

The new Uninsured Drivers Agreement 2015

Tuesday, 15 September 2015

13:00 - 14:00

A job half done: Nicholas Bevan explains the most far reaching changes in 27 years to the government's scheme for victims of uninsured drivers and points out its failings.

The good news

After years of campaigning the MIB has finally been stripped of many of the offensive strike out clauses and many of the needlessly complicated procedural requirements have also been discarded but sadly not all.

What's new?

- the mandatory joinder of the MIB and its implications in practice
- which passenger exclusions have been removed and which remain
- a new widely scoped terrorist exclusion replaces the furtherance of crime exclusion
- a new minted state of guilty knowledge test
- a nasty surprise for car hire claims
- apportionment of loss and costs
- deductions in compensation
- new exclusions and penalties

Accreditation

APIL: all levels

1 CPD hour

A case of déjà vu

The same bad draftsmanship that required extensive revisions to the 1999 Agreement, shortly after it comes into force, applies here as well

- learn about the MIB drafting blunders
- learn about the basic rule of law defects
- discover which exclusions and restrictions in liability conflict with basic and well established European law
- a brief overview of the remedies and why judicial review may be necessary

Time allowing:

- legacy claims under the 1999 Agreement
- how the Deregulation Act 2015 makes it easier for insurers to cancel policies mid-term
- Section 152 Road Traffic Act 1988 declarations, a new tactic to circumvent EU law?
- a new MIB article 75
- amendments to the Untraced Drivers Agreement 2003
- why the government is being forced to replace the Untraced Drivers Agreement 2003
- further delay in implementing the Damijan Vnuk ruling
- major reform required to Part VI Road Traffic Act 1988

Technical requirements

You will need access to the internet on your PC, plus audio speakers. If you do not have access to speakers you will be able to receive audio via a phone line. Further information on how to log on to the webinar will be sent via email a week before the event.



Nicholas Bevan is a senior solicitor with over 25 years' experience as a personal injury lawyer acting on behalf of individual claimants and a number of major insurance companies. Nicholas was senior counsel at Bond Pearce (now Bond Dickinson) where he advised both the insurance and personal injury departments and was also responsible for firm-wide training.

Nicholas is a fellow emeritus of APIL. He is a legal consultant, accredited mediator and well known legal commentator. He writes regularly for the New Law Journal and the Journal of Personal Injury Law.

Nicholas is particularly well known for his law reform campaigning on behalf of victims of motor accident victims and occupational disease.