

EXPLANATORY MEMORANDUM TO

The Motor Vehicles (Third-Party Risks) (Amendment) Regulations (Northern Ireland) 2011

SR 2011 No. 24

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 103(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981 and is subject to the negative resolution procedure.
- 1.3. The rule is due to come into operation on 21st March 2011.

2. Purpose

- 2.1. These Regulations revoke regulation 9 of the Motor Vehicles (Third-Party Risks) Regulations (Northern Ireland) 1994. This will in future remove the need for an insurer to notify the Department of a motor insurance policy where it has been cancelled without the insured's consent.

3. Background

- 3.1. Regulation 9 required insurers to notify the Department when a policy of insurance was cancelled without the customer's consent and the motor insurance certificate had not been returned to the insurer. At one time these notifications were sent to Driver and Vehicle Agency (DVA) local offices as a tool to check if a cancelled certificate was presented when re-licensing a vehicle. However, the practice has become obsolete as DVA now checks insurance validity electronically with the Motor Insurance Database.

4. Matters of Special Interest to the Environment Committee

- 4.1. None.

5. Consultation

- 5.1. On 27 March 2007, the Department for Transport (DfT) issued in GB a public consultation document on the proposals. The Department, with the then Minister's approval, issued the DfT document to Northern Ireland consultees on 5 April 2007. Five responses were received in Northern Ireland and the overall response both here and in GB was largely positive.

6. Position in Great Britain

- 6.1. The corresponding legislation for GB was made on 30 March 2010 and came into operation on 30 April 2010 (S.I. 2010 No. 1115).

7. Equality Impact

- 7.1. A full EQIA was not required as it was not deemed to impact negatively on any of the groups identified by section 75 of the Northern Ireland Act 1998.

8. Regulatory Impact

- 8.1. A regulatory impact assessment is not required as no adverse impact on the costs of the private sector or voluntary sectors is foreseen.

9. Financial Implications

- 9.1. None.

10. Section 24 of the Northern Ireland Act 1998

- 10.1. The proposed Regulations are not incompatible with Section 24 of the Northern Ireland Act 1998.

11. EU Implications

- 11.1. Not applicable.

12. Additional Information

- 12.1. Not applicable.