
STATUTORY INSTRUMENTS

2003 No. 37

ROAD TRAFFIC

**The Motor Vehicles (Compulsory Insurance) (Information
Centre and Compensation Body) Regulations 2003**

<i>Made</i>	- - - -	<i>10th January 2003</i>
<i>Laid before Parliament</i>		<i>13th January 2003</i>
<i>Coming into force</i>	- -	<i>19th January 2003</i>

The Secretary of State for Transport, being a Minister designated ^{M1} for the purposes of section 2(2) of the European Communities Act 1972 ^{M2} in relation to compulsory insurance in respect of, and other means of providing for, civil liability in relation to motor vehicles and trailers, in exercise of the powers conferred by that section hereby makes the following Regulations:—

Marginal Citations

M1 [S.I. 1972/1811](#).

M2 [1972 c. 68](#). By virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the [European Economic Area Act 1993 \(c. 51\)](#) regulations may be made under section 2(2) of the European Communities Act 1972 to implement obligations of the United Kingdom created or arising by or under the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (Cm 2073) and the Protocol adjusting the Agreement signed at Brussels on 17th March 1993 (Cm 2183).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Compulsory Insurance) (Information Centre and Compensation Body) Regulations 2003 and shall come into force on 19th January 2003.

Interpretation

2.—(1) In these Regulations—

F1 ...

F2 ...

“EEA State” means a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992^{M3} and the Protocol adjusting the Agreement signed at Brussels on 17th March 1993;

“European insurance policy” means an insurance policy issued in an EEA State fulfilling the requirements of Article 3 of the first motor insurance directive where the territory in which the vehicle the use of which is insured is normally based is an EEA State^{F3} ...;

“first motor insurance directive” means Council Directive [72/166/EEC](#) of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability^{M4};

“fourth motor insurance directive” means the Directive of the European Parliament and the Council of 16 May 2000 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives [73/239/EEC](#) and [88/357/EEC](#) (No. [2000/26/EC](#))^{M5};

F4
...

“foreign information centre” means a person or body established or approved as an information centre in an EEA State^{F3}... by virtue of Article 5(1) of the fourth motor insurance directive;

F5
...

“information centre” means the body named in regulation 3(1);

“injured party” means a person resident in an EEA State claiming to be entitled to compensation in respect of any loss or injury resulting from an accident caused by or arising out of the use of a vehicle;

“registered keeper” in relation to a vehicle means the person who is registered as the keeper under the Vehicle Excise and Registration Act 1994^{M6} or, in the case of vehicles in the public service of the Crown which are not registered under that Act, the person who has charge of the vehicle;

F6
...

“MIIC” means the Motor Insurers' Information Centre (a company limited by guarantee and incorporated under the Companies Act 1985 on 8th December 1998);

“open cover contract” means a UK insurance policy where the vehicles covered are not specifically identified in the contract or the covering note;

F7
...

“specified information” means the information referred to in regulation 4;

“standard contract” means a UK insurance policy where every vehicle covered is specifically identified in the contract or the covering note;

“subscribing State” means a State other than an EEA State whose national insurer’s bureau as defined in Article 1(3) of the first motor insurance directive has joined the Green Card System;

“UK insurance policy” means a policy of insurance (including a covering note) covering the use of a vehicle on a road or other public place in the United Kingdom which—

- (a) fulfils the requirements of section 145 of the Road Traffic Act 1988^{M7}, or article 92 of the Road Traffic (Northern Ireland) Order 1981^{M8}, and
- (b) in the case of a policy of insurance complying with article 92 of the 1981 Order, is issued by an insurer within the meaning of article 12 of that Order;

“vehicle” means any motor vehicle intended for travel on land and propelled by mechanical power, but not running on rails, and any trailer, whether or not coupled.

(2) In these Regulations a reference (however phrased) to a place where a vehicle is normally based is a reference to—

- (a) the territory of the state of which the vehicle bears a registration plate, or
- (b) in cases where no registration is required for the type of vehicle but the vehicle bears an insurance plate or a distinguishing sign analogous to a registration plate, the territory of the state in which the insurance plate or the sign is issued, or
- (c) in cases where neither registration plate nor insurance plate nor distinguishing sign is required for the type of vehicle, the territory of the state in which the keeper of the vehicle is permanently resident.

