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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 78**

**EMPLOYER'S LIABILITY**

**Employer's Liability (Compulsory Insurance)  
Exemption Regulations (Northern Ireland) 1998**

*Made* - - - - *6th March 1998*  
*Coming into operation* *20th April 1998*

The Department of Economic Development<sup>(1)</sup>, in exercise of the powers conferred by Articles 7(c) and 10(1) of the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972<sup>(2)</sup> and now vested in it<sup>(3)</sup> 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 Employer's Liability (Compulsory Insurance) Exemption Regulations (Northern Ireland) 1998 and shall come into operation on 20th April 1998.

**Interpretation**

2. In these Regulations—

“motor vehicle” has the meaning assigned to it by Article 3(1) of the Road Traffic (Northern Ireland) Order 1995<sup>(4)</sup>;

“the Order” means the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972;

“road” has the meaning assigned to it by Article 2(2) of the Road Traffic (Northern Ireland) Order 1995; and

“subsidiary” in relation to any body corporate has the meaning assigned to it by Article 4 of the Companies (Northern Ireland) Order 1986<sup>(5)</sup>.

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(1) Formerly the Department of Manpower Services; see S.I. 1982/846 (N.I. 11), Article 3  
(2) S.I. 1972/963 (N.I. 6)  
(3) By S.R. & O (N.I.) 1973 No. 504, Article 6 and Schedule 3  
(4) S.I. 1995/2994 (N.I. 18)  
(5) S.I. 1986/1032 (N.I. 6); as substituted by Article 62 of S.I. 1990/1504 (N.I. 10)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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### **Exemptions**

3. The employers listed in the Schedule are hereby exempted from the requirements of Part III of the Order to insure and maintain insurance.

### **Revocations**

4. The Employer's Liability (Compulsory Insurance) Exemption Regulations (Northern Ireland) 1975<sup>(6)</sup>, the Employer's Liability (Compulsory Insurance) Exemption (Amendment) Regulations (Northern Ireland) 1993<sup>(7)</sup> and the Employer's Liability (Compulsory Insurance) Exemption (Amendment) Regulations (Northern Ireland) 1997<sup>(8)</sup> are hereby revoked.

Sealed with the Official Seal of the Department of Economic Development on

L.S.

6th March 1998.

*Philip B. Strong*  
Assistant Secretary

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(6) S.R. 1975 No. 230; regulation 3 was amended by S.R. 1993 No. 365 and S.R. 1997 No. 51  
(7) S.R. 1993 No. 365  
(8) S.R. 1997 No. 51

## SCHEDULE

Regulation 3

### **List of employers exempted from the requirements of Part III of the Order to insure and maintain insurance**

- (a) Any subsidiary of any such body as is mentioned in Article 7(b) of the Order (which exempts any body corporate established by or under any statutory provision for the carrying on of any industry or part of an industry, or of any undertaking, under public ownership or control) and any company of which two or more such bodies are members and which would, if these bodies were a single body corporate, be a subsidiary of that body corporate;
- (b) any employer to the extent that he is required by Article 5(1) of the Order to insure and maintain insurance against liability for personal injury suffered by his employee when the employee is—
  - (i) carried in or upon a motor vehicle; or
  - (ii) entering or getting on to, or alighting from, a motor vehicle,in the circumstances specified in that paragraph and where that personal injury is caused by, or arises out of, the use by the employer of a motor vehicle on a road;
- (c) The Northern Ireland Local Government Officers' Superannuation Committee;
- (d) The Local Government Staff Commission for Northern Ireland;
- (e) Northern Ireland Schools Examination Council;
- (f) The Staffs Council for Health and Personal Social Services;
- (g) The Northern Ireland Council for Postgraduate Medical and Dental Education;
- (h) any district council established under the Local Government Act (Northern Ireland) 1972<sup>(9)</sup>;
- (i) Planning Appeals Commission;
- (j) any Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986<sup>(10)</sup>;
- (k) any Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(11)</sup>;
- (l) The Guardian Ad Litem Special Agency;
- (m) The Regional Medical Physics Agency;
- (n) The Northern Ireland Blood Transfusion Service Special Agency;
- (o) The Northern Ireland Central Services Agency; and
- (p) The National Board for Nursing, Midwifery and Health Visiting for Northern Ireland.

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<sup>(9)</sup> 1972 c. 9 (N.I.)

<sup>(10)</sup> S.I. 1986/594 (N.I. 3)

<sup>(11)</sup> S.I. 1972/1265 (N.I. 14)

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## EXPLANATORY NOTE

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

These Regulations revoke and re-enact with modifications the Employer's Liability (Compulsory Insurance) Exemption Regulations (Northern Ireland) 1975 (S.R. 1975 No. 230), the Employer's Liability (Compulsory Insurance) Exemption (Amendment) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 365) and the Employer's Liability (Compulsory Insurance) Exemption (Amendment) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 51).

The Regulations specify the employers who are exempted from the requirements of Part III of the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (S.I. 1972/963 (N.I. 6)) ("the 1972 Order") to insure and maintain insurance against liability for personal injury suffered by their employees and arising out of and in the course of their employment. The exemptions specified in the Regulations are additional to those contained in Article 7 of the 1972 Order.

These Regulations remove Depo Limited from, and add the following bodies to, the list of employers exempted from the requirements of Part III of the 1972 Order, that is to say—

any Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/963 (N.I. 6));

The Guardian Ad Litem Special Agency;

The Regional Medical Physics Agency;

The Northern Ireland Blood Transfusion Service Special Agency;

The Northern Ireland Central Services Agency; and

The National Board for Nursing, Midwifery and Health Visiting for Northern Ireland.

The Regulations also refer to The Northern Ireland Council for Post-Graduate Medical Education by its amended title, namely The Northern Ireland Council for Postgraduate Medical and Dental Education.