

SWEDEN

1. Actions to take immediately after road traffic accidents

The police must be called for any accident involving physical injury. The emergency services telephone number is 112. In general, the police will not attend accidents where only material damage is sustained, but the parties are strongly advised to use the European Claim Form which can be obtained from your insurance company. It is important that both parties involved in the accident sign the form because the form is normally used as evidence. It is also important to take down the names and addresses of any witnesses as well as to give information on the facts of the accident. It is also advisable to take a photograph of the scene of the accident.

NB: Do not sign the European Claim Form if you do not understand the content! The same applies to other statements on who is to blame for the accident. You should not sign the form if there are differences of opinion on the facts of the accident. In such a case it is advisable to contact the police, even if the accident only involves damage to property.

Unknown motor vehicle: the police must always be notified.

2. Legal procedure

A special traffic insurance system applies in Sweden. Motor vehicles are obliged to be covered by third-party liability insurance. Both personal injury and material damage are covered by the insurance. If the amount of the cover is not sufficient, the personal injury claim has priority.

Material damage is compensated on the basis of fault liability and the driver must be proved to have been at fault. The personal injury of all injured parties is compensated regardless of who is at fault. This means that every participant in traffic, drivers, passengers, pedestrians and cyclists injured by motor vehicles will receive compensation. Victims not travelling in motor vehicles can submit claims for compensation to the insurers of any car involved in the accident. Drivers and occupants submit their claims to the insurer of the car in which they were travelling.

If criminal proceedings are brought against the vehicle at fault, victims can bring their claims for damages into the proceedings. The criminal court may refer the claim to the civil court.

Although legal representation is not obligatory, it is advisable to engage the services of a Swedish lawyer for complex and/or serious road traffic accidents.

3. Compensation for damages/time limits

In respect of personal injury, an independent expert committee may determine the amount of the claim (The Swedish Road Traffic Injuries Commission).

The degree of material damages is determined on the basis of the rules of law governing unlawful acts. The driver must be proven to have been at fault and the causal relationship between the accident and the damage incurred must be proved. The amount of the compensation is also determined in accordance with these rules.

The period of limitations for submitting claims regarding road traffic accidents is 3 years from the date on which the option of making a claim became known, and no longer than 10 years after the date of the accident.

4. Damages to be compensated

Compensation may be claimed for loss of earnings not covered by any other insurance. Loss of income is calculated based on the degree of physical impairment and the actual financial situation of the victim. In the event of death, the costs of maintaining any surviving dependents are eligible to be compensated, with consideration being made for social security benefits. Two kinds of pain and suffering compensation are recognised in Sweden: one covers pain and suffering and the other covers physical impairment. Tables are used to determine both types of loss. Compensation for costs related to the personal injury will be covered by the third party liability insurance.

5. Accidents abroad

With effect from 20 January 2003, the 4th Motor Insurance Directive has been in force regarding traffic accidents outside your own country. Victims of traffic accidents can now claim compensation in a simple manner from the insurer of the party at fault. Such claims are submitted to the representative of the foreign insurer in the country of the victim: the claims representative. Addresses of claims representatives are available from the Information Centre. The centre can also provide information on the compensation body that will make payment if the insurer fails to designate a claims representative or does not respond to a victim's claim.

You can find additional information on this procedure at this website.

6. Useful addresses

Emergency services telephone numbers: Police, ambulance, fire brigade: 112.
If using a public telephone press the SOS button.

Motormännens Riksförbund, the Swedish Automobile Club, www.motormannen.se.
Tel. (+46)-(0)8 690 38 00 Freephone in Sweden: 020 – 21 11 11

Information centre for insurance details: (for claims for damage caused by unknown and uninsured motor vehicles) *Trafikförsäkringsföreningen*, Tegeluddsvägen 100, S-11587 Stockholm;
tel. 08-783 80 00; fax 08-660 76 91; e-mail info@tff.se; Internet: <http://www.tff.se>

(This is also the address for claims for damages caused by an unknown or uninsured motor vehicle.)