

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 14 November, 1963.*

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1963.

An Act to remove, in respect of certain third party insurances effected with the Government Insurance Office of New South Wales, the necessity for that Office to be formally nominated as insurer and to issue policies; for these and other purposes to amend the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, the Transport Act, 1930, as amended by subsequent Acts, and the Stamp Duties Act, 1920, as amended by subsequent Acts; and for purposes connected therewith.

BE

Motor Vehicles (Third Party Insurance) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Motor Vehicles (Third Party Insurance) Amendment Act, 1963". Short title, citation and commencement.

(2) The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Motor Vehicles (Third Party Insurance) Act, 1942-1963.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

(4) The Stamp Duties Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Stamp Duties Act, 1920-1963.

(5) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(6) The Government Railways and Transport (Amendment) Act, 1963, is amended by omitting subsection three of section one. Amendment of Act No. 10, 1963. Sec. 1. (Consequential.)

2. The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, is amended— Amendment of Act No. 15, 1942.

(a) (i) by omitting paragraph (b) of subsection one of section eight and by inserting in lieu thereof the following paragraph :— Sec. 8. (Motor vehicle not to be registered, etc., without evidence of insurance.)

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government without evidence of insurance.)

Motor Vehicles (Third Party Insurance) Amendment.

5 Government Insurance Office of the motor vehicle for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

(ii) by omitting paragraph (b) of subsection two of the same section and by inserting in lieu thereof the following paragraph :—

10 (b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government Insurance Office of motor vehicles to which such trader's plate is affixed at any time whilst it is in issue.

(b) (i) by inserting at the end of subsection one of section nine the following new paragraph :—
20 (d) This subsection shall not apply in any case in which subsection two or three of this section applies. Sec. 9. (Issue of certificate and third-party policy.)

(ii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

25 (2) Upon lodgment under paragraph (b) of subsection one of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as
30 the authorised insurer of the motor vehicle in respect of which such amount was lodged and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent
35 Acts, in relation to such motor vehicle.

For

Motor Vehicles (Third Party Insurance) Amendment.

For the purposes of this Act, such policy shall be deemed to be expressed—

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(a) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and

(b) to terminate on the date of expiration of the registration or renewal of registration.

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(3) Upon lodgment under paragraph (b) of subsection two of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of motor vehicles to which the trader's plate, specified in the receipt for payment of such amount, is affixed and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicles.

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For the purposes of this Act, such policy shall be deemed to be expressed—

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(a) to commence on the date of commencement shown in such receipt or the date of such lodgment whichever is the later; and

(b) to terminate on the date of expiration shown in such receipt.

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(4) Where a third-party policy is deemed to be issued pursuant to subsection two or three of this section it shall not, for the purposes of this or any other Act, be necessary for the Government Insurance Office to make out, execute or issue a third-party policy.

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(5)

Motor Vehicles (Third Party Insurance) Amendment.

5 (5) The Commissioner shall, at such times as may be agreed upon by him and the Government Insurance Office, pay any amount of insurance premium lodged with him in accordance with paragraph (b) of subsection one or paragraph (b) of subsection two of section eight of this Act to the Government Insurance Office.

10 (6) The provisions of subsections two to five inclusive of this section shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement
15 of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a third-party policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance
20 premium is lodged after such commencement.

3. The Transport Act, 1930, as amended by subsequent Acts, is amended—

25 (a) by omitting paragraph (b) of subsection three of section one hundred and fifty-four and by inserting in lieu thereof the following paragraph :—

30 (b) the appropriate amount of insurance premium in respect of the insurance of the motor omnibus under a policy with the Government Insurance Office for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

Amendment of Act No. 18, 1930. Sec. 154. (Insurance of motor omnibuses against damage to property.)

(b)

Motor Vehicles (Third Party Insurance) Amendment.

(b) by inserting at the end of subsection (3A) of the same section the following new paragraph :—

(c) This subsection shall not apply in any case in which subsection (3B) of this section applies.

5 (c) by omitting subsection (3B) of the same section and by inserting in lieu thereof the following subsection :—

10 (3B) (a) Upon lodgment under paragraph (b) of subsection three of this section of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor omnibus in respect of which such amount was lodged and to have issued, duly stamped within the
15 meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, a policy in relation to such motor omnibus.

