

Green Card Bureau Compendium

GB – United Kingdom

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General information

Please provide the official full name of your Bureau.

What is the legal status (form) of your Bureau (non-profit organisation, association of legal entities, limited liability company, etc.)?

How is the ownership/membership of your Bureau structured (e.g. owned/controlled by all members equally, part of state government, etc.)?

Question N° 1

1.1. What was the date of the original Law, which introduced Compulsory Third Party Motor Insurance and what was the date of its entry into force?

1930.

1.2. What is the date of the present Law and of its entry into force?

31st December 1988.

Question N° 2

2. Which are the classes of motor vehicles for which insurance is compulsory?

The Requirement to have insurance is confirmed within Section 143 of the Road Traffic Act 1988. Further detail can be obtained at the following link

<http://www.legislation.gov.uk/ukpga/1988/52/section/143>

The meaning of "motor vehicle" and other expressions relating to vehicles are set out in Section 185 of the Road Traffic Act 1988 - see following link

<http://www.legislation.gov.uk/ukpga/1988/52/section/185>

Question N° 3

3. Is the Law applicable to foreign visitors?

Yes.

Question N° 4

4. Does the Law apply in respect of liability for both personal injury and damage to property?

Yes.

Question N° 5

5. What is the minimum limit of cover required for personal injury damage? State the minimum value of sum insured, date with effect from and please indicate whether the limit is per accident or per victim.

Type of vehicle	Personal injuries		Material damage	
	Per accident	Per victim	Per accident	Per victim
All	unlimited	unlimited	£1,000,000 per accident	£1,000,000 per accident
Date of effect: 11/06/2007				

Question N° 6

6.1. Does the Law require cover in respect of passengers carried in the vehicle?

Yes.

6.2. Is there any category of passenger excluded from this cover?

Only those knowingly travelling in a stolen, or unlawfully taken vehicle.

Question N° 7

7. Under what conditions is an insurer permitted by Law to reject a third party claim? Please specify.

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Under Section 148 of the Road Traffic Act 1988 certain restrictions in a policy are regarded as having no effect in relation to an insurer's liability to third parties.

Further detail can be obtained at the following link:

<http://www.legislation.gov.uk/ukpga/1988/52/section/148>

Question N° 8

8. Is there a direct right of action by a third party against an insurer?

Yes.

Question N° 9

9. Does a claimant resident in a foreign country have a direct right of action against the local Bureau or the insurer representing the Bureau?

Yes.

Question N° 10

10.1. Does the Law require the insurer and/or Bureau to make an offer of compensation to a claimant within a specified time?

No.

If yes, what is the nature of the damages to which the time-limit applies?

N/A.

10.2. What is the specific time-limit?

N/A.

10.3. Which are the other provisions of the Law in this respect? (e.g. sanctions)

N/A.

10.4. Are there any similar stipulations for provisional payments?

Any claimant can apply to the Court for an award of provisional damages and, if granted, the Court will define the circumstances and the time period within which the claimant may return to the Court to seek further damages.

However, it is normal in cases involving substantial damages, for a claimant to ask the Court to order an interim payment of damages before the full trial.

Question N° 11

11.1. Is there a limitation period for legal proceedings against the insured or the insurer?

Yes.

If yes, please specify.

Personal Injury: 3 years

Damage to property: 6 years

(5 years in Scotland)

11.2. Are there any provisions in the Law which allow for the suspension or extension of that limitation period?

Yes.

If yes, please specify.

The Court can be asked to exercise discretion to permit a legal action outside normal limitation.

In addition the limitation period only runs from the date the claimant has knowledge of the cause of action.

Persons under the age of 18, and those with limited mental capacity are deemed not to have knowledge.

Question N° 12

12.1. Is your Bureau a VAT liable entity?

Yes.

12.2. If yes, please indicate the VAT number:

991 2548 92

In this case is the service of claims handling by the Bureau VAT exempted?

Yes.

12.3. Is an MTPL insurer in your market a VAT liable entity?

We do not hold information on the taxable status of insurance companies. Each insurer will have their own individual arrangement with the VAT authorities

If yes, is the service of claims handling by an MTPL insurer VAT exempted?

As per 12.4

12.4. Is a specialised claims handling office a VAT liable entity?

We do not hold information on the taxable status of claims handling offices

If yes, is the service of claims handling by this entity VAT exempted?

N/A.

Question N° 13

[Note: Questions addressed to non-EEA Bureaux only. For EEA Bureaux, see Section 2 & 3]

13.1. Is there a Guarantee Fund in your Country?

N/A.

If yes, what are the conditions and limits of intervention of the Guarantee Fund?

N/A.

13.2. Are these conditions and limits applicable to non-residents whether they are the cause of, or victims of, accidents?

N/A.

Question N° 14 – For countries concerned by Section III of the Internal Regulations

14.1. Are there natural or legal persons (public or private) exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.2 of the Internal Regulations)

Yes.

If yes, please list the persons exempt from compulsory MTPL insurance:

Exemptions can be found in Section 144 of the Road Traffic Act 1988. Further detail can be obtained at the following link :

<http://www.legislation.gov.uk/ukpga/1988/52/section/144>

In this case please also indicate the authorities or bodies responsible for compensation:

refer to Section 144 of the Road Traffic Act 1988 as above

14.2. Are there certain types of vehicles or certain vehicles bearing a special plate exempted from the obligation of compulsory MTPL insurance in your country? (Article 12.3. of the Internal Regulations)

Yes.

If yes, please list those vehicles:

Any motor vehicle not covered by the definition contained within Section 185 of the above Act.

Exemptions can be found in Section 144 of the Road Traffic Act 1988. Further detail can be obtained at the following link:

<http://www.legislation.gov.uk/ukpga/1988/52/section/144>

Question N° 15

15.1. Any other special features?

Whilst the information set out above applies to the territories of England, Wales, Northern Ireland and Scotland, there are some important differences in detail. There are further differences with regard to the position in the territories of the Isle of Man, the Channel Islands and Gibraltar.