

British Guiana.

REGULATIONS MADE IN PURSUANCE OF THE MOTOR VEHICLES INSURANCE (THIRD-PARTY RISKS) ORDI- NANCE, 1937.

PART I.

1. These Regulations may be cited as the Motor Vehicles (Third-party Risks) Regulations, 1937, and shall come into force on the day fixed for the coming into operation of the Ordinance.

Short title
and com-
mencement.

2. In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

Interpreta-
tion.

“The Ordinance” means the Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937;

Ord. No. 22
of 1937.

“Company” means an authorised insurer as defined in section 2 of the Ordinance;

“Policy” means such policy of insurance in respect of third-party risks arising out of the use of motor vehicles as complies with the requirements of the Ordinance and includes a covering note;

“Security” means such security in respect of third-party risks arising out of the use of motor vehicles as complies with the requirements of the Ordinance;

“Owner” in relation to a motor vehicle which is the subject of a hiring agreement or hire purchase agreement means the person in possession of the motor vehicle under that agreement.

3.—(1) A company shall issue to every holder of a security or of a policy other than a covering note issued by the company :—

Duty on companies to issue certificates to holders of a security or policy.

(a) in the case of a policy or security relating to a specified vehicle or to specified vehicles a certificate of insurance in duplicate in form A or a certificate of security in form D set out in the Schedule to these Regulations in respect of each such vehicle.

(b) in the case of a policy or security not relating to any specified vehicle or vehicles such number of certificates in the form B or D set out in the Schedule to these Regulations as may be necessary to enable the requirements of subsection (1) of section 8 of the Ordinance and of these Regulations as to the production of evidence that a motor vehicle is not being driven in contravention of section 3 of the Ordinance to be complied with:

Provided that where a security is intended to cover the use of more than 10 motor vehicles at one time the company by whom it was issued may subject to the consent of the Governor issue one certificate only and where such consent has been given the holder of the security may issue duplicate copies of such certificate duly authenticated by him up to such number and subject to such conditions as the Governor may determine.

(2) Every policy in the form of a covering note issued by a company shall have printed thereon or on the back thereof a certificate of insurance in the form C set out in the Schedule to these Regulations.

4.—(1) Every certificate of insurance or certificate of security shall be duly authenticated by or on behalf of the company by whom it is issued.

Form and date of issue of certificate of insurance and of security.

(2) The certificate aforesaid shall be issued on or before the date on which the policy or security is issued or renewed.

5. Where under the terms of a policy or security relating to a specified motor vehicle the holder is entitled to drive any other motor vehicle than that specified without contravention of section 3 of the Ordinance the company by which the policy or security was issued may and shall on demand being made to them by the holder issue to him a further certificate of insurance in form A or B set out in the Schedule to these Regulations or a further certificate of security as the case may be.

Duty on companies to issue further certificates of insurance or of security in certain circumstances.

6. The following evidence that a motor vehicle is not being driven in contravention of section 3 of the Ordinance may be produced by the driver of such motor vehicle on the request of a member of the Police Force in pursuance of section 8 of the Ordinance as an alternative to the production of a certificate of insurance or a certificate of security :—

Form of certificate to be produced by Government and Municipal Authorities.

- (a) A duplicate copy of a certificate of security issued in accordance with regulation 3 (1) (b) of these Regulations ;
- (b) in the case of the motor vehicles mentioned in subsection (4) of section 3 of the Ordinance, a certificate in the form E set out in the Schedule to these Regulations signed by some person authorised in that behalf by such authority.

7. Any certificate issued in accordance with sub-paragraph (b) of the preceding regulation shall be destroyed by the person by whom it was issued before the motor vehicle to which it relates is sold or otherwise disposed of.

Duty to destroy certificates under Form E.

8.—(1) Every certificate issued in pursuance of the Ordinance and of these Regulations shall be printed and completed in black on white paper or similar material.

Certificate not to contain advertising matter

(2) No certificate so issued shall contain any advertising matter either on the face or on the back thereof :

Provided that the name and address of a company by which a certificate is issued or a reproduction of the seal of the company or any monogram or similar device of the company or the name and address of an insurance broker shall not be deemed to be advertising matter for the purposes of this regulation if it is printed or stamped at the foot or on the back of such certificate.

9. Any person who applies for a licence or for the renewal of a licence in accordance with section 7 of the Ordinance shall produce to the Licensing Officer a certificate of insurance or a certificate of security or a duplicate copy of a certificate of security issued in accordance with regulation 3 (1) (b) of these Regulations, indicating that on the date when the licence comes into operation there will be in force a policy or a security in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission :

Duty to produce certificate of insurance or of security on application for licence.

Provided that there may be produced in lieu thereof—

- (i) in the case of a motor vehicle of which the owner had deposited with the Treasurer the sum of \$50,000 in accordance with the provisions of subsection (3) of section 5 of the Ordinance, a certificate signed by the owner of the vehicle or by some person authorised by him in that behalf and by the Treasurer that such deposit has been made.
- (ii) in the case where the motor vehicle is one of more than 10 motor vehicles owned by the same person in respect of which a policy or policies of insurance have been obtained by him from the same authorised insurer, a statement duly authenticated by the authorised insurer to the effect that on the date when the licence becomes operative an insurance policy which complies with the Ordinance will be in force in relation to the motor vehicle.
- (iii) in the case of motor vehicles used and employed exclusively on Government or Municipal service a certificate signed by some person authorised in that behalf that the vehicles in respect of which the application for a licence is made are owned by either Government or a Municipal Authority and so used and employed exclusively.

