

2020 No. 945

EXITING THE EUROPEAN UNION

ROAD TRAFFIC

The Motor Vehicles (Compulsory Insurance and Rights Against Insurers) (Amendment) (EU Exit) Regulations 2020

Sift requirements satisfied 14th July 2020

Made - - - - 2nd September 2020

Laid before Parliament 7th September 2020

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1.—(1) These Regulations may be cited as the Motor Vehicles (Compulsory Insurance and Rights Against Insurers) (Amendment) (EU Exit) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force immediately before IP completion day.

(3) Regulation 3 comes into force on IP completion day(b).

Amendment of the Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019

2. In regulation 1(4) of the Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019(c), for “exit day” substitute “IP completion day”.

(a) 2018 c. 16; section 8 was amended by section 27 of the European Union (Withdrawal agreement) Act 2020 (c. 1) (the “2020 Act”) and paragraph 21 of Schedule 7 was amended by section 41 and Schedule 5, Part 2, paragraph 53 of the 2020 Act.
(b) “IP completion day” is defined in section 1A of the European Union (Withdrawal) Act 2018 (c. 16). Section 1A was inserted by section 1 of the 2020 Act.
(c) S.I. 2019/551.

Amendment of the European Communities (Rights Against Insurers) Regulations 2002

3. In regulation 2(1) of the European Communities (Rights Against Insurers) Regulations 2002(a), in the definition of “entitled party”, after “a Member State” insert “, the United Kingdom or Gibraltar”.

Signed by authority of the Secretary of State for Transport

Rachel Maclean
Parliamentary Under Secretary of State
Department for Transport

2nd September 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under sections 8(2)(c) and 8(2)(g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation in the field of compulsory motor insurance. The amendment in regulation 2 changes the cut-off point for the continuation of transitional claims for compensation from the UK Motor Insurers Bureau (the MIB) under an EEA-wide scheme for victims of traffic accidents occurring in other EEA member states (the ‘visiting victims’ scheme). The cut-off point is changed to the end of the transition period, to reflect the fact that the visiting victims scheme continues during the transition period by virtue of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community. The amendment in regulation 3 ensures that UK and Gibraltar residents continue to have the right to issue proceedings against the insurer of the person responsible for an accident in the UK after the end of the transition period.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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