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Moves to reform the legal systems governing motor accident
victims' compensation in developing countries

Study by the UNCTAD secretariat

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INTRODUCTION

1. During the tenth session of the Committee on Invisibles and Financing related to Trade (CIFT), several delegations expressed an interest in considering alternatives to the tort principle which had so far served as a basis for the compensation of motor accident victims. The Committee considered this matter worthy of investigation and, by its resolution 23(X) of 17 December 1982, requested the UNCTAD secretariat to prepare in-depth studies on the alternative legal systems applicable to the compensation of motor accident victims.
2. Pursuant to this request, the UNCTAD secretariat has prepared a document entitled "Compensation of victims of motor accidents: Alternative legal systems for developing countries" (TD/B/C.3/190). It was noted that some developing countries have already introduced new schemes for the compensation of road victims under which the concept of tort liability has been totally or partially abandoned. Thus the system called "no-fault" has begun to gain a foothold in developing countries in Africa, Asia and Latin America. The UNCTAD secretariat is therefore in favour of throwing light on the attempts of these countries to reform their legal systems governing the compensation of motor accident victims, so that there will be a clearer understanding of the tort alternatives when they are put into practice.
3. Most developing countries used to be colonies of European powers. As such, they inherited legal structures heavily influenced by philosophies and concepts which prevailed in the ex-metropolises. Among the concepts inherited is that of "tort liability" and its application to victims of road accidents.
4. The concept of "tort", as applied to road accidents, assumed two different methods of application. The first is ordinary tort liability, under which, to obtain compensation, the victim must prove that the motorist was at fault. This is the typical system in developing countries whose legislation was influenced by British Common Law.
5. Another application of the principle of torts in motor accident liability stems from rules applicable to damage caused by dangerous objects and this entails the presumption of negligence on the part of the motorist. However, the presumption can be rebutted if the motorist can prove that there was no negligence on his part. The presumed liability of the motorist prevails in countries influenced by the French Civil Code.
6. The introduction of these two types of tort liability in developing countries has generally been associated with the introduction of acts or regulations making it compulsory for motorists to insure against third party liability, in an attempt to protect victims of accidents and to guarantee their compensation. In several developing countries, special funds have been set up to supplement the compulsory insurance, and to protect the victims of hit and run cases, as well as motorists not covered by insurance.
7. Although tort liability, as a concept, is generally accepted in most developing countries, its application to road accidents is being criticized. It is not the intention here to catalogue the advantages and disadvantages of the tort system in developing countries, since this subject was dealt with adequately and in detail in the two studies entitled "Problems of developing countries in the field of motor insurance" (TD/B/C.176/Supp.1) and "Compensation of victims of motor accidents: Alternative legal systems for developing countries" (TD/B/C.3/190). However, it seems necessary to highlight the main

reproach directed at the "tort system", i.e. the fact that it is founded on proofs of negligence, whether devolving on the victim or on the motorist. The requirement of reliable proofs and conclusions as to who is responsible for an accident presuppose well-equipped policy services, appropriate judicial systems and well organized insurance markets - three conditions which cannot be met entirely by most developing countries. In practice, therefore, the tort concept has meant that many motor accident victims have not received any compensation, or have received it only after a long delay. Also, because recourse to litigation is very expensive and there is no certainty of obtaining compensation, many victims tend to accept unsatisfactory settlements from insurers who are in a position to impose derisory payments. Moreover, because of conflicting situations raised by the application of the tort concept, insurers have to incur high operational expenses, thus reducing the funds which should be available for the compensation of victims.

8. Further, while it is understandable that the tort principle should provide compensation for innocent victims, yet the strict application of this principle entails an integral reparation of damage, including such damages as pain, suffering and other non-economic losses. Obviously, all these charges throw a heavy burden on motor insurers who see their financial standing constantly jeopardized.

9. The need for some reform in the field of compensation of motor accidents in order to facilitate the indemnization of victims is widely felt in developing countries. This necessity is further underlined by the fact that family solidarity in some developing countries is decreasing, particularly in the urban areas, and social security schemes have not yet been established in most of these countries. Moves to mitigate, at least in part, the iniquities of the tort system ^{1/} are now being made by the developing countries. Several of these countries have taken steps to change the foundation of traffic accident compensation. Some have established new systems of compensation based on "no-fault", in certain cases introducing limited compensation. Some others, while establishing a system of compensation based on "no fault" for benefits up to a certain level, or in respect of certain losses only, nevertheless allow the traditional tort liability to operate beyond this level or in respect of some other losses. This study lists the steps that have been taken by selected developing countries to reform their traffic accident compensation systems, and, to facilitate a comparison of the systems adopted, a table is annexed which gives the features of each one.

