

SCHEDULE 3 TO ADDENDUM

Guide to the Interpretation and Application for the Apportionment of Liability under the Agreement

This new guide will be applicable for accidents occurring from 1 July 2016 onwards.

A. Application of the BOLA Chart

The BOLA Chart shall **be applied** in the following situations:

1. Agreed scenario with agreed facts /circumstances leading to the collision.

In this instance, the apportionment of liability is as per the appropriate scenario depicted in the BOLA Chart. If the scenario is one that is not already listed in the BOLA Chart then the parties shall engage the assistance of the GIA Motor Committee or its appointed Panel of Adjudicators to provide guidance on the apportionment of liability. All rulings and apportionment of liability in such cases shall be treated as precedents and shall be archived for future reference to achieve consistency. The relevant scenarios shall also be added to the BOLA Chart.

2. Agreed scenario but differing circumstances leading to the accident/ proximate cause of the accident.

Application:

Q: What constitutes a scenario?

A: "Scenario" refers to the positioning of the vehicles immediately before the point of impact/collision.

If the positioning of the vehicles is agreed by both parties and the contention is with regard to the circumstances leading to the accident/ proximate cause of the accident, then the agreed scenario as depicted in the BOLA Chart should be applied.

Illustration

It is agreed by both A and B that their vehicles were stationary, A is in front and B behind. However, A alleged that when B moves off, he hit A from behind. B however alleged that A reversed and collided into his vehicle.

In such an instance, it shall be a rebuttable presumption of a "head-to-rear" collision unless the contrary is proven.

Reasons: On a balance of probabilities, it is more likely that the car behind collided into the front vehicle in such a situation. The principle of probability from common experiences should be applied for such cases to resolve the conflicts.

3. No agreed scenario and differing circumstances and/or proximate cause of the accident.

Illustration

Where there is a dispute over whether it is a case of changing lane (S15) or head-to-rear collision (S27).

Since there is no agreement on the scenarios as well as on the facts/circumstances, the damages to the vehicles involved should be reviewed to determine which of the two versions of the accident is more probable.

In the above illustration, the panel of adjudicators will decide, after viewing the photographs of the damages of the vehicles that whether on a balance of probabilities, S15 or S27 should be applied.

4. Dispute as to whether an accident fit into any of the BOLA scenarios depicted in the BOLA Chart.

Where the disputes between the members are on whether a scenario of the accident is one that is depicted in the BOLA Chart and/or whether the particular case comes within the ambit of BOLA, the parties shall refer such cases to the GIA Motor Committee or its Panel of Adjudicators for a ruling. If the GIA Motor Committee or the Panel of Adjudicators rules that the case is within the BOLA, it will also apportion liability according to the general rules and principles of BOLA. The decision and the ruling shall be final and binding on all parties. All such decided cases shall constitute a precedent and shall be archived for future reference. The new scenario will also be added to the BOLA Chart.

5. Accidents involving Singapore-registered vehicles (as per policy geographical limit).

B. General Rules and Exclusions

1. All decisions by other adjudication/mediation bodies shall not be relevant and shall be disregarded.

In a case where there are both Property Damage (PD) and Personal Injury (PI) claims and the PI claim is settled in Court at 50/50% liability, the PD claim shall be settled as per liability apportionment according to the BOLA Chart.

The decision of the Court shall have no effect on the BOLA settlement.

2. Settlement of subrogation claim under BOLA is restricted to repair costs.
3. Members may also initiate third party recoveries for policy excess and/or other uninsured losses under BOLA on behalf of their insured so as to avoid unnecessary litigation or expensive mediation processes.
4. Members cannot reject a Third Party claim from another member who is claiming on behalf of their insured even if the claim quantum is less than the Third Party excess under the member's policy. This is to encourage the claimant to effect a direct settlement with members and not resort to unnecessary litigation and/or costly mediation processes.
5. BOLA only deals with the issue of liability. The quantum shall not be an issue as it is a subrogation claim. This means that if liability is admitted, the receiving party shall reimburse the initiating party what the latter had paid under the policy.
6. **Non-Application of the Apportionment of Liability indicated in the BOLA Chart (For two vehicle collision)**

This section shall not apply to a chain collision where three or more vehicles are involved in an accident.

Contrary Evidence

In cases where there is a rebuttable presumption of fault against the driver of Vehicle X as depicted in the BOLA Chart, that presumption shall not apply if there is contrary evidence as follows:

- i) Where there are independent witnesses affirming the version presented by driver of vehicle X by way of an affidavit or Statutory Declaration; or
- ii) Where there is an admission of liability by the driver of vehicle Y in the accident report or in other media, provided that it is concrete. However, the admissions should strictly be between the drivers involved in the accident and not third parties; or
- iii) Where there is photographic/video graphic evidence that supports the version presented by the driver of Vehicle X.

7. Repudiation of Policy Liability (For two vehicle collision)

This section shall not apply to a chain collision where three or more vehicles are involved in an accident.

BOLA shall **not** apply to cases where members are entitled to repudiate liability under the policy on the following grounds:

- i) If any party involved is charged by the Traffic Police for driving whilst under the influence of intoxicating liquor or drugs (offences under Sections 68 to 71A of the Road Traffic Act (Chapter 276) and/ or any statutory law prohibiting the abuse of drugs) at the time of an accident or event giving rise to a claim; or
- ii) Non-Reporting or other breaches of the terms and conditions of the policy.

In such instances the receiving party is obliged under BOLA to provide the initiating party the necessary documents to show the ground of repudiation and the notification of such repudiation to their insured.

For cases involving the repudiation of liability on the ground of non-reporting, the GIA guidelines via Memo Email No. 78/2010 dated 13 May 2010 should be complied with.

In addition, all documentary evidence of notification of such repudiation to their insured shall be provided to the Initiating Party by the Receiving Party.

8. Police Action (For two vehicle collision)

This section shall not apply to a chain collision where three or more vehicles are involved in an accident.

Police action will include warnings and charges issued by the police.

Notwithstanding that a case is pending police investigation; parties shall settle the case within the maximum 3-month timeframe (from the date of Letter of Demand) in compliance with the terms under the BOLA.

In the event where the party who had settled the claim receive a favorable result from the police, the said party shall have the right to claw back the payment within 1 year from the date of settlement of the BOLA claim from the insurer who is liable based on police investigation results.

In cases where IP has accepted settlement of their recovery claim at 50% liability and subsequently, the PIR shows that the RP insured driver is 100% liable, the IP will not be entitled to claim the remaining 50% from the RP.

9. Fire

BOLA shall **not** apply to damages to vehicles caused by fire. Each member will bear their own loss for fire claims.

10. No-Claim Discount (NCD)

All settlement of subrogation claims between members is governed by this agreement with regard to the apportionment of liability.

Therefore the settlement shall not be the sole basis for the determination of the removal/reduction of the insured's NCD or the loading of premiums.

Each member shall decide whether the NCD should be removed/ reduced based on the merits of each case.

Illustration

For cases where BOLA scenario 28 applies, the driver of the vehicle behind will be liable for losses incurred by the vehicle immediately in front only.

This application was taken with the objective of BOLA in mind, that each party takes a share of the repair cost to avoid costly litigation. The swing around principle will eventually even out any perceived inequity of the arrangement.

It was not meant to address the issue of liability or to impose a strict liability mechanism under BOLA but merely to facilitate amicable settlement of complicated accident situations among insurers.

In such cases, for insureds that are **not at fault**, the respective insurers **should not penalise** their insureds by removing or reducing their NCD and/or load the premiums of their insureds as any payment made is by virtue of this agreement among insurers.

11. Interpretation and Application

If there is any dispute or difference in opinion as to the interpretation or the application of any of the rules, exclusions, provisions or scenarios, such disputes shall be referred to the GIA Motor Committee for a ruling.

GIA through its Motor Committee and/or Panel of Adjudicators in exercising its unfettered role, shall be the sole entity to adjudicate all such disputes and direct that the accident is within the ambit of BOLA or otherwise, or if liability apportionment in BOLA Chart applies.



