STATUTORY RULES OF NORTHERN IRELAND

2007 No. 460

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Third-Party Risks) (Amendment) Regulations (Northern Ireland) 2007

Made - - - -	*1st November 2007*
Coming into operation -	*14th December 2007*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 97A, 103(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Third-Party Risks) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 14th December 2007.

Amendment of the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994

2. For regulation 7 (production of evidence of insurance or security on application for excise licences) of the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994(**b**) substitute—

"**Production of evidence of insurance or security on application for excise licences**

7.—(1) Any person applying for a vehicle licence under the Vehicle Excise and Registration Act 1994(**c**) shall, except as hereinafter provided and subject to the provisions of regulation 8 of the Motor Vehicles (International Motor Insurance Card) (Northern Ireland) Regulations 1969(**d**) produce to the Department either—

(a) a certificate of insurance, certificate of security or duplicate copy of a certificate of security issued in accordance with these Regulations indicating that on the date when the licence comes into operation there will be in force the necessary policy or the necessary security in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission and such further evidence as may be necessary to establish that the certificate relates to such user; or

(b) in the case where the motor vehicle is one of more than ten motor vehicles owned by the same person in respect of which a policy or policies of insurance have been obtained by him from the same authorised insurer, a statement duly authenticated by the authorised insurer to the effect that on the date when the licence becomes

(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"; Article 97A was inserted by S.I. 2007/916 (N.I. 10), Article 83
(**b**) S.R. 1994 No. 46 as amended by S.R. 2000 No. 131
(**c**) 1994 c. 22
(**d**) S.R. & O (N.I.) 1969 No. 129; to which there is an amendment not relevant to these Regulations

operative an insurance policy which complies with Part VIII of the Order will be in force in relation to the user of the motor vehicle; or

(c) evidence that Article 90 of the Order does not apply to the motor vehicle at a time when it is being driven under the owner's control, in accordance with the following provisions—

(i) in the case of a motor vehicle of which the owner has for the time being deposited with the Accountant-General of the Supreme Court the sum for the time being specified in Article 90(2)(b) of the Order, a certificate in Form E signed by the owner of the motor vehicle or by some person authorised by him in that behalf that such sum is on deposit;

(ii) in the case of a motor vehicle owned by a specified body a certificate in Form F signed by some person authorised in that behalf by such specified body that the vehicle in respect of which the application for a licence is made is owned by the said specified body.

(2) A person engaged in the business of letting motor vehicles on hire shall not, when applying for a licence under the Vehicle Excise and Registration Act 1994, be required to comply with the provisions of paragraph (1) if the motor vehicle in respect of which the licence is applied for is intended to be used solely for the purpose of being let on hire and driven by the person by whom the motor vehicle is hired or by persons under his control.

(3) A person shall not, when applying for a licence under the Vehicle Excise and Registration Act 1994, be required to comply with the provisions of paragraph (1) if—

(a) the motor vehicle in respect of which the licence is applied for is part of a fleet of not less than 250 motor vehicles owned by one person;

(b) the person who applies for the licence manages the fleet of motor vehicles on behalf of the owner of the fleet under a contract; and

(c) the contract under which the person manages the fleet contains a requirement that all the motor vehicles in the fleet be insured in accordance with the Order.

(4) A person applying for a vehicle licence under the Vehicle Excise and Registration Act 1994 shall not be required to comply with the provisions of paragraph (1) if—

(a) on the date when the licence is to come into operation there will be in force the necessary policy in relation to the use of the vehicle by the applicant or by other persons on his order or with his permission;

(b) the policy has been issued by an insurer which has entered into an agreement with the Department for the purposes of this paragraph of this regulation;

(c) in pursuance of that agreement the insurer has either—

(i) made available for inspection by the Department an electronic data base maintained by it, on which there are recorded sufficient particulars of the policy to enable the Department to satisfy itself that condition (a) is satisfied; or

(ii) confirmed to the Department that condition (a) is satisfied.".

Sealed with the Official Seal of the Department of the Environment on 1st November 2007.

L.S.

Stanley Duncan
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994 by substituting regulation 7 which provides for the evidence of insurance or security which may be required from a person applying for a licence under the Vehicle Excise and Registration Act 1994.

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