

LEGAL MATTERS

Motoring

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Accidents: what you should do

ILAGOSON

Unfortunately, at some time in our lives, most of us will experience a car accident. When you are involved in a car accident, even if you have suffered no injuries, there are certain things that you should and should not do.

If you have been involved in a minor collision, whether it was your fault or not, it is advisable that you and the other driver try to settle the matter between yourselves. If you cannot reach an agreement, or any person is being injured, you should call the police, who must issue a report about the accident.

The Police report is an important proof to determine who is responsible for the accident. You should attach copy of this report when you claim for the damages suffered before the insurance company.

If the person responsible for the accident or the other driver

involved refuses to collaborate, you should take note of any details that may serve to identify him, the number plate, any person who might have witnessed the accident, etc.

If you or any of the passengers have been injured, even if the injuries are minor, you must always go to see a doctor, as the medical report will state which is the kind of injuries that were caused as a consequence of the car accident. This report will be the proof for the insurance company or the Spanish courts to recognize your right to receive compensation.

It is strongly recommended that you obtain legal advice before accepting any compensation from insurance companies.

If you feel the other driver is at fault you may state a report before the Spanish authorities within six months from the accident. In this way you would be initiating a criminal procedure, and therefore the other driver



ACCIDENT A CAR ON ITS ROOF AFTER A COLLISION WITH ANOTHER VEHICLE. /SUR

could be charged with the commission of an offence.

If the judge does not consider that the other driver has committed an offence, you may still bring a suit and therefore initiate civil procedure within one year of the

date of the accident. All victims of a car accident, regardless the injuries or damages they have suffered, are entitled to receive compensation. Applications for compensation may be made to the court within whose jurisdiction

the accident took place.

When physical injury is involved, an examination by the Court's doctor (Medico Forense) will be necessary. The Examining Magistrate will decide whether compensation is payable by the defendant and, if applicable, the exact amount.

You may settle the dispute out of court: your lawyer will negotiate the amount of your compensation directly with the insurance company.

You will need skilled legal counsel for either of these actions. A Spanish Lawyer will advise you on whether or not to bring legal action, about the amount you should claim and any other questions related to your particular case.

Cases that involve serious injuries always require legal help.

■ **MORE INFORMATION** | Call Ilagason on ☎ 952 77 12 13 www.ilagason.com

Lexland Abogados and St. James's Place to the rescue

Free seminar provides professional financial and estate advice for UK-expatriates

Due to the difficult economic situation in Spain, it is understandable that there is a lot of hesitation among UK-expatriates regarding their financial and estate planning. In order to overcome this uncertainty, the prestigious Spanish Law Firm Lexland Abogados in cooperation with the financial company St. James's Place will be revealing the most interesting and efficient investment opportunities and estate planning solutions.

As a financial company, St. James's Place manages over 30 billion Euros of investment, affords the reassurance and stability of a FTSE 250 company. The company, set up by Sir Mark Weinberg, Lord Rothschild and Mike Wilson, also gives investors' protection under both Spanish and UK law.

In particular, the event will look at investment programmes covering tax planning, pension portfolios, both from a financial planning and from a legal point of view. The two companies can offer ways to give regular, predictable income, as well as an Offshore Trust Review service, which looks at the performance of any offshore trusts that you may have.

The legal matters will be explained by Dimas Cuesta, partner and lawyer at Lexland Abogados, one of the few Spanish law firms offering high quality services in English to expatriates. Lexland Abogados is the only Spanish Law Firm recommended by St. James's Place to its UK-based clients in Spain.

The seminar will be held on June 1st at the Guadalmina SPA&Golf Resort, Marbella.

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