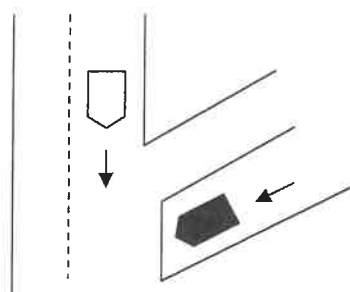
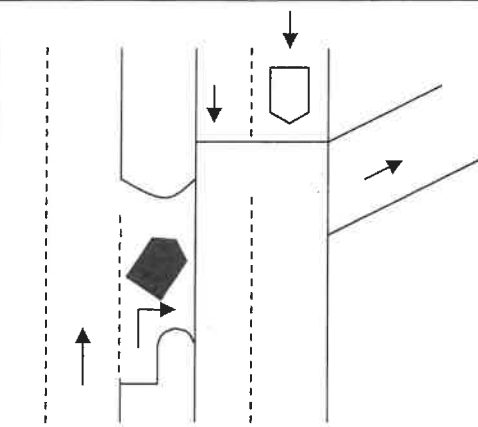
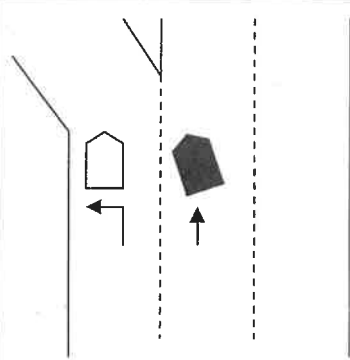
12. "Ex Parte" Proceedings



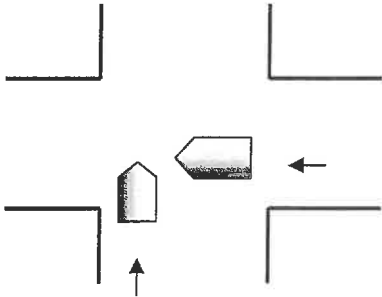
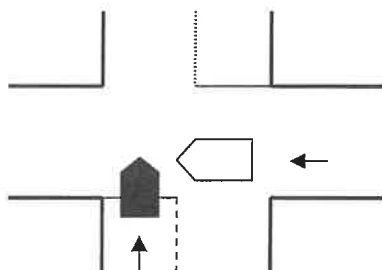
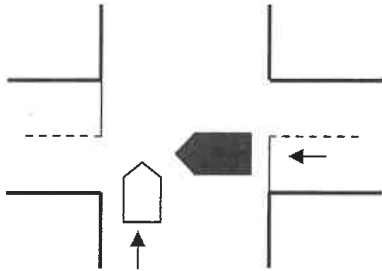
For the avoidance of doubt, where any member who escalates a dispute under BOLA to the Motor Committee/Panel of Adjudicators appointed by GIA, the counter party to the dispute shall be contractually obliged to respond to the initiation. If the Receiving Party fails neglects or refuses to respond, the Motor Committee/Panel of Adjudicators shall have the authority to proceed to deliberate on the case based on available documents/evidence provided by the Initiating Party.



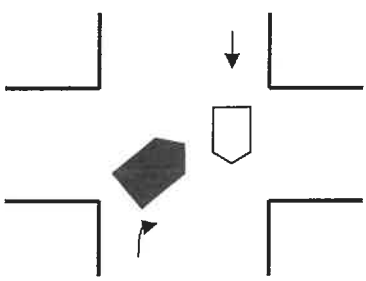
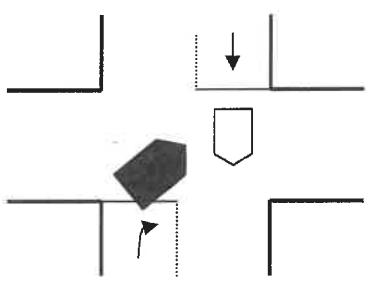
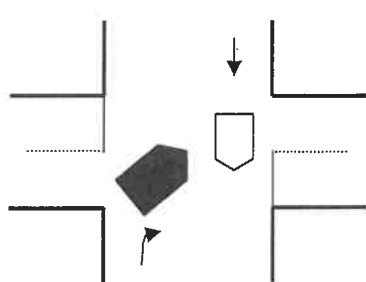
The Panel of Adjudicators shall be entitled to make an "ex parte" ruling and such ruling shall be final and binding on both parties to the dispute.



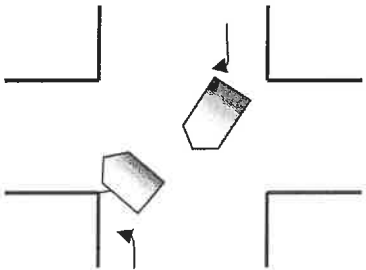
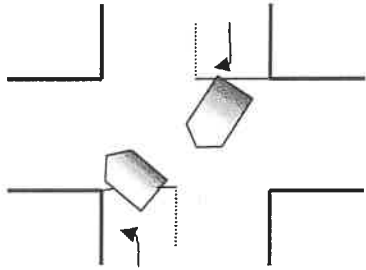
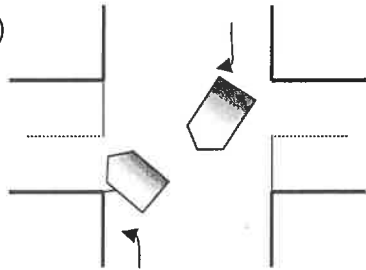
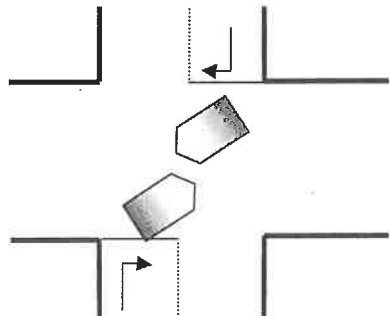
13. Time Bar



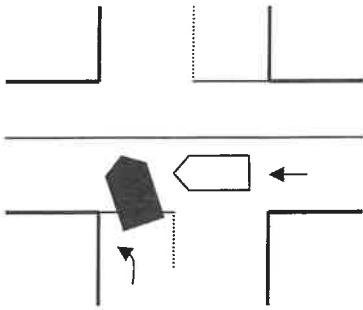
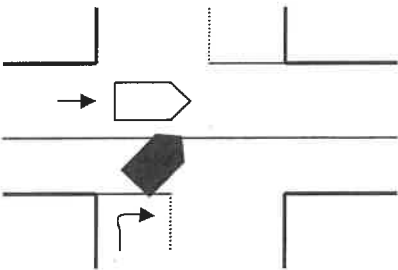
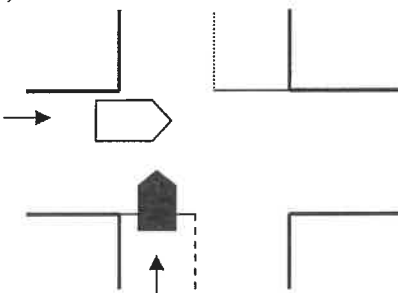
- i) All subrogation claims shall be initiated within one year from the date of payment of members' OD claim under the policy.
- ii) There shall be no rights of recovery of any subrogation claim whatsoever beyond the one year period as stipulated in paragraph 13 (i) above.
- iii) Members shall not have any right whatsoever to institute any legal proceeding in any court of law to recover such subrogation claim after such claim is time barred as stipulated in paragraphs 13(i) and 13(ii) above.



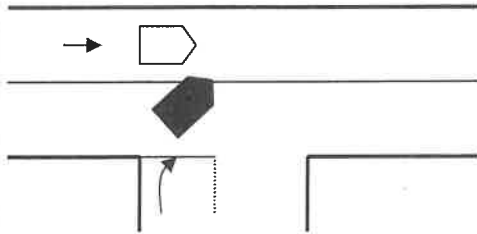
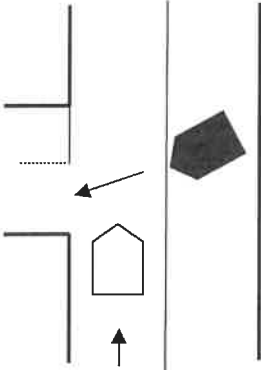
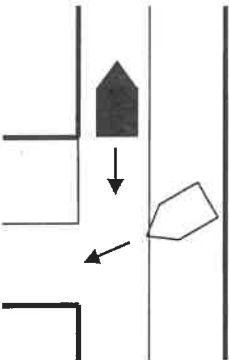
	SCENARIO	DESCRIPTION	 X	 Y
	Y-JUNCTION (Controlled/Uncontrolled)			
1.		<p>Vehicle X – Turning out from a Side Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Vehicle approaching main road should exercise greater caution.</p>	100%	0%
	Y-JUNCTION (Controlled/Uncontrolled)			
2.		<p>Vehicle X – Turning Out from Side Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Vehicle making a turn at an intersection should exercise greater degree of care towards on-coming traffic</p>	100%	0%
	SLIP ROAD			
3.		<p>Vehicle X – Moving along a Straight Lane trying to turn into the Side Road</p> <p>Vehicle Y – Moving on a Turning Lane into the Side Road</p> <p>Reason: Vehicles should keep in the proper lane and change lane only when it is safe</p>	100%	0%



