
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations consolidate with amendments the Employer's Liability (Compulsory Insurance) General Regulations (Northern Ireland) 1975 ("the 1975 Regulations") and subsequent amending Regulations made under the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 ("the 1972 Order").

The Regulations supplement the provisions of the 1972 Order relating to the compulsory insurance of risks relating to employees. Regulation 1 contains certain definitions and regulation 2 sets out the conditions which are prohibited for the purposes of the 1972 Order in any policy of insurance relating to employees. Regulation 3 sets the limit of the sum to be insured as not less than five million pounds. Regulation 4 and Schedule 1 place obligations on authorised insurers as to the issue of certificates including the form of certificates. Regulation 4 also imposes obligations on employers in relation to keeping certificates. Regulations 5 and 6 deal with the display and production of certificates of insurance. Regulation 7 deals with the production and inspection of policies of insurance. Regulation 8 imposes a condition on authorised inspectors to produce evidence of their authority if so required when visiting employers' premises. Regulation 9 and Schedule 2 exempt specified employers and classes of employer from the requirements of the 1972 Order. The specified employers are certain public bodies; the specified classes of employer include any employer to the extent that he is required to insure under a compulsory motor insurance scheme by virtue of the fact that his employees are carried on, or are alighting from or are entering into, a motor vehicle. Regulation 10 and Schedule 3 set out revocations and transitional arrangements. These include arrangements for provisions of the 1975 Regulations to continue to apply to pre-1st January 2000 policies until 1st January 2001 or earlier expiry or renewal; and for enabling the form of certificate under the 1975 Regulations to be used for pre- 1st April 2000 policies until 1st April 2001 at the latest.

The principal changes made by the Regulations are—

- that the sum to be insured is raised from not less than two million pounds to not less than five million pounds;
- the prescribed wording on the certificates gives more information about the cover provided;
- a new provision that certificates are required to be kept for forty years;
- a new power is given to authorised inspectors to require not just the production of the current certificate but also the production of past certificates; and
- employers of offshore installations are required to produce a copy of the relevant certificate of insurance on request from the employee within ten days.

In Great Britain the corresponding Regulations are the Employers' Liability (Compulsory Insurance) Regulations 1998 (S.I. 1998/2573). The Department of the Environment, Transport and the Regions has prepared a regulatory impact assessment in relation to those Regulations and a copy of that assessment, together with a Northern Ireland Supplement prepared by the Department of Economic Development, is held at the offices of the Health and Safety Executive for Northern Ireland at 83 Ladas Drive, Belfast BT6 9FR, from where copies may be obtained on request.