
STATUTORY INSTRUMENTS

2019 No. 1047

**The Motor Vehicles (Compulsory Insurance)
(Miscellaneous Amendments) Regulations 2019**

PART 3

Amendments of insurer's right to void an insurance policy

Amendment of Road Traffic Act 1988

6.—(1) Section 152 of the Road Traffic Act 1988 (exceptions to section 151)(1) is amended as follows.

(2) In subsection (2), for the words before paragraph (a) substitute “No sum is payable by an insurer under section 151 of this Act in connection with any liability if, before the happening of the event which was the cause of the death or bodily injury or damage to property giving rise to the liability, the insurer has obtained a declaration—”.

(3) Omit subsections (3) and (4).

Amendment of Road Traffic (Northern Ireland) Order 1981

7.—(1) Article 98A of the Road Traffic (Northern Ireland) Order 1981 (exceptions to article 98)(2) is amended as follows.

(2) In paragraph (2), for the words before sub-paragraph (a) substitute “No sum is payable by an insurer under Article 98 of this Order in connection with any liability if, before the happening of the event which was the cause of the death or bodily injury or damage to property giving rise to the liability, the insurer has obtained a declaration—”.

(3) Omit paragraphs (3) and (4).

Saving provision

8.—(1) Paragraph (2) applies if, immediately before 1st November 2019, an insurer was exempted from paying any sum under section 151 of the Road Traffic Act 1988 in connection with a liability as a result of a declaration obtained by the insurer under section 152(2) of that Act before that date.

(2) Despite regulation 6, on and after 1st November 2019 section 152(2) of that Act continues to exempt the insurer from paying any sum in connection with the liability, regardless of whether the declaration was obtained before or after the happening of the event which was the cause of the death or bodily injury or damage to property giving rise to the liability.

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- (1) Section 152 was amended by the Deregulation Act 2015 (c.20), section 9 and paragraph 5 of Schedule 3, the Insurance Act 2015 (c.4), section 21, the Consumer Insurance (Disclosure and Representations) Act 2012 (c.6), section 11 and the Road Traffic Act 1991 (c. 40), paragraph 66 of Schedule 4.
- (2) S.I. 1981/154 (N.I. 1); Article 98A was inserted by the Motor Vehicles (Compulsory Insurance) Regulations (Northern Ireland) 1989 (S.R. 1989/84). Article 98A was amended by the Insurance Act 2015, section 21 and the Consumer Insurance (Disclosure and Representations) Act 2012, section 11. There are other amendments not relevant to this instrument.

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(3) Paragraph (4) applies if, immediately before 1st November 2019, an insurer was exempted from paying any sum under Article 98 of the Road Traffic (Northern Ireland) Order 1981 in connection with a liability as a result of a declaration obtained by the insurer under Article 98A(2) of that Order before that date.

(4) Despite regulation 7, on and after 1st November 2019 Article 98A(2) of that Order continues to exempt the insurer from paying any sum in connection with the liability, regardless of whether the declaration was obtained before or after the happening of the event which was the cause of the death or bodily injury or damage to property giving rise to the liability.