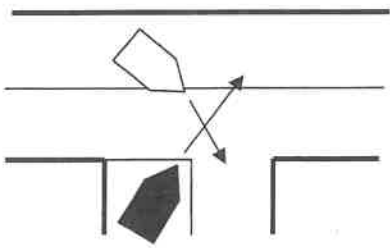
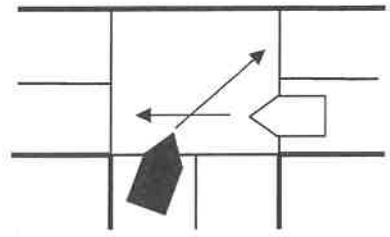
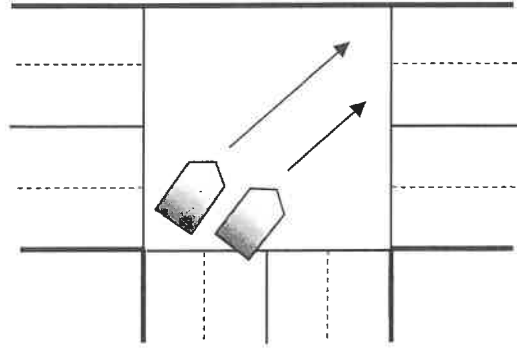
	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Controlled)			
4.		<p>Vehicle X – Moving Straight Vehicle Y – Moving Straight</p> <p>Reason: Both vehicles should exercise caution when moving straight</p>	50%	50%
	X-JUNCTION (Uncontrolled)			
4.	<p>(a)</p> 	<p>Vehicle X – Moving Straight along Minor Road Vehicle Y – Moving Straight along Main Road</p> <p>Reason: Any vehicle approaching main road should exercise greater caution</p>	100%	0%
4.	<p>(b)</p> 	<p>Vehicle X – Moving Straight along Minor Road Vehicle Y – Moving Straight along Main Road</p> <p>Reason: Any vehicle approaching main road should exercise greater caution</p>	100%	0%



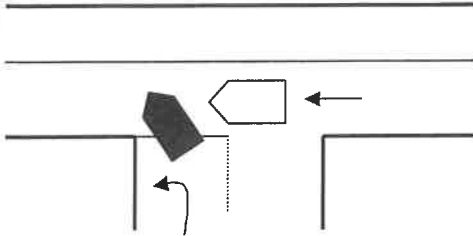
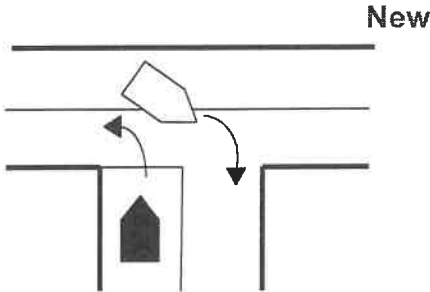
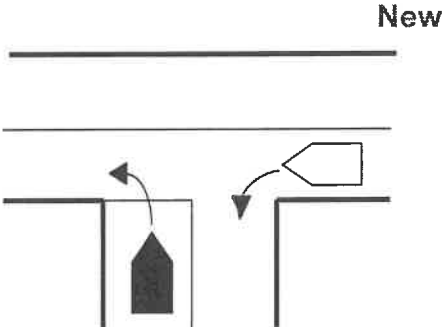
	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Controlled)			
5.		Vehicle X – Turning Right Vehicle Y – Moving Straight Reason: Onus is on the turning vehicle	100%	0%
	X-JUNCTION (Uncontrolled)			
5.	(a) 	Vehicle X – Turning Right Vehicle Y – Moving Straight Reason: Onus is on the turning vehicle	100%	0%
5.	(b) 	Vehicle X – Turning Right Vehicle Y – Moving Straight Reason: Onus is on the turning vehicle	100%	0%



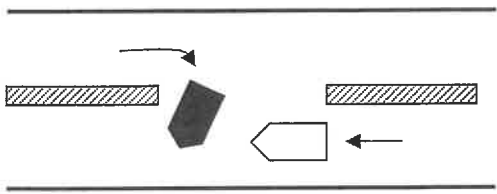
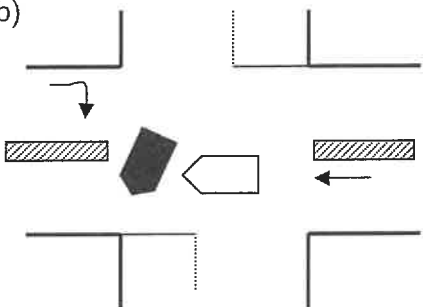
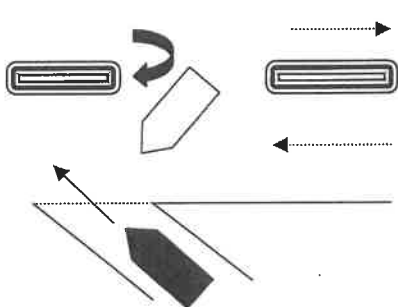
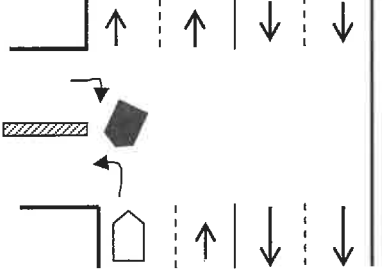
	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Controlled)			
6.		<p>Vehicle X– Turning Right, from opposite direction</p> <p>Vehicle Y – Turning Left</p> <p>Reason: Both vehicles should exercise caution when turning</p>	50%	50%
	X-JUNCTION (Uncontrolled)			
6.	(a) 	<p>Vehicle X– Turning Right, from opposite direction</p> <p>Vehicle Y – Turning Left</p> <p>Reason: Both vehicles should exercise caution when turning</p>	50%	50%
6.	(b) 	<p>Vehicle X– Turning Right, from opposite direction</p> <p>Vehicle Y – Turning Left</p> <p>Reason: Both vehicles should exercise caution when turning</p>	50%	50%
6.	(c)  New	<p>Vehicle X – Turning right</p> <p>Vehicle Y – Turning right</p> <p>Reason: Both vehicles should exercise caution when turning</p>	50%	50%



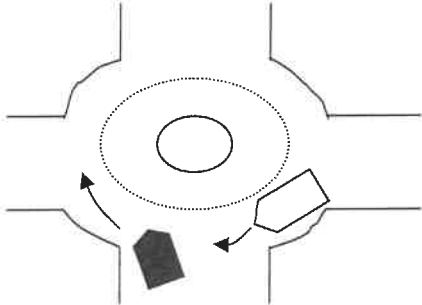
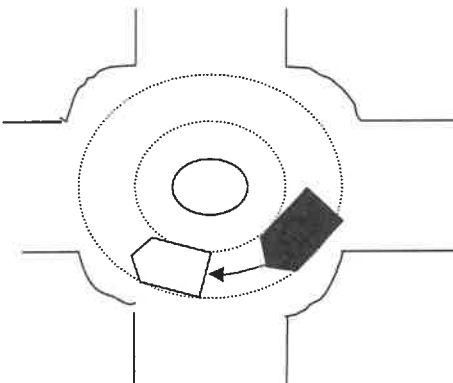
	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Uncontrolled)			
7.		<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Any vehicle approaching main road should exercise greater caution</p>	100%	0%
8.		<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Any vehicle approaching main road should exercise greater caution</p>	100%	0%
8.	(a) 	<p>Vehicle X – Moving Straight into Main Road</p> <p>Vehicle Y – Moving Straight along Main Road</p> <p>Reason: Any vehicle approaching main road should exercise greater caution</p>	100%	0%



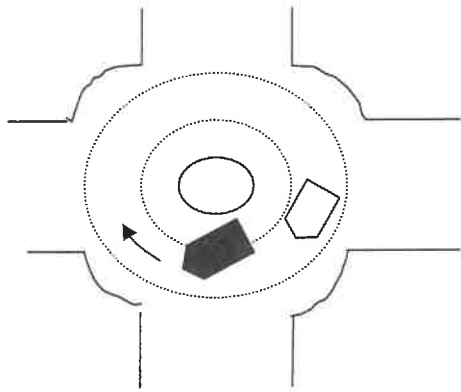
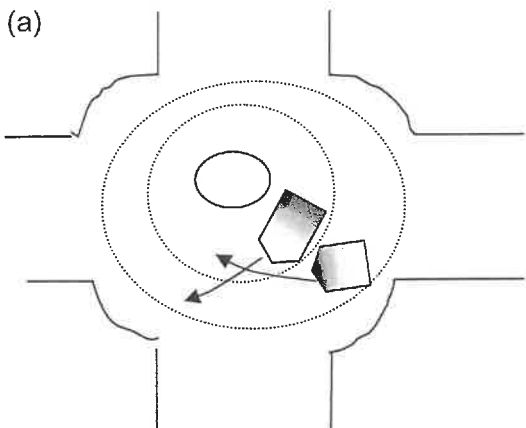
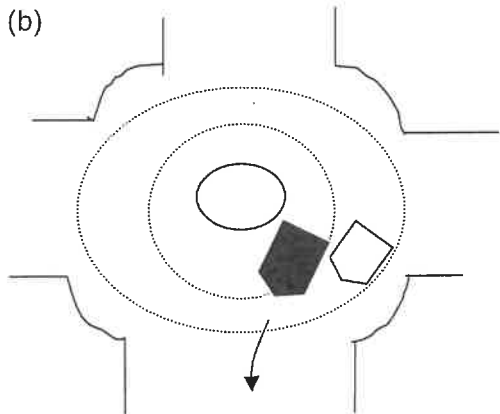
	SCENARIO	DESCRIPTION	 X	 Y
	T-JUNCTION			
9.		<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Traffic on main road has precedence</p>	100%	0%
9.	(a) 	<p>Vehicle X –Turning Right, from opposite direction</p> <p>Vehicle Y – Moving straight</p> <p>Reason: Onus is on the turning vehicle</p>	100%	0%
9.	(b)  New	<p>Vehicle X – Reversing</p> <p>Vehicle Y –Turning Right, from opposite direction</p> <p>Reason: Vehicle X should not travel against the flow of traffic.</p>	100%	0%




