



EU Commission Public consultation on REFIT Review of Directive 2009/103/EC on motor insurance (VNUK)

Response guidance from the MIA

Your response **before 20th October** is VITAL

To enter your answers and respond to this consultation will take **no more than TEN minutes** if you use each step of this MIA guidance as a base for your response. You could even 'cut and paste' some of the words we provide to reduce this time if you wish. Please email carly.latcham@the-mia.com if you have any questions.

Please note - only responses received through this EU Commission online questionnaire will be taken into account and included in the report summarising the responses. They ask that you indicate the expected economic or social impact on your organisation's activities and provide 'evidence' if possible.

Step 1

Go to this EU Commission webpage - https://ec.europa.eu/info/consultations/finance-2017-motor-insurance_en

Step 2

Under 'View the Questionnaire'...Click the link – 'Respond to the Consultation'

Step 3

- a) Read the information which is given then click ... 'next'
- b) Complete Section 1. Information about you as follows...
 - a. Under 'are you replying as:' ... select 'an organisation or company'
 - b. Under 'where are you based' ... chose the country of your HQ or main operations.
 - c. Under 'field of activity or sector:' ... select 'other'.... then click 'next'
- c) Under 'Important Notice on the publishing of responses' - select your own choice of response
- d) Then click... 'next'

Step 4

Under Section 2. 'Your opinion'...

Scroll down through Section A to reach 'Section B - Questions to Businesses, Business and Consumer Associations' ...continue scrolling down until you reach '**B.2.7. SCOPE**' – and read the detail associated with the Scope section.

Step 5

You only need to answer Questions 27, 28, 29, 30, 31 and 32. Our suggested responses which cover the essential issues follow. Please change these to suit your business and add additional comments to your answers, as you wish.

Q27: Answer - 'No... it should only apply to public roads, not private property'.

Q28: Answer - 'No – exempting/derogating motorsport vehicles from the requirement of the Directive does not mean the liability goes away. The number of accidents between motorsport vehicles is far more regular than in traffic conditions due to the competition. In the event of a claim where 'derogated/exempted vehicles' are in use, it falls to either the National Guarantee Fund, or a similar organisation, to compensate the victim from a central fund. So if motorsport vehicles were to be exempted, the subsequent cost of claims arising uninsured motorsport activities would dramatically increase the amount of compensation being paid by one of these funding options (e.g. MIB in the UK), so requiring a significant increase in the size of the fund being raised from road-user insurance. Transferring the cost of this solution, arising from accidents in motorsport, onto the road-going motorist would be unfair when considering the increased risk which competitive motorsport use represents when compared to the normal use of a road-going motor vehicle.'



Q29: Answer - 'All vehicles used for motorsport activities'

Q30: Answer – 'No - motorsport activities should not be covered by compulsory Motor Third Party Liability (MTPL) insurance'

Q31: Answer – 'No.... compulsory Motor Third Party Liability (MTPL) insurance should not cover accidents that occur in areas which the public are not allowed to access'

Q32: THIS IS YOUR VERY IMPORTANT OPPORTUNITY to explain the impact on your organisation if motorsport ceased across the EU and the UK due to their being no availability of the required insurance. Please show what job and sales revenue will be lost, directly and indirectly. Some of the words below may help you to answer this question.

- As no Motor Third Party Liability (MTPL) insurance will be available to cover motorsport activities, motorsport would cease to exist. As a direct result, XXX employees would lose their jobs in my organisation and many more jobs would be lost in my XXX suppliers in the EU and the UK. The forced closure of European motorsport will be a direct consequence of this Directive unless the wording is amended as requested.
- It is estimated, by the Motorsport Industry Association (MIA), that more than €25 billion of sales in motorsport would be lost across EU member states and, based on their research in 2000/02/13/14, some 50,000 motorsport-related jobs will be lost in the UK alone and tens of thousands more throughout EU Member States.
- We strongly support your Option 3 as being the correct interpretation and that the place of use should be defined as being 'in traffic only', as defined in the REFIT review of the Motor Insurance Directive Impact Assessment. It is not the 'function of the vehicle' which matters but the 'place of the vehicle' is in use.
- Principle 6 of the IOC's Olympic Charter specifically states "the practice of sport is a human right". The EU's revised European Sports Charter of 2001 confirmed the importance and social value of sport and their European Economic and Social Committee in 2011 stated "sport contributes to the cultural and social life for both the individual and society as a whole"
- In Article 6 and Article 165 of the Lisbon Treaty on the Functioning of the European Union (TFEU), the importance of sport is legally acknowledged, and the promotion of sport as an EU objective is emphasized. Article 165 calls on the EU to "contribute to the promotion of sporting issues, while taking into account the specific nature of sport, its structures based on voluntary activity and its social and educational function".

Step 6

Then Click...'next' ...then click 'Submit' ... your response has now been submitted to the EU Commission.

Please note - your complete response must be sent by 20th October 2017.

Thank you, on behalf of the Motorsport Industry Association (MIA) www.the-mia.com for taking part and helping to keep motorsport alive and our many employees in work too.

Chris Aylett, CEO MIA

Links to useful background information, if needed

- Printable PDF version of This EC Consultation Review - [Consultation Document](#)
- August 2017 - [REFIT review of the Motor Insurance Directive](#) – Impact Assessment Consultation
 - [Feedback from: Motorsport Industry Association](#) – MIA feedback to the above
 - [Feedback from: UK Government](#) – Department for Transport feedback on the above
- October 2017 [MIA Summary of the European Commission Vnuk and the future of Motorsport](#)