

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4516 of 25 October, 2018

LEGAL NOTICE NO. 230 OF 2018.

INTERPRETATION AND GENERAL CLAUSES ACT

INSURANCE (MOTOR VEHICLES) (THIRD PARTY RISKS) ACT (AMENDMENT) REGULATIONS 2018

In exercise of the powers conferred upon it by section 23(g)(ii) of the Interpretation and General Clauses Act, and in order to transpose in part, Directive (EU) 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability, the Government has made the following Regulations-

Title.

1. These Regulations may be cited as the Insurance (Motor Vehicles) (Third Party Risks) Act, 1986 (Amendment) Regulations 2018.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendments.

- 3.(1) The Insurance (Motor Vehicles) (Third Party Risks) Act, 1986 is amended in accordance with this regulation.

(2) In section 4-

- (a) subsection (2)(b) for “£ 250,000” substitute “£1,200,000”;
- (b) delete subsection (2A).

(3) In section 13-

- (a) subsection (1A) for the 5 instances of “£250,000,” substitute “£1,200,000”;

(b) delete subsection (1AAZ).

Dated 25th October, 2018.

P J BALBAN,
Minister with responsibility for transport,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations update the minimum level of compulsory motor insurance for property damage required under Article 9 of EU Directive 2009/103/EC. Article 9(2) of the Directive provides for the minimum level to be reviewed every five years and is adjusted accordingly. The European Commission has so reviewed the minimum level and has issued a communication for the European Parliament and the Council indicating that for physical damage to property the minimum level of compulsory insurance is revised to 1.22 million Euros per claim. In order to ensure compliance with this requirement, in light of possible currency fluctuations, these Regulations substitute for the figure of £1 million currently specified in the Insurance (Motor Vehicles) (Third Party Risks) Act, 1986, the sum of £1.2 million.