

No. 719.

THE MOTOR VEHICLES (THIRD PARTY INSURANCE)

LAW, 1954.

LAW 62 OF 1954.

REGULATIONS MADE UNDER SECTION 18.

In exercise of the powers vested in him by section 18 of the Motor Vehicles (Third Party Insurance) Law, 1954, His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following Regulations :—

PART I.

1. These Regulations may be cited as the Motor Vehicles (Third Party Insurance) Regulations, 1956.

2.—(1) In these Regulations, unless the context otherwise requires—

“ the Law ” means the Motor Vehicles (Third Party Insurance) Law, 1954, and includes any Law amending or substituted for the same; 62 of 1954.

“ owner ”, in relation to a motor vehicle which is the subject of a hire purchase agreement, means the person in possession of the motor vehicle under that agreement ;

“ 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 Law and includes a covering note ;

“ Registrar ” means the Registrar of Motor Vehicles appointed in this respect by the Governor.

3.—(1) An insurer shall issue to every holder of a policy other than a covering note issued by the insurer :—

(a) in the case of a policy relating to a specified motor vehicle or to specified motor vehicles, a certificate of insurance in the Form A set out in the Schedule to these Regulations in respect of each such vehicle ; Form A.

(b) in the case of a policy not relating to any specified motor vehicle or motor vehicles, such number of certificates in the Form B set out in the Schedule to these Regulations as may be necessary to enable the requirements of sub-section (1) of section 7 of the Law 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 Law, to be complied with. Form B.

(2) Every policy in the form of a covering note issued by an insurer 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 C.

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

(2) The certificate aforesaid shall be issued not later than four days after the date on which the policy is issued or renewed.

5. Where under the terms of a policy 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 Law, the insurer by whom the policy was issued may, and shall on demand being made to him by the holder, issue to the holder a further certificate of insurance in Form A or B set out in the Schedule to these Regulations, Form A.
Form B.

6. The following evidence that a motor vehicle is not being driven in contravention of section 3 of the Law may be produced by the driver of such motor vehicle on the request of a police officer in pursuance of section 7 of the Law as an alternative to the production of a certificate of insurance :—

- (1) in the case of a motor vehicle owned by the Government, a certificate to that effect signed by the Registrar of Motor Vehicles or by some other officer authorized by him in that behalf ;
- (2) in the case of a motor vehicle owned by Her Majesty's Government in the United Kingdom, a certificate to that effect signed by some person authorized to sign such a certificate ;
- (3) in the case of a motor vehicle which is being driven for police purposes by or under the direction of a police officer of or above the rank of Inspector as defined in the Police Law, a certificate to that effect signed by such a police officer ;
- (4) in the case of any person who, or member of a class of persons which, has been declared by the Governor-in-Council to be exempted from the provisions of the Law, or in the case of any motor vehicle which has been, or is of a type of motor vehicle which has been, declared by the Governor-in-Council to be exempted from the provisions of the Law, such evidence to that effect as may be appropriate in the circumstances of the case.

7.—(1) Every certificate of insurance issued in pursuance of the Law shall be printed and completed in black on white paper or similar material.

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

Provided that the name and address of an insurer by whom a certificate is issued or a reproduction of the seal of the insurer or any monogram or similar device of the insurer 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.

8. Any person applying for a licence of a motor vehicle under any Regulations in force for the time being in this respect shall produce to the Registrar or licensing authority any necessary certificate of insurance indicating that on the date when the licence comes into operation there will be in force a policy in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission :

Provided that there may be produced in lieu thereof a certificate or evidence of the kind specified in sub-paragraph (1), (2), (3) or (4) of Regulation 6.

9.—(1) Every insurer by whom a policy is issued shall keep a record of the following particulars relative thereto and of any certificates of insurance issued in connection therewith :—

- (a) full name and address of the person to whom the policy or certificate of insurance is issued ;
 - (b) in the case of a policy relating to a specified motor vehicle or to specified motor vehicles, the index mark and registration number of each such motor vehicle ;
 - (c) the date on which the policy comes into force and the date on which it expires ;
 - (d) the conditions subject to which the persons or classes of persons specified in the policy will be indemnified,
- and every such record shall be preserved for one year from the date of expiry of the policy.

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24 of 1953
31 of 1954
21 of 1955
39 of 1955
48 of 1955.

(2) Any insurer by whom records of documents are required to be kept by these Regulations shall, without charge, furnish on request any particulars thereof to the Registrar of Motor Vehicles or to any police officer of or above the rank of Inspector as defined in the Police Law.

10. Where to the knowledge of an insurer a policy issued by him 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 insurer shall forthwith notify the Registrar of Motor Vehicles of the date on which the policy ceased to be effective.

