

**2008 No. 1765**

**INSURANCE**

**The Employers' Liability (Compulsory Insurance) (Amendment)  
Regulations 2008**

<i>Made</i> - - - -	<i>4th July 2008</i>
<i>Laid before Parliament</i>	<i>4th July 2008</i>
<i>Coming into force</i> - -	<i>1st October 2008</i>

The Secretary of State for Work and Pensions makes the following Regulations, in exercise of the powers conferred by sections 4(2) and 6 of the Employers' Liability (Compulsory Insurance) Act 1969(a) (including those provisions as applied with any relevant modifications and extensions by regulation 21 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995(b)).

**Citation and commencement**

1. These Regulations may be cited as the Employers' Liability (Compulsory Insurance) (Amendment) Regulations 2008 and come into force on 1st October 2008.

**Amendment of the Employers' Liability (Compulsory Insurance) Regulations 1998**

2.—(1) The Employers' Liability (Compulsory Insurance) Regulations 1998(c) are amended as follows.

(2) In regulation 4 (issue of certificates of insurance), omit paragraphs (4) and (5).

(3) In regulation 5 (display and production of copies of certificates of insurance), for paragraphs (1) and (2) substitute—

“(1) An employer who has been issued with a certificate under regulation 4 must display one or more copies of it at each place of business at which he employs any relevant employee of the class or description to which such certificate relates.

(2) The requirements in paragraph (1) will be satisfied if the certificate is made available in electronic form and each relevant employee to whom it relates has reasonable access to it in that form.”.

(4) In regulation 6(b) (production of certificates of insurance to an inspector) omit “and retained by him in accordance with regulation 4(4) above”.

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(a) 1969 c. 57.

(b) S.I. 1995/738. This applies the 1969 Act to certain employees employed for work on or from offshore installations or associated structures, in the course of activities undertaken on or in connection with such installations, with modifications and extensions.

(c) S.I. 1998/2573.

Signed by authority of the Secretary of State for Work and Pensions.

4th July 2008

*William D McKenzie*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

### **EXPLANATORY NOTE**

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

These Regulations amend the Employers' Liability (Compulsory Insurance) Regulations 1998 ("the 1998 Regulations").

Regulation 2(1) omits paragraphs (4) and (5) from regulation 4 of the 1998 Regulations. Paragraph (4) required an employer to retain a copy of its employer liability insurance certificate for 40 years. Paragraph (5) was a consequential provision to paragraph (4), providing for the retention of certificates, and is therefore also being omitted.

Paragraph (3) substitutes paragraphs (1) and (2) of regulation 5 of the 1998 Regulations. Under the new provisions, the requirements for the display of the certificate will be satisfied if the certificate is made available in electronic form and is reasonably accessible to the relevant employees.

Paragraph (4) makes a consequential amendment to regulation 6(b) of the 1998 Regulations.

An assessment of the impact of these regulations on the private and voluntary sectors has been made. Copies of this impact assessment are available in the libraries of both Houses of Parliament. Copies may also be obtained from the Better Regulation Unit of the Department for Work and Pensions, Level 4, The Adelphi, 1-11 John Adam Street, London WC2N 6HT, or from the DWP website: <http://www.dwp.gov.uk/resourcecentre/ria.asp>

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