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STATUTORY INSTRUMENTS

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**2018 No. 52**

**The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2018**

**Amendment of Regulations**

**8.** In Schedule 3A—

(a) for paragraph 1, substitute—

**“Duty of the insurer**

**1.**—(1) If an insurer determines that the relevant vehicle for which it provides a policy of insurance has sustained damage such that the repair costs, or the total cost of repair and associated ancillary costs, exceed the pre-accident value of that vehicle or the insurer is required to replace the damaged vehicle with another vehicle under a policy of insurance—

- (a) that insurer must notify the Secretary of State whether the relevant vehicle is suitable for repair or not and, if it is suitable for repair and this notification is made on or after 20th February 2018, whether that vehicle sustained any structural damage or not; and
- (b) unless that insurer is also the keeper of the relevant vehicle, the insurer must notify the keeper of that vehicle—
  - (i) of the reason that it has decided not to repair the vehicle;
  - (ii) if the vehicle is suitable for repair or not; and
  - (iii) if this notification is made on or after 20th February 2018, whether the vehicle sustained structural damage or not.

(2) Following notification in accordance with paragraph (1)(a), the insurer must destroy the registration document if this is in its possession, unless the vehicle is suitable for repair and has not sustained structural damage.”

- (b) in paragraph 2(1), for “less that the cost of repairing it,” substitute “either less than the cost of repairing it or the total cost of repairing it and associated ancillary costs,”.
- (c) after paragraph 2(1)(a)(ii), insert—
  - “(iii) if the notification is made on or after 20th February 2018, the vehicle has sustained structural damage; and”.
- (d) in paragraph 2(1)(b), after “the registration document for that vehicle”, insert “unless the vehicle is suitable for repair and has not sustained structural damage”.
- (e) in paragraph 2(2), after “unless that document is held by the insurer”, insert “or the vehicle is suitable for repair and has not sustained structural damage”.