

2013 No. 199

EMPLOYER'S LIABILITY

**The Employer's Liability (Compulsory Insurance)
(Amendment) Regulations (Northern Ireland) 2013**

Made - - - -

19th July 2013

Coming into operation -

22nd August 2013

The Department of Enterprise, Trade and Investment(a) makes the following Regulations in exercise of the powers conferred by Articles 7(c) and 10 of the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972(b) and now vested in it(c).

Citation and commencement

1. These Regulations may be cited as the Employer's Liability (Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 2013 and shall come into operation on 22nd August 2013.

Amendment of the Employer's Liability (Compulsory Insurance) Regulations (Northern Ireland) 1999

2. For Schedule 2 to the Employer's Liability (Compulsory Insurance) Regulations (Northern Ireland) 1999(d) substitute the Schedule set out in the Schedule to these Regulations.

Revocation

3. The Employer's Liability (Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 2011(e) are revoked.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 19th July 2013.



D. Sterling
A senior officer of the
Department of Enterprise, Trade and Investment

(a) Formerly the Department of Economic Development; see S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services; see S.I. 1982/846 (N.I. 11), Article 3.
(b) S.I. 1972/963 (N.I. 6)
(c) S.R.& O (N.I.) 1973 No. 504, Article 6 and Schedule 3
(d) S.R. 1999 No. 448
(e) S.R. 2011 No.427

SCHEDULE

Regulation 2

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 2 TO THE EMPLOYER'S LIABILITY (COMPULSORY INSURANCE) REGULATIONS (NORTHERN IRELAND) 1999

“SCHEDULE 2

Regulation 9

EMPLOYERS EXEMPTED FROM INSURANCE

1. Any district council.
2. Any Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986(a).
3. Any employer to the extent that he is required by paragraph (1) of Article 5 of the 1972 Order to insure and maintain insurance against liability for personal injury suffered by his employee when the employee is—
 - (i) carried in or upon a motor vehicle; or
 - (ii) entering or getting on to, or alighting from, a motor vehicle,in the circumstances specified in that paragraph and where that personal injury is caused by, or arises out of, the use by the employer of a motor vehicle on a road; and the expressions “road” and “motor vehicle” have the same meanings as in Part 1 of the Road Traffic (Northern Ireland) Order 1995(b).
4. Any employer which is a company that has only one employee and that employee also owns fifty per cent or more of the issued share capital in that company.
5. Any subsidiary of any such body as is mentioned in Article 7(b) of the 1972 Order (which exempts any body corporate established by or under any statutory provision for the carrying on of any industry or part of an industry, or of any undertaking, under public ownership or control) and any company of which two or more such bodies are members and which would, if these bodies were a single body corporate, be a subsidiary of that body corporate.
6. Council for Catholic Maintained Schools.
7. General Consumer Council for Northern Ireland.
8. General Teaching Council for Northern Ireland.
9. Ilex Urban Regeneration Company Limited.
10. Invest Northern Ireland.
11. Northern Ireland Judicial Appointments Commission.
12. Northern Ireland Legal Services Commission.
13. Northern Ireland Medical and Dental Training Agency.
14. Northern Ireland Tourist Board.
15. Planning Appeals Commission.

(a) S.I. 1986/594 (N.I. 3); Article 3 was amended by S.I. 1989/2406 (N.I. 20) and repealed in part by 2008 c. 8
(b) S.I. 1995/2994 (N.I. 18)

16. Staff Commission for Education and Library Boards.
17. Strategic Investment Board Limited.
18. The Agri-Food and Biosciences Institute.
19. The Attorney General for Northern Ireland.
20. The Charity Commission for Northern Ireland.
21. The Commissioner for Children and Young People for Northern Ireland.
22. The Commissioner for Older People for Northern Ireland.
23. The Commissioner for Public Appointments for Northern Ireland.
24. The Commission for Victims and Survivors for Northern Ireland.
25. The Equality Commission for Northern Ireland.
26. The Guardian Ad Litem Special Agency.
27. The Health and Social Care Regulation and Quality Improvement Authority.
28. The Inquiry into Historical Institutional Abuse 1922 to 1995.
29. The Local Government Staff Commission for Northern Ireland.
30. The Maze / Long Kesh Development Corporation.
31. The Northern Ireland Blood Transfusion Service Special Agency.
32. The Northern Ireland Community Relations Council.
33. The Northern Ireland Council for the Curriculum, Examinations and Assessment.
34. The Northern Ireland Fire and Rescue Service Board.
35. The Northern Ireland Library Authority.
36. The Northern Ireland Local Government Officers' Superannuation Committee.
37. The Northern Ireland Memorial Fund.
38. The Northern Ireland Practice and Education Council For Nursing and Midwifery.
39. The Northern Ireland Social Care Council.
40. The Patient and Client Council.
41. The Regional Agency for Public Health and Social Well-being.
42. The Regional Business Services Organisation.
43. The Regional Health and Social Care Board.
44. The Water Appeals Commission for Northern Ireland.
45. Victims and Survivors Service.
46. Youth Council for Northern Ireland.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Employer's Liability (Compulsory Insurance) Regulations (Northern Ireland) 1999 ("the 1999 Regulations"). The 1999 Regulations specify employers who are exempted from the requirements of Part III of the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 ("the 1972 Order") to insure and maintain insurance against liability for personal injury suffered by their employees and arising out of and in the course of their employment. The specified employers are certain public bodies; the specified classes of employer include any employers to the extent that they are required to insure under a compulsory motor insurance scheme by virtue of the fact that their employees are carried on, or are alighting from or are entering into, a motor vehicle. The exemptions specified in the 1999 Regulations are additional to those contained in Article 7 of the 1972 Order.

These Regulations remove the Northern Ireland Regional Medical Physics Agency from the exemptions specified in Schedule 2 to the 1999 Regulations. These Regulations add the Commissioner for Older People for Northern Ireland; the Northern Ireland Community Relations Council; the Commission for Victims and Survivors for Northern Ireland; the Maze / Long Kesh Development Corporation; the Equality Commission for Northern Ireland; the Commissioner for Children and Young People for Northern Ireland; the Northern Ireland Memorial Fund; the Victims and Survivors Service; the Water Appeals Commission for Northern Ireland; the Attorney General for Northern Ireland; the Commissioner for Public Appointments for Northern Ireland; and the Inquiry into Historical Institutional Abuse 1922 to 1995 to the exemptions in Schedule 2 to the 1999 regulations.

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