

Abstract

MTPL insurance represents a complex issue regulating in particular protection of the third party in a claim settlement. This area is regulated on the EU law level by Council Regulations and Motor Insurance Directives as well by the green cards system and Hague Convention on the Law applicable to traffic accidents on the international level. To provide MTPL insurance in the European Union is possible under the single European passport but there are still persisting the differences in the extent of insurance cover and liability in the particular Member States including the national regulation requirements. The primary condition for MTPL insurance providing in the EU/EEA is the obligatory membership of the insurer in the national Insurers' Bureau and the Guarantee Fund. The Court of Justice of the European Union relevant decisions has contributed to the interpretation of Motor Insurance Directives provisions and to determination of their correlation to national legislations. From the future perspective is of the importance the legislation process of the PEICL draft.

The Czech legislation is fully in compliance with the EU law. Legal practice and court decision shall face to the principal changes in connection with the new Civil Code application since 1, January 2014. Especially in the area of injury accident indemnification a new legislation shall introduce in general the extensive scope of the immaterial damage indemnification and above all the free consideration of the courts to determine a compensation for pain and suffering in accordance with the principles of equity.