
STATUTORY INSTRUMENTS

2005 No. 2833

ROAD TRAFFIC

**The Disclosure of Vehicle Insurance
Information Regulations 2005**

<i>Made</i>	- - - -	<i>11th October 2005</i>
<i>Laid before Parliament</i>		<i>13th October 2005</i>
<i>Coming into force</i>	- -	<i>4th November 2005</i>

The Secretary of State, exercising the powers conferred upon him by sections 153 and 172 of the Serious Organised Crime and Police Act 2005⁽¹⁾, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Disclosure of Vehicle Insurance Information Regulations 2005 and shall come into force on 4th November 2005.

Interpretation

2.—(1) In these Regulations—

“the motor insurance database” means the database maintained by MIIC and containing the information referred to in regulation 4 of the Motor Vehicles (Compulsory Insurance) (Information Centre and Compensation Body) Regulations 2003 ⁽²⁾;

“periodic data list” means a document, including an electronic document, which comprises the following relevant vehicle insurance information—

- (a) a list of the motor vehicles the use of which as at the reference date is shown on the motor insurance database to be covered by an insurance policy but the use of which as at the date the document is produced is not so shown; and
- (b) the information specified in regulation 3(2);

“motor vehicle” has the same meaning as in section 185 of the 1988 Act;

“process” has the same meaning as in section 1(1) of the Data Protection Act 1998 and “processed” and “processing” shall be construed accordingly;

“the reference date” means a date prior to the date on which a periodic data list is produced; and

(1) 2005 c. 15
(2) S.I.2003/37

“the 1988 Act” means the Road Traffic Act 1988(3).

(2) In these Regulations an “insurance policy” means a policy of insurance or a security covering the use of a motor vehicle on a road or other public place which satisfies the conditions—

- (a) in the case of a policy of insurance, specified in section 145 of the 1988 Act; or
- (b) in the case of a security, specified in section 146 of the 1988 Act.

(3) A motor vehicle is treated as covered by an insurance policy whilst it is exempt from compliance with section 143 of the 1988 Act as a result of the operation of section 144 (1) or (2) of that Act.

(4) A motor vehicle is treated as covered by an insurance policy if it is not subject to the provisions of section 143 of the 1988 Act because that motor vehicle is operated under the control of the Crown.

Supply of information by MIIC

3.—(1) The MIIC shall supply PITO with periodic data lists in such form and at such intervals as PITO may reasonably require so that PITO may carry out its functions under regulation 4.

(2) Periodic data lists shall show the following information about each motor vehicle on the list—

- (a) the motor vehicle registration mark;
- (b) the make and model of the motor vehicle (where shown on the motor insurance database); and
- (c) the date when the insurance policy ceased to be in force in relation to the use of that motor vehicle.

Use of information provided by MIIC

4.—(1) PITO shall process information contained in any periodic data list and shall make the processed information available to chief officers of police in a form that either—

- (a) will enable such a chief officer to further process the information in accordance with paragraph (2); or
- (b) may be used directly by constables to assist them to determine if a vehicle has been used by a person who is not insured, contrary to section 143 of the 1988 Act.

(2) A chief officer of police may arrange for the processed information received by him in accordance with paragraph (1) be further processed into a form in which it may be used by constables to determine if a vehicle has been used by a person who is not insured, contrary to section 143 of the 1988 Act

(3) The further processing referred to in paragraph (2) may include comparing or combining the processed information with other information which may be available to the chief officer of police.

(4) A constable may use the processed information referred to in paragraph (1) or the further processed information referred to in paragraph (2) to determine whether to use his powers under section 165 of the 1988 Act to require a person to produce evidence that a motor vehicle is not or was not being driven in contravention of Part VI of the 1988 Act.

(5) Information provided by PITO in accordance with paragraph (1) shall not be disclosed further than is permitted by this regulation except where the disclosure is made in respect of the contravention of the 1988 Act or of legislation made under it.

Signed by the authority of the Secretary of State for Transport

11th October 2005

S J Ladyman
Minister of State
Department for Transport

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which are made under section 153 of the Serious Organised Crime and Police Act 2005, make provision for the Motor Insurers' Information Centre ("MIIC") to provide information relating to the uninsured use of motor vehicles to the Police Information Technology Organisation ("PITO").

Regulation 3 requires MIIC to provide to PITO a list of vehicles, the use of which was covered by a policy of insurance on the reference date but is not covered under such a policy when the list is generated. The information must be provided at intervals specified by PITO. Information which must be provided is the vehicle registration mark, the make and model of the vehicle (where this is available to MIIC) and the date on which the vehicle ceased to have a record of insurance on the database.

Regulation 4 permits PITO to process information provided by MIIC so that it is available in a form that may assist a constable to determine if a vehicle has been used by a person who is not insured, contrary to section 143 of the Road Traffic Act 1988 (the "1988 Act"). A chief officer of police may arrange for that information received by him from PITO is further processed into a form in which it may be used by a constable.

A constable may use the processed information provided by PITO to assist him in deciding whether to use his powers under section 165 of the 1988 Act to require a person who is, or may have been, driving a vehicle to produce evidence that use of the vehicle is insured.

The information provided to a constable by PITO should not be further disclosed by him except for the purposes of legal proceedings for contravening the 1988 Act or legislation made under it.

A Regulatory Impact Assessment has not been completed because costs incurred by business are minimal.