

# Complete Motor Legal Brochure



# Why you need Complete Motor Legal Solutions



Being involved in a vehicle accident, facing a motoring prosecution or becoming the victim of vehicle cloning are all distressing experiences. If you are involved in an accident that isn't your fault, receive notice of a motor prosecution or are affected by vehicle cloning, Complete Motor Legal Solutions can help you.

## What we cover

Following a motor accident that is not your fault we will:

- claim back your motor insurance policy excess
- obtain compensation from the person responsible if you or any of your passengers have been injured
- claim back any other losses such as damage to personal effects, loss of earnings or storage charges.

We can also try to arrange a replacement vehicle where appropriate.

Your motor insurer will normally allow you to keep your no claims discount if you are able to claim back these losses.

You will not have to pay legal costs from the damages you are awarded. We will manage the claim for you from start to finish, saving you the time and inconvenience of filing your own claim online.

If you are charged with a motoring offence, we will arrange for a lawyer to defend you. There are some offences that we will not defend such as parking infringements, drink driving and using a mobile phone while driving. (See the table on pages 6 and 7 for further information.)

If your car registration is cloned by criminals who use it to drive a similar car that may be stolen, or involved in unlawful activity, you could receive an unexpected penalty charge notice. We will help you through the representations and appeals procedure to challenge any penalty issued against you as a result of vehicle cloning.

## Who is ARAG?

ARAG is the largest family enterprise in the German insurance industry and has positioned itself as a versatile quality insurer. Specialising in legal insurance as the leading legal insurer worldwide, ARAG also offers its customers attractive, needs-based products and services from a single source.

Active in a total of 19 countries – including the US, Canada and Australia – ARAG is also represented by international branches, subsidiaries and shareholdings in numerous international markets in which it holds a leading position as a provider of legal insurance and legal services. With almost 4,700 employees, the Group generates revenue and premium income totalling more than €2.0 billion.



*Help is available when you need it most*

# Examples of when we can help



## Case 1

Our insured was driving along the inside lane of a dual carriageway when the third party drifted into her lane causing extensive damage to the car.

Our insured had fully comprehensive insurance so we made a claim to recover her policy excess and arranged a hire car while her own vehicle was being repaired.

## Case 2

Our insured was injured when a van ran into the back of his car at speed. He was taken to hospital with a broken collar bone, bruising and whiplash. We were notified of the claim and instructed a solicitor to represent the insured.

The van driver admitted liability and after extensive negotiations with his insurers a settlement of £10,000 was reached. This compensated our insured for pain and suffering, physiotherapy treatment and alternative transport while he was unable to drive.

Without Complete Motor Legal Solutions, as the sum of damages exceeded £5,000, our insured could have entered into a “no-win, no-fee” agreement but would have paid up to 25% of his compensation as a fee to the solicitor. Where personal injury compensation below £5,000 is sought following a motor accident, accident victims are obliged to pursue their own legal claim or pay another party to do this.

## Case 3

An employee of the insured was charged by the Police Scotland with causing serious injury by dangerous driving. He had struck a couple of vehicles when he swerved on to the wrong side of the road. The driver wished to plead not guilty as he had suffered a sneezing fit and lost control of the vehicle. Counsel advised that expert analysis may be necessary as there had been no police investigation report. The case hinged on the fact that the driver may have, by his own admission, had about 10 seconds between knowing he was going to sneeze and then losing control of the vehicle, during which time he had taken no evasive action and not slowed the vehicle. If that was the case, there would be no defence that the sneezing fit was sudden and came without warning. The expert’s report supported the view that the driver would have had little or no time to react and that the collision had been in a chevroned area, which would have meant that both vehicles had been travelling in that chevroned area. The case was won at trial and the driver was acquitted.

Costs met by ARAG: £13,838

## Case 4

Our insured lived and worked in London, although they didn’t use their car to commute into the city. They were therefore very surprised to find that they had been issued with a Penalty Charge Notice (PCN) for several breaches of the Congestion Charge zone. Our insured contacted us as they suspected that their vehicle might have been cloned, an increasing problem in London. We appointed a solicitor to look into the case and see if the PCN could be challenged. The solicitor managed to prove that the insured was working in their office at the time of the breaches and the penalties were withdrawn. The legal costs involved in settling the case were met by us.

