



**QUESTIONNAIRE ON THE INSURANCE METHODS
APPLICABLE TO THE TRANSPORT OF GOODS BY ROAD**

LATVIA

Information provided by: Road Carriers Association "LATVIJAS AUTO"

- 1. Which legal bases refer in your country to the insurance of transport of goods by road:**

Law on the insurance contracts makes no particular reference to transport insurances.

- 2. Is this regulation of imperative nature?**

NO. See answer to the first question.

- 3. Does the national regulation make a distinction between an insurance concerning the damages suffered by the goods and an insurance linked to the contractual liability of the transport operator?**

No

- 4. If the answer to question 3 is positive, is it possible to foresee the two types of insurance in the same contract?**

(Negative answer to question 3)

- 5. Is there a model of insurance contract for these types of insurance?**

No. There is the Law on the insurance contracts and there is an established procedure on how to conclude the insurance contract describing certain responsibilities of the parties.

6. If the answer to question 5 is positive, does this model have to be systematically respected by insurance companies?

(Negative answer to question 5)

7. Which of these two insurances is most frequently contracted

The contract on insurance of damages suffered by the goods is the most often concluded by the freight forwarder.

8. In practice, does the consignor generally insure his goods?

No. Only very seldom.

9. What is the legal basis for the recourse by the insurer against the person responsible for the damage (including the transport operator)?

The insurer who has paid indemnity shall take over the right of the insured to claim against the third person who is responsible for the loss (Law on the insurance contracts art. 40).

10. Is it possible to insert a clause in the insurance contract which would forbid any recourse from the insurer?

YES. Insurance policies can include such clause, in line with the Law on the insurance contracts (art. 6.3).

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