

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3728 of 6th August, 2009



I ASSENT,
ROBERT FULTON,
GOVERNOR.

5th August, 2009.



GIBRALTAR

No. 32 of 2009

AN ACT to amend the Financial Services (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 Financial Services (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 Financial Services (Insurance Companies) Act.

2. The Financial Services (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 to an EEA State from 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 sub-paragraph (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.”

Passed by the Gibraltar Parliament on the 30th day of July, 2009.

M L FARRELL,

Clerk to the Parliament.

Financial Services (Insurance Companies) (Amendment) Act 2009
[No. 32 of 2009]

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