Road Traffic Act 1988

1988 CHAPTER 52

PART VI

THIRD-PARTY LIABILITIES

[F1] Compulsory insurance ...

145 Requirements in respect of policies of insurance.

(1) In order to comply with the requirements of this Part of this Act, a policy of insurance must satisfy the following conditions.

(2) The policy must be issued by an authorised insurer.

(3) Subject to subsection (4) below, the policy—

(a) must insure such person, persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person or damage to property caused by, or arising out of, the use of the vehicle on a road **[**[F1]or other public place**]** in Great Britain, and

[[F2](aa) must, in the case of a vehicle normally based in the territory of **[**[F3]a**]** member State, insure him or them in respect of any civil liability which may be incurred by him or them as a result of an event related to the use of the vehicle in Great Britain if,—

(i) according to the law of that territory, he or they would be required to be insured in respect of a civil liability which would arise under that law as a result of that event if the place where the vehicle was used when the event occurred were in that territory, and

(ii) the cover required by that law would be higher than that required by paragraph (a) above, and**]**

(b) must **[**[F4] in the case of a vehicle normally based in Great Britain**]** insure him or them in respect of any liability which may be incurred by him or them in respect of the use of the vehicle and of any trailer, whether or not coupled, in

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the territory **[**[F5]of Northern Ireland and**]** of each of the member States of the **[**[F6]European Union**]** according to

[[F7](i) the law on compulsory insurance against civil liability in respect of the use of vehicles **[**[F8]applicable in the territory in which**]** the event giving rise to the liability occurred; or

(ii) if it would give higher cover, the law which would be applicable under this Part of this Act if the place where the vehicle was used when that event occurred were in Great Britain; and**]**

(c) must also insure him or them in respect of any liability which may be incurred by him or them under the provisions of this Part of this Act relating to payment for emergency treatment.

(4) The policy shall not, by virtue of subsection (3)(a) above, be required—

(a) to cover liability in respect of the death, arising out of and in the course of his employment, of a person in the employment of a person insured by the policy or of bodily injury sustained by such a person arising out of and in the course of his employment, or

(b) to provide insurance of more than **[**[F9]£1,200,000**]** in respect of all such liabilities as may be incurred in respect of damage to property caused by, or arising out of, any one accident involving the vehicle, or

(c) to cover liability in respect of damage to the vehicle, or

(d) to cover liability in respect of damage to goods carried for hire or reward in or on the vehicle or in or on any trailer (whether or not coupled) drawn by the vehicle, or

(e) to cover any liability of a person in respect of damage to property in his custody or under his control, or

(f) to cover any contractual liability.

[[F10](4A) In the case of a person—

(a) carried in or upon a vehicle, or

(b) entering or getting on to, or alighting from, a vehicle,

the provisions of paragraph (a) of subsection (4) above do not apply unless cover in respect of the liability referred to in that paragraph is in fact provided pursuant to a requirement of the [M1] Employers' Liability (Compulsory Insurance) Act 1969. **]**

[[F11](5) "Authorised insurer" has the same meaning as in section 95.**]**

(6) If any person or body of persons ceases to be a member of the Motor Insurers' Bureau, that person or body shall not by virtue of that cease to be treated as an authorised insurer for the purposes of this Part of this Act [F12]. . . —

(a) in relation to any policy issued by the insurer before ceasing to be such a member, or

(b) in relation to any obligation (whether arising before or after the insurer ceased to be such a member) which the insurer may be called upon to meet under or in consequence of any such policy or under section 157 of this Act [F12]. . . by virtue of making a payment in pursuance of such an obligation.

Textual Amendments

F1 Words in s. 145(3)(a) inserted (3.4.2000) by S.I. 2000/726, **art. 2(3)**

F2 S. 145(3)(aa) inserted (31.12.1992) by S.I. 1992/3036, **reg. 2(1)**.

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F3 Word in s. 145(3)(aa) substituted (31.12.2020) by The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **2(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F4 Words in s. 145(3)(b) inserted (31.12.1992) by S.I. 1992/3036, **reg. 2(2)**

F5 Words in s. 145(3)(b) substituted (31.12.2020) by The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **2(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F6 Words in Act substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, **3**, 4 (with arts. 3(2)(3), 4(2), 6(4)(5))

F7 Words in s. 145(3)(b) substituted (31.12.1992) by S.I. 1992/3036, **reg. 2(2)**.

F8 Words in s. 145(3)(b)(i) substituted (31.12.2020) by The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **2(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F9 Word in s. 145(4)(b) substituted (31.12.2016) by The Motor Vehicles (Compulsory Insurance) Regulations 2016 (S.I. 2016/1193), regs. 1, **2(2)**

F10 S. 145(4A) inserted (31.12.1992) by S.I. 1992/3036, **reg. 2(3)**.