I. ALGERIA

10. Until 1974, Algeria followed the French system as regards motorists' liability. The use of a motor vehicle gave rise to a presumptive liability as a dangerous activity ("under article 138 of the Civil Code"), so that proof of a motorist's negligence was not required. On the contrary, the motorist had to disprove the presumption of his liability to exonerate himself from the obligation to indemnify the victim. Such presumptive liability was subject to compulsory insurance to be taken out for every vehicle registered and on the road.

^{1/} See the UNCTAD secretariat study on "Compensation of victims of motor accidents: Alternative legal system for developing countries" (TD/B/C.3/190).

11. In 1974, the Algerian Government issued an Ordinance (No. 74-15) by virtue of which liability based on tort was abandoned in favour of a system which guarantees payment of economic losses up to certain limits in respect of death and bodily injuries caused by motor accidents. The area of property damage caused by an accident remains within the tort ambit.

12. According to this Ordinance, the compulsory insurance indemnifies, in principle, death or bodily injuries of all road accident victims regardless of negligence, whether they are in the vehicle or outside it. However, the Ordinance retains the concept of tort to a certain extent in respect of drivers condemned for causing accidents while they are under the influence of alcohol or narcotics. They have no right to any indemnification. However, their surviving dependants are entitled to an indemnity if the accident results in death.

13. If it is established that a driver of a vehicle is responsible for an accident, his indemnity is reduced proportionately to his degree of responsibility, unless the degree of his permanent impairment is equal to or over 50 per cent. This reduction is not applicable to his surviving dependants, in case of death.

14. In the case of theft of a vehicle, the thieves are excluded from the right to be indemnified. Their surviving dependants, and the passengers and their dependants, are entitled to indemnification.

15. The 1974 Ordinance provides the following benefits:

(a) Medical, pharmaceutical and hospitalization expenses effectively incurred by the victim. If the latter is unable to advance money for such expenses, the insurer is exceptionally entitled to effect direct payment of these expenses.

(b) Eighty per cent of the loss of earnings during the period of invalidity. No income is taken into account which is in excess of DA 24,000 or less than DA 4,500 per annum. Indemnification for loss of earnings can be in the form of a lump sum or annuity, the choice being left to the victim.

(c) For total or partial permanent impairment of bodily functions, the compensation is calculated on a degressive scale based on the past earnings of the victim and on the degree of this impairment. Indemnity for total or partial disablement is in the form of a lump sum or annuity, the choice being left to the victims.

(d) Death benefits are fixed on a regressive scale based on past earnings of the deceased. Death benefits are distributed in the following manner:

30 per cent for the surviving spouse

10 per cent for each dependent father and mother

15 per cent for each of the first two minor dependent children

10 per cent for each remaining dependent child.

(e) Death benefits in the case of surviving minor children are in the form of an annuity. The annuity form of indemnity also applies to all cases in which death benefits exceed DA 30,000.

(f) If the victim is a dependent child, the parents or the guardian receive a death benefit of DA 5,000 if the age of the victim is less than six years, and DA 10,000 if the victim is more than six years old but less than 21.

16. It should be noted that Algerian law, in specifying the amounts of indemnities payable to road accident victims, does not make any reference to non-economic losses except in the case of the death of an infant. It is not clear whether the table of indemnities provided by the law encompasses both economic and non-economic losses or excludes non-economic damages from the scope of compensation. A new legislative step is expected to dispel this ambiguity.

17. Algerian law stipulates that the benefits under the legal arrangements providing for the indemnification of road accident victims cannot be compounded with benefits under workmen's compensation laws, unless a prior permanent invalidity is aggravated by the road accident. Then the insurance company supports the consequences of the aggravation.

18. It is worth mentioning that the Algerian legislation on motor insurance prohibits any intermediary from negotiating, against fees, the settlement of indemnities provided by the law. Any such agreement on the services of intermediaries is considered null and void.

19. A special Indemnization Fund has been set up by the same Ordinance for cases of hit and run, non-insurance, or forfeiture of insurance benefits. This Fund indemnifies death and bodily injuries in the same manner as in respect of insured drivers.

20. To implement the Ordinance of 1974, four decrees, Nos. 80-34 to 80-37, were issued on 16 February 1980 specifying the modalities of the application of the new system which came into force on 19 February 1980.