- F1** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(a\)\(i\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F2** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(a\)\(ii\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F3** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(b\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F4** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(a\)\(iii\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F5** Words in [reg. 2\(1\)](#) omitted (1.12.2007) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Information Centre and Compensation Body\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2982), [regs. 1, 2\(2\)](#)
- F6** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(a\)\(iv\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F7** Words in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), [regs. 1\(1\), 4\(2\)\(a\)\(v\)](#) (with [reg. 1\(4\)\(5\)](#)) (as amended by [S.I. 2020/945](#), [regs. 1\(2\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

Marginal Citations

- M3** Directive 2000/26/EC was added to Annex IX of the European Economic Area Agreement by decision No. 4/2001 of the European Economic Area Joint Committee which came into force on 1st September 2001 (OJ No. L66, 8.3.2001, p. 46).
- M4** OJ No. L103, 2.5.1972, p. 1.
- M5** OJ No. L181, 20.7.2000, p. 65.
- M6** 1994 c. 22.
- M7** 1988 c. 52; section 145 was amended by [S.I. 1992/3036](#), [2000/726](#) and [2001/3649](#).
- M8** [S.I. 1981/154](#) (NI I), Article 92 was amended by [SR 1989/84](#), [1993/57](#) and [2000/331](#).

The Information centre

The information centre for the United Kingdom and its duties

3.—^[F8](1) MIIC is the information centre for the United Kingdom.]

(2) The information centre shall establish a means of access to the specified information in a manner whereby it can co-ordinate and disseminate that information for the purposes of these Regulations.

(3) The information centre shall retain access to the specified information for a period of not less than seven years commencing on—

- (a) in the case of the information specified in regulation 4(a), (c) and (d), the date on which the vehicle ceases to be registered under the Vehicle Excise and Registration Act 1994, and
- (b) in the case of the information specified in regulation 4(b), the day immediately following the date of expiry of the policy of insurance to which that information relates.

(4) Where the information necessary to enable the information centre to respond to a request from a person under regulation 9 does not form part of the specified information, the information centre shall obtain from the foreign information centre of the territory in which the vehicle is normally based such information as may from time to time be required so as to enable the information centre to comply with regulation 9.

(5) Where the information centre is satisfied that a valid request for the name and address of the registered keeper of a vehicle has been made to it pursuant to regulation 9 it shall immediately seek the information from the Secretary of State.

^{F9}(6)

<p>F8 Reg. 3(1) substituted (31.12.2020) by The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), 4(3)(a); 2020 c. 1, Sch. 5 para. 1(1)</p> <p>F9 Reg. 3(6) omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), 4(3)(b); 2020 c. 1, Sch. 5 para. 1(1)</p>

The specified information

4. The specified information is—

- (a) a list of all vehicles normally based in the United Kingdom the names and addresses of their registered keepers and the registration marks assigned to them by the Secretary of State;
- (b) the following information in relation to every UK insurance policy under which the use of any such vehicle is insured—
 - (i) the number of the policy,
 - (ii) the name of the policyholder,
 - (iii) the name and address of the insurer, [^{F10}and]
 - ^{F11}(iv)
 - (v) the period during which the use of the vehicle is insured under that contract;
- (c) a list of all vehicles which take advantage of the [^{F12}exception in section 144(2) of the Road Traffic Act 1988 or in paragraph (2)(a) or (aa) or paragraph (2A) of Article 90 of the Road Traffic (Northern Ireland) Order 1981] (so that they may lawfully be used on a road or other public place in the United Kingdom without there being in force any policy of insurance), and the registration marks assigned to them;
- (d) the name and address of the person or body designated as responsible for compensating an injured party ^{F13}... if an accident is caused by or arises out of the use of a vehicle named in the list kept under sub-paragraph (c).

- F10** Word in reg. 4(b)(iii) inserted (31.12.2020) by *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Reg. 4(b)(iv) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in reg. 4(c) substituted (31.12.2020) by *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in reg. 4(d) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Maintenance and supply of information by insurers

5.—(1) Every insurer shall maintain a record of the information set out in Part 1 of the Schedule to these Regulations for the period specified in regulation 3(3).

(2) Where the information centre so requests an insurer shall supply to it immediately such of that information as may be specified in that request in respect of any UK insurance policy to which that insurer is or was a party.

(3) The information requested—

- (a) shall be supplied in the manner specified in the request, or
- (b) where no manner of supply is specified in the request, may be supplied in any manner except orally.