# Assistance when you need it



We provide helplines and online help. Here is a summary.

## Legal and tax advice

You can call our legal advice helpline and get immediate advice about personal legal matters 24 hours a day, 365 days a year. You can also obtain tax-related advice from our tax helpline, available between 9am and 5pm on weekdays (except bank holidays). Your query will be dealt with by a qualified specialist who is experienced in handling legal and tax-related matters.

## Consumer legal services

Your policy unlocks free access to our Consumer legal services website, this provides a range of useful tools to help you. You can access our law guides which offer guidance on a wide range of legal topics, as well as videos and claims examples that demonstrate how our cover can help. The website also provides a comprehensive range of legal documents, including a letter to challenge a parking fine and an agreement for the sale of a motor vehicle.

# Important information



## Claims procedure

- 1) If you are involved in an accident which is not your fault please contact us on the number shown in your Complete Motor Legal Solutions policy document as soon as possible. Lines are open 24 hours, 365 days a year for motor claims reporting.
- 2) We will ask you to describe what has happened to cause damage to your vehicle and give names and addresses of all parties involved including any witnesses.
- 3) If the advisor believes the accident is not your fault, we will arrange for:
  - a) a legal expert to contact you who will help claim back your losses and obtain compensation for any injuries
  - b) you to be contacted to assess your need and suitability for a replacement vehicle.
- 4) Ensure that no contact is made with anyone else regarding claiming back your losses or compensation for personal injury until you hear from us.

If you receive notice of a motoring prosecution or receive an unexpected penalty notice that you suspect has resulted from your vehicle being cloned, you will need to complete a claim application. A claim can be made online at [www.arag.co.uk/newclaims](http://www.arag.co.uk/newclaims). Alternatively you can obtain a claim form by downloading one at [www.arag.co.uk/newclaims](http://www.arag.co.uk/newclaims) or by calling us on **0330 303 1955** between 9am and 5pm weekdays (except bank holidays).

- 1) The completed application and supporting documentation can be submitted online or sent to us by email, or post. Further details are set out on our website.
- 2) We will send you an acknowledgment by the end of the next working day after receiving the claim.
- 3) Within five working days of receiving all the information needed to check your claim under the policy, we will contact you either:
  - a) confirming cover under the terms of this policy and advising you of the next steps to progress your claim; or
  - b) if the claim is not covered, we will explain in full the reason(s) why, and advise whether we can assist in another way.
- 4) When a representative is appointed by us, they will try to resolve your claim without delay.

Sometimes matters cannot be resolved quickly, particularly if the other side is slow to cooperate or a legal timetable is decided by the courts.

## What happens if I change my mind after taking out the policy?

The policy provides you with a 14-day reflection period in which to decide whether you wish to continue. Cancellation is fully explained in Condition 9 of the policy wording.

## What happens if the insurer cannot meet its liabilities?

The insurer is covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation of up to 90% of the cost of your claim in the unlikely event that the insurer cannot meet its obligations. Further information about compensation scheme arrangements is available at [www.fscs.org.uk](http://www.fscs.org.uk)

# Summary table

The table below shows a summary of cover. An Insurance Product Information Document is also available. For full terms and conditions of the policy, please read the policy wording.

