

1980 No. 14

**EUROPEAN COMMUNITIES
ROAD TRAFFIC AND VEHICLES**

**European Communities (Motor Vehicles: Compulsory Insurance)
(Amendment) Regulations (Northern Ireland) 1980**

Made 11th January 1980

Coming into operation 18th February 1980

The Department of the Environment, being a department designated(a) for the purposes of section 2(2) of the European Communities Act(b) in relation to compulsory insurance in respect of, and other means of providing for, civil liability in relation to motor vehicles and trailers, in exercise of the powers conferred by that section and, so far as concerns regulation 3 of these Regulations as applying to regulation 8 of the European Communities (Motor Vehicles: Compulsory Insurance) (Northern Ireland) Regulations 1973(c), in exercise of the powers conferred by that section and section 88(1)(e) of the Road Traffic Act (Northern Ireland) 1970(d) and now vested in it(e) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the European Communities (Motor Vehicles: Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 1980 and shall come into operation on 18th February 1980.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(f) shall apply to the interpretation of these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment

3. The European Communities (Motor Vehicles: Compulsory Insurance) (Northern Ireland) Regulations 1973 shall be amended by substituting in the definition of "a relevant foreign state" in regulation 2(1), for the words "Austria, Finland, Norway, Sweden or Switzerland" the words "Austria, Czechoslovakia, Finland, the German Democratic Republic, Hungary, Norway, Sweden or Switzerland".

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 11th January 1980.

(L.S.)

E. A. Simpson
Assistant Secretary

(a) S.I. 1972/1811 (1972 III, p. 5216)

(b) 1972 c. 68

(c) S.R. & O. (N.I.) 1973 No. 448 (II, p. 2651) as amended by S.R. 1974 No. 206 (I, p. 903)

(d) 1970 c. 2 (N.I.)

(e) S.R. & O. (N.I.) 1973 No. 504 Article 5(b) (II, p. 2992)

(f) 1954 c. 33 (N.I.)

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

The European Communities (Motor Vehicles: Compulsory Insurance) (Northern Ireland) Regulations 1973, as amended, provide among other things—

- (a) for the extension of compulsory motor vehicle insurance cover under Part V of the Road Traffic Act (Northern Ireland) 1970 to include liabilities arising out of the use of a motor vehicle or trailer for which insurance is compulsory in the territories other than Northern Ireland and Gibraltar of the member states of the European Communities (Regulations 3 to 5);
- (b) for the checking of the insurance cover of vehicles entering Northern Ireland which are normally based (as defined in Regulation 2(2))—
 - (i) in a country other than an EEC country, or other than a relevant foreign state namely, Austria, Finland, Norway, Sweden or Switzerland,
 - (ii) in the non-European territory of an EEC country, or
 - (iii) in Gibraltar,and the prohibition of the use of such vehicles where uninsured and, if need be, the detention of such vehicles until arrangements are made for insurance or for removal forthwith to a place which is in a territory falling within sub-paragraph (i), (ii) or (iii) above (Regulations 6 and 7);
- (c) for the acceptance of insurance policies issued elsewhere than in the United Kingdom for vehicles normally based in member states other than the United Kingdom and Gibraltar or in a relevant foreign state, without the issue of insurance certificates, and for the giving to a person making a claim, of insurance particulars as specified in the Regulations in lieu of particulars specified in a certificate of insurance or security (Regulations 8 and 9).

These Regulations amend the term “relevant foreign state” in Regulation 2(1) of those Regulations to include Czechoslovakia, the German Democratic Republic and Hungary with the effect that—

- (a) vehicles normally based in those countries are, on entry into Northern Ireland, exempt from the insurance check referred to in (b) above;
- (b) where arrangements are made for the immediate removal of an uninsured vehicle detained under Regulation 7 of those Regulations, the detaining authority may not release the vehicle where it is to be removed to a place in any of those countries; and
- (c) the provisions of the Regulations referred to in paragraph (c) above are applied to policies of insurance issued elsewhere than in the United Kingdom for vehicles normally based in those countries.