



## ANNEX 9 to the Tender Specifications

### Common rules and Regulations applicable to officials and other servants of the European Communities (Excerpt)

[...]

#### Article 2 – Accident

1. Subject to Article 7, an accident means any sudden occurrence adversely affecting the insured party's bodily or mental health, the cause or one of the causes of which is external to the victim's organism.

2. The following shall *inter alia* be considered accidents:

- poisoning;
- infections, sicknesses and injuries and any other consequences of the bites of animals or of the stings of insects;
- sprains, tears or lacerations and ruptures of muscles or tendons caused by exertion;
- the unexplained disappearance of an insured party, if on expiry of a period of one year and following an enquiry into the circumstances of the disappearance, the insured party is presumed dead unless there are grounds for presuming that the death was not due to an accident.

[...]

#### Article 4 – Exclusion from cover

1. Accidents shall not be covered by Article 73 of the Staff Regulations if they are due to the following causes:

- (a) subject to paragraph 3, wilful involvement of the insured party in a brawl;
- (b) manifestly reckless acts committed by the insured party or his/her participation by means of motorised equipment in sporting contests, races and official trials;
- (c) a blood alcohol level of the insured party who is the victim of an accident, of more than 0,5 mg/ml in the case of accidents resulting from the driving of any motor vehicle, and of more than 1,4 mg/ml in the case of any other accident;
- (d) the use by the insured party of drugs not prescribed by a doctor, except in case of error;
- (e) the deliberate handling by the insured party of military arms or ammunition, except in an emergency;
- (f) practice of the following sports regarded as dangerous: boxing; karate; parachuting; paragliding; bungee jumping; speleology; underwater fishing and exploration with breathing equipment including containers for the supply of air or oxygen; climbing cliffs or pinnacles of rock or mountain peaks otherwise than on beaten tracks, except in an emergency, and subject to paragraph 2;
- (g) a criminally punishable wilful act which has been the subject of a final sentence to immediate imprisonment. If that sentence was passed in a third country, the exclusion from cover shall apply only if the judicial proceedings guaranteed the fundamental rights of defence

and if the same act had been punishable by imprisonment under the law of the state of which the insured party is a national.

2. The exclusions referred to in paragraph 1 must be directly related to the aggravation of the risk(s) they cause.

3. Accidents listed in paragraph 1(a) shall be covered if they occur in the course of or in connection with the performance by insured parties of their duties or on their way to and from work, when the insured party is called to account and placed in a position of self-defence, unless they are the inexcusable fault of the insured party.

[...]

#### *Article 7 – Exclusion of benefits*

1. The benefits referred to in Article 73 of the Staff Regulations shall not be payable if the accident [...] was caused intentionally by the insured party.

No benefit shall be payable to a person entitled under the insured party where that person has intentionally caused the death of the insured party.

2. The following shall, however, be regarded as accidents within the meaning of these rules:

- suicide;
- bodily or mental injuries sustained in an emergency or in self-defence or when saving human life or salvaging property;
- the consequences of assaults on or attempts on the life of the insured party, even in the course of strikes or disturbances unless it is proved that the insured party participated of his/her own free will in the violent action in which he/she was injured, other than in self-defence.

[...]

#### *Article 11 – Permanent invalidity*

1. Total or partial permanent invalidity shall be measured in terms of physical or mental impairments as laid down in the European disability rating scale [...].

[...]