

No. 21

THE MOTOR VEHICLES (THIRD PARTY INSURANCE)
ORDINANCE 2001
(Ordinance 2 of 2001 as amended by Ordinance 9 of 2001).

REGULATIONS MADE UNDER SECTION 27.

In exercise of the powers vested in him by section 27 of the Motor Vehicles (Third Party Insurance) Ordinance 2001^(a), the Administrator hereby makes the following Regulations:-

PART I
GENERAL PROVISIONS

Citation.

1. These Regulations may be cited as the Motor Vehicles (Third Party Insurance) Regulations 2003.

Interpretation.

2. In these Regulations, unless the context otherwise requires -
“Chief Constable” means the Officer in charge of the Sovereign Base Areas Police;

“owner” has the same meaning as in the Motor Vehicles and Road Traffic Ordinance 1973^(b) ;

“Registrar” has the meaning given to that term by regulation 2(1) of the Motor Vehicles and Road Traffic Regulations 1985^(c) ;

“the Ordinance” means the Motor Vehicles (Third Party Insurance) Ordinance 2001.

Forms of certificates of insurance.

3. – (1) An insurer shall issue to a policyholder, except in relation to a policy in the form of a covering note, a certificate of insurance in Form A^(d) , as set out in the Schedule, in order to satisfy the requirements of subsection (1) of section 10 of the Ordinance and of these Regulations, in relation to the production of evidence that the motor vehicle to which the certificate of insurance relates has not been driven in contravention of section 3 of the Ordinance.

Such a certificate of insurance shall specify whether or not the policy in question relates to a particular motor vehicle.

(2) A policy in the form of a covering note issued by an insurer shall include either on its obverse or on its reverse a printed certificate of insurance in Form B^(e) as set out in the Schedule.

(3) Any certificate of insurance issued for the purposes of the Ordinance shall be printed on white paper and shall be completed in English or in one of the official languages of the Republic. No such certificate shall include any advertising material:

^(a) Ordinance 2/2001.

^(b) Ordinance 8/1973 as amended by Ordinances 5/1982, 2/1983, 11/1985 and 5/1999.

^(c) P.Is. 35/1985 to which there are amendments not relevant to these Regulations.

^(d) Schedule: Form A.

^(e) Schedule: Form B.

Provided that the name and address of the insurer or of his representative who issued the certificate of insurance, or the reproduction of his stamp or any logotype shall not be considered as advertising material for the purposes of this regulation.

Authentication of certificate of insurance.

4. A certificate of insurance shall be appropriately authenticated by or on behalf of the insurer who issued the certificate.

Issue of additional certificate of insurance in certain cases.

5. Where, in accordance with the terms of a policy relating to a specific motor vehicle, the policyholder is entitled to drive any motor vehicle other than the one specified without being considered to contravene section 3 of the Ordinance, the insurer who issued the policy may, and if so required by the policyholder shall, issue and deliver to such person an additional certificate of insurance in Form A as set out in the Schedule.

Production of other evidence instead of certificate of insurance.

6. The following evidence may be produced instead of a certificate of insurance by the driver of a motor vehicle, on being so requested by a police officer in accordance with section 10 of the Ordinance, as proof that the motor vehicle is not being driven in contravention of section 3 of the Ordinance -

- (a) in the case of a motor vehicle registered in the Areas or in the Republic, a relevant certificate signed by the Registrar or by some other authorised officer for that purpose;
- (b) in the case of a motor vehicle driven for police purposes under the instructions of a police officer of the rank of Inspector or above as defined in the Police Ordinance 1967^(f) a relevant certificate signed by such police officer;
- (c) in the case of any person or class of persons who or which has been exempted by the Administrator from the provisions of the Ordinance, or in the case of any motor vehicle or type of motor vehicle which has been declared by the Administrator to be exempted from the provisions of the Ordinance, such relevant evidence as is deemed appropriate in the circumstances of the case.

Obligation to produce a certificate of insurance for purposes of issue or renewal of a motor vehicle licence.

7. A person applying for the issue or renewal of a motor vehicle licence in accordance with any relevant Ordinance or regulation shall produce to the Registrar a certificate of insurance providing proof that at the date that such licence is to commence to have effect, there will be a valid policy in force relating to the use of such motor vehicle by that person:

Provided that, instead of a certificate of insurance, any evidence of a description falling within regulation 6 may be produced.

^(f) Ordinance 9/1967 as amended by Ordinances 14/1969, 7/1975, 2/1993, 10/1998 and 25/1999.

Obligation to produce a certificate of insurance for purposes of registration or transfer of a motor vehicle.

8. Any person applying for the registration or transfer of a motor vehicle in accordance with any relevant Ordinance or regulation shall produce to the Registrar any necessary certificate of insurance which proves the existence of a policy covering the use of the motor vehicle in question by that person:

Provided that the expiry date of the policy shall be later than three months from the date of registration or transfer of the motor vehicle in question.

Obligation of insurer to keep a register.

