

S.I. No. 389 of 2002

**Motor Insurance (Provision of Information) (Renewal of Policy of Insurance)
Regulations 2002**

I, Mary Harney, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 43D and 43F (inserted by the Insurance Act 2000 (No. 42 of 2000)) of the Insurance Act 1989 (No. 3 of 1989) (as adapted by the Enterprise and Employment (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 305 of 1997)) hereby make the following regulations:

1. These Regulations may be cited as the Motor Insurance (Provision of Information) (Renewal of Policy of Insurance) Regulations 2002.
2. These Regulations shall come into operation on 31 October 2002.
3. (1) In these Regulations, unless the context otherwise requires -

“electronic” includes electrical, digital, magnetic, optical, electromagnetic, biometric, photonic and any form of related technology;

“motor insurance” means insurance of classes 3, 7 and 10 as specified in Part A of Annex I to the European Communities (Non-Life Insurance) Framework Regulations 1994 (S.I. No. 359 of 1994);

“policy” has the meaning assigned to it by the Insurance Act 1936 (No. 45 of 1936);

“premium” has the meaning assigned to it by the Insurance Act 1936;

“terms” includes -

- (a) the risks to be covered in the policy of motor insurance,
- (b) the restrictions, if any, that are different, in the policy of motor insurance that is to be renewed, to those that apply to the policy of motor insurance that is in operation,
- (c) any change to the policy of motor insurance, and
- (d) the premium for the policy of motor insurance to be renewed;

“writing” shall be construed as including electronic modes of representing or reproducing words in visible form.

(2) In these Regulations -

(a) a reference to a Regulation is a reference to a Regulation of these Regulations, unless it is indicated that reference to some other provision is intended, and

(b) a reference to a paragraph or subparagraph is a reference to a paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

(3) In these Regulations a reference to any enactment shall be construed as a reference to that enactment as amended, extended or adapted by or under any subsequent enactment.

4. (1) These Regulations apply to the renewal of a policy of motor insurance that occurs on or after the commencement of these Regulations (including a renewal in a case where the policy concerned was concluded before such commencement).

(2) The period of a policy of motor insurance shall not be extended solely by reason of the failure of an insurer to comply with these Regulations.

5. (1) An insurer shall, not less than 15 working days before the date of renewal for a policy of motor insurance, notify a client in writing of information concerning -

- (a) the terms of the policy including restrictions or limitations, and
- (b) if appropriate and in accordance with paragraph (2), any discount to be applied in respect of such policy.

(2) For the purposes of complying with paragraph (1)(b), the insurer shall specify

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- (a) the percentage of the discount, if any,
- (b) the point on the discount scale, if any, and
- (c) the number of years, if any, in respect of which no claim has been made against the policy of insurance concerned,

in a separate document and shall specify the date of issue of such document.

(3) The information specified in the notification issued under paragraphs (1)(b) and (2) shall, subject to paragraph (4), be presumed to be correct as at the date of the issue of the notification.

(4) The information specified in the notification issued under paragraphs (1)(b) and (2) shall be construed as having been issued on the basis that the client has informed the insurer of any matter that concerns such information.

GIVEN under my Official Seal,

25 July 2002.

L.S.

Mary Harney

Minister for Enterprise,

Trade and Employment

EXPLANATORY NOTE

(This Note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations require insurers to give motor insurance policyholders:

- (a) 15 working days notice in writing of the renewal of the policy and the terms of the renewal: and
- (b) a No Claims Bonus Certificate, as a separate document in addition to the renewal notification.

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