



European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles

Strasbourg, 20.IV.1959

Annex II - Reservations to the Convention

Each Contracting Party may state its intention:

- 1 to exempt from compulsory insurance motor vehicles owned by corporate persons under public or private law able to provide sufficient financial guarantee to be their own insurer;
- 2 to allow the deposit of a security in lieu of insurance by such persons as it shall determine, provided, however, that such security offers injured parties safeguards equivalent to those afforded by the insurance;
- 3 to exclude from compulsory insurance wilful damage caused by the assured;
- 4 to exempt from compulsory insurance the cases specified in the second sentence of paragraph 1 of Article 3 of the annexed provisions;
- 5 to exempt from compulsory insurance the driving of a vehicle without the consent of the owner or person in charge, or in contravention of their orders, provided that in such cases the injured party has a guarantee of compensation, at least in respect of damage to person;
- 6 to exempt from compulsory insurance damages for pain and suffering;
- 7 to exclude from benefit under the insurance, when the assured is a corporate person or a commercial company not possessing legal personality, the legal representatives of the assured, and the spouses of such representatives, and, under the terms of paragraph 1.c of Article 4 of the annexed provisions, members of the families of such representatives;
- 8 to exclude from benefit under the insurance of a motor vehicle any person who is carried with his consent in that vehicle although he knows or should have known that the vehicle was taken from the rightful possessor by an unlawful act or is being used in the perpetration of a criminal offence;
- 9 to exempt from compulsory insurance damage to passengers in the vehicle that was the cause of such damage, if they were being carried free of charge or as a favour;
- 10 to exempt from compulsory insurance motor vehicles while being driven in private grounds to which certain persons have right of access and also motor vehicles while taking part elsewhere than on the public highway in motor races or competitions, whether for speed, reliability or skill;
- 11 to depart, solely as between its own nationals, from the terms of Article 5 of the annexed provisions in regard to damage to property involving small sums;

- 12 to leave it to its courts to decide whether, in the case of damage caused in its territory, Article 6 of the annexed provisions shall apply, indication being given where necessary to the courts of the principles on which they should proceed;
- 13 to depart from the provisions of paragraph 2 of Article 6 of the annexed provisions with a view to providing an alternative method of apportioning the sum insured;
- 14 to depart from the provisions of paragraph 2 of Article 8 of the annexed provisions;
- 15 to depart from Article 9 of the annexed provisions where, in the cases mentioned in that article, the injured party has a guarantee of compensation for damage to person and property; the amount of compensation to which the injured party will be entitled shall be the same in the case of personal injury as if there had been an insurance; in respect of damage to property the amount of compensation may be determined in some other manner;
- 16 to depart from paragraph 2 of Article 9 of the annexed provisions in respect of motor vehicles normally stationed outside its territory.