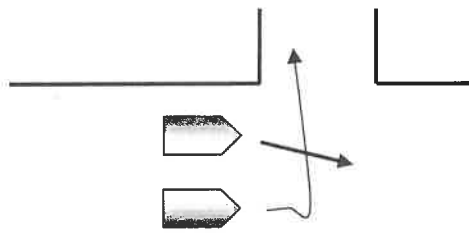
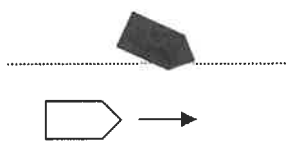
	SCENARIO	DESCRIPTION	 X	 Y
	T-JUNCTION			
9.	(c) New 	Vehicle X – Turning into main road Vehicle Y – Turning into minor road Reason: Vehicle turning from major road into minor road has precedence over vehicle turning from minor road to major road	100%	0%
9.	(d) New 	Vehicle X – Turning into main road Vehicle Y – Moving straight ahead Reason: Vehicle turning into main road should exercise greater caution	100%	0%
9.	(e) New 	Vehicle X – Turning Right Vehicle Y – Turning Right Reason: Both vehicles should exercise caution when turning right in the same direction	50%	50%



	SCENARIO	DESCRIPTION	 X	 Y
	T-JUNCTION			
10.		<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Moving Straight Ahead</p> <p>Reason: Traffic on main road has precedence</p>	100%	0%
10.	(a)  New	<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Turning into Minor Road</p> <p>Reason: Vehicle approaching main road should exercise greater caution</p>	100%	0%
10.	(b)  New	<p>Vehicle X – Turning into Main Road</p> <p>Vehicle Y – Turning into Minor Road</p> <p>Reason: Vehicle from minor road should exercise greater caution</p>	100%	0%



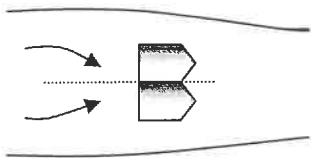
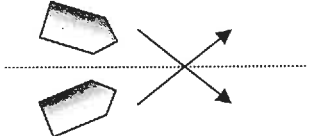
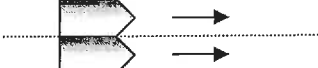
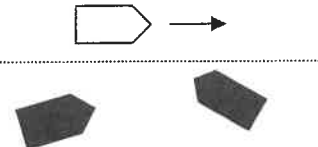
	SCENARIO	DESCRIPTION	 X	 Y
	U-Turns / 3-point Turns at any Junction (Controlled / Uncontrolled)			
11.	(a) 	Vehicle X – U-turning Vehicle Y – Moving Straight Ahead *All U-turns (legal / illegal), or turns not prohibited by road markings.	100%	0%
11.	(b) 	Reason: All vehicles making turn or u-turn across main road must exercise greater caution.		
11.	(c) 	Vehicle X – Turning into Main Road Vehicle Y – U-turning *All U-turns (legal / illegal), or turns not prohibited by road markings. Reason: Vehicle approaching main road should exercise greater caution.	100%	0%
11.	(d) New 	Vehicle X – U-turning Vehicle Y – Turning left *All U-turns (legal / illegal), or turns not prohibited by road markings. Reason: All vehicles making turn or u-turn across main road must exercise greater caution.	100%	0%





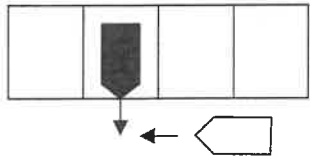
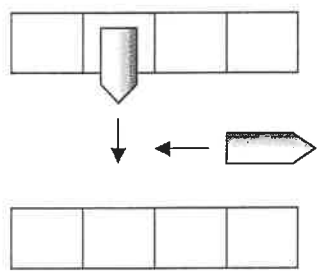
	SCENARIO	DESCRIPTION	 X	 Y
	ROUNDAABOUT - Entering (Controlled / Uncontrolled)			
12.		<p>Vehicle X – Entering into the Roundabout Vehicle Y – Moving along in the Roundabout</p> <p>Reason: Vehicle already in the roundabout has precedence</p>	100%	0%
12.	(a) 	<p>Vehicle X – Entered into the Roundabout Vehicle Y – Moving along in the Roundabout</p> <p>Reason: Vehicle already in the roundabout has precedence</p>	100%	0%



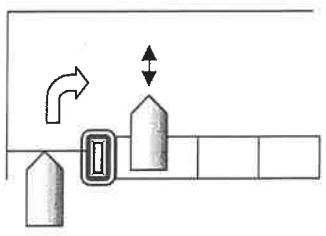
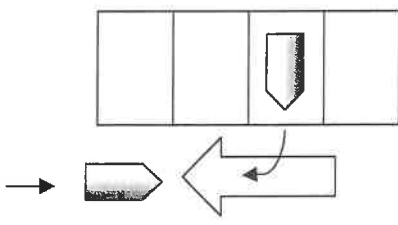
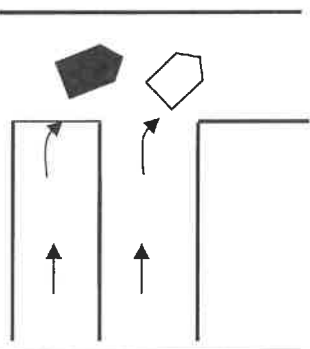
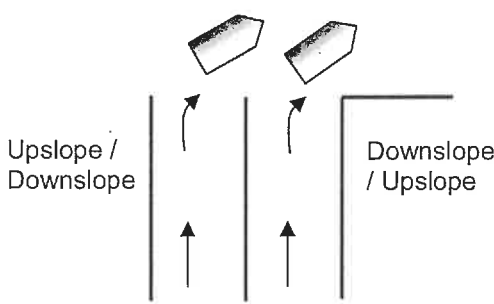
	SCENARIO	DESCRIPTION	 X	 Y
	ROUNDAABOUT – Both Parties Within			
13.		<p>Vehicle X – Changing Lane Vehicle Y – Moving along</p> <p>Reason: Vehicles should keep in the proper lane and change lane only when it is safe.</p>	100%	0%
13.	(a) 	<p>Vehicle X – Changing lane Vehicle Y - Changing lane</p> <p>Reason: Both vehicles should exercise caution when changing lanes</p>	50%	50%
13.	(b) 	<p>Vehicle X –Exiting Vehicle Y – Moving along</p> <p>Reason: Vehicle exiting should do it at the outer lane</p>	100%	0%



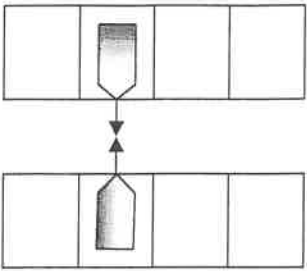
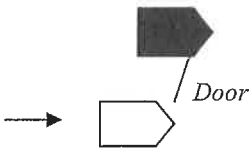
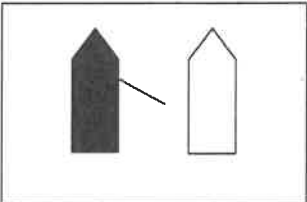
	SCENARIO	DESCRIPTION	 X	 Y
	STRAIGHT ROAD			
14.		<p>Vehicle X – Moving out from Stationary position</p> <p>Vehicle Y – Moving straight</p> <p>Reason: Vehicle moving out should exercise greater caution</p>	100%	0%
14.	<p>(a)</p> 	<p>Vehicle X – Moving out from Stationary/ Parked position</p> <p>Vehicle Y – Overtaking to turn into another lane</p> <p>Reason: Both vehicles should exercise consideration</p>	50%	50%
	STRAIGHT ROAD (With / Without lane markings)			
15.		<p>Vehicle X - Changing lane</p> <p>Vehicle Y – Moving in own Lane</p> <p>Reason: Vehicles should keep in the proper lane and change lane only when it is safe.</p> <p>Note:</p> <p>i) If point of impact of the front vehicle is found on the rear bumper scenario 27 applies</p> <p>ii) If point of impact is found on the fender , scenario 15 applies</p>	100%	0%

