have not concluded a contract for insurance of passengers against consequences of a casualty - accident;

3) damages from compulsory insurances that the injured parties cannot collect due to termination of the insurance company with which the insurance contract has been concluded, and only the part of the damage which has not been compensated from the bankruptcy estate of the insurance company is going to be paid; and

4) damages from insured motor vehicles originating from the territory of the Republic of Macedonia for which, in accordance with the Crete Agreement and the other international agreements, a guarantee is provided by the National Insurance Bureau.

(2) Damages that have occurred due to the use of uninsured foreign motor vehicles operating on the territory of the Republic of Macedonia, and to which special international agreements the signatory of which is the Republic of Macedonia apply, shall not be compensated from the funds of the Guarantee Fund.

Payment of funds to the Guarantee Fund

Article 59

(1) The insurance companies carrying out compulsory insurance activities shall be obliged to pay funds to the Guarantee Funds which are used for payment of damages in the cases stated in Article 58 paragraph (1) of this Law, in the amount proportional to the premium realized per particular classes of compulsory insurance in the previous quarter, for the current quarter in the current year.

(2) The insurance companies shall be obliged to pay the funds referred to in paragraph (1) of this Article within a period of 15 days as of the day of receipt of the notification by the Bureau.

(3) The minimum amount of funds in the Guarantee Fund shall be determined by the Bureau upon a previous consent of the Insurance Supervision Agency and it may not be lower than Euro 3.000.000 in Denar counter-value for the period referred to in paragraph (1) of this Article.

Processing and payment of damages

Article 60

(1) The processing and payment of the damages referred to in Article 58 of this Law may be entrusted by the Insurance Bureau to any member of the Bureau which carries out compulsory insurance activities and pays funds to the Guarantee Fund of the Bureau.

(2) The Bureau shall not have the right to require evidence from the injured party that the person who caused the damage does not want or is not in condition to pay.

(3) In the event of a dispute between the insurance company and the Insurance Bureau on who has the obligation to indemnify the injured party, the party to which the claim for damage compensation has been filed first shall have the obligation to compensate the damage. Provided that it is additionally determined that the payment of the claim for damage compensation should have been made by the other party, the party which indemnified the injured party shall have the right of a refund of the paid amount including the interest rate and the costs.

(4) The insurance company that has processed and paid the claim for damage compensation referred to in paragraph (1) of this Article shall have the right of a refund of the paid funds from the funds of the Guarantee Fund.

(5) In the cases where the person is not a citizen of the Republic of Macedonia, he/she shall have the right to file a claim for damage compensation under paragraph (1) of this Article only if he/she is a citizen of a state that has provided the citizens of the Republic of Macedonia equal rights of seeking compensation for damages under the same circumstances.

Right to compensation

Article 61

(1) The injured party which has suffered damage in accordance with Article 58 paragraph (1) of this Law shall have the right to file a claim for compensation of damages to the Bureau or directly to the insurance company.

(2) The injured party may initiate a court procedure against the Bureau, that is, the insurance company if the compensation has not been paid within a period of three months as of the day of filing the claim for damage compensation.

Payment of compensation based on uninsured means of transport

Article 62

If the damage has been caused by a driver of an uninsured motor vehicle, uninsured aircraft, uninsured vessel or motor boat, or if a passenger suffered damage in the course of the use of the uninsured means of public transport, the Bureau shall be responsible for payment of the damage compensation in the same manner as the insurance company if an insurance contract is concluded, but solely up to the minimum sum assured determined by this Law.

Payment of compensation based on unidentified motor vehicles

Article 63

If the damage has been caused by a driver of an unknown motor vehicle, the Bureau shall be responsible for payment of the compensation for the damage resulting in death, bodily injury, and health impairment, in the same manner as the insurance company if an insurance contract is concluded, but solely up to the minimum sum assured for other motor vehicles determined by this Law.

Right of a refund

Article 64

The Bureau shall have the right of a refund in the amount of the paid damage along with the interest rate and the costs by the owner of the uninsured motor vehicle, aircraft, vessel, and the owner of the means of public transport, that is, the person that caused the damage. The owner, that is, the person that caused the damage shall be equally liable towards the Bureau.

Identification of the motor vehicle

Article 65

If the motor vehicle is found, with the use of which damage has been inflicted, the Bureau that has paid the damage shall have the right of a refund from the insurance company with which the owner of the motor vehicle has concluded an automobile liability insurance contract, in the amount paid for the damage, the interest rate and the costs.