Duty of companies to keep records of certificates issued.

10.—(1) Every Company by whom a policy or a security is issued shall keep a record (which shall be preserved for one year from the date of the expiry of the policy or security) of the following particulars relative thereto and of any certificates issued in connection therewith :—

- (a) Full name and address of the person to whom the policy, security or certificate is issued.
- (b) In the case of a policy relating to a specified motor vehicle or to specified motor vehicles the index mark, if any, and registration number of each such motor vehicle.
- (c) The date on which the policy or security comes into force and the date on which it expires.
- (d) In the case of a policy the conditions subject to which the persons or classes of persons specified in the policy will be indemnified.
- (e) In the case of a security the conditions subject to which the undertaking given by the company under the security will be implemented.

(2) The authorities mentioned in subsection (4) of section 3 of the Ordinance shall keep a record of the motor vehicles owned by them in respect of which a policy or a security has not been obtained, and of any certificates issued by them under these Regula-

tions in respect of such motor vehicles, and of the withdrawal or destruction of any such certificates.

(3) Any person, authority, or company by whom records of documents are required to be kept by these Regulations shall, without charge, furnish to the Inspector-General of Police on request any particulars thereof.

11. Where to the knowledge of a company a policy or security issued by them ceases to be effective without the consent of the person to whom it was issued otherwise than by effluxion of time or by reason of his death the company shall forthwith notify the Inspector-General of Police of the date on which the policy or security ceased to be effective.

Duty of companies to notify Inspector-General of Police of policies or securities cancelled by them.

12. Where with the consent of the person to whom it was issued a policy or security is suspended or ceases to be effective otherwise than by effluxion of time such person shall forthwith return any relative certificates to the company by whom they were issued and a new policy or security shall not be issued to that person, nor shall the said policy or security be transferred to any other person unless and until the certificates have been returned to the company or the company are satisfied that they have been lost or destroyed.

Duty of insured to return expired certificates.

13. Where any company by whom a certificate of insurance or a certificate of security has been issued are satisfied that the certificate has become defaced or has been lost or destroyed they shall if requested so to do by the person to whom the certificate was issued, issue to him a fresh certificate.

Duty of companies to replace lost or defaced certificates.

PART II.

14. Any person acting in contravention of or failing to comply with these Regulations shall for each offence be liable on summary conviction by a Magistrate to a fine not exceeding twenty-five dollars.

Penalty.

Made by the Governor in Council under section 26 of the Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937, on the seventh day of December, 1937.

GEO. C. GREEN,
Clerk to the Executive Council.

THE SCHEDULE.

FORM A.

(Regulations 3 and 5).

The Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937.

CERTIFICATE OF INSURANCE.

Certificate No.....

Policy No.....
(Optional).

1. Index mark, if any, and registration number of vehicle.
2. Name of Policy holder.
3. Effective date of the commencement of insurance for the purposes of the Ordinance.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

$\frac{I}{We}$ hereby certify that the Policy to which this Certificate relates is issued in accordance with the provisions of the above-mentioned Ordinance.

.....
 Authorised Insurers.

* Limitations rendered inoperative by section 15 (1) of the Ordinance are not to be included under this heading.

FORM B.

(Regulations 3 and 5).

*The Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937.***CERTIFICATE OF INSURANCE.**

Certificate No.

Policy No.....
(Optional).

1. Description of vehicles.
2. Name of Policy holder.
3. Effective date of the commencement of insurance for the purposes of the Ordinance.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

I
We hereby certify that the policy to which this Certificate relates is issued in accordance with the provisions of the abovementioned Ordinance.

.....
Authorised Insurers.

* Limitations rendered inoperative by section 15(1) of the Ordinance are not to be included under this heading.

FORM C.

(Regulation 3).

*The Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937.***CERTIFICATE OF INSURANCE.**

I
We hereby certify that this covering note is issued in accordance with the provisions of the above-mentioned Ordinance.

.....
Authorised Insurers.

FORM D.

(Regulation 3).

The Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937.

CERTIFICATE OF SECURITY.

Certificate No.:

Security No.
(Optional).

1. Name of holder of security.
2. Effective date of the commencement of security for the purposes of the Ordinance.
3. Date of expiry of security.
4. Conditions to which security is subject.*

I
We hereby certify that the security to which the certificate relates is issued in accordance with the provisions of the above-mentioned Ordinance.

.....
(authorised under the said
Ordinance to issue securities).

* Conditions rendered inoperative by section 15 (1) of the Ordinance are not to be included under this heading.

FORM E.

(Regulation 6).

The Motor Vehicles Insurance (Third-party Risks) Ordinance, 1937.

CERTIFICATE OF OWNERSHIP BY A GOVERNMENT OR MUNICIPAL
AUTHORITY.

We hereby certify that the vehicle of which the registration mark and number are

.....
the property of
.....
.....
.....

Signed
on behalf of