II. BRAZIL

21. Motor insurance covering bodily injuries caused by motor vehicles became compulsory in 1975 by virtue of Act 6194 of 1974 completed by Regulations of 1975. In application of this Act, all owners of motor vehicles, whose operation on public roads is subject to licensing and registration, are under the obligation to purchase such insurance.

22. The compulsory motor insurance applies to bodily injuries only. Compensation for damage to property remains outside the scope of compulsory insurance.

23. Compulsory insurance covers cases of death, permanent disablement, the cost of medical treatment, and additional costs. It does not cover loss of earnings during temporary disablement, nor does it cover non-economic losses, such as claims for pain, suffering, etc.

24. Benefits under compulsory insurance have statutory thresholds per person and per accident and so deductibles are applicable to these benefits. In view of the continuing inflation in the country the thresholds are adjusted every six months. In 1983, the threshold stood at \$Cr 1,214,912.00.

25. "No-fault" constitutes the basis for compensation in respect of bodily injuries covered by the compulsory insurance. It is immaterial whether or not there is a fault. Thus, all victims involved in a motor accident, including the driver of the vehicle that caused the accident, are covered and will be indemnified up to the thresholds provided by the Act. Such a system of "no fault" turns compulsory insurance into a cover against damage and not against third party liability. It endeavours to eliminate questions of a legal nature arising from the fact that the Brazilian legal system adopts the criterion of subjective liability as a general rule.

26. The protection provided by compulsory insurance is a basic plan intended to ensure that help is immediately available to all victims regardless of the application of principles of liability. The automatic indemnity provided by the Act does not preclude, however, the right of the victim or his/her beneficiaries to sue the person responsible for the accident to obtain further compensation. The victim has then to prove the negligence of the driver of the vehicle that caused the accident.

27. Authorized insurers can offer policy-holders the possibility of purchasing optional policies at an additional premium covering their third party liabilities. These optional policies cover medical and hospital expenses, death, funeral costs, permanent disablement (total or partial), temporary disablement, property damage and loss of income. The optional covers operate as a second layer in excess of amounts recoverable under the compulsory insurance.

28. The 1974 Act has also provided a system for compensating victims of accidents caused by unidentified vehicles. Cover is established by means of a pool among insurers providing compulsory insurance. These insurers cede a portion of their motor premiums to the pool, which is administered by the Instituto de Reaseguros do Brazil. The receipts of the pool serve for payment of compensation amounting to 50 per cent of the benefits provided by the compulsory insurance.

III. COSTA RICA

29. In 1973, Costa Rica promulgated Law No. 5322 providing for compulsory insurance in respect of all motor vehicles registered in the country. By virtue of this law all bodily injuries caused by motor vehicles are compensated to the limit of ₡ 40,000 per person and ₡ 80,000 per accident. These limits include medical expenses, death, burial, permanent and temporary disability. Non-economic damages are not payable under compulsory insurance.

30. The compensation under motor insurance is made on the basis of risk created and not fault. Thus all victims of motor vehicles accidents, whether drivers, passengers or pedestrians, have the right to be indemnified, subject to the maximum amounts provided by the law.

31. However, the tort principle remains applicable. It is possible for the injured party to sue a negligent motorist who has caused the accident if the damages exceed the amount of benefit accorded by the law. The excess liability will be governed by the rules of civil liability established in the civil codes.

32. Injuries caused by uninsured vehicles, as well as hit-and-run cases, are not indemnified under the compulsory insurance system. No guarantee fund has been established for such cases.

IV. INDIA

33. In 1939, India promulgated an Act providing for compulsory insurance in respect of third party liability arising out of motor accidents. Both liability for bodily injuries and property damage have been included in the compulsory cover. Limits for the cover of bodily injury (per person), as also for total liability in this respect, and damage to property (per accident) were provided for in the Motor Vehicles Act 1939.

34. The basis of motor accident liability is the British common law system under which, in the case of accidents, in order to be compensated, victims have to prove the fault or negligence of the motorist. The tortfeasor has a range of common law defences, and contributory negligence of the victim is often invoked in accidents where large amounts are involved.

35. As a result of the application of the common law system, a great proportion of claims is settled in court, and only a small percentage is negotiated between the insurers and the victims. As a result of excessive recourse to the courts, the cost of legal proceedings has been absorbing a considerable portion of motor receipts, and lawyers were charging claimants high fees to sue insurance companies.