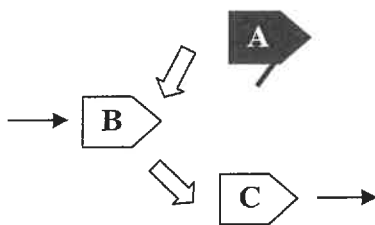



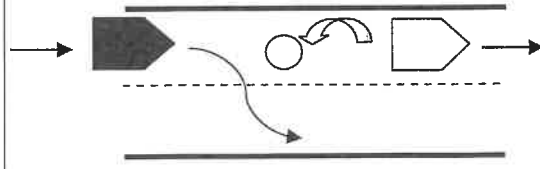
	SCENARIO	DESCRIPTION		
15.	(a) <div>New</div> <div></div>	If there is no contact between B and C , B is 100% liable to A Note: If there is contact between B and C , BOLA scenario 28 (d) applies. Reason: To avoid costly litigation for collision damages		
	SCENARIO	DESCRIPTION	<div> X</div>	<div> Y</div>
16.	<div></div>	Vehicle X – Encroaching / Straddling lanes Vehicle Y – Moving in own Lane Reason: Vehicle should keep in lane	100%	0%
16.	(a) <div></div>	Vehicle X – Encroaching / Straddling lanes/ Moving in own Lane Vehicle Y – Encroaching / Straddling lanes /Moving in own Lane Reason: Both vehicles should exercise caution	50%	50%
17.	<div></div>	Vehicle X – Straddling lane Vehicle Y – Straddling lane Reason: Vehicle should keep in lane	50%	50%

	SCENARIO	DESCRIPTION	 X	 Y
18.		<p>Vehicle X – Converging into single lane Vehicle Y - Converging into a single lane</p> <p>Reason: Both vehicles should exercise caution when merging</p>	50%	50%
19.		<p>Vehicle X – Changing lane Vehicle Y - Changing lane</p> <p>Reason: Both vehicles should exercise caution when changing lanes</p>	50%	50%
20.		<p><u>Side swipe – including at bend</u> Vehicle X – Moving within lane Vehicle Y – Moving within lane</p> <p>Reason: Both vehicles should exercise consideration</p>	50%	50%
21.		<p>Vehicle X – Losing control of vehicle and encroaching into path of another vehicle Vehicle Y – In control of car</p> <p>Reason: Driver must be in full control of vehicle at all times</p>	100%	0%

	SCENARIO	DESCRIPTION	 X	 Y
	CAR PARK (including parking space not designated as parking lot)			
22.		Vehicle X – Moving Vehicle Y – Parked Reason: Moving / reversing vehicles must exercise greater care than parked vehicles	100%	0%
23.		Vehicle X – Moving forward or reversing into parking lot Vehicle Y – Parked Reason: Moving / reversing vehicle must exercise greater care than parked vehicles	100%	0%
24.		Vehicle X – Reversing in/out of parking lot – Moving in/out of parking lot Vehicle Y – Going straight Reason: Vehicle reversing in/out or moving in/out of parking lot should exercise greater caution	100%	0%
24. (a)		Vehicle X – Reversing in/out of parking lot – Moving in/out of parking lot Vehicle Y – Reversing Reason: Both vehicles should exercise caution	50%	50%

	SCENARIO	DESCRIPTION	 X	 Y
24.	(b)  With or without pillar	Vehicle X – Reversing in /out of parking lot – Moving in/out of parking lot Vehicle Y – Going down / up a slope or rounding a corner Reason: Both vehicles should exercise caution	50%	50%
24.	(c)  New	Vehicle X – Going straight against the flow of traffic Vehicle Y – Vehicle moving out of parking lot Reason: Both vehicles should exercise caution as 1 vehicle is travelling against flow of traffic and the other is moving out of parking lot.	50%	50%
24.	(d)  New	Vehicle X – on the lane with stop line Vehicle Y – on the lane without stop line Reason: Vehicle on the lane with stop line should exercise greater caution	100%	0%
24.	(e)  Upslope / Downslope Downslope / Upslope New	Vehicle X – Going up / down slope, turning right Vehicle Y – Going down / up slope, turning right Reason: Both vehicles should exercise caution in the absence of stop line	50%	50%

	SCENARIO	DESCRIPTION	 X	 Y
25.		<p>Vehicle X – Reversing out / Moving out of parking lot</p> <p>Vehicle Y – Reversing out / Moving out of parking lot</p> <p>Reason: Both vehicles should exercise caution</p>	50%	50%
	OPENING/ CLOSING OF VEHICLE DOOR (Anywhere)			
26.		<p>Vehicle X</p> <ul style="list-style-type: none"> – Driver / passenger opening/closing the vehicle door into path of other traffic – Driver / passenger inside / outside the vehicle <p>Vehicle Y – Moving</p> <p>Reason: Driver should not obstruct / cause danger to passing vehicles</p>	100%	0%
26.	<p>(a) <u>For Car park</u></p> 	<p>Vehicle X</p> <ul style="list-style-type: none"> -Stationary - Opening / closing of any door in the car park and caused damages to adjacent parked vehicle <p>Vehicle Y – Stationary/ Moving</p> <p>Reason: Driver of Vehicle X should exercise greater caution</p> <p>Applicable whether driver is inside or outside of vehicle</p>	100%	0%

	SCENARIO	DESCRIPTION		
26.	(b) <div></div> New	<p>Vehicle A – Driver / Passenger opening / closing the vehicle door into the path of other traffic</p> <ul style="list-style-type: none">– Driver / Passenger inside / outside the vehicle– Driver / Passenger opening of any door <p>Vehicle B / C – Stationary / Moving</p> <p>A is 100% liable to B B is 100% liable to C</p> <p>Reason: To avoid costly litigation for collision damages</p> <p>Note:</p> <p>I. If there is contact between A and B, BOLA scenario 26 (b) apply.</p> <p>II. If there is no contact between A and B, BOLA scenario 15 apply.</p>		
	SCENARIO	DESCRIPTION	 X	 Y
	FRONT TO REAR COLLISION			
27.	<div></div>	Driver of the vehicle X will be 100% liable for losses incurred by the vehicle Y	100%	0%
27.	(a) <div></div> New	<p>Vehicle X – Moving straight (Hit by identifiable falling object from vehicle Y)</p> <p>Vehicle Y – Moving straight</p> <p>Reason: Vehicle X travelling behind Vehicle Y must keep a safe distance.</p>	100%	0%

C. General Rules and Exclusions for Chain Collision

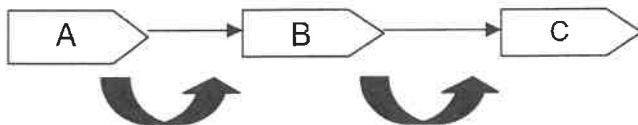
1. This section sets out the apportionment of liability for the scenarios involving collisions of three or more vehicles (**all types of vehicles**) in a chain.
2. It shall be applied to Claims submitted by all parties (including claims submitted through lawyers which may include injury claims). BOLA is still applicable for the property damage claim.
3. It shall only apply to PD claims.
4. It shall apply:
 - i) Only when the drivers are in the vehicles; and
 - ii) Regardless whether the damage caused by the impact is serious or minor or whether the impact has caused visible damage.
5. Pre-repair survey/inspection

Insurer must directly notify workshop/lawyer in writing to re-direct to the correct insurer within 02 working days from notification. Insurer should not contact the correct insurer directly.

6. Claim submission where it involves lawyers.

If third party lawyer/workshop/claimant submit combined claim (i.e. both PD & PI), the rear vehicle insurer is to settle PD at 100% (regardless of quantum) and offer to settle for PI (according to liability).

This is applicable both at writ or pre-writ stage.



If C sues both A & B, where B does not respond to claim after A has written to B to takeover the claim, and A has to settle the PD claim (or combined claim) first, A is entitled to recover from B the full amount of PD claim (including costs & disbursements incurred out of the claim).

A is required to provide proof of written notification to B to takeover the PD claim.

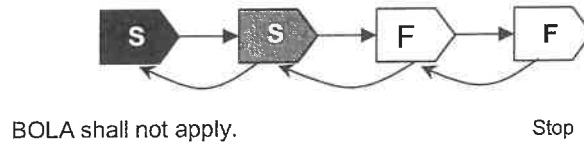
Members should not use lawyers to sue for costs. Such cases should be escalated to the GIA Motor Committee for awarding of costs which will serve as a penalty for liable insurers who did not take over the claim.

