

Road Traffic Injuries Commission Review

If you or your next of kin have been injured in a road traffic accident, the Road Traffic Injuries Commission can review the compensation paid to you by your motor insurance company for any personal injury you may have incurred. The language used when processing cases will be Swedish. The review is free of charge. The Commission's statement acts as an advisory opinion for motor insurance companies. The Road Traffic Injuries Commission reviews two types of case – mandatory cases and dispute resolutions.

This information leaflet is about dispute resolutions.

Dispute resolutions

If you are unhappy with the final decision issued from your insurance company regarding compensation for personal injury paid out from your policy, you can apply to the Road Traffic Injuries Commission to review your case. This type of case is known as a dispute resolution.

Can I submit my own review application to the Road Traffic Injuries Commission?

Before you can submit your case to the Commission, your insurance company must have issued a final decision on the matter to be reviewed. You must then have contacted your insurance company and tried to have them change the decision with which you are unhappy. If the insurance company does not change their decision and you cannot reach an agreement, you can submit your case to the Road Traffic Injuries Commission.

Examples of matters that can be reviewed:

- Whether your problems are the result of the accident or not.
- The extent of medical invalidity after the accident.
- Loss of income following the accident.
- If your matter is within the statute of limitations or not.

The Swedish Motor Insurers

You cannot submit your case directly to the Road Traffic Injuries Commission if it was processed by the Swedish Motor Insurers (TFF). If you are unhappy with a decision, you always have the right to have it reviewed by the Road Traffic Injuries Commission. Contact TFF who will submit the case to the Commission for review. TFF will send you the Commission's statement.

What happens during the review?

1. You can submit your application either online or print out the application form and post it. The application form is available from the Road Traffic Injuries Commission's website www.trafikskadenamnden.se. Include the insurance company's decision with your application. Wait until you have received a response about your application from the insurance company before submitting any supplementary materials. It is up to you which supplementary materials you include.

2. Your case will be registered, and you will receive a confirmation. If you have BankID, you can follow your case on the “My Pages” section of the Road Traffic Injuries Commission’s website. Alternatively, communication will take place via post.
3. Your insurance company will send their response to your application to the Commission. They will include documents they wish to refer to when the case is reviewed by the Commission.
4. Once you have gone through the materials, you can decide whether you want to submit any additional information. Please note that you can only provide information that your insurance company has already seen. For example, if you wish to include a new medical certificate, your insurance company must first be given the material for consideration.
5. The Commission will review your case during one hearing. A statement containing the Committee’s findings will then be written.
6. After the review, the Commission will send their statement to you and the insurance company.

You can withdraw your application at any time during its processing period.

How long will the review take?

Your case will be reviewed within 90 days once communication between you and your insurance company is finalised. Occasionally, the processing time will be longer.

What language will the documents be in?

Review by the Road Traffic Injuries Commission are conducted in Swedish.

What applies for a legal representative?

You may enlist a representative to help you with your case submitted to the Road Traffic Injuries Commission, however this is not a requirement. If you would like a representative, the insurance company will determine whether your motor insurance can cover any costs. Alternatively, you can pay for a representative yourself. Representatives will need to have power of attorney for the matter.

Can I attend the Commission’s hearing?

Neither you nor your representative can attend the hearing when your case is reviewed. The case is reviewed based on written documentation alone.

Does my insurance company have to comply with the Commission’s statement?

The Commission issues a written statement which is an advisory opinion. Therefore, the insurance company do not need to comply the Commission’s findings. It is uncommon for an insurance company to not comply with the statement.

Can I appeal against the Commission’s statement?

Statements issued by the Road Traffic Injuries Commission cannot be appealed. If you are unhappy with the statement, or if the insurance company does not change their decision based on the Commission’s findings, you can appeal in court. Should you appeal, the insurance company’s decision will be reviewed and not the Commission’s statement. Statutory limitations may apply. You should contact your insurance company to find out what applies.

Find more information on www.trafikskadenamnden.se