STATUTORY INSTRUMENTS

1971 No. 1933

INSURANCE

The Employers' Liability (Compulsory Insurance) Exemption Regulations 1971

Made - - - -	*26th November* 1971
Laid before Parliament	*7th December* 1971
Coming into Operation	*1st January* 1972

The Secretary of State, in exercise of his powers under section 3(1)(*c*) of the Employers' Liability (Compulsory Insurance) Act 1969(**a**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Commencement and citation

1. These Regulations may be cited as the Employers' Liability (Compulsory Insurance) Exemption Regulations 1971 and shall come into operation on 1st January 1972.

Interpretation

2.—(1) The Interpretation Act 1889(**b**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations—

"the Act" means the Employers' Liability (Compulsory Insurance) Act 1969;

"joint subsidiary" has the same meaning as in section 51(5) of the Transport Act 1968(**c**); and

"subsidiary" has the same meaning as in section 154 of the Companies Act 1948(**d**) (taking references in that section to a company as being references to any body corporate).

Exemptions

3. The following employers are hereby exempted from the requirement of the Act to insure and maintain insurance:—

(*a*) any body which is for the time being a body holding a certificate issued by a government department (not being a certificate which has been revoked) stating that claims established against that body in respect of any liability of the kind mentioned in section 1(1) of the Act will, to any extent to which they are incapable of being satisfied by that body, be satisfied out of moneys provided by Parliament;

(**a**) 1969 c. 57.
(**b**) 1889 c. 63.
(**c**) 1968 c. 73.
(**d**) 1948 c. 38.

(*b*) the Government of any foreign state or Commonwealth country;

(*c*) any inter-governmental organisation which by virtue of any statute or Order in Council has the legal capacities of a body corporate;

(*d*) any subsidiary of any such body as is mentioned in section 3(1)(*b*) of the Act (which exempts any body corporate established by or under any enactment for the carrying on of any industry or part of an industry, or of any undertaking, under national ownership or control) and any company of which two or more such bodies are members and which would, if those bodies were a single body corporate, be a subsidiary of that body corporate;

(*e*) any passenger transport executive established under the Transport Act 1968 and any subsidiary thereof;

(*f*) the London Transport Executive, any subsidiary and any joint subsidiary thereof;

(*g*) Cable and Wireless Limited;

(*h*) companies which are statutory water undertakers within the meaning of the Water Acts 1945 and 1948(**a**);

(*i*) the Metropolitan Water Board;

(*j*) the Lee Conservancy Catchment Board;

(*k*) the Conservators of the River Thames;

(*l*) any regional water board and any water development board within the meaning of the Water (Scotland) Act 1967(**b**);

(*m*) any river authority established under the Water Resources Act 1963(**c**);

(*n*) any river purification board within the meaning of the Rivers (Prevention of Pollution) (Scotland) Act 1951(**d**);

(*o*) any development corporation within the meaning of the New Towns Act 1965(**e**) or the New Towns (Scotland) Act 1968(**f**);

(*p*) the Commission for the New Towns;

(*q*) the Letchworth Garden City Corporation;

(*r*) the Schools Council for Curriculum and Examinations;

(*s*) the Scottish Certificate of Education Examination Board;

(*t*) any managing committee of an approved probation home or an approved probation hostel within the meaning of the Criminal Justice Act 1948(**g**);

(*u*) any licensing compensation committee appointed under section 16 of the Licensing Act 1964(**h**);

(*v*) any magistrates' courts committee and the Committee of Magistrates for inner London established under the Justices of the Peace Act 1949(**i**);

(*w*) any probation and after-care committee established under the Criminal Justice Act 1948;

(**a**) 1945 c. 42; 1948 c. 22.
(**b**) 1967 c. 78.
(**c**) 1963 c. 38.
(**d**) 1951 c. 66.
(**e**) 1965 c. 59.
(**f**) 1968 c. 16.
(**g**) 1948 c. 58.
(**h**) 1964 c. 26.
(**i**) 1949 c. 101.

(*x*) any employer who is a member of a mutual insurance association of shipowners or of shipowners and others, in respect of any liability to an employee of the kind mentioned in section 1(1) of the Act against which the employer is insured for the time being with that association for an amount not less than that required by the Act and regulations thereunder, being an employer who holds a certificate issued by that association to the effect that he is so insured in relation to that employee;

(*y*) any licensee within the meaning of the Nuclear Installations Act 1965**(a)**, in respect of any liability to pay compensation under that Act to any of his employees in respect of a breach of duty imposed on him by virtue of section 7 of that Act.

26th November 1971.

Robert Carr,

Secretary of State for Employment.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations specify the employers who are exempted from the requirement of the Employers' Liability (Compulsory Insurance) Act 1969 to insure and maintain insurance against liability for bodily injury or disease sustained by their employees and arising out of and in the course of their employment. The exemptions are additional to those contained in section 3 of the Act itself.

(a) 1965 c. 57.