

O.G. Annex I(I)  
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**The Employers' Liability (Compulsory Insurance) (Amendment) Law of 1997 is issued by publication in the Official Gazette of the Republic of Cyprus under Article 52 of the Constitution.**

Number 63 (I) of 1997  
**A LAW TO AMEND THE EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) LAW**

The House of Representatives enacts as follows:

<p>Short title.</p> <p>174 of 1989.</p>	<p><b>1.</b> This law may be cited as the Employers' Liability (Compulsory Insurance) (Amendment) Law of 1997 and shall be read as one with the Employers' Liability (Compulsory Insurance) Law of 1989 (hereinafter referred to as «the principal law») and the principal law and this law may together be cited as the Employers' Liability (Compulsory Insurance) Laws of 1989 and 1997.</p>
<p>Amendment of section 2 of the principal law</p> <p>Cap. 10.</p>	<p><b>2.</b> Section 2 of the principal law is amended as follows :</p> <p>(a) By the substitution of the definition of «policy» with the following definition :</p> <p>«"policy" means a document of insurance that also includes a temporary insurance policy».</p> <p>(b) By the addition, in the appropriate alphabetical order, of the following new definition:</p> <p>«"judgment" means a decision or an order issued only by a competent Court of the Republic of Cyprus in the context of any procedure for the payment of any sum by way of compensation for an accident or occupational disease and does not include a decision or order (judicial or given at arbitration) relating to the registration of foreign judicial decisions, under the provisions of the Foreign Judgments (Reciprocal Enforcement) Law or any law amending or repealing the same.».</p>
<p>Amendment of section 4 of the principal law.</p>	<p><b>3.</b> Subsection (2) of section 4 of the principal law is amended by the deletion of the words «by employers» (second line) and the addition, immediately after the word «Cypriot», of a comma as well as of the words «permanent residents of Cyprus.».</p>
<p>Amendment of section 7 of the principal law.</p>	<p><b>4.</b> Section 7 of the principal law is renumbered as Section 7(1) and the following subsection is added thereafter :</p> <p>« (2) Where a certificate of insurance has been issued and delivered in favour of the person by whom the policy is effected pursuant to subsection (3) of section 5 of the Law, any provision</p>

	<p>of the policy purporting to restrict the insurance coverage of the person insured in respect of any of the following matters, shall be of no effect in respect of any insurable liability in accordance with the Law -</p> <ul style="list-style-type: none"> <li>(a) The number, age, sex, physical or mental condition, nationality, education, training or qualifications, skill, specialisation or, generally, the ability of the employees or any of them.</li> <li>(b) The place or space, time, duration, the means and generally the method in which the work is performed by the employees or any of them if such work is performed within the geographical area to which the policy applies.</li> <li>(c) The use or not by the employees or any of them of any tools, machinery, accessories or means of protection.</li> <li>(d) The nature of the work of the employees or any of them or of the employer.</li> <li>(e) The legality or validity of the contract of employment.</li> <li>(f) The wages or allowances of the employees or any of them.</li> <li>(g) The demonstration or not by the employer of reasonable care and attention, or his conforming or not with any legal or regulatory provisions for the protection of his employees.</li> <li>(h) The keeping or submitting to any legal or natural person, whether governed by private or public law, of any records or information by the employer:</li> </ul> <p>Provided that nothing in this section shall require an insurer to pay any sum in respect of the liability of a person otherwise than in or towards the discharge of that liability and any sum paid by an insurer in or towards the discharge of the liability of any persons which is covered by the insurance policy, by virtue only of this section, shall be recoverable by the insurer from that person.».</p>
<p>Amendment of the principal law by the addition of a new section</p>	<p><b>5.</b> The principal law is amended by the addition, immediately after section 19, of the following new section :</p> <p>Determination 19A. Irrespective of the provisions of any other of premiums general or special law, the determination of the premiums collected by to the insurer in respect of a policy issued for the purposes of this Law shall be at the discretion of the insurer, on the basis of the assessment of each risk separately.</p>
<p>Substitution of section 23 of the principal law.</p>	<p><b>6.</b> Section 23 of the principle law is substituted with the following new section, :</p> <p>Date of effect 23. Section 4 of the principal law shall come into of section 4 of the force on 1 November 1997. ». principal law</p>