

SPECIAL CONDITIONS OF EMPLOYER'S LIABILITY INSURANCE

1. General provisions

Provisions of General and Special Terms and Conditions of Liability Insurance (FÁBF/FKBF) shall be applied to losses arising out of work accidents, subject to the supplementary and special terms and conditions of this insurance product.

2. Insured event

By way of derogation from paragraph 18 of Article 7 of FÁBF/FKBF, the Insurance Company indemnifies the Insured on the basis of insurance contracts concluded with reference to these terms and conditions in respect of

- 2.1 compensation,
- 2.2 solatium and
- 2.3 recourse

claims enforced against the Insured out of injuries under labour relation occurred to employees or members of the Insured (hereinafter referred to as "employees") and for which the Insured shall be held liable under the Hungarian laws and regulations.

3. Injury caused under labour relation

As applicable to these special conditions an injury of the employee is considered to have been suffered under labour relation provided it occurs in connection with an activity pursued under an existing or former labour relation with the Insured.

Injuries caused under labour relation are especially those occurring to the employee

- 3.1. in the course of exercising his employment on the business premises of the Insured, during working hours or
- 3.2. outside the business premises of the Insured, in the course of performing his work under the instructions of the Insured or on its/his behalf.

4. Exclusions

The Insurance Company excludes from the insurance cover the following:

- 4.1. claims arising out of occupational diseases;
- 4.2. unless otherwise agreed, any loss or damage to the clothing and other articles of the injured party for personal use;
- 4.3. liability for injuries and damages caused unlawfully and wilfully;
- 4.4. claims arising out of accidents qualifying as occupational, which has been suffered by the employee in the course of performing public work or receiving a social security benefit.

4.5. claims arising out of an accident which has been suffered in whole or in part as a result of the injured employee being under the influence of alcohol or drugs.

4.6. claims arising out of an accident which has been suffered in the course of performing unauthorized work outside the scope of employment duties, using a vehicle without authorization, or during any workplace disruption.

4.7. claims arising out of accidents in case of which obtaining medical assistance and/or reporting the accident has been wilfully delayed.

5. Subrogation right of the Insurance Company

The Insurance Company shall be entitled to claim the reimbursement of any indemnity paid from the person causing the work accident by gross negligence.

It shall be deemed gross negligence in particular if:

5.1. the cause of the accident is a serious violation of workplace safety rules, established by the decision of the authorities;

5.5. the accident occurs as a result of repeated violation of the same workplace safety rule;

5.3. notwithstanding that the Insured had been advised on the possibility (risk) of the occurrence of an accident by its community, employee or workplace health and safety body, the accident occurred as a result of failing to take the necessary measures.