STATUTORY INSTRUMENTS

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.".

Requirements with respect to policies of insurance

313. For section 145(5) of the Road Traffic Act 1988 (requirements with respect to policies of insurance) substitute—

> "(5) "Authorised insurer" has the same meaning as in section 95.".

Defined expressions: "authorised insurer"

314. In section 162 of the Road Traffic Act 1988 (defined expressions in Part 6), for the entry relating to "authorised insurer" substitute—

"Authorised insurer	Section 145(5)."