For the purposes of this Division, such policy shall be deemed to be expressed—

20 (i) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later ; and

25 (ii) to terminate on the date of expiration of the registration or renewal of registration.

(b) It shall not, for the purposes of this or any other Act, be necessary in any such case for the Government Insurance Office to make out, execute or issue a policy.

30 (c) The Commissioner shall, at such times as may be agreed upon between him and the Government Insurance Office, pay any such amount so lodged with him to the Government Insurance Office.

(d)

Motor Vehicles (Third Party Insurance) Amendment.

5 (d) The provisions of this subsection shall
 apply where the appropriate amount of insurance
 premium, and a nomination of the Government
 Insurance Office as authorised insurer, was lodged
 with the Commissioner before the commencement
 of the Motor Vehicles (Third Party Insurance)
 Amendment Act, 1963, and a policy had not,
 pursuant to such nomination, been issued at such
 commencement, as well as where an appropriate
 10 amount of insurance premium is lodged after such
 commencement.

4. The Stamp Duties Act, 1920, as amended by sub-
 sequent Acts, is amended by inserting next after section 88C the
 following new section : —

Amendment
 of Act No.
 47, 1920.

New sec.
 88D.

15 88D. (1) Where under the provisions of subsection
 five of section nine of the Motor Vehicles (Third Party
 Insurance) Act, 1942, as amended by subsequent Acts,
 or paragraph (c) of subsection (3B) of section one
 hundred and fifty-four of the Transport Act, 1930, as
 20 amended by subsequent Acts, the amount of any
 premiums in respect of any third-party policies, or
 policies, is paid to the Government Insurance Office dur-
 ing the period from the commencement of the Motor
 Vehicles (Third Party Insurance) Amendment Act,
 25 1963, up to and including the last day of the calendar
 month in which that Act commenced, or during any
 subsequent calendar month, the Government Insurance
 Office shall furnish to the Commissioner a return in such
 form as the Commissioner may approve showing the
 30 number of third-party policies, or policies, in respect of
 which such premiums have been paid to the Government
 Insurance Office during that period or month, as the case
 may be.

Stamp duty
 on certain
 policies of
 insurance
 deemed to
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 Government
 Insurance
 Office.

35 The Government Insurance Office shall furnish every
 such return within seven days after the period or month
 in respect of which it is required to be furnished.

(2)

Motor Vehicles (Third Party Insurance) Amendment.

5 (2) The duty that would have been payable on any such third-party policies, and policies, had they been made out and executed, shall be paid by the Government Insurance Office to the Commissioner at the time when the return in respect of such third-party policies, or policies, is furnished under this section to the Commissioner, or within such further time as the Commissioner may allow, and shall be denoted on such return.

10 (3) In this section, "Government Insurance Office" means the Government Insurance Office of New South Wales.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963
[8d.]

No. , 1963.

A BILL

To remove, in respect of certain third party insurances effected with the Government Insurance Office of New South Wales, the necessity for that Office to be formally nominated as insurer and to issue policies; for these and other purposes to amend the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, the Transport Act, 1930, as amended by subsequent Acts, and the Stamp Duties Act, 1920, as amended by subsequent Acts; and for purposes connected therewith.

[MR. McMAHON;—10 *September*, 1963.]

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Motor Vehicles (Third Party Insurance) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows : —

1. (1) This Act may be cited as the "Motor Vehicles (Third Party Insurance) Amendment Act, 1963".

Short title, citation and commencement.

(2) The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Motor Vehicles (Third Party Insurance) Act, 1942-1963.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

15 (4) The Stamp Duties Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Stamp Duties Act, 1920-1963.

(5) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(6) The Government Railways and Transport (Amendment) Act, 1963, is amended by omitting subsection three of section one.

Amendment of Act No. 10, 1963. Sec. 1. (Consequential.)

2. The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, is amended—

Amendment of Act No. 15, 1942.

(a) (i) by omitting paragraph (b) of subsection one of section eight and by inserting in lieu thereof the following paragraph : —

Sec. 8. (Motor vehicle not to be registered, etc., without evidence of insurance.)

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government

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Motor Vehicles (Third Party Insurance) Amendment.

5 Government Insurance Office of the motor vehicle for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

(ii) by omitting paragraph (b) of subsection two of the same section and by inserting in lieu thereof the following paragraph :—

10 (b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government Insurance Office of motor vehicles to which such trader's plate is affixed at any time whilst it is in issue.

