

CHAPTER 281.**MOTOR VEHICLE INSURANCE
(THIRD PARTY RISKS).****Motor Vehicles (Third-party Risks) Regulations.**

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REGULATIONS

Regs. 7th
Dec., 1937.

made by the Governor in Council under section 25 on the
7th December, 1937.

PART I.

1. These regulations may be cited as the Motor Vehicles (Third-party Risks) Regulations. Short title.

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

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

“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 of 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. Schedule.

(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 7 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.

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

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.

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

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

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.

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

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 7 of the Ordinance as an alternative to the production of a certificate of insurance or a certificate of security—

(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.

Schedule.

Duty to destroy certificates under Form E.

7. Any certificate issued in accordance with sub-paragraph (b) of the last 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.

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. (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—

Duty of companies to keep records of certificates issued.

(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 regulations 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 Commissioner of Police on request any particulars thereof.

Duty of companies to notify Commissioner of Police of policies or securities cancelled by them.

10. 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 Commissioner of Police of the date on which the policy or security ceased to be effective.

Duty of insured to return expired certificates.

11. 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 companies to replace lost or defaced certificates.

12. 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.

PART II.

Penalty.

13. 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.

SCHEDULE.

FORM A.

Regs.
3 and 5.

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

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.*

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

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Authorised Insurers.

* Limitations rendered inoperative by section 14 (1) of the Ordinance are not to be included under this heading.

FORM B.

Regs.
3 and 5.

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

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 above-mentioned Ordinance.

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Authorised Insurers.

Reg. 3.

FORM C.

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

CERTIFICATE OF INSURANCE.

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

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Authorised Insurers.

Reg. 3.

FORM D.

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

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.*

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

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*(Authorised under the said
 Ordinance to issue securities)*

* Conditions rendered inoperative by section 14 (1) of the Ordinance are not to be included under this heading.

Reg. 6.

FORM E.

*The Motor Vehicles Insurance (Third-party Risks) Ordinance.*CERTIFICATE OF OWNERSHIP BY A GOVERNMENT OR
MUNICIPAL AUTHORITY.

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

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 the property of
