

**1974 No. 208**
**INSURANCE**
**The Employers' Liability (Compulsory Insurance) (Amendment)  
Regulations 1974**

Made - - - - 7th February 1974

*\*To be laid before Parliament*

Coming into Operation—	
Regulation 2	1st April 1974
Regulation 3 and the Schedule	1st April 1975

The Secretary of State, in exercise of his powers under sections 3(1)(c), 4(1) and 6(2) of the Employers' Liability (Compulsory Insurance) Act 1969(a) (hereinafter referred to as "the Act") and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

*Commencement, citation and interpretation*

1.—(1) These Regulations may be cited as the Employers' Liability (Compulsory Insurance) (Amendment) Regulations 1974 and shall come into operation on 1st April 1974, except for Regulation 3 and the Schedule to the Regulations which shall come into operation on 1st April 1975.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

*Exemptions*

2. Regulation 3 of the Employers' Liability (Compulsory Insurance) Exemption Regulations 1971(c) (which lists the employers who are exempted from the requirement of the Act to insure and maintain insurance) shall have effect subject to the following amendments:—

(a) for paragraph (a) there shall be substituted the following paragraph:—

“(a) (in respect of all or any class of employees, as may be specified in the certificate hereinafter mentioned) any body which or person who is for the time being a body or person holding a certificate issued by a government department (not being a certificate which has been revoked) stating that claims established against that body

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\*This instrument was laid before Parliament on 6th March 1974.

(a) 1969 c. 57.

(b) 1889 c. 63.

(c) S.I. 1971/1933 (1971 III, p. 5248).

or person in respect of any liability to such employees of the kind mentioned in section 1(1) of the Act will, to any extent to which they are incapable of being satisfied by that body or person, be satisfied out of money provided by Parliament;"

(b) in paragraph (e), the words "established under the Transport Act 1968" shall be omitted;

(c) for paragraph (h) there shall be substituted the following paragraph:—

"(h) the National Water Council and any water authority established under the Water Act 1973(a) and any statutory water company, joint water board and joint water committee within the meaning of that Act;"

(d) paragraphs (i) to (k) and (m) shall be omitted;

(e) for paragraph (v) there shall be substituted the following paragraph:—

"(v) any magistrates' courts committee established under the Justices of the Peace Act 1949(b) as amended by the Local Government Act 1972(c) and the committee of magistrates for the inner London area established under the Administration of Justice Act 1964(d):"

#### *Certificates of insurance*

3.—(1) In the Schedule to the Employers' Liability (Compulsory Insurance) General Regulations 1971(e) (which sets out the form of certificate of insurance required to be issued for the purposes of the Act), for the form there set out there shall be substituted the form set out in the Schedule to these Regulations.

(2) In any case where it is intended that a certificate of insurance shall be effective not only in Great Britain, but also in any of the following territories, that is to say, Northern Ireland, the Isle of Man, the Island of Guernsey, the Island of Jersey, the Island of Alderney or shall be effective for the purposes of the Act as extended by any enactment which applies to waters outside the United Kingdom, the form set out in the Schedule to these Regulations may be modified by the addition thereto, where necessary, of a reference to the relevant law which is applicable and a statement that the policy to which it relates satisfies the requirements of that law.

(3) Nothing in these Regulations shall affect the validity of any certificate issued before the commencement of this Regulation in the form prescribed by the said Regulations of 1971.

*W. Whitelaw,*

Secretary of State for Employment.

7th February 1974.

(a) 1973 c. 37.  
(c) 1972 c. 70.  
(e) S.I. 1971/1117 (1971 II, p. 3315).

(b) 1949 c. 101.  
(d) 1964 c. 42.

Regulation 3|

SCHEDULE

CERTIFICATE OF EMPLOYERS' LIABILITY INSURANCE

(A copy or copies of this certificate must be displayed at each place of business at which the policy holder employs persons covered by the policy.)

Policy No.....

1. Name of policy holder.
2. Date of commencement of insurance.
3. Date of expiry of insurance.

We hereby certify that the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain.

Signed on behalf of ..... (Authorised Insurer)

..... Signature

**EXPLANATORY NOTE**

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

These Regulations amend the Employers' Liability (Compulsory Insurance) Exemption Regulations 1971 (which list employers exempted from the requirement of the Employers' Liability (Compulsory Insurance) Act 1969 that employers shall insure and maintain insurance against liability for bodily injury or disease sustained by their employees and arising out of and in the course of their employment)—

- (a) so as to provide that the exemption which depends on the holding of a certificate from a government department guaranteeing to meet claims may apply to persons who are employers as well as to bodies and may apply in respect of all employees or any specified class of employees;
- (b) by adding to the list of exempt employers the National Water Council and water authorities established under the Water Act 1973 and making amendments consequential on the passing of that Act;
- (c) by making minor drafting amendments.

The Regulations also amend the Employers' Liability (Compulsory Insurance) General Regulations 1971 by prescribing a new form of certificate of insurance for the purposes of the said Act so that a specific reference in the certificate to that enactment is no longer required.

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