

**A LAW TO AMEND THE EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) LAW**

<p>Short Title.</p> <p>174 of 1989 63 (I) of 1997 15 (I) of 2001 140 (I) of 2003 86 (I) of 2010.</p> <p>Amendment of section 2 of the principal law</p>	<p>1. This Law may be cited as the Employers' Liability (Compulsory Insurance) (Amendment) Law of 2011 and shall be read as one with the Employers' Liability (Compulsory Insurance) Laws of 1989 to 2010 (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 to 2011.</p> <p>2. Section 2 of the principal law is amended as follows :</p> <p style="padding-left: 40px;">(a) By the substitution of the definition of the term «insurer» with the following new definition:</p> <p style="padding-left: 80px;">«"insurer" shall have the meaning assigned to it by the Insurance Services and Other Related Issues Laws of 2002 to 2009, as amended or substituted from time to time;»; and</p> <p style="padding-left: 40px;">(b) by the insertion, in the appropriate alphabetical order, of the following new term and its definition : «"Director" means the Director of the Social Insurance Services of the Ministry of Labour and Social Insurance;».</p>
<p>Amendment of section 4 of the principal law.</p>	<p>3. Section 4 of the principal law is amended by the deletion, in subsection (2), of the word «Cypriots» (second line) and of the comma that follows.</p>

<p>Amendment of section 5 of the principal law.</p>	<p>4.-(l) Section 5 of the principal law is amended as follows :</p> <p>(a) By the insertion, immediately after subsection (1), of the following new subsections (2) and (3) and, subsequently, by renumbering the existing subsections (2), (3) and (5) as subsections (4), (5) and (6) respectively :</p> <p>«(2) The coverage required to be provided by the policy, under paragraph (b) of subsection (1), shall include coverage for bodily injury or death.</p> <p>(3) Subject to the provisions of subsection (2) –</p> <p>(a) for each accident or occupational disease in respect of each employee, the minimum amount of cover is one hundred and sixty thousand euros (€160.000,00), including any expenses and interest;</p> <p>(b) for each incident or series of incidents deriving from the same underlying cause, the minimum amount of cover is three million four hundred and fifteen thousand euros ( €3,415,000) including any expenses and interest;</p> <p>(c) for each period of insurance, the minimum amount of cover is five million one hundred and twenty-five thousand euros (€5,125.000,00) including any expenses and interest :</p> <p>Provided that where there is more than one claim deriving from the same incident or series of incidents and the total amount of compensation for all the claims exceeds the amount of three million four hundred and fifteen thousand euros (€3,415.000,00), as provided for in of paragraph (b), the minimum amount of one hundred and sixty thousand euros (€160.000,00) in respect of each employee, as mentioned in paragraph (a) shall be allocated reduced by the percentage corresponding to the apportioning of the amount of three million four hundred and fifteen thousand euros (€3,415.000,00), as to the total of the amounts awarded by the court.</p>
<p>Amendment of section 15 of the principal law.</p>	<p>5. Section 15 of the principal law is amended as follows :</p> <p>(a) by the substitution of paragraph (b) of subsection (1) thereof with the following new paragraph (b):</p> <p>«(b) produce and/or send the certificate of insurance and/or a</p>

<p>Official Gazette Annex III (I) 11.07.1997 15.05.1998</p>	<p>certified copy thereof, when request to do so in writing or orally -</p> <p>(i) to any inspector authorised in that behalf by the Minister of Labour and Social Insurance for the purposes of this Law; and/or</p> <p>(ii) to any other person as may be prescribed in paragraph (1) of Regulation 10 of the Employers' Liability (Compulsory Insurance) Regulations of 1997 to 1998.</p> <p>within the timeframe laid down in paragraph (2) of this Regulation»;</p> <p>(b) by the addition in subsection (1) thereof, immediately after paragraph (c), of the following new paragraph (d)</p> <p>«(d) serve a copy of his certificate of insurance or of the certified copy thereof, within the same timeframe as laid down in paragraph (b), from the date of receiving such request in writing by the Director.».</p> <p>(c) by the substitution of subsection (2) thereof with the following new subsection (2) :</p> <p>« (2) (a) An employer or his representative or employee who contravenes the provisions of this section shall be guilty of an offence and liable, on conviction, to a fine not exceeding three thousand euros (€3.000,00).</p> <p>(b) In compliance with the directives of the Attorney-General of the Republic, the prosecution of an offence provided for in this subsection is initiated:</p> <p>(i) by the Director;</p> <p>(ii) by an inspector or other officer authorised by the Director.».</p>
<p>Insertion of a new section 15A into the principal law.</p>	<p>6. The principal law is amended by the insertion, immediately after section 15, of the following new section 15A :</p> <p>Register of Insured Employers    15A.(1) The Director shall keep a Register of Insured Employers, in which the details referred to in subsection (2) are entered.</p> <p>Official Gazette Annex III (I)    (2) Every three (3) months, every insurer shall send electronically to the Director the details prescribed in the certificate of insurance using form EE2 set out in the Schedule to the</p>

<p>Amendment of section 16 of the principal law.</p>	<p>11.7.1997 : Employers' Liability (Compulsory Insurance) 15.5.1998 Regulations of 1997 and 1998, as amended or replaced from time to time:</p> <p>Provided that every insurer forwards to the Director the details of employers who are already insured within three (3) months of the entry into force of this law.».</p> <p>7. Section 16 of the principal law is amended by the substitution in subsection (4) thereof of the words "two hundred pounds" (ninth line) with the words and the number "six hundred euros (€600)"</p>
<p>Amendment of section 21 of the principal law.</p>	<p>8. –(1) Section 21 of the principal law is amended as follows :</p> <p>(a) by the substitution in subsection (1) thereof, of the words "one thousand pounds" (fifth line) with the words and the number "five thousand euros (€5.000,00)";</p> <p>(b) by the substitution in subsection (3) thereof, of the words "one thousand pounds" (tenth line) with the words and the number "five thousand euros (€5.000,00)";</p> <p>(c) by the substitution in subsection (4) thereof, immediately after paragraph (e, of the words "one thousand pounds" (third line) with the words and the number "five thousand euros (€5.000,00)";</p> <p>(d) by the substitution in subsection (5), of the words "four hundred and fifty pounds" (fourth and fifth line) with the words and the number "three thousand euros (€3.000,00"; and</p> <p>(e) by the addition, immediately after subsection (5), of the following new subsection (6):</p> <p>(6)(a) «In compliance with the directives of the Attorney General of the Republic, the prosecution provided for in subsections (1) and (2) is initiated: (i) by the Director; (ii) by every inspector or other officer authorised by the Director.».</p> <p>(b) Except where specifically provided in this Law that prosecution is initiated by the Director following</p>

Entry into force of this law.	<p>authorisation by the Attorney-General of the Republic, in all other cases the prosecution is initiated by an officer appointed by the Minister of Labour and Social Insurance, following authorisation by the Attorney-General of the Republic.».</p> <p>9.-(1) Subject to the provisions of subsection (2), the provisions of this law shall enter into force on the date of its publication in the Official Gazette of the Republic.</p> <p>(2) The provisions of section 4 shall enter into force within three months of the entry into force of this Law.</p>
-------------------------------	--

ESZ/MC  
(23.01.052.087-2011)