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STATUTORY INSTRUMENTS

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**2001 No. 3649**

**The Financial Services and Markets Act 2000  
(Consequential Amendments and Repeals) Order 2001**

**PART 8**

**MISCELLANEOUS AMENDMENTS TO PRIMARY LEGISLATION**

*Road Traffic Act 1988 (c. 52)*

**Notification of refusal of insurance on health grounds**

**312.** For subsection (2) of section 95 of the Road Traffic Act 1988 (notification of refusal of insurance on health grounds) substitute—

“(2) “Authorised insurer” means an insurer who is a member of the Motor Insurers Bureau (a company limited by guarantee and incorporated under the Companies Act 1929 on 14th June 1946).

(3) “Insurer” means—

- (a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to effect or carry out relevant contracts of insurance, or
- (b) an EEA firm of the kind mentioned in paragraph 5(d) of Schedule 3 to that Act, which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to effect or carry out relevant contracts of insurance.

(4) A contract is a relevant contract of insurance if the risk insured against relates to—

- (a) the insured sustaining accidental injury or death as a result of travelling as a passenger;
- (b) land vehicles;
- (c) goods in transit; or
- (d) motor vehicle liability.

(5) This section must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any order for the time being in force under that section; and
- (c) Schedule 2 to that Act.”.