

Cross-Border Claims: Polish Perspective

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Introduction

- Overview of cross-border claims in RTAs
- Two type of clients:
 - Polish nationals visiting Scotland
 - Polish nationals who are residents in Scotland
- Key challenges faced by the clients



Legal Framework

Applicable Laws:

- Common Law (breach of duty of care)
- UK Road Traffic Act 1988
- Rome II Regulation



Insurance and Compensation in Scotland

- Compulsory motor insurance in the UK (the minimum mandatory insurance cover for motor insurance policies is **£1.2 million for property damage**)
- Motor Insurance Bureau role
- Time Limits for Claims



Compensation process for RTAs in Scotland

- **No-Win, No-Fee Claim Options**
- **Compulsory Pre-Action Protocol**
- **Protocol Fees**



Polish Clients in Scotland – Key Challenges



Language barriers



Legal complexity and lack of awareness



Differences in compensation levels between Poland & Scotland

Case Studies & Examples



EXAMPLE 1: CYCLIST INJURY CLAIM PROCESS



EXAMPLE 2: POLISH DRIVER INVOLVED IN
ACCIDENT IN POLAND – THE PASSENGER CLAIM



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