(b) (i) by inserting at the end of subsection one of section nine the following new paragraph :—

20 (d) This subsection shall not apply in any case in which subsection two or three of this section applies. (Issue of certificate and third-party policy.)

(ii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

25 (2) Upon lodgment under paragraph (b) of subsection one of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor vehicle in respect of which such amount was lodged and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicle.

For

Motor Vehicles (Third Party Insurance) Amendment.

For the purposes of this Act, such policy shall be deemed to be expressed—

- 5 (a) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and
- (b) to terminate on the date of expiration of the registration or renewal of registration.

- 10 (3) Upon lodgment under paragraph (b) of subsection two of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of motor vehicles to which the trader's plate, specified in the receipt for payment of such amount, is affixed and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicles.
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For the purposes of this Act, such policy shall be deemed to be expressed—

- 25 (a) to commence on the date of commencement shown in such receipt or the date of such lodgment whichever is the later; and
- (b) to terminate on the date of expiration shown in such receipt.

- 30 (4) Where a third-party policy is deemed to be issued pursuant to subsection two or three of this section it shall not, for the purposes of this or any other Act, be necessary for the Government Insurance Office to make out, execute or issue a third-party policy.
- 35

(5)

Motor Vehicles (Third Party Insurance) Amendment.

5 (5) The Commissioner shall, at such times as may be agreed upon by him and the Government Insurance Office, pay any amount of insurance premium lodged with him in accordance with paragraph (b) of subsection one or paragraph (b) of subsection two of section eight of this Act to the Government Insurance Office.

10 (6) The provisions of subsections two to five inclusive of this section shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement
15 of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a third-party policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance
20 premium is lodged after such commencement.

3. The Transport Act, 1930, as amended by subsequent Acts, is amended—

25 (a) by omitting paragraph (b) of subsection three of section one hundred and fifty-four and by inserting in lieu thereof the following paragraph :—

30 (b) the appropriate amount of insurance premium in respect of the insurance of the motor omnibus under a policy with the Government Insurance Office for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

Amendment of Act No. 18, 1930. Sec. 154. (Insurance of motor omnibuses against damage to property.)

(b)

Motor Vehicles (Third Party Insurance) Amendment.

(b) by inserting at the end of subsection (3A) of the same section the following new paragraph :—

(c) This subsection shall not apply in any case in which subsection (3B) of this section applies.

5 (c) by omitting subsection (3B) of the same section and by inserting in lieu thereof the following subsection :—

10 (3B) (a) Upon lodgment under paragraph (b) of subsection three of this section of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor omnibus in respect of which such amount was
15 lodged and to have issued, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, a policy in relation to such motor omnibus.

For the purposes of this Division, such policy shall be deemed to be expressed—

20 (i) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later ; and

25 (ii) to terminate on the date of expiration of the registration or renewal of registration.

(b) It shall not, for the purposes of this or any other Act, be necessary in any such case for the Government Insurance Office to make out, execute or issue a policy.

30 (c) The Commissioner shall, at such times as may be agreed upon between him and the Government Insurance Office, pay any such amount so lodged with him to the Government Insurance Office.

(d)

Motor Vehicles (Third Party Insurance) Amendment.

5 (d) The provisions of this subsection shall
 apply where the appropriate amount of insurance
 premium, and a nomination of the Government
 Insurance Office as authorised insurer, was lodged
 with the Commissioner before the commencement
 of the Motor Vehicles (Third Party Insurance)
 Amendment Act, 1963, and a policy had not,
 pursuant to such nomination, been issued at such
 commencement, as well as where an appropriate
 10 amount of insurance premium is lodged after such
 commencement.

4. The Stamp Duties Act, 1920, as amended by subse-
 quent Acts, is amended by inserting next after section 88C the
 following new section :—

Amendment
 of Act No.
 47, 1920.
 New sec.
 88D.

