
 STATUTORY INSTRUMENTS

1971 No. 1117

INSURANCE

**The Employers' Liability (Compulsory Insurance) General
Regulations 1971**

<i>Made</i> - - -	9th July 1971
<i>Laid before Parliament</i>	20th July 1971
<i>Coming into Operation</i>	
<i>All Regulations except 6 and 7</i>	1st January 1972
<i>Regulations 6 and 7</i>	1st January 1973

The Secretary of State, in exercise of his powers under sections 1(2) and (3)(a), 2(2), 4(1) and (2) and 6 of the Employers' Liability (Compulsory Insurance) Act 1969(a) (hereinafter referred to as "the Act") and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Commencement, citation and interpretation

1.—(1) These Regulations may be cited as the Employers' Liability (Compulsory Insurance) General Regulations 1971 and shall come into operation on 1st January 1972, with the exception of Regulations 6 and 7 which shall come into operation on 1st January 1973.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Prohibition of certain conditions in policies of insurance

2.—(1) Any condition in a policy of insurance issued or renewed in accordance with the requirements of the Act after the coming into operation of this Regulation which provides (in whatever terms) that no liability (either generally or in respect of a particular claim) shall arise under the policy, or that any such liability so arising shall cease—

- (a) in the event of some specified thing being done or omitted to be done after the happening of the event giving rise to a claim under the policy;
 - (b) unless the policy holder takes reasonable care to protect his employees against the risk of bodily injury or disease in the course of their employment;
 - (c) unless the policy holder complies with the requirements of any enactment for the protection of employees against the risk of bodily injury or disease in the course of their employment; and
 - (d) unless the policy holder keeps specified records or provides the insurer with or makes available to him information therefrom,
- is hereby prohibited for the purposes of the Act.

(2) Nothing in this Regulation shall be taken as prejudicing any provision in a policy requiring the policy holder to pay to the insurer any sums which the latter may have become liable to pay under the policy and which have been applied to the satisfaction of claims in respect of employees or any costs and expenses incurred in relation to such claims.

Limit of amount of compulsory insurance

3. The amount for which an employer is required by the Act to insure and maintain insurance shall be two million pounds in respect of claims relating to any one or more of his employees arising out of any one occurrence.

Employees not ordinarily resident in Great Britain

4. The requirements of the Act and regulations thereunder shall apply in respect of employees not ordinarily resident in Great Britain who are present in Great Britain in the course of employment there for a continuous period of not less than fourteen days, as they apply in respect of employees ordinarily resident in Great Britain.

Issue of certificates of insurance

5.—(1) Every employer entering into a contract of insurance in accordance with the requirements of the Act shall be issued by the insurer with whom he contracts, in respect of the policy of insurance expressing the contract, with a certificate of insurance in the form and containing the particulars specified in the Schedule to these Regulations.

(2) Every such certificate of insurance shall be issued not later than thirty days after the date on which the insurance commences or is renewed.

Display of copies of certificates of insurance

6.—(1) Where a certificate of insurance has been issued to an employer in accordance with Regulation 5 he shall display a copy or copies of that certificate at his place of business or, where he has more than one place of business, at each place of business at which he employs any person whose claims may be the subject of indemnity under the policy of insurance to which that certificate relates.

(2) Copies of any certificate of insurance issued in accordance with Regulation 5 shall be displayed in such numbers and characters and in such positions as to be easily seen and read by every person employed whose claims may be the subject of indemnity under the policy of insurance to which the certificate relates and, where displayed in the open, shall be protected from the weather.

(3) Copies of any certificate of insurance issued in accordance with Regulation 5 shall be kept displayed until the expiration of the period of insurance stated in the certificate or if the policy of insurance to which the certificate relates is cancelled before that time, until the policy is cancelled and, in either case, shall not be displayed thereafter.

Production of certificates of insurance

7. Where an employer is served with a notice issued on behalf of the Secretary of State requiring him to do so, he shall produce or send to any officer of the Department of Employment specified in the notice, at the address and within the time specified therein, the original or a copy of every certificate of insurance issued to him in accordance with Regulation 5, which relates to a period of insurance current at the date of the notice.

Inspection of policies of insurance

8. An employer who has entered into a contract of insurance in accordance with the requirements of the Act shall during the currency of the insurance permit the policy of insurance expressing the contract or a copy of the policy to be inspected by any inspector duly authorised by the Secretary of State for the purposes of the Act either (in the case of a company) at the registered office or (in any case) at a place of business of the employer as the inspector requires and at a time when the inspector requires it to be produced for inspection, being a time of which reasonable notice has been given.

Production by inspectors of evidence of authority

9. Any inspector duly authorised by the Secretary of State for the purposes of the Act shall, if so required when visiting any premises for those purposes, produce to an employer or his agent some duly authenticated document showing that he is so authorised.

9th July 1971.

Robert Carr,
Secretary of State for Employment.

SCHEDULE

Regulation 5

CERTIFICATE OF INSURANCE

EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) ACT 1969

(A copy or copies of this certificate must be displayed at each place of business at which the policy holder employs persons covered by the policy.)

Policy No.....

1. Name of policy holder.
2. Date of commencement of insurance.
3. Date of expiry of insurance.

We hereby certify that the policy to which this certificate relates is issued in accordance with the requirements of the Employers' Liability (Compulsory Insurance) Act 1969 and regulations thereunder.

Signed on behalf of.....(Authorised Insurer)

..... (Signature)

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prohibit for the purposes of the Employers' Liability (Compulsory Insurance) Act 1969 certain conditions in policies of insurance which would entitle insurers to deny liability under the policy. They limit the amount for which an employer is required by the Act to insure to two million pounds in respect of any one occurrence giving rise to liability. They apply the statutory requirements in respect of certain persons employed in Great Britain who are not ordinarily resident here.

The Regulations also require insurers entering into contracts of insurance with employers in accordance with the requirements of the Act to issue certificates of insurance in a prescribed form and require employers to display copies of the certificates for the information of their employees. The Regulations make provision for the production of the certificates or a copy of the certificates for inspection and require employers to permit inspectors authorised by the Secretary of State to inspect the policy of insurance or a copy thereof.