

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 3,717 of 4th June, 2009

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**B. 20/09**

**BILL**

**FOR**

**AN ACT** amend the insurance Companies Act for the purpose of transposing parts of Directive 2005/14/EC amending various directives relating to insurance against civil liability in respect of the use of motor vehicles.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1.(1) This Act may be cited as the Insurance Companies (Amendment) Act 2009.

(2) The provisions of this Act shall commence at such date as is prescribed by the Minister with responsibility for transport by Legal Notice in the Gazette.

**Amendments to the Insurance Companies Act.**

2. The Insurance Companies Act shall be amended as follows—

(a) after paragraph (b) of subsection 2(10), insert—

“(bb) where the insurance relates to a vehicle dispatched to Gibraltar from an EEA State or from an EEA State to Gibraltar, in respect of the period of 30 days beginning with the day on which the purchaser accepts delivery, to the territory of destination (and not the territory of registration as provided by subparagraph (b));

(b) after subsection 2(10), insert–

“(10A) Where the vehicle is involved in an accident during the 30 day period referred to in subparagraph (bb) of subsection (10) while being uninsured, the national insurers’ bureau in the territory of destination shall be liable for the compensation.” ;

(c) in section 30(1) after the words “a claim for compensation” insert “caused by a vehicle normally based in Gibraltar”;

(d) after paragraph 5 of Schedule 12, insert–

**“Information in respect of past claims respecting an insured vehicle.**

6.(1) A person who has one or more motor vehicles insured by a Gibraltar insurer may at any time request from the current insurer a statement relating to the third party liability claims involving the vehicle or vehicles covered by the insurance contract during the preceding five years of the contractual relationship, or to the absence of such claims.

(2) Where a request is made under subparagraph (1), the insurer shall provide such a statement within ten working days.”

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**EXPLANATORY MEMORANDUM**

This Act amends the Insurance Companies Act for the purpose of giving effect to changes introduced by Directive 2005/14/EC of the European Parliament and Council of 11 May 2005 amending various EC Directives relating to insurance against civil liability in respect of the use of motor vehicles.

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