(4) An insurer shall not be obliged by virtue of this regulation to maintain a record or to supply information if he has used his best endeavours to obtain such information from his insured and the insured has failed or refused to supply the information to the insurer.

(5) Where the information centre so requests, an insurer shall immediately supply to it the name and address of every policyholder to whom it has issued an open cover contract in respect of such period as may be specified in that request.

Maintenance and supply of information by policyholders

6.—(1) Every policyholder who has entered into an open cover contract with an insurer shall maintain in respect of that contract a record of the information set out in Part 2 of the Schedule to these Regulations for the period specified in regulation 3(3).

(2) Where the information centre so requests, any such policyholder shall supply to it immediately so much of the information set out in Part 2 of the Schedule as may be specified in that request in respect of any open cover contract to which he is or was a party.

(3) Every policyholder who has entered into an open cover contract of the type specified in Part 1 of the Schedule with an insurer shall immediately supply to that insurer the information described in Part 1 of the Schedule.

(4) Where any detail of the information set out in Part 1 of the Schedule to these Regulations changes in respect of any open cover contract, the policyholder shall notify the insurer of the changed details immediately.

(5) Any information requested under this regulation—

- (a) shall be supplied in the manner specified in the request, or

- (b) where no manner of supply is specified in the request, may be supplied in any manner except orally.

Maintenance and supply of information by others

7.—^{F14}(1) Every person who takes advantage of an exception in section 144(2) of the Road Traffic Act 1988 or in paragraph (2)(a) or (aa) or paragraph (2A) Article 90 of the Road Traffic (Northern Ireland) Order 1981 to—

- (a) use a motor vehicle on a road or other public place without there being in force in relation to the use of the vehicle by that person a UK insurance policy; or
- (b) cause or permit any other person to use a motor vehicle on a road or other public place without there being in force in relation to the use of the vehicle by that person a UK insurance policy,

shall maintain a record of the information set out in Part 3 of the Schedule for the period specified in regulation 3(3).]

(2) Every such person shall supply immediately to the information centre the information set out in Part 3 of the Schedule in respect of any vehicle for which that person is or was the user for more than 14 days.

(3) Where the information centre so requests, every such person shall supply to it immediately so much of the information set out in Part 3 of the Schedule as may be specified in that request in respect of any vehicle which that person is or was the user.

F14 Reg. 7(1) substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/551\)](#), regs. 1(1), **4(5)**; 2020 c. 1, Sch. 5 para. 1(1)

Information held by Secretary of State

8.—(1) The Secretary of State shall immediately notify the information centre in writing of any alteration in the information specified in regulation 4(d).

(2) Where the information centre so requests, the Secretary of State shall without delay supply in writing to the information centre the name and address of the registered keeper of any vehicle specified in that request which is normally based in the UK.

Supply of information by the information centre

9.—(1) This regulation applies where—

- (a) an accident, caused by or arising out of the use of a vehicle which is normally based in an EEA State, occurs in the United Kingdom;
- (b) an accident, caused by or arising out of the use of a vehicle, occurs on the territory of—
 - (i) an EEA State ^{F15} ..., or
 - (ii) a subscribing state,
 and that vehicle is normally based in the United Kingdom;

^{F16}(c)

(2) Where this regulation applies, an injured party may request the information centre to provide to him the information described in paragraph (4) in respect of every vehicle involved in the accident which is normally based in an EEA State.

(3) The information centre shall provide the information requested if the request is—

- (a) made in writing,
 - (b) received by the information centre no later than seven years after the date of the accident, and
 - (c) contains sufficient information to identify the vehicle in respect of which the information is being sought.
- (4) The information which may be requested in respect of a vehicle is—
- (a) the name and address of any insurer who has issued a UK insurance policy or European insurance policy covering the use of that vehicle at the time the accident occurred;
 - (b) the number of that policy; [^{F17}and]
 - ^{F18}(c)
 - (d) where the information centre is satisfied that the injured party has a legitimate interest in obtaining that information, the name and address of the registered keeper of the vehicle or, where the territory in which the vehicle is normally based is an EEA State ^{F19}..., the person having custody of the vehicle.
- (5) Where an injured party has requested information in respect of a vehicle which may lawfully be used on a road or other public place in the United Kingdom without there being in force a UK insurance policy, the information centre shall provide the injured party with the name and address of the person or body designated as responsible for compensating injured parties and referred to in regulation 4(d).
- (6) The information centre shall provide information pursuant to this regulation in writing immediately after it receives the request.
- (7) The information centre may charge a fee of not more than £10.00 for providing that information.

