

L.N. 189 of 2008

**MOTOR VEHICLES INSURANCE
(THIRD PARTY RISKS) ORDINANCE
(CAP. 104)**

**Motor Vehicles Insurance (Third Party Risks)
(Insurance Exempt Vehicles) Regulations, 2008**

In exercise of the powers conferred by articles 3, 5 and 23 of the Motor Vehicles Insurance (Third-Party Risks) Ordinance, the Minister for Infrastructure, Transport and Communications, has made the following regulations:

1. The title of these regulations is the Motor Vehicles Insurance (Third Party Risks) (Insurance Exempt Vehicles) Regulations, 2008. Title.

2. In these regulations, unless the context otherwise requires:- Interpretations.

“Directive 84/5/EEC” means Council Directive 84/5/EEC of 30th December, 1983, on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, as amended by Council Directive 90/232/EEC of 14th May 1990, and by Council Directive 2005/14/EC of the 11th May 2005;

“the Ordinance” shall mean the Motor Vehicles Insurance (Third-Party Risks) Ordinance;

“Protection and Compensation Fund” shall mean the Protection and Compensation Fund established by article 49 of the Insurance Business Act, Cap. 403.

and the words and expressions which are also used in the Ordinance shall have the same meanings as in the Ordinance.

3. The vehicles listed in the Schedule to these regulations shall be exempt from the requirements of an insurance certificate, international or otherwise, prescribed in articles 3 and 5 of the Ordinance. Exemptions regarding certain motor vehicles.

4. (1) Pursuant to the proviso of paragraph (b) of sub-article (4) of article (3) of the Ordinance, compensation for injuries or damages sustained by the use of vehicles mentioned in the Schedule shall be awarded by the Compensation Body established under Article 9C of the Ordinance. Compensation for certain exempt vehicles.

(2) In the event that the Compensation Body effects payment for injuries or damages sustained by the use of vehicles referred to in sub-article (4) of article 3 of the Ordinance, the Compensation Body shall be subrogated in the rights of the person receiving such payment and shall have a claim against the Protection and Compensation Fund established by article 49 of the Insurance Business Act or the guarantee fund provided for in sub-article (4) of article 1 of Directive 84/5/EEC in the designated State where the vehicle is normally based, whichever is appropriate.

L.N. 435 of 2003.

(3) Without prejudice to the foregoing, in the event that an injured party files a claim directly to the Protection and Compensation Fund in relation to injuries or damages sustained by the use of vehicles referred to in the Schedule, payment shall only be effected by the Protection and Compensation Fund if the requirements set out in regulation 25 of the Protection and Compensation Fund Regulations, 2003 are satisfied.

SCHEDULE

(Regulation 3)

List of vehicles exempt from being covered by an insurance policy

Armed Forces of Malta (AFM) vehicles.

Police Department vehicles.

Maltese Government owned vehicles.