15 88D. (1) Where under the provisions of subsection
 five of section nine of the Motor Vehicles (Third Party
 Insurance) Act, 1942, as amended by subsequent Acts,
 or paragraph (c) of subsection (3B) of section one
 hundred and fifty-four of the Transport Act, 1930, as
 20 amended by subsequent Acts, the amount of any
 premiums in respect of any third-party policies, or
 policies, is paid to the Government Insurance Office dur-
 ing the period from the commencement of the Motor
 Vehicles (Third Party Insurance) Amendment Act,
 25 1963, up to and including the last day of the calendar
 month in which that Act commenced, or during any
 subsequent calendar month, the Government Insurance
 Office shall furnish to the Commissioner a return in such
 form as the Commissioner may approve showing the
 30 number of third-party policies, or policies, in respect of
 which such premiums have been paid to the Government
 Insurance Office during that period or month, as the case
 may be.

Stamp duty
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 policies of
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35 The Government Insurance Office shall furnish every
 such return within seven days after the period or month
 in respect of which it is required to be furnished.

(2)

Motor Vehicles (Third Party Insurance) Amendment.

5 (2) The duty that would have been payable on any such third-party policies, and policies, had they been made out and executed, shall be paid by the Government Insurance Office to the Commissioner at the time when the return in respect of such third-party policies, or policies, is furnished under this section to the Commissioner, or within such further time as the Commissioner may allow, and shall be denoted on such return.

10 (3) In this section, "Government Insurance Office" means the Government Insurance Office of New South Wales.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

[8d.]

MOTOR VEHICLES (THIRD PARTY INSURANCE) AMENDMENT BILL, 1963.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to amend the Motor Vehicles (Third Party Insurance) Act, 1942-1962, and the Transport Act, 1930-1963, so as to abolish in respect of certain third party insurances effected with the Government Insurance Office, the necessity for that Office to be formally nominated as insurer and to issue policies; and
- (b) to amend the Stamp Duties Act, 1920-1962, to provide for stamp duty payable on such policies to be denoted on returns made by that Office to the Commissioner of Stamp Duties.

MOTOR VEHICLES (THIRD PARTY INSURANCE) AMENDMENT

BILL 1983

EXPLANATORY NOTE

The purpose of this Bill is to amend the Motor Vehicles (Third Party Insurance) Act 1966. The amendments are designed to clarify the provisions of the Act and to provide for the payment of compensation to persons who are injured or killed as a result of an accident involving a motor vehicle. The Bill also provides for the payment of compensation to persons who are injured or killed as a result of an accident involving a motor vehicle which is used for hire or reward.

1983

PROOF

No. , 1963.

A BILL

To remove, in respect of certain third party insurances effected with the Government Insurance Office of New South Wales, the necessity for that Office to be formally nominated as insurer and to issue policies; for these and other purposes to amend the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, the Transport Act, 1930, as amended by subsequent Acts, and the Stamp Duties Act, 1920, as amended by subsequent Acts; and for purposes connected therewith.

[MR. MCMAHON ;—10 *September*, 1963.]

BE

Motor Vehicles (Third Party Insurance) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Motor Vehicles (Third Party Insurance) Amendment Act, 1963".

Short title, citation and commencement.

(2) The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Motor Vehicles (Third Party Insurance) Act, 1942-1963.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

15 (4) The Stamp Duties Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Stamp Duties Act, 1920-1963.

(5) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(6) The Government Railways and Transport (Amendment) Act, 1963, is amended by omitting subsection three of section one.

Amendment of Act No. 10, 1963. Sec. 1. (Consequential.)

2. The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, is amended—

Amendment of Act No. 15, 1942.

(a) (i) by omitting paragraph (b) of subsection one of section eight and by inserting in lieu thereof the following paragraph :—

Sec. 8. (Motor vehicle not to be registered, etc., without evidence of insurance.)

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government

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Motor Vehicles (Third Party Insurance) Amendment.

5 Government Insurance Office of the motor vehicle for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

(ii) by omitting paragraph (b) of subsection two of the same section and by inserting in lieu thereof the following paragraph : —

10 (b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government Insurance Office of motor vehicles to which such trader's plate is affixed at any time whilst it is in issue.

15 (b) (i) by inserting at the end of subsection one of section nine the following new paragraph : — (Issue of certificate and third-party policy.)

20 (d) This subsection shall not apply in any case in which subsection two or three of this section applies.

(ii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections : —

25 (2) Upon lodgment under paragraph (b) of subsection one of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor vehicle in respect of which such amount was lodged and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent

30 Acts, in relation to such motor vehicle.

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Motor Vehicles (Third Party Insurance) Amendment.

