STATUTORY RULES OF NORTHERN IRELAND

2002 No. 154

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Third-Party Risks) (Amendment) Regulations (Northern Ireland) 2002

Made . . . . . *17th April 2002*

Coming into operation . . *15th July 2002*

The Department of the Environment, in exercise of the powers conferred on it by Articles 103(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Third-Party Risks) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 15th July 2002.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994(**b**).

Amendment to regulation 2 (interpretation)

2. In regulation 2(1) of the principal Regulations, after the definition of "company", there shall be inserted the following definition—

" "Motor Insurers' Bureau" means the company referred to in Article 101(1)(*b*) of the Order,".

Amendments to regulation 8 (keeping of records by companies)

3.—(1) Regulation 8 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) For paragraph (1) there shall be substituted the following paragraph—

"(1) Every company by whom a policy or security is issued must keep a record of the following particulars relating to that policy or security and which are either contained therein or specified in a certificate of insurance or security issued in respect thereof—

(*a*) the number of the policy or security;

(*b*) the name and address of the person to whom the policy or security is issued;

(*c*) either—

(i) the name of every person whose liability is covered by the policy or security, or

(ii) (where it is not reasonably possible for the company to keep a record of those names) a description of the persons whose liability is covered by the policy or security;

(*d*) in respect of vehicles the use of which is covered by the policy or security—

(i) the registration number of every vehicle specifically identified by that number in the policy or security (a "specified vehicle"), and

(ii) a description of every other vehicle or class of vehicles which are identified in the policy or security other than by reference to a registration number;

(*e*) a description of every specified vehicle sufficient to enable it to be identified by a police officer;

(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"
(**b**) S.R. 1994 No. 46 as amended by S.R. 2000 No. 131

(*f*) the date on which the policy or security comes into force and the date on which it expires;

(*g*) in the case of a policy, the conditions subject to which the person or persons whose liability is covered will be indemnified by the insurer; and

(*h*) in the case of a security, the conditions subject to which the undertaking by the giver of the security will be implemented.".

(3) For paragraph (4) there shall be substituted the following paragraphs—

"(4) Records which are required to be kept under paragraph (1) shall be preserved by the company keeping them for a period of seven years commencing on the expiry of the relevant policy or security.

(5) Every company, specified body and other person required by this regulation to keep records—

(*a*) shall furnish, without charge, to the Department or to any superintendent of the Police Service of Northern Ireland upon request any particulars contained in those records; and

(*b*) may provide copies of those records to the Motor Insurers' Bureau or, if the Bureau so requests, to a subsidiary company nominated by it but where copies are provided they must be provided in electronic form.

(6) Where a copy of any record has been provided to the Motor Insurers' Bureau or its nominated subsidiary under paragraph (5)(*b*), the Bureau or its subsidiary shall—

(*a*) in the case of a record which is required to be kept under paragraph (1), preserve that copy record for a period of seven years from the date of expiry of the relevant policy or security, and

(*b*) furnish, without charge, to the Department or to any superintendent of the Police Service of Northern Ireland upon request any particulars which it holds by virtue of this regulation.".

Sealed with the Official Seal of the Department of the Environment on 17th April 2002.

(L.S.)

Dermot Nesbitt
Minister of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994 by altering the requirements as to the keeping of records of (i) policies of insurance and securities (and certificates thereof) issued under the Road Traffic (Northern Ireland) Order 1981 and (ii) vehicles the use of which is exempt from the normal insurance requirement under Article 90 of that Order.

The requirements are extended (in the case of insurance policies and securities) to include particulars of every person whose liability is covered by a policy or security and additional particulars of the vehicles whose use is covered. Records of old insurance policies and securities are required to be kept for a period of seven years after expiry. Copies of any records may be supplied to the Motor Insurers' Bureau or its nominated subsidiary in electronic form and kept by it on a database. In such cases the Bureau or its subsidiary must keep the copy records of expired policies and securities for the same seven-year period and disclose particulars of any record it holds to the Department or police on request.

£1·75

Published by The Stationery Office Limited

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly

Dd. N20488. C2. 4/02. Gp. 130. 14567.

ISBN 0-337-94253-6