

STRATEGIES TO MINIMIZE DEFICIENCIES ON TRANSPORT RELATED INSURANCE CLAIMS

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**A Dissertation Submitted to the Department of Civil Engineering for the Degree of Master
of Science in Transportation**

Department of Civil Engineering

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DECLARATION OF THE CANDIDATE

"I declare that this is my own work and this thesis/dissertation does not incorporate without acknowledgement any material previously submitted for a Degree or Diploma in any University or other institute of higher learning and to the best of my knowledge and belief it does not contain any material previously published or written by another person except where the acknowledgement is made in the text"

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This is dedicated to my husband, Sunil Siriweera and my Son, Geemal Siriweera.



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LIST OF ABBREVIATIONS

CTP	-	Compulsory Third Party
DC	-	District Court
EU	-	European Union
IBS	-	Insurance Board of Sri Lanka
NRSC	-	National Road Safety Council
RDA	-	Road Development Authority
UK	-	United Kingdom



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ABSTRACT

Road Traffic injuries are the leading cause of death by injury and leading contributor to the burden of disease worldwide. It is estimated that over one million men, women and children get killed, annually, in the world, as a result of road traffic accidents.

It has become a prominent social problem in Sri Lanka. At present, one in fifty deaths are due to road accidents and many more are injured or permanently disabled. Every four hours one person dies in Sri Lanka due to road accidents. According to the records maintained by the Police about 2200 persons are killed yearly, and over 3000 people are critically injured and another 12,000 suffering minor injuries as a result of road accidents.

The aim of this study is to bring it to the notice of interested parties that they need not silently suffer or bear the /damages or the injuries that they suffer due to someone else's negligence. They can always be remunerated for such losses and damages through insurance claims.

This study briefly explains as to what is an insurance agreement, the types of insurance policies, why people take insurance coverage, the motor insurance cover, the identified problem in motor insurance claims, present practice of claims and the benefits of insurance coverage .. The deficiencies of transport related insurance claim particularly, the accidents at road construction sites and hit and run accidents has been highlighted.

Construction zones are considered as the most dangerous places on our roads. Victims of road accidents at these sites could seek compensation from main contractor, the state or the Provincial Council and the driver. This study has also paid attention on the growing problem of Hit & Run accidents. It is revealed that one in eleven serious accidents are classified as hit and run and most of the victims of Hit & Run accidents are pedestrians and cyclists. The public concern so far was that since they cannot identify the runaway vehicle or the driver of the vehicle there are no possibilities for claims.

The National Road Safety Council of Sri Lanka established in terms of the Motor Traffic (Amendment) Act No. 5 of 1998 has created a National Road Safety Fund to assist such victims.

The deficiencies in insurance claims have been discussed and the implementation of the suggestions mentioned herein is essential for the provision of maximum benefits of insurance policies to the victims of road traffic accidents