For the purposes of this Act, such policy shall be deemed to be expressed—

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- (a) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and
 - (b) to terminate on the date of expiration of the registration or renewal of registration.

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(3) Upon lodgment under paragraph (b) of subsection two of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of motor vehicles to which the trader's plate, specified in the receipt for payment of such amount, is affixed and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicles.

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For the purposes of this Act, such policy shall be deemed to be expressed—

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- (a) to commence on the date of commencement shown in such receipt or the date of such lodgment whichever is the later; and
 - (b) to terminate on the date of expiration shown in such receipt.

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(4) Where a third-party policy is deemed to be issued pursuant to subsection two or three of this section it shall not, for the purposes of this or any other Act, be necessary for the Government Insurance Office to make out, execute or issue a third-party policy.

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(5)

Motor Vehicles (Third Party Insurance) Amendment.

5 (5) The Commissioner shall, at such times as may be agreed upon by him and the Government Insurance Office, pay any amount of insurance premium lodged with him in accordance with paragraph (b) of subsection one or paragraph (b) of subsection two of section eight of this Act to the Government Insurance Office.

10 (6) The provisions of subsections two to five inclusive of this section shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a third-party policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance premium is lodged after such commencement.

3. The Transport Act, 1930, as amended by subsequent Acts, is amended—

25 (a) by omitting paragraph (b) of subsection three of section one hundred and fifty-four and by inserting in lieu thereof the following paragraph :—

30 (b) the appropriate amount of insurance premium in respect of the insurance of the motor omnibus under a policy with the Government Insurance Office for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

(b)

Amendment
of Act No.
18, 1930.
Sec. 154.
(Insurance
of motor
omnibuses
against
damage to
property.)

Motor Vehicles (Third Party Insurance) Amendment.

(b) by inserting at the end of subsection (3A) of the same section the following new paragraph :—

(c) This subsection shall not apply in any case in which subsection (3B) of this section applies.

5 (c) by omitting subsection (3B) of the same section and by inserting in lieu thereof the following subsection :—

10 (3B) (a) Upon lodgment under paragraph (b) of subsection three of this section of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor omnibus in respect of which such amount was lodged and to have issued, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, a policy in relation to such motor omnibus.

For the purposes of this Division, such policy shall be deemed to be expressed—

20 (i) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later ; and

25 (ii) to terminate on the date of expiration of the registration or renewal of registration.

(b) It shall not, for the purposes of this or any other Act, be necessary in any such case for the Government Insurance Office to make out, execute or issue a policy.

30 (c) The Commissioner shall, at such times as may be agreed upon between him and the Government Insurance Office, pay any such amount so lodged with him to the Government Insurance Office.

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Motor Vehicles (Third Party Insurance) Amendment.

5 (d) The provisions of this subsection shall
 apply where the appropriate amount of insurance
 premium, and a nomination of the Government
 Insurance Office as authorised insurer, was lodged
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 of the Motor Vehicles (Third Party Insurance)
 Amendment Act, 1963, and a policy had not,
 pursuant to such nomination, been issued at such
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4. The Stamp Duties Act, 1920, as amended by subse-
 quent Acts, is amended by inserting next after section 88C the
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Amendment
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 47, 1920.
 New sec.
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15 88D. (1) Where under the provisions of subsection
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 Insurance) Act, 1942, as amended by subsequent Acts,
 or paragraph (c) of subsection (3B) of section one
 hundred and fifty-four of the Transport Act, 1930, as
 20 amended by subsequent Acts, the amount of any
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 ing the period from the commencement of the Motor
 Vehicles (Third Party Insurance) Amendment Act,
 25 1963, up to and including the last day of the calendar
 month in which that Act commenced, or during any
 subsequent calendar month, the Government Insurance
 Office shall furnish to the Commissioner a return in such
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 30 number of third-party policies, or policies, in respect of
 which such premiums have been paid to the Government
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Motor Vehicles (Third Party Insurance) Amendment.

5 (2) The duty that would have been payable on any such third-party policies, and policies, had they been made out and executed, shall be paid by the Government Insurance Office to the Commissioner at the time when the return in respect of such third-party policies, or policies, is furnished under this section to the Commissioner, or within such further time as the Commissioner may allow, and shall be denoted on such return.

