

Directive 2005/14/EC of the European Parliament and of the Council of 11 May 2005 amending Council Directives 72/166/EEC, 84/5/EEC, 88/357/EEC and 90/232/EEC and Directive 2000/26/EC of the European Parliament and of the Council relating to insurance against civil liability in respect of the use of motor vehicles (Text with EEA relevance) (repealed)

Article 5

Amendments to Directive 2000/26/EC

Directive 2000/26/EC shall be amended as follows:

1. the following recital 16a shall be inserted:

Under Article 11(2) read in conjunction with Article 9(1)(b) of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters⁽¹⁾, injured parties may bring legal proceedings against the civil liability insurance provider in the Member State in which they are domiciled.;
2. Article 4(8) is replaced by the following:
8. The appointment of a claims representative shall not in itself constitute the opening of a branch within the meaning of Article 1(b) of Directive 92/49/EEC and the claims representative shall not be considered an establishment within the meaning of Article 2(c) of Directive 88/357/EEC or:
 - an establishment within the meaning of the Brussels Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters⁽²⁾ — as far as Denmark is concerned,
 - an establishment within the meaning of Regulation (EC) No 44/2001 — as far as the other Member States are concerned.;
3. in Article 5(1)(a), point 2(ii) shall be deleted.
4. the following Article is inserted:

Article 6a

Central body

Member States shall take all appropriate measures to facilitate the availability in due time to the victims, their insurers or their legal representatives of the basic data necessary for the settlement of claims.

This basic data shall, where appropriate, be made available in electronic form in a central repository in each Member State, and be accessible by parties involved in the case at their express request.

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 12, 16.1.2001, p. 1](#). Regulation as last amended by Regulation (EC) No 2245/2004 ([J L 381, 28.12.2004, p.10](#)).';
- (2) [OJ C 27, 26.1.1998, p. 1](#) (consolidated version).';