STATUTORY RULES OF NORTHERN IRELAND

2008 No. 234

ROAD TRAFFIC AND VEHICLES

The Disclosure of Vehicle Insurance Information Regulations (Northern Ireland) 2008

Made - - - -	*30th May 2008*
Coming into operation	*14th July 2008*

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by Article 81 of the Road Traffic (Northern Ireland) Order 2007(**1**):

Citation and commencement

1. These Regulations may be cited as the Disclosure of Vehicle Insurance Information Regulations (Northern Ireland) 2008 and shall come into operation on 14th July 2008.

Interpretation

2.—(1) In these Regulations—

"the motor insurance database" means the database maintained by MIIC and containing the information referred to in regulation 4 of the Motor Vehicles (Compulsory Insurance) (Information Centre and Compensation Body) Regulations 2003(**2**);

"motor vehicle" has the same meaning as in Article 2 of the 1981 Order;

"periodic data list" means a document, including an electronic document, which comprises the following relevant vehicle insurance information—

(a) a list of the motor vehicles the use of which as at the reference date is shown on the motor insurance database to be covered by an insurance policy but the use of which as at the date the document is produced is not so shown; and

(b) the information specified in regulation 3(2);

"process" has the same meaning as in section 1(1) of the Data Protection Act 1998(**3**) and "processed" and "processing" shall be construed accordingly;

"PSNI" means Police Service of Northern Ireland;

"the reference date" means a date prior to the date on which a periodic data list is produced; and

(**1**) 2007 No. 916 (N.I. 10)
(**2**) S.I. 2003 No. 37
(**3**) 1998 (c. 29)

"the 1981 Order" means the Road Traffic (Northern Ireland) Order 1981(**4**).

(2) In these Regulations an "insurance policy" means a policy of insurance or a security covering the use of a motor vehicle on a road or other public place which satisfies the conditions—

(a) in the case of a policy of insurance, specified in Article 92 of the 1981 Order(**5**); or

(b) in the case of a security, specified in Article 93 of the 1981 Order(**6**).

(3) A motor vehicle is treated as covered by an insurance policy whilst it is exempt from compliance with Article 90 of the 1981 Order as a result of the operation of Article 90(2) or 90(2A) of that Order(**7**).

(4) A motor vehicle is treated as covered by an insurance policy if it is not subject to the provisions of Article 90 of the 1981 Order because that motor vehicle is operated under the control of the Crown.

Supply of information by MIIC

3.—(1) The MIIC shall supply the PSNI with periodic data lists in such form and at such intervals as the PSNI may reasonably require so that the PSNI may carry out its functions under regulation 4.

(2) Periodic data lists shall show the following information about each motor vehicle on the list—

(a) the motor vehicle registration mark;

(b) the make and model of the motor vehicle (where shown on the motor insurance database); and

(c) the date when the insurance policy ceased to be in force in relation to the use of that motor vehicle.

Use of information provided by MIIC

4.—(1) The PSNI shall process information contained in any periodic data list and shall make the processed information available to the Chief Constable in a form that either—

(a) will enable the Chief Constable to further process the information in accordance with paragraph (2); or

(b) may be used directly by constables to assist them to determine if a vehicle has been used by a person who is not insured, contrary to Article 90 of the 1981 Order.

(2) The Chief Constable may arrange for the processed information received by him in accordance with paragraph (1) to be further processed into a form in which it may be used by constables to determine if a vehicle has been used by a person who is not insured, contrary to Article 90 of the 1981 Order.

(3) The further processing referred to in paragraph (2) may include comparing or combining the processed information with other information which may be available to the Chief Constable.

(4) A constable may use the processed information referred to in paragraph (1) or the further processed information referred to in paragraph (2) to determine whether to use his powers under Article 180 of the 1981 Order(**8**) to require a person to produce evidence that a motor vehicle is not or was not being driven in contravention of Part VIII of the 1981 Order.

(**4**) 1981 No. 154 (N.I. 1)
(**5**) Article 92 was amended by S.R. 1989 No. 84, regulation 3, S.R. 1993 No. 57, regulation 3 and S.R. 2000 No. 331, regulation 3
(**6**) Article 93 was amended by S.R. 2000 No. 331, regulation 3
(**7**) Article 90 was amended by S.I. 1984 No. 1986 (N.I. 15), Article 7, S.I. 1991 No. 194 (N.I. 1), paragraph 2 of Part I of Schedule 2, S.R. 1994 No. 18, Article 2 and S.R. 2000 No.331, regulation 3
(**8**) Article 180 was amended by S.I. 1989 No. 1341 (N.I. 12), Article 90 and Part I of Schedule 7, S.I. 1991 No. 197 (N.I. 3), Article 9 and Part II of Schedule 5, S.I. 1995 No. 2994 (N.I. 18), Article 112 and paragraph 18 of Schedule 3, S.I. 1996 No. 1320 (N.I. 10), Article 97 and paragraph 21of Part I of Schedule 3, S.R. 1996 No. 426, regulation 3 and paragraph 23 of Schedule 1, 2000 c. 4 (N.I.), section 16(4), S.R. 2000 No. 331, regulation 3, S.I. 2003 No. 2903 (N.I. 16), Article 7 and paragraph 10 of Schedule 1, S.I. 2004 No. 1990 (N.I. 14), Article 2(4)