36. A basic plan of protection was introduced in 1982 to enable traffic accident victims to be promptly compensated and to avoid the delays involved in the settlement of claims. This basic plan provides for compensation, regardless of fault, of any person suffering bodily injury as the result of a motor accident. The basic protection is limited to Re 15,000 per person killed and Re 7,500 per person suffering from permanent disability.

37. The basic protection provided by the 1982 amendments does not eliminate tort action when the damages exceed the limits of the basic plan. However, any sums received under the basic protection are deducted from a successful claim based on torts.

38. However, the basic protection does not apply to traffic accidents when the vehicle involved is uninsured or to hit-and-run cases. This is why the 1982 amendments have provided for the setting up of a Solecium Fund for such cases. The insurance sector contribute 70 per cent to the Fund and the Central and State Governments contribute the remaining 30 per cent. The compensation provided through the Fund is small indeed, that is, Re 5,000 for death and Re 1,000 for grievous injury.

V. IRAQ

39. In 1980, a new Law concerning compulsory motor insurance was promulgated in Iraq. This is Law No. 52 entitled "Law on compulsory insurance of accidents caused by motor vehicles". The title has a special significance since the previous title of the Law was "Insurance of third party liability claims arising out of motor accidents".

40. The main characteristics of the Law are as follows:

(a) The relation between the insured, the insurer and the beneficiary becomes a legal and not a contractual relationship. This means that the rights and duties of the parties concerned are no longer derived from the insurance contract but from the Law.

(b) Under the new system, there are no insurance contracts or policies to be issued, since all motor vehicles in Iraqi territory are deemed to be covered by insurance.

(c) Such insurance is not linked to the driver of the vehicle but to the vehicle itself, and the proof of payment is the receipt.

41. According to the new Law, the insurance does not cover liability based on presumed fault under the old Law, but on the basis of the "no-fault" principle.

42. The subject of the guarantee is death and bodily injuries. Property damage is not included.

43. Under the previous legislation some victims were excluded from the guarantee of compulsory insurance (the driver and members of his family). The new Law compensates all deaths and injuries arising out of motor accidents except:

(a) injuries involving the drivers, save in case of collision. However, the death of the driver is covered.

(b) injuries caused intentionally by the victim to himself/herself, except when the act of the victim is caused by mental sickness which influenced his action.

44. The indemnity must always be in the form of a capital sum and it is not permissible for judges to replace it by an annuity.

45. No transactions regarding the vehicle are lawful without payment of the insurance premium.

46. Subrogation rights against the driver are permissible in the following cases:

(a) the intentional act of the driver;

(b) stolen car. The legal suit would be against the thief;

(c) a driver without a driving permit;

(d) the accident was caused by the driver being under the influence of alcohol or other drugs;

(e) the illegal introduction of the vehicle into Iraqi territory;

(f) use of the vehicle for purposes other than those stated in the matriculation register;

(g) carriage of more passengers than permitted by the regulations;

(h) use of a car in bad disrepair, contrary to the regulations;

(i) a very important case of recourse against the person responsible for the accident is when there has been grave negligence or fault. The victims or their dependents receive compensation; and the insurer, after paying such compensation, has the right of recourse against the motorist at fault. It is necessary to prove the relationship between the fault and the damage.

47. Death and bodily injuries are compensated even if the accident was caused by an unidentified vehicle.

48. The economic consequences of a death are confined to the dependant left by the victim, even if he is not an heir. The non-material damages are confined to the surviving spouse and to relatives in the first and second degree.

49. Accidents caused by vehicles belonging to the armed forces and the police are also covered by the law. In such cases the insurance company should settle the claim and exercise the right of subrogation against the competent authority. A special agreement has been concluded between the armed forces, the police and the insurance company to this effect.

50. Specialized committees are formed under the Law to evaluate motor accident indemnities. Each committee comprises three members: a judge, a social welfare representative and a representative of the insurance company.

51. The insured, the beneficiary and the insurer have the right to submit a recourse, within 60 days, against the decision of the committee to the court of appeals only. The decision of the court is final in this case.

52. The lawyers are entitled to receive a proportion (not exceeding 10 per cent) of the indemnity, provided it is not more than ID 500.

VI. PHILIPPINES

53. By virtue of the Insurance Code, all motor vehicle owners have to present evidence to the Land Transportation Commission that they have taken out an insurance policy, or a guarantee in cash or surety bond to meet claims arising out of motor accidents, and to cover passengers or third party liability.

