

1986-14 Insurance (Motor Vehicles) (Third Party Risk)

Subsidiary Legislation made under s.21.

International Motor Insurance Card Rules, 1986

LN.1986/072

Commencement **17.7.1986**

ARRANGEMENT OF RULES

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Title.

1. These Rules may be cited as the International Motor Insurance Card Rules, 1986.

Interpretation.

2. In these Rules, unless the context otherwise requires—

“British Bureau” has the same meaning as it has in the United Kingdom Regulations;

“Foreign Bureau”, when used in the United Kingdom Regulations, means a central organisation set up by motor insurers in any country outside the United Kingdom, the Isle of Man, the Channel Islands, and Gibraltar, for the purpose of giving effect to international arrangements for the insurance of motorists against third party risks when entering countries where insurance against such risks is compulsory, and with which organisation the British Bureau has entered into such an arrangement;

“hired motor vehicle” means a motor vehicle which is—

- (a) designed for private use and with seats for not more than eight persons excluding the driver; and
- (b) specified in an insurance card; and
- (c) last brought into Gibraltar by a person making only a temporary stay therein; and
- (d) owned and let for hire by a person whose business includes the letting of vehicles for hire and whose principal place of business is outside Gibraltar;

“hiring visitor” means a person to whom a hired motor vehicle is let on hire, who is mainly only a temporary stay in Gibraltar and is named in the insurance card in respect of that vehicle as the insured or user of that vehicle;

“insurance card” means an insurance card as defined in regulation 3 (1) of the United Kingdom Regulations, whether or not it also provides for entry into Gibraltar;

“United Kingdom Regulations” means the Motor Vehicles (International Motor Insurance Card) Regulations 1971 of the United Kingdom together with any amendments to those regulations that are for the time being in force;

“visitor” means a person bringing a motor vehicle into Gibraltar, making only a temporary stay therein and named in an insurance card as the insured or user of the vehicle, and includes a hiring visitor who brings a hired motor vehicle into Gibraltar, but no other hiring visitor.

Exemption of visitors holding valid cards.

3. In respect of the use on a road in Gibraltar of a motor vehicle specified in a valid insurance card, being used by –

- (a) the visitor to whom that insurance card was issued; or
- (b) by any hiring visitor named therein; or
- (c) by any other person on the order or with the permission of the visitor or of any such hiring visitor

the motor vehicle shall, subject to the provisions of these Rules, be exempted from the requirements of the Act to the following extent, namely that the card shall have effect in Gibraltar as if it were a policy of insurance within the meaning of section 4 of the Act and that the provisions of the Act relating to certificates of insurance within the meaning of section 5 of the Act shall not apply in respect of the motor vehicle.

Validity of insurance cards.

4. An insurance card shall be valid for the purposes of these Rules if, but only if–

- (a) the motor vehicle specified in the card is brought into Gibraltar during the period of validity so specified;
- (b) the application of the card either to a member state of the European Economic Community or to Gibraltar is indicated thereon;
- (c) all relevant information provided for in the card in accordance with the requirements of the United Kingdom Regulations has been inscribed therein; and
- (d) the card has been duly signed by the visitor, by the insurer named in the card, and in the case of a hired motor vehicle, by every hiring visitor who is named in the card as the insured or user thereof.

Effluxion of time not to invalidate card.

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5. Where a motor vehicle that is exempted from the provisions of the Act under rule 3 remains in Gibraltar after the expiry of the period of validity specified in the insurance card by reason of which it was so exempted, then in respect of any period while the vehicle so remains in Gibraltar the said card shall not be regarded as having ceased to be in force for the purposes of rule 3 by reason only of the effluxion of the period of validity so specified.

Claims.

6.(1) Where any claim is made in respect of any such liability as is required to be covered by a policy under section 4 (1) of the Act, in respect of the use of a motor vehicle that is exempted from the requirements of the Act under the provisions of rule 3, the person against who the claim is made shall, in lieu of making the statement and giving the information required by section 15 of the Act, give to the person making the claim, on his demand, the serial letter or letters (if any) and serial number shown in the insurance card issued in respect of the vehicle, the name of the bureau under whose authority it was issued, and the name and address of the person specified therein as the insured (where the vehicle is so exempted by reason of that insurance card).

(2) The provisions of section 8 of the Act shall apply to insurance cards, by virtue of which any motor vehicle is or has been exempted from the requirements of the Act under the provisions of rule 3, in the same way as they apply to certificates of insurance referred to in that section.

(3) Any person making or intending to make any such claim as is mentioned in subrule (1) of this rule shall give notice of the claim in writing to the British Bureau as soon as practicable after the happening of the event out of which the claim arose specifying the nature of the claim and against whom it is made or intended to be made.

Offences.

7. Any person who contravenes any provision of rule 6 (1) is guilty of an offence and is liable, on summary conviction, to a fine of £250.

Revocation.

8. The International Motor Insurance Card Rules are revoked.