

Replacement in compulsory insurance contract according to Jordanian law

By

Hyam Nahar Al-Amr

Supervisor

Dr. Mohammad Ghazwi

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Abstract

The compulsory insurance contract is such an important contract according to the congestion of vehicles and the exacerbation of the damage caused by accidents, so that it has consequences for both the insured and the insurer in addition to all those who have been affected by the vehicle accident. Accordingly, the insured has the right to claim the third person responsible for the damage, as well as the insured's claim for the due compensation, which makes it possible to meet two compensations for the same damage. Based on the principle that it is not permissible to combine two compensations, it was decided to the insurer under the text of article (926) of the Jordanian Civil Code the right to replace the insured in his rights and to ask the responsible person to recover the compensation he paid . This study concludes that the right of subrogation based on the legal basis gives the insurer the opportunity to file a claim against the irresponsible, which is called the claim of subrogation which follows in its provisions, restrictions and contraband the original claim of the insured towards others.

Keywords: insurance contract, subrogation, insurer, insured.