54. The Insurance Code requires such insurance to cover liability for death, bodily injuries and damage to property. A basic feature of this Code is that the indemnity required varies on a scale which starts at P 20,000 for a tricycle, motor cycle, or scooter and rises to P 50,000 for a vehicle with an unladen weight of over 3,930 kg. As such limits are relatively low, it is possible to purchase excess cover on a voluntary basis.

55. As from October 1981, the requirement of cover for liability in respect of property damage was discontinued. Thus, compulsory motor insurance now covers liability for death and bodily injuries only.

56. Prior to 1975, the cornerstone of the system of indemnity was the tort law. Presidential Decree No. 612 of 18 December 1974, otherwise known as the Insurance Code of the Philippines, introduced a new system of indemnification. The new system allows immediate payment of claims for death and for bodily injuries without the need to show who is at fault. Such automatic payment is effected provided that:

- (i) the total indemnity in respect of any one person does not exceed P 5,000;
- (ii) proof of loss is made available, consisting of the pertinent police report of the accident, a death certificate in case of a death claim, or a medical report, or medical and hospital bills if the claims are for bodily injuries;
- (iii) if the damages for bodily injuries and/or death exceed P 5,000, the first P 5,000 must be paid without regard to fault. Amounts over and above P 5,000 are paid only if the fault of the driver has been proven.

The compulsory insurance does not cover non-economic damages. However, these could be covered under voluntary insurance, subject to proof.

57. It is to be noted that such automatic indemnity is payable only to third parties and passengers who are not members of the household of the driver or of the owner of the vehicle. Thus the driver of the vehicle causing the accident, and his family, are not covered by such insurance. Accordingly, the Philippine system of indemnization cannot be considered as having "no-fault" features, and therefore remains a third party coverage.

58. Circulars of 1978, 1981 and 1984 have established a schedule of indemnities for bodily injuries and death, covered by compulsory insurance. For instance, the maximum compulsory cover in case of death is P 12,000, including the P 5,000 awarded without regard to fault.

ANNEX

Moves to reform legal systems governing motor accident victims' compensation in developing countries

| Country | Legislation | Entry into force | Legal basis | Minimum, maximum, and guidelines for compensation | Compensation for non-economic loss | Insurance - observations |
|------------|---|---------------------|--|--|---|---|
| Algeria | Ordinance (30.1.74) Four decrees (16.2.80) | 1974 19.2.80 | <u>No-fault</u> : Automatic compensation for bodily injuries for all traffic accident victims, with the exception, in some cases, of the driver. Maintenance of the system of presumed negligence in respect of damage to vehicles. | Basic annual wage used to determine amount of compensation: minimum, DA 4,500 (\$US 914); <u>a/</u> maximum, DA 24,000 (\$US 4,878). In the case of permanent disability, degressive scale based on earnings. | Low compensation for the death of minor. No legal provision for other cases. | Insurance is compulsory. Payment by the Special Indemnity Fund in some cases (i.e. hit-and-run or uninsured drivers). This legislation has not altered the market structure (one existing national company). |
| Brazil | Decree No. 6194 19.12.74 | 1975 | Mixed system: 1. <u>No-fault</u> : Automatic compensation for bodily injuries for all victims, including drivers, up to a threshold. In the event of death or permanent disability, the threshold is re-adjusted every six months. The threshold as at 1 November 1983 was \$Cr 1,214,912 (\$US 1,235). 2. Full compensation for bodily injuries and property damage caused by negligence. | 1. Maximum compensation under the no-fault system. Compensation only for medical expenses and in the event of death or permanent disability. 2. No threshold. | Compulsory insurance does not cover non-economic loss. | Insurance is compulsory for bodily injuries only (up to the thresholds determined by law). The introduction of the no-fault system has not altered the market structure. |
| Costa Rica | Act No. 5322, 27.8.73 | 12.12.73 | Mixed system: <u>No-fault</u> : Automatic compensation for bodily injuries up to ₡ 40,000 (about \$US 917) per victim and ₡ 80,000 (\$1,835) per accident. Full compensation for bodily injuries and property damage caused by negligence. | Maximum compensation under the no-fault system. | Compulsory insurance does not cover non-economic loss. Such compensation is rarely covered by optional insurance policies and is determined by the courts. | Insurance is compulsory for bodily injuries (within the limits of the no-fault system). The introduction of the no-fault system has not altered the market structure (one existing national company). No commission for agents for compulsory insurance, apart from a 3 per cent commission on payment. Average time required for the settlement of no-fault claims in the event of death or permanent disability: three to five months. |

a/ To facilitate comparison, United States dollar equivalents (value as at 31 December 1983) are given at the end of this annex in addition to the national currency amounts referred to in the legislation in question.

