

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3717 of 4 June, 2009

LEGAL NOTICE NO. 34 OF 2009.

FINANCIAL SERVICES (INSURANCE COMPANIES) ACT

**MOTOR VEHICLES INSURANCE (CIVIL LIABILITY FOR
ACCIDENT IN ANOTHER COUNTRY) (AMENDMENT)
REGULATIONS 2009**

In exercise of the powers conferred on it by section 118 of the Financial Services (Insurance Companies) Act and of all other enabling powers, and for the purposes of transposing Article 5.3 and 5.4 of 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, the Government has made the following Regulations—

Title.

1. These Regulations may be cited as the Motor Vehicles Insurance (Civil Liability for Accident in Another Country) (Amendment) Regulations 2009.

Amendments to the Motor Vehicles Insurance (Civil Liability for Accident in Another Country) Regulations, 2003.

2. The Motor Vehicles Insurance (Civil Liability for Accident in Another Country) Regulations, 2003 shall be amended as follows—

- (a) in regulation 2 remove “(1)” and in the definition of the term “Directive” add the words “as amended from time to time” after the phrase “Fourth Motor Insurance Directive”;
- (b) regulation 4(2)(b) shall be replaced by the following—
 - “(b) the numbers of the insurance policies covering the use of vehicles which cover the risks and civil liability arising out of the use of motor vehicles operating on the land, other than carrier’s liability, and where the period of validity of the policy has expired, the date of termination of the insurance cover;”;

- (c) in regulation 7 for “Directive 95/46/EC” replace “the Data Protection Act”;
- (d) after regulation 7, insert–

“Provision of basic data.

7A.(1) The Government must take all appropriate measures to facilitate the availability in due time to the victims, their insurers or their legal representatives of the basic data necessary for the settlement of claims.

(2) This basic data shall, where appropriate, be made available in electronic form in a central depository, and be accessible by parties involved at their express request.”

Dated 4th June, 2009.

J J HOLLIDAY,

Minister with responsibility for transport.

EXPLANATORY MEMORANDUM

These Regulations amend the Motor Vehicles Liability Insurance (Civil Liability for Accident in Another Country) Regulations 2003 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.