

Statutory Document No. 2019/0059



European Union and Trade Act 2019

EUROPEAN UNION AND TRADE ACT 2019 (DEFICIENCIES) (ROAD TRAFFIC ACT 1985) REGULATIONS 2019

*Approved by Tynwald: 19 February 2019
Coming into operation: in accordance with Regulation 2*

The Council of Ministers makes the following Regulations under section 12 of the European Union and Trade Act 2019.

1 Title

These Regulations are the European Union and Trade Act 2019 (Deficiencies) (Road Traffic Act 1985) Regulations 2019.

2 Commencement

If approved by Tynwald these Regulations come into operation on exit day.

3 Interpretation

In these Regulations, “**exit day**” has the same meaning as the European Union and Trade Act 2019.

4 Construction

To avoid doubt, any retained EU law is to be construed and have effect subject to these Regulations.

5 Amendment of the Road Traffic Act 1985

- (1) The Road Traffic Act 1985 is amended as follows.
- (2) In section 47D (interpretation of sections 47A to 47C), immediately after paragraph (a) of the definition of “driving licence” insert the following —

(aa) a licence issued in the United Kingdom or Gibraltar;

- (3) In section 72 (1) (general interpretation provisions), omit the definitions of “EU Rules” and “Treaties”.
- (4) In section 73 (power of Department to give effect to EU rules) —
- (a) in subsection (1), for “EU Rules” substitute **“EU instrument”**;
 - (b) in the heading to the section, for the words “EU rules” substitute **“EU instruments”**.
- (5) In Schedule 5 (third party liabilities) —
- (a) in paragraph 3 —
 - (i) in sub-paragraph (3)(aa), for “territory of a member State of the European Union” substitute **“territory of the United Kingdom, Gibraltar, a member State of the European Union, or any other country which the European Commission is satisfied that arrangements have been made under Article (8) of EC Directive 2009/103/EC”**;
 - (ii) in sub-paragraph (3)(b), for “territory of each of the member States of the European Union” substitute **“territory of the United Kingdom, Gibraltar, each of the member States of the European Union, or any other country which the European Commission is satisfied that arrangements have been made under Article (8) of EC Directive 2009/103/EC”**;
 - (iii) in sub-paragraph (3)(b)(i), for “the state” substitute **“that territory”**.
- (6) In paragraph 12(1), for the definition of “authorised insurer” substitute the following —
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| <p>“authorised insurer” means a person who is —</p> | <p>(a) authorised to carry on motor insurance business anywhere in the British Islands, Gibraltar, or in the territory of a member State of the European Union; and</p> <p>(b) a member of the Motor Insurers’ Bureau;”.</p> |
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6 Consequential amendment - The Motor Vehicles (Compulsory Insurance) Regulations 1994

- (1) The Motor Vehicles (Compulsory Insurance) Regulations 1994¹ are amended as follows.
- (2) In regulation 12 (amendment of the Road Traffic Act 1985), omit paragraphs (1) and (2).

¹ SD 97/94

MADE 1 FEBRUARY 2019

W GREENHOW
Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amends deficiencies in the Road Traffic Act 1985 as a consequence of the United Kingdom's withdrawal from the European Union. The Regulations also make a consequential amendment to the Motor Vehicles (Compulsory Insurance) Regulations 1994 (SD 97/94) by omitting paragraphs (1) and (2) from those Regulations.