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COSTS OF REPRESENTATION OF THE DAMAGED PARTY BEFORE THE INSURER IN THE EXTRA-JUDICIAL DAMAGE COMPENSATION PROCEDURE

Summary: In this text, the authors deal with the very current problem of paying the costs of representing injured persons in extrajudicial damage compensation proceedings before the insurer. Most often, it involves hiring lawyers and compensation agencies. This costs of these representatives of the injured party are not regulated satisfactorily by the regulations. For this reason, it is the practice of insurers to generally not recognize these costs, which puts the injured party in a situation where he does not receive full compensation for the damage owed to him by the uinsurer. The authors criticize such practice and de lege ferenda suggest that the problem be solved if law in general, or — if not in general — then certainly for damages caused in traffic, which are covered by mandatory automobile liability insurance.

Key words: the extrajudicial damage compensation proceedings before the insurer, the injured party represented by a lawyer, the right to compensation for representation costs.