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

12. Where any insurer by whom a certificate of insurance has been issued is satisfied that the certificate has become defaced or has been lost or destroyed, he shall, if requested to do so by the person to whom the certificate was issued, issue to him a fresh certificate of insurance.

13. Every affidavit made for the purposes of section 8, or of paragraph (c) of sub-section (2) of section 10, of the Law shall be delivered to the insurer in like manner as though it were a certificate of insurance.

PART II.

14. In this Part of these Regulations unless the context otherwise requires—

“ visitor ” means a person who, not being a permanent resident, is on a visit to the Colony for such period as the Governor may fix for this purpose in the *Gazette* and who brings a motor vehicle into the Colony ;

“ motor vehicle ” means a motor vehicle brought into the Colony by a visitor.

15. A visitor who is a holder of a policy of insurance issued outside the Colony in respect of third party risks arising out of the driving by him of a motor vehicle in the Colony may make application to the Registrar of Motor Vehicles for a certificate (hereinafter called “ a certificate of foreign insurance ”) in the Form D set out in the Schedule to these Regulations. Form D.

16. Every such application as aforesaid shall be signed by the person by whom it is made and shall specify the number of the policy in respect of third party risks held by him, the name and address of the company by whom it was issued, the date on which the policy commences and the date on which it expires, and shall also contain a declaration by the applicant that the provisions of the policy with respect to third party risks are effective in relation to the driving of the motor vehicle in the Colony by him or by some other person or persons or classes of persons specified in the declaration.

17. Every certificate of foreign insurance shall be signed by the Registrar of Motor Vehicles or by some person duly authorized by him in that behalf.

18. The period of validity of a certificate of foreign insurance shall not exceed the unexpired period covered by the policy to which it relates.

19. For the purposes of the Law, and of Regulations 6 and 8 of Part I of these Regulations, a certificate of foreign insurance shall have effect as if it were a certificate of insurance issued by an insurer, and the policy of insurance to which it relates shall be deemed to comply with the requirements of the Law.

20. The provisions of section 5 of the Law shall not apply in relation to any policy of insurance in respect of which a certificate of foreign insurance has been issued.

21. A certificate of foreign insurance shall be forthwith returned by the visitor to the Registrar of Motor Vehicles if the motor vehicle to which it relates is sold or otherwise disposed of or if, by reason of his obtaining a new policy or otherwise, a new certificate of foreign insurance is issued to him during his stay in the Colony, and if the certificate is not so returned it shall be surrendered to the Registrar of Motor Vehicles by or on behalf of the visitor when the motor vehicle is taken out of the Colony.

PART III.

22. Any person acting in contravention of, or failing to comply with, any of the provisions of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

23. These regulations shall come into operation on the 1st day of February, 1957.

SCHEDULE.

FORM A.

(Regulations 3 and 5.)

The Motor Vehicles (Third Party Insurance) Law, 1954.

CERTIFICATE OF INSURANCE.

Certificate No.....

Policy No.....
(Optional)

1. Index mark and registration number of the vehicles.
2. Name of policy holder.
3. Effective date of the commencement of insurance for the purposes of the Law.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

I/We, being an insurer, hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of the Motor Vehicles (Third Party Insurance) Law, 1954, of the Colony of Cyprus.

(Signed).....

* Limitations rendered inoperative by section 6 of the Motor Vehicles (Third Party Insurance) Law, 1954, are not to be included under this heading.

FORM B.

(Regulations 3 and 5.)

The Motor Vehicles (Third Party Insurance) Law, 1954.

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 Law.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

I/We, being an insurer, hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of the Motor Vehicles (Third Party Insurance) Law, 1954, of the Colony of Cyprus.

(Signed).....

* Limitations rendered inoperative by section 6 of the Motor Vehicles (Third Party Insurance) Law, 1954, are not to be included under this heading.

FORM C.

(Regulation 3.)

The Motor Vehicles (Third Party Insurance) Law, 1954.

CERTIFICATE OF INSURANCE.

I/We, being an insurer, hereby certify that this covering note is issued in accordance with the provisions of the Motor Vehicles (Third Party Insurance) Law, 1954, of the Colony of Cyprus.

FORM D.

(Regulation 15.)

The Motor Vehicles (Third Party Insurance) Law, 1954.

CERTIFICATE OF FOREIGN INSURANCE.

Certificate No.....

Policy No.....

1. Date to which certificate is valid.
2. Identification mark and number or numbers and make of vehicle.
3. Persons or classes of persons authorized to drive the vehicle.
4. Date of commencement of policy.
5. Date of expiry of policy.

I hereby certify that this certificate is issued in accordance with the Regulations made by the Governor-in-Council under section 18 of the Motor Vehicles (Third Party Insurance) Law, 1954.

Made this 24th day of July, 1956.

By Command of His Excellency the Governor,

R. G. SHERIDAN,
Clerk of the Executive Council.