

No. 18911

**SWITZERLAND
and
ITALY**

**Agreement concerning compensation for damage in case of
traffic accidents. Signed at Rome on 16 August 1978**

Authentic text : Italian.

Registered by Switzerland on 12 June 1980.

**SUISSE
et
ITALIE**

**Accord relatif à la réparation des dommages en cas d'ac-
cidents de la circulation. Signé à Rome le 16 août 1978**

Texte authentique : italien.

Enregistré par la Suisse le 12 juin 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE SWISS CONFEDERATION AND THE
ITALIAN REPUBLIC CONCERNING COMPENSATION FOR
DAMAGE IN CASE OF TRAFFIC ACCIDENTS

The Swiss Confederation and the Italian Republic,

Desiring to improve the legal status of their respective nationals in case of traffic accidents occurring in the other State,

Considering that motor vehicle civil liability insurance is compulsory in the two States and that both States have set up appropriate agencies to compensate for damage caused by uninsured, unidentified or foreign motor vehicles,

Deeming it advisable to waive, in their reciprocal relations, any restrictions remaining in their legislation which apply to foreign victims of accidents,

Have agreed as follows:

Article 1. Nationals of either of the two States who are injured by a motor vehicle in the other State shall, with regard to compensation for damage, enjoy the same rights *vis-à-vis* the appropriate agencies as the nationals of the State in which the accident occurred, regardless of the fact that the damage may have been caused by a foreign, uninsured or unidentified vehicle. The same shall apply to persons in possession or control of vehicles who are not subject to the insurance requirement, for example, persons in control of State-owned vehicles in Switzerland; however, this shall not apply to motorcycles and agricultural vehicles normally kept in Italy, unless such vehicles are subject to the motor vehicle civil liability insurance requirement.

Article 2. 1. Italian nationals may claim from the Swiss agency compensation which shall not exceed the minimum insured value prescribed by Italian law at the time of the accident.

2. This limitation shall not apply in cases where damage caused by a foreign vehicle is covered under the international insurance certificate (green card) system or under another valid insurance scheme.

Article 3. 1. Persons resident in the territory of one of the two Contracting States shall be treated in the same way as citizens of that State.

2. The meaning of the term “motor vehicle” shall be determined according to the law of the country in which the accident occurs.

Article 4. By special authorization of the Government of the Principality of Liechtenstein, this Agreement shall apply also to that Principality.

Article 5. 1. This Agreement shall enter into force on the date on which the two Contracting Parties have notified each other that the procedures required by their respective laws have been completed.

¹ Came into force on 15 December 1979, the date of the exchange of notes by which the two Contracting Parties notified each other that the procedures required by their respective laws had been completed, in accordance with article 5.

2. Either Contracting Party may denounce this Agreement, with effect from the end of the calendar year. The other Contracting Party must be given at least six months' notice of the denunciation.

DONE at Rome on 16 August 1978, in duplicate in the Italian language.

For the Swiss Confederation:
[A. JANNER]

For the Italian Republic:
[MARIO MONDELLO]
