

**2017 No. 25**

**EUROPEAN COMMUNITIES**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicles (Compulsory Insurance) Regulations  
(Northern Ireland) 2017**

*Made* - - - - - *19th January 2017*

*Coming into operation* - - - - - *20th February 2017*

The Department for Infrastructure<sup>(a)</sup> makes the following Regulations, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(b)</sup>.

The Department for Infrastructure is designated<sup>(c)</sup> for the purposes of section 2(2) of the European Communities Act 1972 in relation to compulsory insurance in respect of, and other means of providing for, civil liability in relation to motor vehicles and trailers.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Motor Vehicles (Compulsory Insurance) Regulations (Northern Ireland) 2017 and shall come into operation on 20<sup>th</sup> February 2017.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(d)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Road Traffic (Northern Ireland) Order**

2.—(1) The Road Traffic (Northern Ireland) Order 1981<sup>(e)</sup> is amended in accordance with paragraphs (2) and (3).

(2) In Article 92(2)(b)<sup>(f)</sup> (requirements in respect of policies) for “£1,000,000” substitute “£1,200,000”.

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(a) Formerly the Department for Regional Development: *see* section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment was dissolved

(b) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7)

(c) S.I. 1972/1811; to which there are amendments not relevant to these Regulations

(d) 1954 c. 33 (N.I.)

(e) S.I. 1981/154 (N.I. 1); relevant amending Regulations are S.R. 1989 No. 84 and S.R. 2007 No. 455

(f) Paragraph (2) was substituted by regulation 3(3) of S.R. 1989 No. 84 and sub-paragraph (b) was amended by regulation 3(2) of S.R. 2007 No. 455

(3) In Article 98(6)(a) (duty of insurers or persons giving security to satisfy judgement against persons insured or secured against third party risks) for “£1,000,000”, in each place where it occurs, substitute “£1,200,000”.

**Revocation**

3. The Motor Vehicles (Compulsory Insurance) Regulations (Northern Ireland) 2007(b) are revoked.

Sealed with the Official Seal of the Department for Infrastructure on 19<sup>th</sup> January 2017



*Elizabeth Loughran*  
A senior officer of the  
Department for Infrastructure

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(a) Article 98 was substituted by regulation 4 of S.R. 1989 No. 84 and paragraph (6) was amended by regulation 3(3) of S.R. 2007 No. 455  
(b) S.R. 2007 No. 455

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further implement Directive 2009/103/EC(a) of the European Parliament and the Council of 16<sup>th</sup> September 2009 relating to insurance against civil liability in respect of the use of motor vehicles. The Directive consolidates the law set out previously in Directive 2005/14/EC(b) of the European Parliament and of the Council of 11<sup>th</sup> May 2005 amending Council Directives 72/166/EEC(c), 84/5/EEC(d), 90/232/EEC(e) and 2000/26/EC(f) of the European Parliament and of the Council.

Article 9(1) of Directive 2009/103/EC stipulates the minimum amount of compulsory insurance required for motor vehicles in respect of personal injury and property damage and Article 9(2) provides for these amounts to be reviewed every 5 years and adjusted in line with the European Index of Consumer Prices.

The communication from the Commission to the European Parliament and the Council of 10<sup>th</sup> May 2016(g) notifies the outcome of the most recent review which increases the minimum amount of compulsory insurance in respect of property damage to €1,220,000 per claim. In order to ensure compliance with this requirement, in light of possible currency fluctuations, these Regulations increase the amount specified in the Road Traffic (Northern Ireland) Order 1981 from £1,000,000 to £1,200,000.

The Regulations also revoke the Motor Vehicles (Compulsory Insurance) Regulations (Northern Ireland) 2007.

An Explanatory Memorandum has been produced and is available from Road Safety and Vehicle Regulation Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online alongside this Statutory Rule at <http://www.legislation.gov.uk/nisr>

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- (a) OJ No.L263, 7.10.09, p11
  - (b) OJ No.L149, 11.6.05, p14
  - (c) OJ L103, 2.5.72, p1
  - (d) OJ No.L8, 11.1.84, p17
  - (e) OJ No.L172, 4.7.88, p1
  - (f) OJ L129, 19.5.90, p33
  - (g) COM(2016) 246 final

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