

Office of Rail Transport

<https://utk.gov.pl/en/new/20965,Rail-operators-third-party-liability-insurance-contracts-concluded-in-2024.html>
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Rail operators' third party liability insurance contracts concluded in 2024

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Rail operators are required to have valid third party liability insurance. The minimum guaranteed sum of insurance for rail carriers operating on the territory of the Republic of Poland is determined on the basis of the average EUR exchange rate announced by the National Bank of Poland for the first time in the year in which the insurance contract is concluded.

The average EUR exchange rate announced by the National Bank of Poland on 2 January 2024 is PLN 4.3434 (table no. 001/A/NBP/2024). Therefore, the minimum guarantee sum of a rail carrier's third party liability insurance concluded in 2024 is the equivalent in PLN of:

- EUR 100,000, i.e. PLN 434,340 for operators of narrow-gauge railways;
- EUR 250 000, i.e. PLN 1 085 850 for operators which use the infrastructure they manage;
- EUR 2,500,000, i.e. PLN 10,858,500 for other carriers.

At the same time, in insurance contracts which have been concluded in EUR, it is necessary to indicate information on the exchange rate which will be used to determine the PLN equivalent of the sum assured in the policy. Otherwise, the insurance may not meet the requirement of the minimum guarantee sum.

The President of the Office of Rail Transport recommends that the level of civil liability insurance should be adapted to the type and volume of freight and passenger transport services performed, taking into account the obligatory minimum amounts.

Rail carriers operating outside the territory of the Republic of Poland should adjust the level of insurance to the requirements applicable in the area where transport services are performed. The conditions determining the level of the minimum sum insured in the Member State of the European Union are regulated by the regulations in force in that state. The competent licensing authority of the Member State concerned or the infrastructure manager may check whether the

liability insurance contract concluded by the rail operator and approved by the other licensing authority is sufficient in that Member State. If the competent licensing authority of the Member State concerned finds that the level of cover is insufficient, it may require the rail carrier to have additional insurance.

LEGAL BASIS

Railway Transport Act 2003 (consolidated text: Journal of Laws of 2023, item 1786, as amended)

Regulation of the Minister of Development and Finance of 25 May 2017 on insurance of a rail carrier (Journal of Laws of 2017, item 1033)

Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain aspects of the procedure of licensing railway undertakings (OJ L 29, 5.2.2015, p. 3-10)