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| Title : | Enforcement Rules for the Compulsory Automobile Liability Insurance Act  |
| Date : | 2022.11.25 |
| Legislative : | Articles amended and promulgated pursuant to Order No. Jin-Guan-Bao-Chan-Zi-11104520191 of the Financial Supervisory Commission, and Order No. Jiao-Lu-Zi-11100343651 of the Ministry of Transportation and Communications dated 25 November 2022. |
| Content : | <p>Article 5 The basis for calculating unearned premium provided in Article 20, paragraph 5, and Article 21, paragraph 3 of this Act is as follows:</p> <ol style="list-style-type: none">1. If the policy period is less than one (1) year, the premium shall be calculated pro rata to the number of days to expiry in the given year and the entire period of the insurance using the original premium less both the insurer's business expenses and any expenses needed to ensure the soundness of this Insurance in the given year.2. If the policy period is one (1) year or more, the insurer shall return all premiums for the years not yet elapsed. The premiums for the insurance period of less than one year in the given year not yet elapsed shall be refunded in accordance with the preceding subparagraph. <p>After the insurer refunds the unearned premium pursuant to the preceding paragraph, the insurer is entitled to claim for refund of amounts respectively allocated to the Property Insurance Stabilization Fund and the Motor Vehicle Accident Compensation Fund (hereinafter "Compensation Fund"). The dollar amount in the preceding paragraphs shall be rounded to the nearest NT Dollar.</p> <p>Article 9 If the penalty provided in Article 49, paragraph 1 of this Act is imposed on the owner of an automobile, the penalty will be imposed by the highway supervisory authority at the registered location of the automobile; if the penalty is imposed on its user or manager, the penalty will be imposed by the highway supervisory authority at the user's or manager's domicile, if the user or manager does not have household registration, the penalty will be imposed by the highway supervisory authority of the user or manager's place of residence.</p> <p>Article 11 The highway supervisory authority, upon receiving a notice issued pursuant to paragraph 3 of the preceding Article or a report of a violation of the Road Traffic Management and Penalty Act involving an automobile, shall verify the name of the person or entity with the duty to insure, the license plate number, engine serial number or vehicle body number, certificate number, the policy period, the insurer and other insurance information with the agencies (organizations) designated by the competent authority and central competent authority for transportation and communication in accordance with Article 19, paragraph 2 of this Act. Should there be any discrepancy between the reported insurance information and the information verified pursuant to the preceding paragraph prescribed above at the time when the person with the duty to insure presents him/herself at the designated place to await a ruling after receiving the notice of violation of this insurance accident, the highway supervisory authority may determine the existence of this Insurance by reviewing the certificate and evidence for insurance provided by the person with the duty to insure; if a determination cannot be made, the highway supervisory authority shall verify with the competent authority before making a determination.</p> <p>Article 12 Except for paragraph 1 of Article 5 and Article 11, as amended and promulgated on 25 November 2022 and shall be implemented on 30 November 2022, these Rules shall be implemented from the date of promulgation.</p> |