7. Exclusions

BOLA shall **not** apply when:

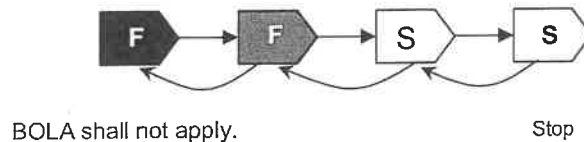
- i) There is a Foreign-Registered vehicle **directly involved** in the same line of chain as per the scenarios.

If the first 2 vehicles in the chain are foreign-registered vehicles, BOLA does not apply.



However if the Foreign-Registered vehicle is the first vehicle in the chain collision, BOLA will apply.

If the last 2 vehicles in the chain are foreign-registered vehicles, BOLA does not apply.



However if the Foreign-Registered vehicle is the last vehicle in the chain collision, BOLA will apply.

- ii) Government vehicles which are self-insured and come under the Treasury Collision Agreement (TCA) are involved.
- iii) Driver is self-insured for property damage by choice.

It will apply to cases where the insured failed, neglected, or forgot to renew his insurance policy.

It does not apply to cases where a driver becomes self-insured as a result of repudiation of liability or by voluntarily discharging his insurer by agreement.

However if the self-insured vehicle is the first vehicle in the chain collision, BOLA will apply.

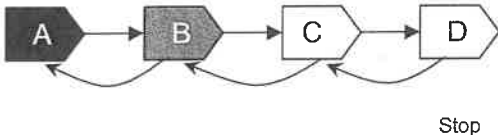
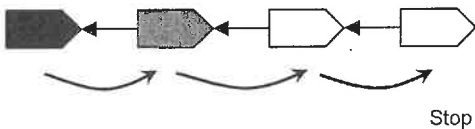
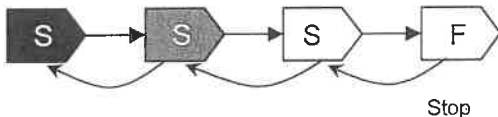
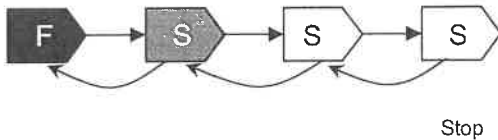
- iv) a) Any party is involved in unauthorised driving or driving whilst under the influence of intoxicating liquor or drugs (with proof).

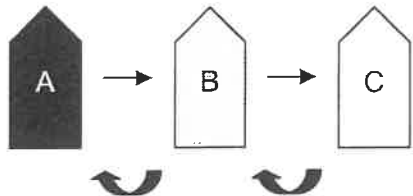
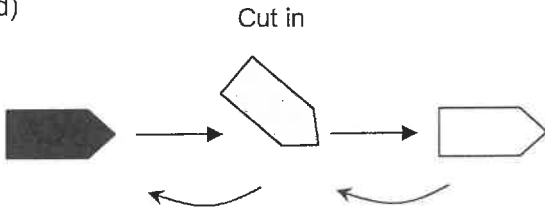
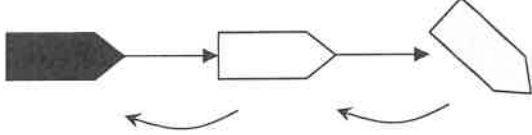
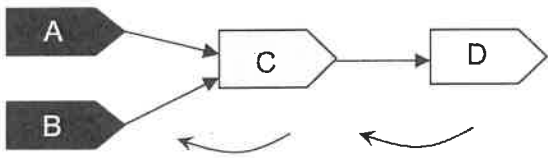
Driving without valid driving license and/or where the insured breaches the policy condition due to an unnamed driver driving a vehicle issued under a named driver policy are not considered unauthorised driving so long as authorisation has been granted by the policyholder.

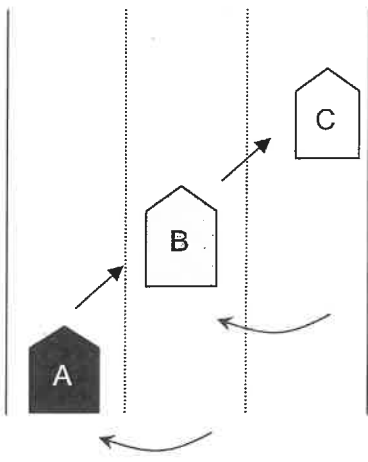
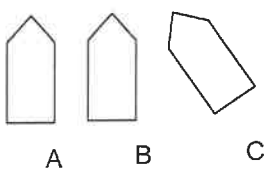
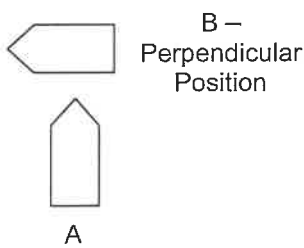
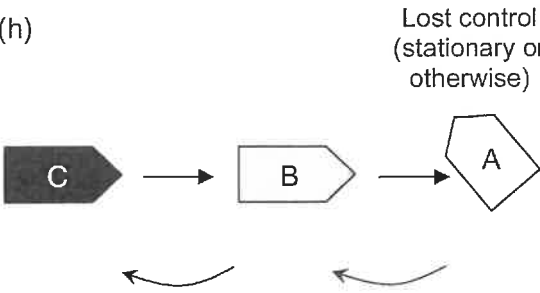
- b) In cases involving chain collisions, any repudiation of liability on grounds other than those stated in paragraph 7(iv) (a) of Section C above shall not constitute an exclusion. Members shall be liable for any apportionment of liability under BOLA.
- v) Where there is no driver in any of the vehicles involved in the chain collision which is parked or stationary. The only exception will be where all vehicles have drivers except the first vehicle in the chain (Please refer to the illustrations below)

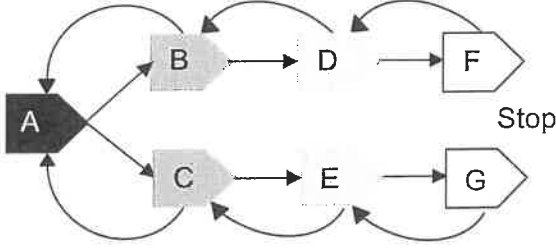
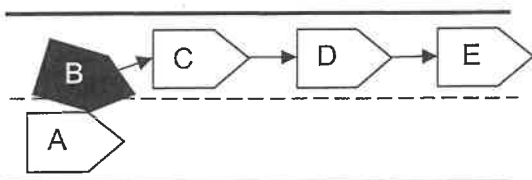
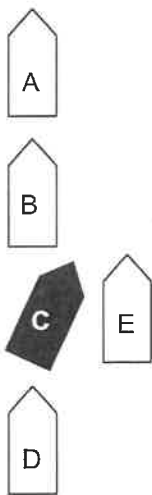
Illustration

SCENARIO	DESCRIPTION
<p>WD: With Driver WOD: Without Driver WWOD: With or Without Driver</p> <pre> graph LR WD[WD] --> WOD[WOD] WOD --> WWOD1[WWOD] WWOD1 --> WWOD2[WWOD] </pre>	<p>BOLA shall not apply.</p> <p>This would apply to all variations of chain collision.</p>
<p>WD: With Driver WOD: Without Driver WWOD: With or Without Driver</p> <pre> graph LR WD[WD] --> WWOD1[WWOD] WWOD1 --> WOD[WOD] WOD --> WWOD2[WWOD] </pre>	<p>BOLA shall not apply.</p> <p>This would apply to all variations of chain collision.</p>
<p>WD: With Driver WOD: Without Driver</p> <pre> graph LR WD1[WD] --> WD2[WD] WD2 --> WD3[WD] WD3 --> WOD[WOD] </pre>	<p>BOLA shall apply.</p> <p>This would apply to all variations of chain collision.</p>

	SCENARIO	DESCRIPTION
28.		<p>Driver of the vehicle behind will be 100% liable for losses incurred by the vehicle immediately in front only</p> <p>Reason: To avoid costly litigation for collision damages</p> <p>Note:</p> <p>In cases where vehicle A lost control:</p> <ol style="list-style-type: none"> If there is no contact between A and B, B is 100% liable to C, C is 100% liable to D If there is contact between A (moving/stationary) and B, scenario 28 / 28 (h) applies
28.	<p>(a)</p> 	<p>Driver of the vehicle in front will be 100% liable for losses incurred by the vehicle immediately behind only</p> <p>Reason: To avoid costly litigation for collision damages</p>
28.	<p>(b) (i) F: Foreign-registered vehicle or self-insured vehicle S: Singapore vehicle</p> 	<p>Driver of the vehicle behind will be 100% liable for losses incurred by the vehicle immediately in front only</p> <p>Reason: To avoid costly litigation for collision damages</p>
28.	<p>New</p> <p>(b) (ii) F: Foreign-registered vehicle or self-insured vehicle S: Singapore vehicle</p> 	<p>Driver of the vehicle behind will be 100% liable for losses incurred by the vehicle immediately in front only</p> <p>Reason: To avoid costly litigation for collision damages</p>