F15 Words in reg. 9(1)(b)(i) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F16 Reg. 9(1)(c) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(6)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F17 Word in reg. 9(4)(b) inserted (31.12.2020) by *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(6)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F18 Reg. 9(4)(c) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(6)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F19 Words in reg. 9(4)(d) omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(6)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

Compensation body for the United Kingdom

^{F20}**10.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of *The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Entitlement to compensation where the insurer is identified

^{F20}**11.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Response from the compensation body

^{F20}**12.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Entitlement to compensation where vehicle or insurer is not identified

^{F20}**13.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Reimbursement of foreign compensation body where insurer is identified

^{F20}**14.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Reimbursement of foreign compensation body where insurer is unidentified

^{F20}**15.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Miscellaneous

Civil Liability

^{F20}**16.**

F20 Regs. 10-16 omitted (31.12.2020) by virtue of The Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/551), regs. 1(1), **4(7)** (with reg. 1(4)(5)) (as amended by S.I. 2020/945, regs. 1(2), 2); 2020 c. 1, Sch. 5 para. 1(1)

Enforcement

17. If any person fails or refuses to maintain any record or supply any information for the purposes of these regulations, or if in giving any information for the purposes of these Regulations, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, he is guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Signed by the authority of the Secretary of State for Transport

John Spellar,
Minister of State
Department of Transport

SCHEDULE

Regulations 5, 6 and 7

PART 1

INFORMATION TO BE RECORDED BY INSURERS

1. In respect of every standard contract to which the insurer is a party—
 - (a) the number of the policy,
 - (b) the name of the policyholder,
 - (c) the registration mark of every vehicle the use of which is covered by the policy, and
 - (d) the period during which the use of each of those vehicles is (or has been) covered under the policy.
2. In respect of every open cover contract other than a contract in respect of an excepted vehicle to which the insurer is a party—
 - (a) the number of the policy,
 - (b) the name of the policyholder,
 - (c) the registration mark of every vehicle, other than an excepted vehicle, the use of which is from time to time covered under that contract, and
 - (d) the period during which the use of each of those vehicles is (or has been) covered under the policy.
3. In this Schedule an “excepted vehicle” is a vehicle the use of which is covered under the open cover contract for a period of less than 15 days.

PART 2

INFORMATION TO BE RECORDED BY POLICYHOLDERS

In respect of every excepted vehicle insured under an open cover contract to which the policyholder is a party—

- (a) the number of the policy under which the use of the vehicle is insured,
- (b) the registration mark of the vehicle, and
- (c) the period during which the use of the vehicles is (or has been) covered under the policy.

PART 3

[^{F21}INFORMATION TO BE RECORDED BY USERS TAKING ADVANTAGE OF AN EXCEPTION FROM THE REQUIREMENT TO HOLD COMPULSORY THIRD PARTY MOTOR INSURANCE]

F21 Sch. Pt. 3 heading substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/551\)](#), regs. 1(1), **4(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

In respect of every vehicle the use of which on a road or other public place in the United Kingdom is authorised without insurance by virtue of [^{F22}section 144(2) of the Road Traffic Act 1988 or paragraph (2)(a) or (aa) or paragraph (2A) of Article 90 of the Road Traffic (Northern Ireland) Order 1981]—

- (a) the registration mark of the vehicle; and
- (b) the period during which the use of the vehicle is or was authorised by virtue of that [^{F23}exception].

F22 Words in Sch. Pt. 3 substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), regs. 1(1), **4(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F23 Word in Sch. Pt. 3 substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), regs. 1(1), **4(8)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

F22 Words in Sch. Pt. 3 substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), regs. 1(1), **4(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F23 Word in Sch. Pt. 3 substituted (31.12.2020) by [The Motor Vehicles \(Compulsory Insurance\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/551), regs. 1(1), **4(8)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which are made under section 2(2) of the European Communities Act 1972, give effect in part to the Directive of the European Parliament and the Council of 16 May 2000 on the approximation of laws of the member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives [73/239/EEC](#) and [88/357/EEC](#) (Fourth Motor Insurance Directive) (No. [2000/26/EC](#)) (OJ) No. L181, 20/07/2000, p. 65). The Fourth Motor Insurance Directive supplements the arrangements established by Directives [72/166/EEC](#), [84/5/EEC](#) and [90/232/EEC](#).

