



SUPPLEMENT No. 2
T O
THE SOVEREIGN BASE AREAS GAZETTE
No. 788 of 11th September, 1987.
L E G I S L A T I O N

ORDINANCE 15 OF 1987.

AN ORDINANCE

TO AMEND THE MOTOR VEHICLES (THIRD PARTY INSURANCE)
ORDINANCE.

K.W. HAYR,
ADMINISTRATOR

7th September, 1987.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. This Ordinance may be cited as the Motor Vehicles (Third Party Insurance) (Amendment) Ordinance, 1987 and shall be read as one with the Motor Vehicles (Third Party Insurance) Ordinance as amended by the Motor Vehicles (Third Party Insurance) Ordinance 1966 (hereinafter referred to as "the principal Ordinance").

Short title.

Cap. 333 — and
7 of 1960
(Laws of Cyprus)
and Ordinance
5 of 1966.

2. Section 2 of the principal Ordinance is hereby amended by adding in the appropriate alphabetical order the following new definition:—

Section 2 of
the principal
Ordinance
amended.

"road" means any road, street, square, pathway, open place and space to which the public has access and includes any bridge, culvert, ditch, embankment, drain, causeway or supporting wall used in connection with a road.

3. The principal Ordinance is hereby amended by repealing Section 4 thereof and substituting therefor the following new Section:—

Section 4 of
the principal
Ordinance
repealed and
replaced.

"Requirements
in respect of
policies of
insurance.

4.—(1) A policy for the purposes of this Ordinance must satisfy the following conditions:—

(a) The policy must be issued by an insurer ;

- (b) Subject to subsection (3) of this Section, the policy—
- (i) must insure such person, persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person caused by, or arising out of, the use of the motor vehicle on a road; and
 - (ii) must also insure him or them in respect of any liability which may be incurred by him or them under the provisions of this Ordinance relating to payment for emergency treatment; and
 - (iii) must also insure him or them in respect of any liability which may be incurred by him or them in respect of any material damage caused by, or arising out of, the use of the motor vehicle on a road:

Provided that the policy shall not be required to cover liability in respect of—

- (a) material damage exceeding £50.000— for any accident or sequence of accidents arising out of only one incident; or
- (b) damage to any article during loading upon, unloading from or transportation in a motor vehicle; or
- (c) damage to any article owned or in the possession, custody or control of:
 - (i) an insured person;
 - (ii) a member of the family of the insured person; or
- (d) damage to any bridge, bridge scales, flying bridge, road or anything underneath them caused by vibrations or the weight of the motor vehicle or the weight of the load carried by such motor vehicle.

(2) Where a person uses a motor vehicle in circumstances where under subsection (1) of

Section 3 of this Ordinance a policy in force is required in relation to the use of such motor vehicle, and if any other person is being carried in or upon the motor vehicle, any previous agreement between them (whether intended to be legally binding or not) shall be of no legal effect in so far as it intends :—

- (a) to remove or restrict any liability of the user of the motor vehicle in respect of persons being carried in or upon the motor vehicle ; or
- (b) to impose any conditions in respect of the validity of any liability of the user of the motor vehicle,

and the fact that a person carried has willingly accepted the risk of negligence by the user of the motor vehicle shall not remove any liability by such user.

For the purposes of this subsection references to a person being carried in or upon a motor vehicle includes references to a person entering or mounting upon, or entering into or alighting from the vehicle and previous agreement means an agreement made any time before the liability has arisen.

- (3) The policy shall not be required to cover :—
 - (a) liability in respect of the death, arising out of or in the course of his employment, of a person in the employment of a person insured by the policy or of bodily injury sustained by such a person arising out of or in the course of his employment, or
 - (b) any contractual liability.”.

7th September, 1987.

D.K.A. REYNOLDS,
Chief Officer.

(120/3)