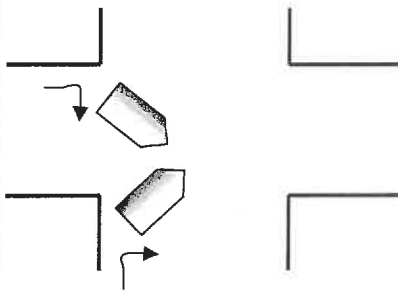
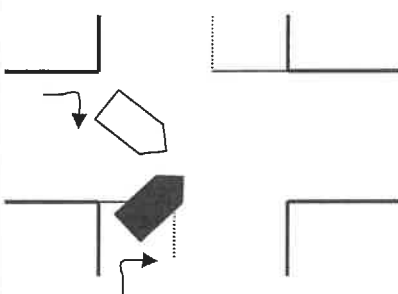
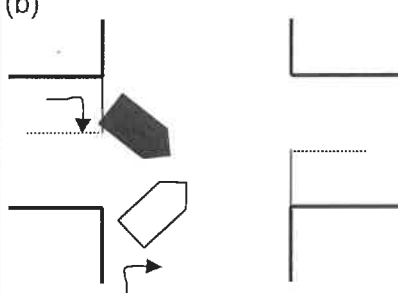
	SCENARIO	DESCRIPTION
28.	(c) 	A is 100% liable to B B is 100% liable to C
28.	(d) 	100% against vehicle directly behind
28.	(e) 	100% against vehicle directly behind
28.	(f) 	C is 100% liable to D A & B is equally liable to C



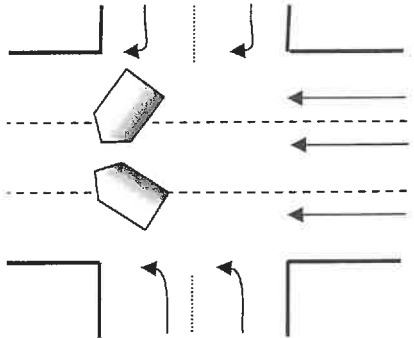
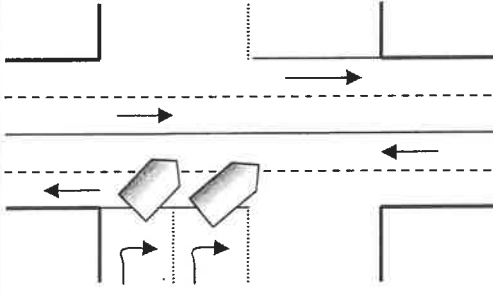
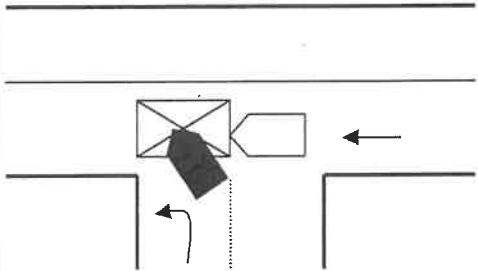
	SCENARIO	DESCRIPTION
28.	(g) 	A is 100% liable to B B is 100% liable to C Note: I. If there is no contact between A and B, BOLA scenario 15 apply. II. If there is contact between A and B, BOLA scenario 28 (g) apply.
28.	(g) (i) New Before accident position  After accident position 	3 lane roads Vehicle C – Cut into B's lane Vehicle B – Lost control, swerved to lane 3 and stop in perpendicular position Vehicle A – Hit into B C is 100% liable to B B is 100% liable to A
28.	(h) 	100% against vehicle directly behind If there is no contact between A and B, scenario 27 applies



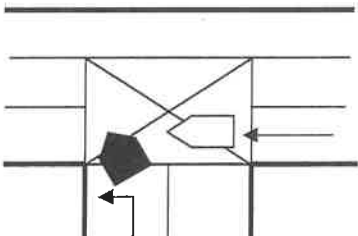
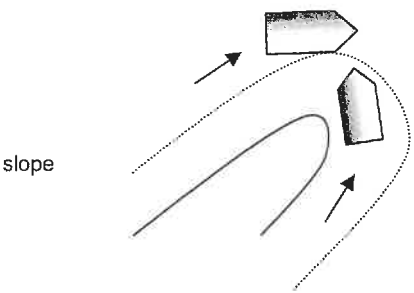
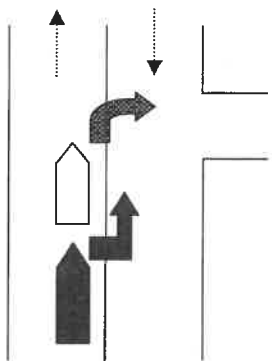
	SCENARIO	DESCRIPTION
28.	(i) New 	<p>A is 100% liable to B A is 100% liable to C</p> <p>B is 100% liable to D D is 100% liable to F</p> <p>C is 100% liable to E E is 100% liable to G</p> <p>Reason: To avoid costly litigation for collision damages</p>
28.	(j) New 	<p>Vehicle B lost control and hit onto both A and C</p> <p>B is 100% liable to both A and C C is 100% liable to D D is 100% liable to E</p> <p>Reason: To avoid costly litigation for collision damages</p>
28.	(k) New 	<p>Vehicle C lost control and hit onto both B and E</p> <p>D is 100% liable to C C is 100% liable to both B and E B is 100% liable to A</p> <p>Reason: To avoid costly litigation for collision damages.</p>



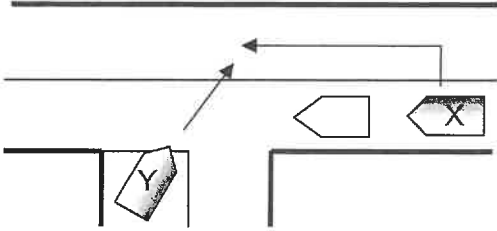
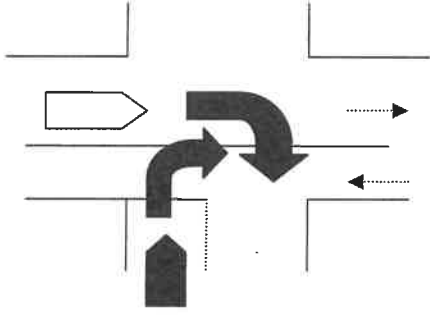
	SCENARIO	DESCRIPTION
28.	(l) <div style="float: right;">New</div>	<p>A is 100% liable to B B is liable to both C and D C is 100% liable to E</p> <p>Reason: To avoid costly litigation for collision damages</p>
28.	(m) <div style="float: right;">New</div>	<p>Vehicle A – Moving Straight Vehicle B – Turning out from a Side Road / Stationary at Stop line and was hit by Vehicle C Vehicle C – Travelling along Side Road</p> <p>C is 100% liable to B B is 100% liable to A</p> <p>Reason: To avoid costly litigation for collision damages</p>

SUPPLEMENTARY SCENARIOS

	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Controlled)			
29.		Vehicle X – Turning right Vehicle Y – Turning right Reason: Both vehicles should exercise caution when turning	50%	50%
	X-JUNCTION (Uncontrolled)			
29.	(a) 	Vehicle X – Turning right Vehicle Y – Turning right Reason: Vehicle turning from major road has precedence over vehicle turning from minor road	100%	0%
29.	(b) 	Vehicle X – Turning right Vehicle Y – Turning right Reason: Vehicle turning from major road has precedence over vehicle turning from minor road	100%	0%

	SCENARIO	DESCRIPTION	 X	 Y
	X-JUNCTION (Controlled/ Uncontrolled)			
29.	(c) 	Vehicle X – Turning into common lane Vehicle Y – Turning into common lane Reason: Both vehicles should exercise caution when turning into common lane	50%	50%
30.		Vehicle X – Turning right Vehicle Y – Turning right Reason: Both vehicles should exercise caution when turning right in the same direction	50%	50%
	YELLOW BOX at any junction – Entering (Controlled / Uncontrolled)			
31.		Vehicle X – Turning left Vehicle Y – Moving Straight Ahead Reason: Any vehicle entering another road should exercise greater caution	100%	0%