These Regulations give effect to Articles 5, 6 and 7 of the Fourth Motor Insurance Directive.

In order to assist persons to seek compensation in respect of motor vehicle accidents occurring in an EEA State other than their State of residence, regulation 3 establishes the MIIC as the information centre. That body shall establish a means of access to specified information, so as to allow its dissemination to injured parties in certain circumstances. Further provisions provide that in appropriate cases the information centre is obliged to seek similar information from organisations with like functions established in other EEA States.

Regulation 4 describes the specified information. This includes, in the case of motor vehicles normally based in the United Kingdom, the name and address of the insurer and the number of the insurance policy in respect of any identified vehicle.

Regulation 5 requires each motor insurer to retain relevant information about each motor policy that it has underwritten for at least seven years after the date of expiry of the policy. In respect of open cover policies where the identity of the insured vehicles is not stated on the policy, the insured is obliged to notify his insurer of requisite details of the vehicles covered, unless they will

Changes to legislation: *There are currently no known outstanding effects for the The Motor Vehicles (Compulsory Insurance) (Information Centre and Compensation Body) Regulations 2003. (See end of Document for details)*

be insured for fewer than 15 days under the policy. In that event, under regulation 6 the insured is obliged to retain relevant details.

Regulation 5 also empowers the information centre to require insurers to supply it with requisite information in respect of United Kingdom based vehicles. (Where vehicles are insured for fewer than 15 days under an open cover policy, the insured may be required to supply this information to the information centre under regulation 6).

Regulation 7 obliges persons taking advantage of the derogation in Article 4(a) of the first motor insurance directive to maintain records of their vehicles and to supply details to the information centre if it so requires.

Regulation 9 empowers an injured party resident in an EEA State to require the information centre to supply him with insurance details in respect of vehicles normally based in a Member State or EEA State where:

- (i) the accident occurs in the United Kingdom; or
- (ii) where the vehicle is usually based in the United Kingdom and the accident occurs in the EEA or a state subscribing to the Green Card Scheme; or
- (iii) where the injured party resides in the United Kingdom and the accident occurs in an EEA State or a state subscribing to the Green Card Scheme.

The right of a person resident in the United Kingdom to obtain this information in respect of an accident occurring within the United Kingdom is therefore provided for, although it is not required pursuant to the Fourth Motor Insurance Directive.

Regulation 10 approves the Motor Insurers' Bureau as the compensation body for the United Kingdom.

Regulation 11 provides that in certain circumstances a person resident in the United Kingdom may claim compensation from the compensation body. The right to claim arises in respect of loss or injury resulting from an accident caused by the use of a motor vehicle in a public place. The accident must have occurred in an EEA State other than the United Kingdom, or in a country subscribing to the Green Card Scheme. The vehicle the use of which caused the damage must normally be based and insured, in an EEA State other than the United Kingdom. The claimant must have sought compensation from the liable insurer or his claims representative. That insurer must have failed to make a reasoned reply within three months. Further rules apply if no claims representative has been appointed. The claimant must not have commenced legal proceedings against the insurer.

Regulation 12 provides that in the circumstances described in regulation 11, and subject to certain provisos, if the injured party proves to the compensation body that the insured person is liable to him, then to the extent that he can prove loss and damage the compensation body must compensate him.

Regulation 13 provides that in certain circumstances a person who resides in the United Kingdom may be able to claim compensation from the compensation body where either the vehicle the use of which caused the damage, or the requisite insurer, cannot be identified. The accident must have occurred in an EEA State other than the United Kingdom, or in a country subscribing to the Green Card Scheme. The vehicle must normally be based in, and insured in, an EEA State other than the United Kingdom.

Regulations 14 and 15 set out circumstances in which the compensation body or the Motor Insurers' Bureau must indemnify a foreign compensation body.

As these Regulations give effect, in part, to the Fourth Motor Insurance Directive a Transposition Note has been prepared setting out how the Government will transpose into UK law the main elements of this Directive. The Transposition Note is available in the libraries of both Houses of Parliament. A hard copy is also available from the following address: Banking and General Insurance Team, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ.

Changes to legislation:

There are currently no known outstanding effects for the The Motor Vehicles (Compulsory Insurance) (Information Centre and Compensation Body) Regulations 2003.