F11 S. 145(5) substituted (1.12.2001) by S.I. 2001/3649, **arts. 1**, 313

F12 Words in s. 145(6) repealed (29.1.2007) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 196, 199, **Sch. 14 Pt. 3**; S.I. 2006/3397, **art. 3** (subject to art. 4); S.S.I. 2007/10, **art. 2(2)(g)** (with art. 3(2)(a))

Modifications etc. (not altering text)

C1 S. 145 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**

C2 S. 145(2) excluded by virtue of S.I. 1973/2143, **reg. 8** (as amended by S.I. 1974/791, **reg. 6**); 1988 c. 54, **s. 2**

Marginal Citations

M1 1969 c. 57

Changes to legislation:
Road Traffic Act 1988, Section 145 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- s. 145(3)(b) words substituted by S.I. 2019/551 reg. 2(b)(i)
- s. 145(3)(b)(i) words substituted by S.I. 2019/551 reg. 2(b)(ii)
- s. 145(3)(aa) word substituted by S.I. 2019/551 reg. 2(a)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A inserted by 2000 c. 37 Sch. 7 para. 6 (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 41(2)(m) inserted by 2006 c. 49 s. 18(1)(a)
- s. 41(2)(ba) inserted by 2006 c. 49 s. 56(3)
- s. 49(3A) inserted by 2006 c. 49 s. 48(1)
- s. 66(7A) inserted by 2006 c. 49 s. 56(5)
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(a) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(i))
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(d) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(ii))
- s. 85(2) added by 1988 c. 54 Sch. 2 para. 17(c)
- s. 97(1)(c)(ia) words repealed by 2006 c. 49 Sch. 3 para. 6(2)(b)Sch. 7(4)
- s. 97(1)(d)(ii) words omitted by S.I. 2018/1251 reg. 2(4)
- s. 97(1ZA) inserted by 2006 c. 49 s. 38(2)
- s. 108(1BA) inserted by S.I. 2018/1251 reg. 2(5)(c)
- s. 123123A substituted for s. 123 by 2006 c. 49 Sch. 6 para. 2
- s. 123A(3) words inserted by 2009 c. 17 s. 1(3)
- s. 124(3)-(5) inserted by 2009 c. 17 s. 3
- s. 124(6) inserted by 2015 c. 20 Sch. 2 para. 2(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by 2015 c. 20 Sch. 2 para. 3(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by 2015 c. 20 Sch. 2 para. 3(3) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by 2006 c. 49 Sch. 6 para. 6(3)
- s. 125ZA inserted by 2006 c. 49 Sch. 6 para. 5
- s. 125ZA(2)(b) word omitted by 2015 c. 20 Sch. 2 para. 4(2)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(2)(d) and word inserted by 2015 c. 20 Sch. 2 para. 4(2)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by 2015 c. 20 Sch. 2 para. 4(3)(c) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 125ZA(4)(c) words substituted by 2015 c. 20 Sch. 2 para. 4(3)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by 2015 c. 20 Sch. 2 para. 4(3)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ca) inserted by 2015 c. 20 Sch. 2 para. 4(3)(d) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by 2015 c. 20 Sch. 2 para. 6 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by 2016 c. 16 s. 1(3)
- s. 126A omitted (cond.) by 2006 c. 49 Sch. 6 para. 8A (as inserted) by 2016 c. 16 s. 3(3)
- s. 126A heading words inserted by S.I. 2016/1089 reg. 3(2) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128A inserted by 2006 c. 49 Sch. 6 para. 11
- s. 128A(4) inserted by 2006 c. 49 Sch. 6 para. 11 (as inserted) by 2016 c. 16 s. 4(4)
- s. 128B inserted by 2015 c. 20 Sch. 2 para. 9 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by 2009 c. 17 s. 1(1)
- s. 128ZB inserted by 2009 c. 17 s. 2
- s. 128AZA128AZB inserted by 2016 c. 16 s. 2(2)
- s. 128AZA128AZB inserted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA128AZB substituted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA heading words inserted by S.I. 2016/1089 reg. 4(2)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(1) words inserted by S.I. 2016/1089 reg. 4(2)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(4) words inserted by S.I. 2016/1089 reg. 4(2)(c) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB heading words inserted by S.I. 2016/1089 reg. 4(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(i) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(ii) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 131(A1)-(C1) inserted by 2006 c. 49, Sch. 6 para. 13(1A) (as inserted) by S.I. 2023/1286 Sch. 3 para. 92(2)(a)(i)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by 2006 c. 49 Sch. 6 para. 13(4)
- s. 131(6) inserted by 2016 c. 16 s. 2(4)

- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s. 4(5)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s. 4(5)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by 2006 c. 49 Sch. 6 para. 14
- s. 133(2)(a) words omitted by 2015 c. 20 Sch. 2 para. 10(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by 2015 c. 20 Sch. 2 para. 10(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by 2015 c. 20 Sch. 2 para. 14(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 140(1)(2) inserted by 2006 c. 49 Sch. 6 para. 23(2)
- s. 140(1A) inserted in earlier affecting provision 2006 c. 49, Sch. 6 para. 23(2) by S.I. 2023/1286 Sch. 3 para. 92(2)(b)
- s. 140(3) s. 140 renumbered as s. 140(3) by 2006 c. 49 Sch. 6 para. 23(1)
- s. 141A(5) words repealed by 2006 c. 49 Sch. 3 para. 24Sch. 7(4)
- s. 143(1A) repealed (cond.) by S.I. 2019/1047 Sch. 2 para. 2 (This amendment not applied to legislation.gov.uk. The insertion of s. 143(1A) by 2018 c. 18, Sch. para. 17 was repealed (1.11.2019) by The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1047), reg. 1, Sch. 2 para. 1 (with reg. 5) without ever being brought into force.)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by 2006 c. 49 Sch. 6 para. 27
- s. 173(2)(n) and word inserted by 2006 c. 49 s. 37(8)
- s. 174(1)(da) inserted by 2006 c. 49 Sch. 6 para. 28
- s. 183(6A) inserted by 2006 c. 49 Sch. 6 para. 29