

Motor Vehicles (Third-Party Risks and Compensation) Rules

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MOTOR VEHICLES (THIRD-PARTY RISKS AND COMPENSATION) ACT (CHAPTER 189, SECTION 19)

MOTOR VEHICLES (THIRD-PARTY RISKS AND COMPENSATION) RULES

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G.N. No. S 107/1960

REVISED EDITION 1996

(15th May 1996)

[5th February 1960]

Citation

1. These Rules may be cited as the Motor Vehicles (Third-Party Risks and Compensation) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“insurer” means an insurer approved by the Minister under section 4 of the Act;

“securer” means a body of persons approved by the Minister under section 4(6) of the Act.

Applications for approval as insurers and securers

3. Applications for approval as insurers or as securers shall be submitted to the Minister.

Certificates of insurance and certificates of security

4.—(1) A securer or an insurer shall issue to every holder of a security or of a policy (other than a covering note) —

- (a) in the case of a policy or security relating to any specified motor vehicle, a certificate of insurance in the Form A or a certificate of security in the Form C set out in the Schedule, in respect of each such vehicle; or
- (b) in the case of a policy or security not relating to any specified motor vehicle, such number of certificates in the Form B or C set out in the Schedule as may be necessary to enable the requirements of section 16 of the Act to be complied with.

(2) Every policy in the form of a covering note issued by an insurer shall have printed thereon a certificate of insurance in the Form D set out in the Schedule.

Certificates to be authenticated

5. Every certificate of insurance or certificate of security shall be duly authenticated by or on behalf of the insurer or securer by whom it is issued.

Alternative to certificate

6. The following evidence that a motor vehicle is not being or will not be used in contravention of section 3 of the Act may be produced by the owner or driver of the vehicle on the request of a police officer in pursuance of section 16 of the Act as an alternative to a certificate of insurance or a certificate of security —

- (a) in the case of a motor vehicle exempted under section 3(5)(a) of the Act, a certificate of ownership in the Form E set out in the Schedule signed by a duly authorised officer; or
- (b) in the case of a motor vehicle exempted under section 3(5)(b) of the Act, a certificate of deposit in the Form F set out in the Schedule signed by the owner of the motor vehicle or by some person authorised by him in that behalf.

Destruction of certificates under rule 6

7. Any certificate issued in accordance with rule 6(a) or (b) shall be destroyed by the issuers thereof before the motor vehicle is sold or disposed of.

Nature of certificate

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

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

(3) The name and address of the insurer or securer by whom a certificate is issued or

any reproduction of their seal, monogram or similar device, or the name and address of an insurance broker shall not be deemed to be advertising matter for the purposes of paragraph (2) if it is printed or stamped at the foot or the back of the certificate.

Insurers and securers to keep records

9.—(1) Every insurer or securer by whom a policy or security is issued shall keep a record of the following particulars relating thereto:

- (a) full name and address of the person to whom the certificate of policy or security is issued;
- (b) in the case of a certificate of policy or security relating to specified motor vehicles, the registration number of each such motor vehicle;
- (c) the date on which the certificate of 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 class of persons specified in the policy will be indemnified; and
- (e) in the case of a security, the conditions subject to which the undertaking given by the securer under the security will be implemented.

(2) Every such record shall be preserved for one year from the date of expiry of the policy or security.

(3) Any person who has deposited and keeps deposited the sum of \$125,000 in pursuance of section 3(5)(b) of the Act shall keep a record of the motor vehicles owned by him and of any certificates issued by him under these Rules in respect of the motor vehicles and of the withdrawal or destruction of any such certificates.

(4) Any person, insurer or securer by whom records of documents are required to be kept by these Rules shall without charge furnish to the Minister, the Registrar or to any police officer of or above the rank of Assistant Superintendent on request any particulars thereof.

Notification that policy or security ceases to be effective

10. Where to the knowledge of an insurer or a securer a policy or security 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 or securer, as the case may be, shall forthwith notify the Registrar of the date on which the policy or security ceased to be effective.

Return of certificates

11. Where with the consent of the person to whom it was issued a policy or security is transferred or suspended or ceases to be effective otherwise than by effluxion of time, that person shall forthwith return any relative certificate to the insurer or securer by whom it was issued and a new policy or security shall not be issued to that person nor shall the policy or security be transferred to any other person until the certificate has been returned to the insurer or securer, or the insurer or securer is satisfied that it has been lost or destroyed.

Issue of fresh certificates

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

Statutory declarations

13. Every statutory declaration made for the purposes of section 9(3)(c) or 15 of the Act shall be delivered to the insurer in like manner as though it were a certificate.

Application of Insurance Act

14. The provisions of the Insurance Act [Cap. 142] shall apply, mutatis mutandis, to authorised insurers.

Payment to Public Trustee

15. Every payment to the Public Trustee under section 6 of the Act shall be sent together with a statement in the Form G set out in the Schedule.

Payment to be sent with copy of judgment

16. Every payment to the Public Trustee under section 9 of the Act shall be sent together with a certified copy of the judgment of the Court.

Public Trustee may interview parties

17. Where any payment is made to the Public Trustee under section 6 of the Act, the Public Trustee may interview the parties or their advocates and solicitors in order to ascertain that the payment is not manifestly inadequate.

Fees

18. The Public Trustee shall be entitled to charge the following fees under the Act: