

THIS AGREEMENT is dated 8th JUNE 2015 between:

- (1) the **SECRETARY OF STATE FOR TRANSPORT**, (the “**Secretary of State**”);
and
- (2) the **MOTOR INSURERS’ BUREAU**, whose registered office is Linford Wood House, 6-12 Capital Drive, Linford Wood, Milton Keynes MK14 6XT (“**MIB**”).

BACKGROUND

- (A) The Secretary of State and MIB are the parties to the Untraced Drivers’ Agreement dated 7th February 2003. The Untraced Drivers’ Agreement, as amended by the supplementary agreements dated 30th December 2008, 15th April 2011 and 30th April 2013, is referred to in this Agreement as the **2003 Agreement**.
- (B) Under the 2003 Agreement the Lord Advocate has the function of appointing a panel of Queen’s Counsel to act, by rotation, as the arbitrator for the purposes of determining appeals under the 2003 Agreement and has the function of approving, after consultation with the MIB, an arbitrator’s fee under clause 24(1) of the 2003 agreement.
- (C) The Lord President of the Court of Session has consented to the functions of the Lord Advocate under the 2003 Agreement being transferred to the Lord President.

AGREED TERMS

1. This Agreement is supplementary to the 2003 Agreement.
2. The 2003 Agreement (as amended) is further amended as set out below.
3. In clauses 21(3), 24(1) and 28(5) for “the Lord Advocate” substitute “the Lord President of the Court of Session”.
4. The amendments made by this Agreement shall not affect the validity of any appointment made or approval given by the Lord Advocate before the date of this Agreement.
5. This Agreement may be executed in two counterparts with the same effect as if both parties execute a single document.

This Agreement has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it, being the date on which the last party executed this Agreement.

SEAL REF No.
DFT/5580



The corporate seal of the
**SECRETARY OF STATE FOR
TRANSPORT** was affixed here

Authenticated by authority of the
Secretary of State

Matthew

Print name: JESSICA MATTHEW

The common seal of the **MOTOR
INSURERS' BUREAU** was affixed
here in the presence of:

(1) *Matthew*

Director of the Board of Management

(2) *W Budd*

Secretary

Print Names:

(1) ASHTON WEST

(2) WENDY BUDD