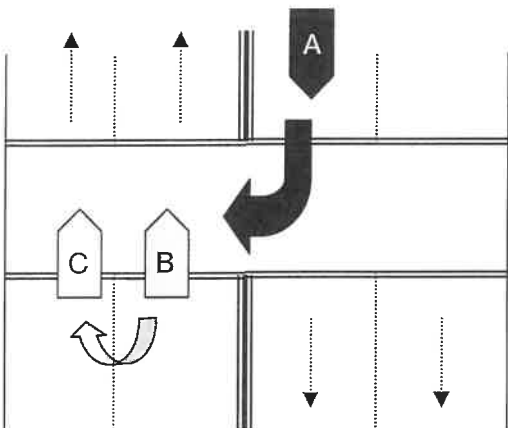
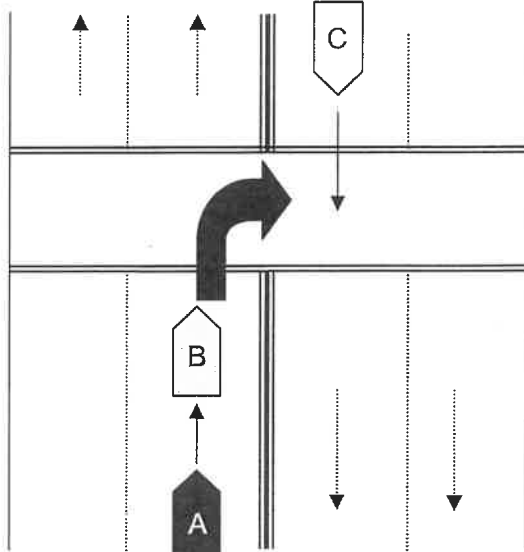
	SCENARIO	DESCRIPTION	 X	 Y
	YELLOW BOX at any junction – Entering (Controlled / Uncontrolled)			
31.	(a)  New	Vehicle X – Turning left Vehicle Y – Moving Straight Reason: Any vehicle entering another road should exercise greater caution	100%	0%
	CAR PARK			
32.	 slope	Vehicle X – Moving and turning up / down slope Vehicle Y – Moving and turning down / up slope Reason: Both vehicle should exercise caution	50%	50%
	T-JUNCTION			
33.		Vehicle X- Overtaking from the right Vehicle Y- Changing lane or turning Reason: Vehicle should not overtake from the right against the flow of traffic	100%	0%

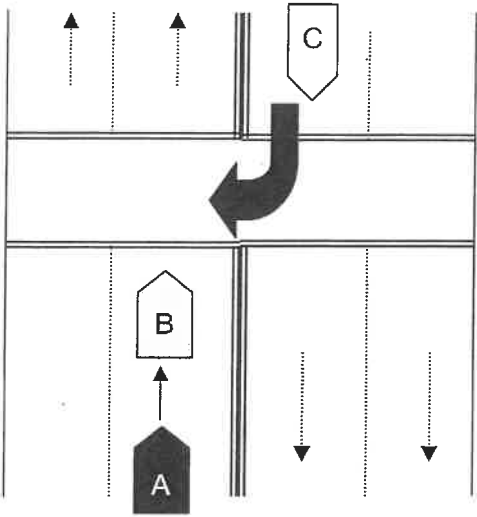
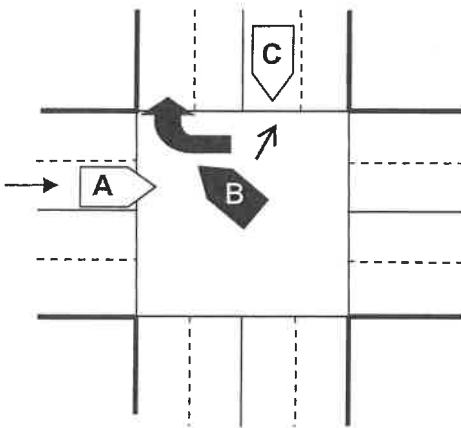
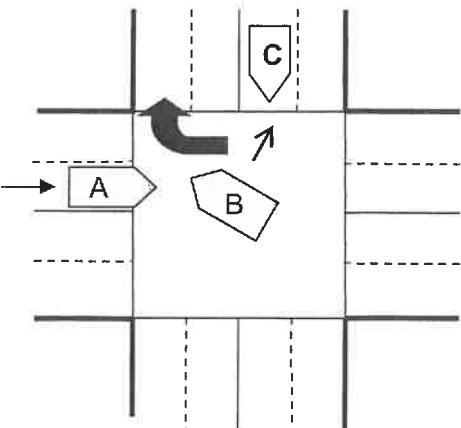
	SCENARIO	DESCRIPTION	 X	 Y
	T-JUNCTION			
33.	(a) New 	Vehicle X- Overtaking Vehicle Y- Turning into main road Reason: Both vehicles should exercise caution as Vehicle Y is turning from minor road to major road while Vehicle X is overtaking	50%	50%
	X-JUNCTION (Controlled / Uncontrolled)			
34.		Vehicle X- Turning from minor road to major road Vehicle Y- Turning from major road into minor road Reason: Vehicle turning from major road into minor road has precedence over vehicle turning from minor road to major road.	100%	0%

D. MULTIPLE COLLISIONS

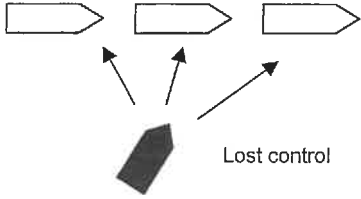

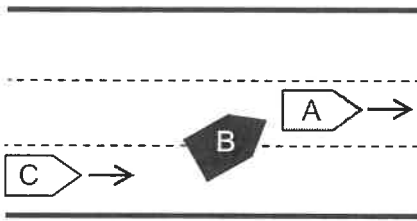
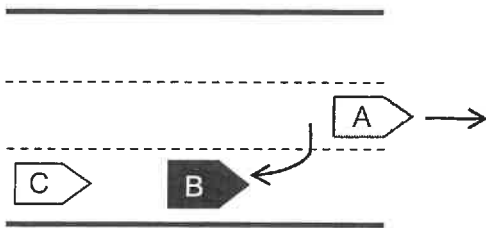
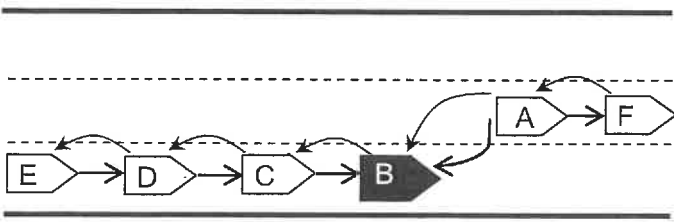
1. The apportionment of liability applied for the scenarios below will apply when:

- i) Drivers are in vehicles; and
- ii) Impact to all vehicles (regardless of minor or no damage)

	SCENARIO	DESCRIPTION
35.		<p>A hit into B when turning, causing B to hit into C</p> <p>A is 100% liable to B</p> <p>B is 100% liable to C</p>
35.	<p>(a)</p> 	<p>(i) B hit into C when turning, A could not brake in time and hit into B</p> <p>OR</p> <p>(ii) A hit B causing it to hit C</p> <p>A is 100% liable to B</p> <p>B is 100% liable to C</p>

	SCENARIO	DESCRIPTION
35.	(b) 	<p>A hit B causing it to hit C</p> <p>A is 100% liable to B</p> <p>B is 100% liable to C</p>
35.	(c) (i) New 	<p>Vehicle A – Moving straight Vehicle B – Turning Vehicle C – Stationary</p> <p>A and B collided, causing B to hit C.</p> <p>B is 100% liable to A and C</p>
35.	(c) (ii) New 	<p>Vehicle A – Moving straight Vehicle B – Turning Vehicle C – Stationary</p> <p>A and B collided, both hit C.</p> <p>A is 50% liable to C B is 50% liable to C B is 100% liable to A</p>

	SCENARIO		DESCRIPTION
35.	(d)	New	<p>Vehicle A – Moving straight Vehicle B – Turning</p> <p>A and B collided, causing A to lose control and hit C.</p> <p>A is 100% liable to C B is 100% liable to A</p>
35.	(e)	New	<p>A collided with B causing B to hit C.</p> <p>A is 100% liable to B B is 100% liable to C</p> <p>Reason: To avoid costly litigation for collision damages</p>
35.	(f)	New	<p>A collided with B causing either A or B to hit C.</p> <p>The liability apportionment between A and B will follow that of Scenario 4.</p> <p>A is 50% liable to C B is 50% liable to C</p> <p>Reason: To avoid costly litigation for collision damages</p>

	SCENARIO	DESCRIPTION
36.	<p>Applies regardless drivers are in vehicles or not</p> 	<p>100% against </p>
36.	<p>(a) (i) New</p> 	<p>Vehicle A – Moving in own lane Vehicle B – Filtering lane</p> <p>B is 100% liable to A C is 100% liable to B</p>
36.	<p>(a) (ii) New</p> 	<p>Vehicle B – Served back to original lane / lost control Vehicle C – Moving in own lane</p> <p>B is 100% liable to A C is 100% liable to B</p>
36.	<p>(b) New</p> 	<p>Vehicle B – Hit Vehicle A, lost control, swerved back to original lane Vehicle C – Moving in own lane and hit Vehicle B (stationary or otherwise)</p> <p>A is 100% liable to F B is 100% liable to A C is 100% liable to B D is 100% liable to C E is 100% liable to D</p>