

**2001 No. 2266**

**ROAD TRAFFIC**

**The Motor Vehicles (Third Party Risks) (Amendment)  
Regulations 2001**

<i>Made</i> - - - - -	<i>20th June 2001</i>
<i>Laid before Parliament</i>	<i>22nd June 2001</i>
<i>Coming into force</i> - -	<i>16th July 2001</i>

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by section 160 of the Road Traffic Act 1988<sup>(a)</sup>, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

**Citation and commencement**

1. These regulations may be cited as the Motor Vehicles (Third Party Risks) (Amendment) Regulations 2001 and shall come into force on 16th July 2001.

**Amendment of the 1972 Regulations**

2.—(1) The Motor Vehicles (Third Party Risks) Regulations 1972<sup>(b)</sup> are amended in accordance with paragraphs (2), (3) and (4) below.

- (2) In regulation 4(1), after the definition of “company”, there is inserted—  
““Motor Insurers’ Bureau” means the company referred to in section 145(5) of the Road Traffic Act 1988;”.
- (3) For regulation 10(1) there is substituted—  
“(1) Every company by whom a policy or security is issued must keep a record of the following particulars relating to that policy or security and which are either contained therein or specified in a certificate of insurance or security issued in respect thereof—  
(a) the number of the policy or security;  
(b) the name and address of the person to whom the policy or security is issued;  
(c) either—  
(i) the name of every person whose liability is covered by the policy or security, or  
(ii) (where it is not reasonably possible for the company to keep a record of those names) a description of the persons whose liability is covered by the policy or security;  
(d) in respect of vehicles the use of which is covered by the policy or security—  
(i) the registration number of every vehicle specifically identified by that number in the policy or security (a “specified vehicle”), and

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(a) 1988 c. 52.

(b) S.I. 1972/1217; regulation 10(3) was amended by S.I. 1992/1283.

- (ii) a description of every other vehicle or class of vehicles which are identified in the policy or security other than by reference to a registration number;
- (e) a description of every specified vehicle sufficient to enable it to be identified by a police officer;
- (f) the date on which the policy or security comes into force and the date on which it expires;
- (g) in the case of a policy, the conditions subject to which the person or persons whose liability is covered will be indemnified by the insurer;
- (h) in the case of a security, the conditions subject to which the undertaking by the giver of the security will be implemented.”

(4) For regulation 10(4) there is substituted—

“(4) Records which are required to be kept under paragraph (1) shall be preserved by the company keeping them for a period of seven years commencing on the expiry of the relevant policy or security.

(5) Every company, specified body and other person required by this regulation to keep records—

- (a) shall furnish, without charge, to the Secretary of State or a chief officer of police upon request any particulars contained in those records, and
- (b) may provide copies of those records to the Motor Insurers’ Bureau or, if the Bureau so requests, to a subsidiary company nominated by it but where copies are provided they must be provided in electronic form.

(6) Where a copy of any record has been provided to the Motor Insurers’ Bureau or its nominated subsidiary under paragraph (5)(b), the Bureau or its subsidiary shall—

- (a) in the case of a record which is required to be kept under paragraph (1), preserve that copy record for a period of seven years from the date of expiry of the relevant policy or security, and
- (b) furnish, without charge, to the Secretary of State or a chief officer of police upon request any particulars which it holds by virtue of this regulation.”

Signed by authority of the Secretary of State for Transport,  
Local Government and the Regions

20th June 2001

*David Jamieson*  
Parliamentary Under Secretary of State,  
Department for Transport, Local Government and the Regions

## **EXPLANATORY NOTE**

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

These Regulations amend the Motor Vehicles (Third Party Risks) Regulations 1972 by altering the requirements as to the keeping of records of (i) policies of insurance and securities (and certificates thereof) issued under the Road Traffic Act 1988 and (ii) vehicles the use of which is exempt from the normal insurance requirement under section 144 of that Act.

The requirements are extended (in the case of insurance policies and securities) to include particulars of every person whose liability is covered by a policy or security and additional particulars of the vehicles whose use is covered. Records of old insurance policies and securities are required to be kept for a period of seven years after expiry. Copies of any records may be supplied to the Motor Insurers' Bureau or its nominated subsidiary in electronic form and kept by it on a database. In such cases the Bureau or its subsidiary must keep the copy records of expired policies and securities for the same seven-year period and disclose particulars of any record it holds to the Secretary of State or police on request.

A Regulatory Impact Assessment has been prepared and copies can be obtained from the Licensing, Roadworthiness and Insurance Division of the Department for Transport, Local Government and the Regions, Zone 2/07 Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone number 020 7944 2463) or viewed on the DTLR website at [www.dtlr.gov.uk](http://www.dtlr.gov.uk). A copy has been placed in the library of both Houses of Parliament.

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