9. – (1) An insurer who issues a policy in accordance with the provisions of the Ordinance shall keep a register containing the following particulars in relation to the policy and to any certificate of insurance issued in relation to such policy –

- (a) the full name and address of the policyholder or holder of the certificate of insurance;
- (b) the number of the policy and certificate of insurance;
- (c) where the policy concerns a specific motor vehicle or specific motor vehicles, the registration marks of each such motor vehicle;
- (d) the date on which the policy commences to have effect and its expiry date;
- (e) the conditions on which the cover is provided to the persons or classes of persons described in the policy,

and any such register shall be kept for one year from the expiry date of the policy.

(2) An insurer required to keep a register of documents in accordance with these Regulations shall, on being so requested, give any relevant information without any charge to the Registrar, to any police officer of the rank of Inspector or above as defined in the Police Ordinance 1967, or to the Cyprus International Insurance Bureau.

Notice to the Chief Constable of the cancellation of a policy.

10. Where to the knowledge of any insurer, any policy issued by him ceases to have effect without the consent of the policyholder, except in the case of a normal expiry of such policy or the death of the policyholder, the insurer shall notify the Chief Constable forthwith of the date on which the policy ceased to have effect.

Obligation to return the certificate to the insurer in case of cancellation.

11. Where with the consent of the policyholder any policy is transferred or suspended or ceases to have effect for any reason other than the normal expiry of the policy, the policyholder shall forthwith return any relevant certificates of insurance to the insurer who issued them and no new policy shall be issued in respect of such policyholder nor shall such policy be transferred to any other person unless and until such certificates of insurance have been returned to the insurer or the insurer has been satisfied that such certificates have been lost or destroyed.

Substitution of certificate of insurance.

12. Where an insurer who has issued a policy of insurance is satisfied that a certificate of insurance relating to the policy has been forged, destroyed or lost, he shall, on being so requested by the policyholder, issue and deliver to such person a new certificate of insurance.

Surrender of affidavit.

13. Any affidavit made for the purposes of section 13 or of section 15(1)(d) of the Ordinance shall be surrendered to the insurer in the same manner as if it were a certificate of insurance.

Information to be recorded in relation to the insurance cover of foreign vehicles.

14. The particulars that a police officer shall be required to record in accordance with the provisions of section 12 of the Ordinance in relation to a certificate of insurance such as is referred to in section 6(1) of the Ordinance shall be the following –

- (a) the name and address of the insured person or of the user of the motor vehicle in respect of which the certificate of insurance has been issued;
- (b) the date of issue and expiry of the certificate;
- (c) the certificate number and the policy number, if any;
- (d) the identification marks written on the registration plates of the vehicle;
- (e) the name and address of the insurer who issued the certificate;
- (f) the usual parking place of the motor vehicle;
- (g) the type and make of the motor vehicle.

PART II

Revocation.

15. The Motor Vehicles (Third Party Insurance) Regulations 1956^(g) are hereby revoked:

Provided that any policy, certificate of insurance or other document issued under those Regulations shall continue to have effect until its replacement or expiration and in such case the content of such policy, certificate of insurance or other document shall be deemed to satisfy fully the requirements of these Regulations, to the extent that it is not inconsistent with those requirements.

^(g) S.L. 1956, No. 719, page 671.

SCHEDULE
(Regulations 3 and 5)
THE MOTOR VEHICLES (THIRD PARTY INSURANCE)
REGULATIONS 2002

CERTIFICATE OF INSURANCE

Form A

This certificate is issued for the purposes of the Motor Vehicles (Third Party Insurance) Ordinance 2001.

Certificate number.....Policy number
(Optional)

1. Identification marks of the vehicle (if registered) or description of the vehicle (if not registered and not required to be registered).
2. Full name of the policyholder.
3. Identity card number of the policyholder or in the case of a company, its registration number.
4. Date of commencement of the insurance for the purposes of the Ordinance.
5. Expiry date of the insurance.
6. Persons or classes of persons entitled to drive.*
7. Restrictions regarding the use.*

It is hereby certified that the policy to which this certificate relates has been issued in accordance with the provisions of the Motor Vehicles (Third Party Insurance) Ordinance of 2001.

(Signature)

Licensed Insurer

* Restrictions rendered inapplicable under section 9 of the Motor Vehicles (Third Party Insurance) Ordinance of 2001 shall not be included.

TYPE B
**THE MOTOR VEHICLES
(THIRD PARTY INSURANCE) REGULATIONS 2002
CERTIFICATE OF INSURANCE**

FORM B

This certificate is issued for the purposes of the Motor Vehicles (Third Party Insurance) Ordinance 2001.

It is hereby certified that this covering note has been issued in accordance with the provisions of the Motor Vehicles (Third Party Insurance) Ordinance 2001.

(Signature)

Licensed Insurer

Dated this 18th day of February 2003.

By the Administrator's Command,
J.C.A. JARVIS CBE,
Chief Officer,
Sovereign Base Areas.

(120/3)
