


Content

Title :	Compulsory Automobile Liability Insurance Act 
Date :	2021.01.20
Legislative :	Article 3, 5, 19, 22, 27, and 35 amended and promulgated on January 20, 2021 per Presidential Order No. Hua-Zong-I-Jing-11000003451
Content :	<p>Article 3 The competent authority under this Act is the Financial Supervisory Commission.</p> <p>Article 5 In this Act, "automobile" means an automobile as provided in Article 2, subparagraph 10 of the Highway Act, or any other motorized machinery driven on a road. "Motorcycle," as used in Articles 38 and 49, is also an automobile as defined in Article 2, subparagraph 10 of the Highway Act. In addition to the vehicles given in the two preceding paragraphs, "automobile" also includes specified overland motorized vehicles that do not run on rails and have a transport function; the range of vehicles to be included in this category and the automobile categories for which the establishment of a contract for this insurance is required will be prescribed and announced by the competent authority in conjunction with the central competent authority for transportation and communications.</p> <p>Article 19 After establishing a contract for this insurance, an insurer shall issue a document containing the policy provisions and an insurance card to the proposer. Within four working days after establishing a contract for this insurance, the approved particulars shall be transmitted by the insurer to the agencies (organizations) designated by the competent authority and the central competent authority for transportation and communications, respectively. When the insured, the policy period, the insured automobile, or the insurance card number listed on the insurance card is changed, the proposer shall notify the insurer to update such information.</p> <p>Article 22 When a proposer establishes a duplicate contract for this insurance either the proposer, or the insurer that issued the insurance contract with the later date of effect, may revoke the contract with the later date of effect; the same shall be true after the occurrence of an automobile traffic accident. The right of revocation referenced in the preceding paragraph shall be exercised, at earliest, at the time duplication of insurance occurs, and prior to the expiry of the policy period of the insurance contract with the earlier date of effect. When an insurance contract is revoked, the insurer shall return the premium (less any expenses needed to ensure the soundness of this insurance) to the proposer.</p> <p>Article 27 Benefits payable under this insurance are: 1.personal injury medical expense benefits; 2.disability benefits; 3.death benefits. Standards for the tiers, amounts, and approval procedures for the benefits referenced in the preceding paragraph shall be determined by the competent</p>

authority in conjunction with the central competent authority for transportation and communications based on actual social and economic conditions.

When the standards under the preceding paragraph are amended and an automobile traffic accident occurs after the date the amendment takes effect, the insurer shall handle insurance benefits in accordance with the amended provisions.

Article 35

When an automobile traffic accident results in loss of life, a claimant may make a claim against the insurer for provisional payment in an amount equivalent to one-half of the insurance benefits by presenting evidentiary documents.

When an automobile traffic accident results in disability, a claimant may make a claim against the insurer for provisional payment of the insurance proceeds based on a disability tier already determined by the insurer, by submitting evidentiary documents.

The insurer shall make payment within 10 working days from the day after a claimant presents evidentiary documents as provided in either of the preceding two paragraphs. If, for reasons attributable to itself, the insurer fails to make payment within the prescribed time limit, it shall pay default interest at the rate of 10 percent per annum beginning from when the prescribed time limit expires.

When a provisional payment of insurance proceeds by an insurer exceeds the amount of insurance benefits actually payable, the insurer may claim for return of the excess portion by the claimant.