Significant features & benefits	Significant exclusions or limitations	Where found
The insurer will pay your legal costs & expenses up to £100,000 including the cost of appeals for claims reported during the period of insurance.	<ul style="list-style-type: none"> <li>It must always be more likely than not that your claim will be successful, and the claim must be reported to us as soon as possible after an accident.</li> <li>Unless there is a conflict of interest, you must always agree to use an appointed advisor chosen by us before proceedings have been or need to be issued.</li> <li>An allegation against you involving assault or violence, road rage, illegal drugs or drink driving.</li> </ul>	<p><b>Your policy cover</b></p> <p>4)</p> <p>5)</p> <p><b>What is not covered by this policy</b></p> <p>3)a) and b)</p>
<p><b>1) Claiming back losses which are not otherwise insured</b></p> <p>This policy will help if an event:</p> <ul style="list-style-type: none"> <li>damages the insured vehicle and/or personal property in or on it, and/or</li> <li>injures or kills you whilst in or on an insured vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>Another party must be at fault.</li> <li>Disputes that arise from a contract.</li> </ul>	<p><b>Insured events covered</b></p> <p>1)</p> <p><b>What is not covered by Insured event</b></p> <p>1)</p>
<p><b>2) Motor prosecution defence</b></p> <p>We will defend you if you are prosecuted for an alleged motoring offence.</p>	<ul style="list-style-type: none"> <li>Parking infringements or failure to pay a parking penalty.</li> <li>Driving without valid motor insurance, without a valid driving licence or while using a mobile phone.</li> </ul>	<p><b>What is not covered by Insured event</b></p> <p>2)</p>
<p><b>3) Vehicle cloning</b></p> <p>We will appeal against parking fines or civil or criminal penalty notices brought against you as a result of your vehicle number plate being cloned.</p>	<p>You must be able to provide proof you are the registered vehicle owner and produce your driving licence.</p>	<p><b>What is not covered by Insured event</b></p> <p>3)</p>
<p><b>Legal &amp; tax advice</b></p> <p>Access by phone to legal and tax experts for UK and EU wide legal advice and UK tax law.</p>	<ul style="list-style-type: none"> <li>Advice will not be put in writing.</li> <li>Legal and tax advice is restricted to personal matters.</li> <li>Legal advice is available 24 hours a day, 365 days of the year.</li> <li>Advice on UK tax law is available from Monday to Friday between 9am and 5pm (except bank holidays).</li> <li>Services are subject to fair and reasonable use.</li> </ul>	<p><b>Legal and tax advice</b></p>

## Summary table *(continued)*

Significant features & benefits	Significant exclusions or limitations	Where found
<p><b>Consumer legal services website</b></p> <ul style="list-style-type: none"> <li>• Visit our Consumer legal services website at <a href="http://www.araglegal.co.uk">www.araglegal.co.uk</a> and register using your voucher code to download legal documents that can assist you with motoring legal issues.</li> <li>• You can access our online law guides.</li> </ul>	<ul style="list-style-type: none"> <li>• Documents are restricted to motoring legal matters.</li> <li>• Some documents can only be used in England and Wales.</li> </ul>	<p><b>Consumer legal services</b></p>
<p><b>Territorial limit</b> The United Kingdom, Channel Islands, the Isle of Man, Norway, Switzerland and the European Union.</p> <p><b>Period of insurance</b> Unless otherwise agreed the period of insurance shall be for 12 months.</p> <p><b>Legal costs &amp; expenses</b></p> <ul style="list-style-type: none"> <li>• Reasonable costs incurred by the appointed advisor.</li> <li>• The other side's legal costs.</li> </ul>		

# How we handle complaints



## Step 1

ARAG is committed to providing a first class service at all times. However, if a complaint arises, please contact us using the number you rang to report your claim. The staff handling your claim should be able to resolve it. If in the course of those discussions it becomes clear that the matter has not been resolved to your satisfaction, details of your complaint will be passed to our Customer Relations Department where we will arrange to have it reviewed at the appropriate level. We will also contact you to let you know that we are reviewing your complaint. Alternatively, you can contact our Customer Relations Department directly; we can be reached in the following ways:



**0117 917 1561** (hours of operation are 9am-5pm, Mondays to Fridays excluding bank holidays. For our mutual protection and training purposes, calls may be recorded).



[customerrelations@arag.co.uk](mailto:customerrelations@arag.co.uk)



**ARAG plc, 9 Whiteladies Road, Clifton, Bristol, BS8 1NN.**

## Step 2

If we are not able to resolve the complaint to your satisfaction then you can refer it to the Financial Ombudsman Service (FOS) provided that it falls within their jurisdiction. They can be contacted at:



**0800 023 4567** or **0300 1239 123**



[complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)



**Financial Ombudsman Service, Exchange Tower, London, E14 9SR.**

The FOS is an independent service in the UK for settling disputes between consumers and businesses providing financial services. You can find more information on the Financial Ombudsman Service at [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

The FOS's decision is binding upon the insurer, but you are free to reject it without affecting your legal rights.

You can read more about our complaints procedure on our website by clicking here:

<https://www.arag.co.uk/contact/making-a-complaint>