VIII. MISDEMEANOR PROVISIONS

Misdemeanor body

Article 65-a

(1) A misdemeanor procedure shall be conducted and a misdemeanor sanction shall be imposed by the Insurance Supervision Agency in a manner and in a procedure stipulated in the Law on Insurance Supervision for the misdemeanors laid down in Article 66 and Article 66-a of this Law.

(2) A misdemeanor procedure shall be conducted and a misdemeanor sanction shall be imposed by the competent court for the misdemeanors determined in Articles 67, 68, 69 and 70 of this Law. Misdemeanor charges shall be filed to the court by the body of internal affairs.

Mediation

Article 65-b

(1) As for the misdemeanors laid down in Article 66 and Article 66-a of this Law, the authorized persons of the Insurance Supervision Agency, within their authorizations, shall offer the perpetrator of the misdemeanor mediation and reaching an agreement by which the perpetrator is to pay the fine, the other costs or eliminate the consequences from the misdemeanor, in a manner and in a procedure laid down by the Law on Insurance Supervision.

(2) Prior to initiating the misdemeanor procedure for the misdemeanors laid down in Articles 67, 68, 69 and 70 of this Law, the body of internal affairs shall be obliged to offer a mediation procedure to the perpetrator of the misdemeanor, in accordance with the Law on Misdemeanors.

Article 66

(1) Fine in the amount of Euro 8.000 in Denar counter-value shall be imposed for a misdemeanor on:

- 1) an insurance company if it does not conclude a compulsory insurance contract in accordance with Article 3 of this Law;
- 2) an insurance company if it does not conclude an insurance contract in accordance with the terms and conditions for insurance and the premiums tariffs that are in force on the day of conclusion of the insurance contract in accordance with Article 3 paragraph (4) of this Law;
- 3) a responsible insurance company or its authorized representative if, within a period of three months as of the day of filing the claim for damage compensation by the person who suffered the damage, does not make an offer for damage compensation, in the case of indisputable liability and the damage has been investigated completely in accordance with Article 28 line 1 of this Law;
- 4) a responsible insurance company or its authorized representative if, within a period of three months as of the day of submission of the claim for damage compensation by the person having suffered a damage, it does not respond to the claim for damage compensation, in the case of disputable liability or not exactly establishes, that is, if the damage is not fully investigated, in accordance with Article 28 line 2 of this Law;
- 5) an insurance company if it does not make a payment of funds to the damage compensation service in accordance with Article 43 paragraph (1) of this Law;
- 6) an insurance company if it applies a premium rate contrary to Article 46 of this Law;
- 7) the National Insurance Bureau if it does not keep statistical records and performs statistical processing of the statistical data obtained from the insurance companies in accordance with the statistical insurance standards and does not publish them on its website on a quarterly basis in accordance with Article 52 paragraph (1) point 4 of this Law;
- 8) the National Insurance Bureau if it fails to install and maintain a central system for keeping records of damages caused by the use of motor vehicles in accordance with Article 52 paragraph (1) point 5 of this Law; and
- 9) an insurance company if it does not make a payment of funds to the Guarantee Fund in accordance with Article 59 of this Law.

(2) Fine in the amount of Euro 1.500 in Denar counter-value shall be imposed for the misdemeanor referred to in paragraph (1) of this Article on the responsible person in the insurance company as well.

(3) In addition to the fine for the misdemeanors referred to in paragraphs (1) and (2) of this Article, a misdemeanor sanction ban on performing a duty shall be imposed on the responsible person in the insurance company or the National Insurance Bureau in duration of 15 days.

Article 66-a

(1) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on:

- 1) an insurance company and on the National Insurance Bureau if they do not collect, process, store, use and deliver data in accordance with Article 7 of this Law;
- 2) an insurance company if it does not submit the required data to the Information Center within the set time period in accordance with Article 36 paragraph (4) of this Law;
- 3) an insurance company if it does not submit the statistical data on a quarterly basis to the National Insurance Bureau in accordance with Article 52 paragraph (2) of this Law;
- 4) an insurance company if it does not enter data in the central system for records of damages caused by the use of motor vehicles in accordance with Article 52 paragraph (3) of this Law; and
- 5) the National Insurance Bureau if it does not prepare a work plan and does not deliver it to the Insurance Supervision Agency in accordance with Article 53 paragraph (1) of this Law.