| Country | Legislation | Entry into force | Legal basis | Minimum, maximum, and guidelines for compensation | Compensation for non-economic loss | Insurance - observations |
|---------|--------------------------------------|------------------|---|--|--|---|
| India | Motor Vehicle Act Amendments 1.10.82 | October 1982 | <p>Mixed system:</p> <p><u>No-fault</u>: Automatic compensation for bodily injuries up to Re 15,000 (\$US 1,428) per person killed and Re 7,500 per person permanently disabled.</p> <p>Maintenance of the system of proof of negligence in respect of property damage; amounts awarded under the no-fault system are deducted from amounts received in connection with claims based on negligence.</p> | <p>Maximum compensation under the no-fault system.</p> <p>No ceiling on compensation in cases of negligence.</p> | <p>The courts award very small amounts and only in infrequent cases.</p> | <p>Insurance is compulsory for bodily injuries up to Re 15,000 (\$US 1,428) per victim and for property damage up to Re 6,000 (\$US 571) per accident.</p> <p>Establishment of Soletium Fund in October 1982 for cases involving hit-and-run or uninsured drivers Re 5,000 (\$US 485) in the event of death and Re 1,000 (\$US 97) for permanent disability.</p> <p>This Act has not altered the market structure (existing national companies).</p> <p>In 1982, the General Insurance Corporation of India officially expressed fears that victims would use no-fault compensation to make claims based on negligence.</p> |
| Iraq | Act No. 52, 1980 | 1.1.81 | <p><u>No-fault</u>: Automatic compensation for bodily injuries suffered by all traffic accident victims, except, in a few cases, the driver.</p> <p>Maintenance of the former system in respect of property damage.</p> | <p>None.</p> | | <p>Insurance is compulsory for bodily injuries and optional for property damage.</p> <p>Compensation for bodily injuries applies in cases involving uninsured or hit-and-run drivers and vehicle theft.</p> <p>The introduction of the no-fault system has not altered market structure (one national company since 1954).</p> |

| Country | Legislation | Entry into force | Legal basis | Minimum, maximum, and guidelines for compensation | Compensation for non-economic loss | Insurance - observations |
|-------------|--|------------------|--|--|--|---|
| Philippines | 1. Decree of 18.12.74 and circular introducing the no-fault system and fixed max. of compulsory insurance. | 1. 1.7.75 | Mixed system: 1. <u>No-fault</u> : automatic compensation, except for the driver, for bodily injuries and/or death up to P 5,000 (\$US 357) for one person. | Maximum compensation under the no-fault system. Payments for bodily injuries and death are subject to a schedule of indemnities, covered by compulsory insurance, established in 1978 and increased in 1984. For instance, the maximum compulsory cover in case of death is P 12,000, including P 5,000 awarded without regard to fault. | Not covered under the compulsory scheme but covered under a voluntary insurance. | Since 1975 maximum compulsory insurance has ranged from P 20,000 (\$US 1,429) to P 50,000 (\$US 3,571) depending on the size of the vehicle (private car, bus, etc. ...). However, since 1981, insurance against damage to property is not compulsory. |
| | 2. Circular 8.11.78, schedule of indemnities covered by compulsory insurance. | 2. 10.11.78 | 2. Excess of no-fault indemnity or full compensation for bodily injuries, death and property damage based on torts. | | | |
| | 3. Presidential Decree 16.2.81 and circular. Compulsory cover for property damage discontinued. | 3. 31.10.81 | | | | |
| | 4. Circular 23.2.84 increases schedule of indemnities and therefore the premium rates. | 4. 10.3.84 | | | | |

Source: International Monetary Fund, International Financial Statistics, various issues.

Rate of Exchange on 31 December 1983*

| Country | \$US 1 equivalent | in local currency | \$US per unit of local currency |
|-------------|-------------------|-------------------|---------------------------------|
| ALGERIA | 4.9165 | Dinars | 0.203396 |
| BRAZIL | 984.00 | Cruzeiros | 0.00101626 |
| COSTA RICA | 43.650 | Colones | 0.022910 |
| INDIA | 10.493 | Rupees | 0.0953016 |
| IRAQ | 3.2169 | Dinars | 0.310858 |
| PHILIPPINES | 14.002 | Pesos | 0.07144183 |