(2) Fine in the amount of Euro 800 in Denar counter-value shall be imposed for the misdemeanor referred to in paragraph (1) of this Article on the responsible person in the insurance company or in the National Insurance Bureau as well.

Article 67

(1) Fine in the amount of Euro 1.500 to 2.500 in Denar counter-value shall be imposed for a misdemeanor on a legal entity if it, as an owner of the means of transport, has not concluded a compulsory insurance contract in accordance with Article 3 paragraph (1) of this Law.

(2) For the misdemeanor referred to in paragraph (1) of this Article, fine in the amount of Euro 500 to 800 in Denar counter-value shall be imposed for a misdemeanor on the responsible person in the legal entity as well.

Article 68

(1) Fine in the amount of Euro 500 to 750 in Denar counter-value shall be imposed for a misdemeanor on a natural person if he/she, as an owner of the means of transport, has not concluded a compulsory insurance contract in accordance with Article 3 paragraph (1) of this Law.

Article 69

(1) Fine in the amount of Euro 1.500 to 2.500 in Denar counter-value shall be imposed for a misdemeanor on a legal entity if it, as an owner of a motor vehicle, does not notify the insurance company with which it has concluded an automobile liability insurance contract of the occurrence of a traffic accident within the set time period in accordance with Article 22 paragraph (1) of this Law.

(2) For the misdemeanor referred to in paragraph (1) of this Article, fine in the amount of Euro 500 to 800 in Denar counter-value shall be imposed for a misdemeanor on the responsible person in the legal entity as well.

Article 70

Fine in the amount of Euro 500 to 750 in Denar counter-value shall be imposed for a misdemeanor on a natural person if he/she, as an owner of a motor vehicle, does not notify the insurance company with which it has concluded an automobile liability insurance contract of the occurrence of a traffic accident within the set time period in accordance with Article 22 paragraph (1) of this Law.

IX. TRANSITIONAL PROVISIONS

Article 71

The existing insurance companies which hold a license for carrying out insurance activities in the compulsory traffic insurance classes shall be obliged to harmonize the terms and conditions for insurance in these classes with the provisions of this Law within a period of six months as of the day of entry into force of this Law.

Article 72

(1) For the contracts concluded after the 1st of January 2010, the minimum sum assured as referred to in Article 20 paragraph (1) of this Law shall be increased for 50% and each following year after 2010 the minimum sum assured shall increase for 50% compared to the minimum sum assured of the preceding year.

(2) For the contracts concluded after the 1st of January 2013, the minimum sum assured may not exceed the amount of the minimum sum assured for 2012.

Article 73

The provisions of Articles 25, 44, 45, and 46 of this Law shall apply until the day of acquiring full membership of the Republic of Macedonia in the European Union.

Article 74

The provisions of Articles 26, 27, 28, 39, 40, 41, 42 and 43 of this Law shall apply as of the day of acquiring full membership of the Republic of Macedonia in the European Union.

Article 75

The National Insurance Bureau shall be obliged to establish the Information Center referred to in Article 35 of this Law within a period of three months as of the day of entry into force of this Law.

Article 76

As of the day of entry into force of this Law, the provisions of Part Five and Article 122 paragraphs (1) and (2), and Article 123 of the Law on Insurance ("Official Gazette of the Republic of Macedonia" nos. 49/97, 79/99, 13/2001, 26/2001 and 4/2002) and Part Fourteen of the Law on Insurance Supervision ("Official Gazette of the Republic of Macedonia" nos. 27/2002, 84/2002, 98/2002 and 33/2004) shall cease to be valid.

Article 77

This Law shall enter into force on the eight day as of the day of its publication in the "Official Gazette of the Republic of Macedonia."

PROVISIONS	OF	ANOTHER	LAW
Law Amending the Law on Compulsory Traffic Insurance ("Official Gazette of the Republic of Macedonia"			
	no.		81/2008):
Article			12
Until the day of commencement of operation of the Agency, the competences laid down in this Law that are within the competence of the Agency shall be exercised by the Ministry of Finance.			
Article			13
Until the day of commencement of operation of the Insurance Supervision Agency, the misdemeanor sanctions under this Law shall be imposed by the court.			