10 (3) In this section, "Government Insurance Office" means the Government Insurance Office of New South Wales.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. 43, 1963.

An Act to remove, in respect of certain third party insurances effected with the Government Insurance Office of New South Wales, the necessity for that Office to be formally nominated as insurer and to issue policies; for these and other purposes to amend the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, the Transport Act, 1930, as amended by subsequent Acts, and the Stamp Duties Act, 1920, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 2nd December, 1963.]

BE

Motor Vehicles (Third Party Insurance) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title,
citation
and com-
mencement.

1. (1) This Act may be cited as the "Motor Vehicles (Third Party Insurance) Amendment Act, 1963".

(2) The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Motor Vehicles (Third Party Insurance) Act, 1942-1963.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

(4) The Stamp Duties Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Stamp Duties Act, 1920-1963.

(5) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act No.
10, 1963.
Sec. 1.
(Conse-
quential.)

(6) The Government Railways and Transport (Amendment) Act, 1963, is amended by omitting subsection three of section one.

Amendment
of Act No.
15, 1942.

2. The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, is amended—

Sec. 8.
(Motor
vehicle
not to be
registered,
etc.,
without
evidence of
insurance.)

(a) (i) by omitting paragraph (b) of subsection one of section eight and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the
Government

Motor Vehicles (Third Party Insurance) Amendment.

Government Insurance Office of the motor vehicle for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

- (ii) by omitting paragraph (b) of subsection two of the same section and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government Insurance Office of motor vehicles to which such trader's plate is affixed at any time whilst it is in issue.

- (b) (i) by inserting at the end of subsection one of section nine the following new paragraph :—
- (d) This subsection shall not apply in any case in which subsection two or three of this section applies.
- Sec. 9.
(Issue of certificate and third-party policy.)

- (ii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

(2) Upon lodgment under paragraph (b) of subsection one of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor vehicle in respect of which such amount was lodged and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicle.

For

Motor Vehicles (Third Party Insurance) Amendment.

For the purposes of this Act, such policy shall be deemed to be expressed—

- (a) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and
- (b) to terminate on the date of expiration of the registration or renewal of registration.

(3) Upon lodgment under paragraph (b) of subsection two of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of motor vehicles to which the trader's plate, specified in the receipt for payment of such amount, is affixed and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicles.

For the purposes of this Act, such policy shall be deemed to be expressed—

- (a) to commence on the date of commencement shown in such receipt or the date of such lodgment whichever is the later; and
- (b) to terminate on the date of expiration shown in such receipt.

(4) Where a third-party policy is deemed to be issued pursuant to subsection two or three of this section it shall not, for the purposes of this or any other Act, be necessary for the Government Insurance Office to make out, execute or issue a third-party policy.

(5)

Motor Vehicles (Third Party Insurance) Amendment.

(5) The Commissioner shall, at such times as may be agreed upon by him and the Government Insurance Office, pay any amount of insurance premium lodged with him in accordance with paragraph (b) of subsection one or paragraph (b) of subsection two of section eight of this Act to the Government Insurance Office.

(6) The provisions of subsections two to five inclusive of this section shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a third-party policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance premium is lodged after such commencement.

3. The Transport Act, 1930, as amended by subsequent Acts, is amended—

(a) by omitting paragraph (b) of subsection three of section one hundred and fifty-four and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance of the motor omnibus under a policy with the Government Insurance Office for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

Amendment
of Act No.
18, 1930.
Sec. 154.
(Insurance
of motor
omnibuses
against
damage to
property.)

(b)

Motor Vehicles (Third Party Insurance) Amendment.

(b) by inserting at the end of subsection (3A) of the same section the following new paragraph :—

(c) This subsection shall not apply in any case in which subsection (3B) of this section applies.

(c) by omitting subsection (3B) of the same section and by inserting in lieu thereof the following subsection :—

(3B) (a) Upon lodgment under paragraph (b) of subsection three of this section of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor omnibus in respect of which such amount was lodged and to have issued, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, a policy in relation to such motor omnibus.

For the purposes of this Division, such policy shall be deemed to be expressed—

(i) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and

(ii) to terminate on the date of expiration of the registration or renewal of registration.

(b) It shall not, for the purposes of this or any other Act, be necessary in any such case for the Government Insurance Office to make out, execute or issue a policy.

(c) The Commissioner shall, at such times as may be agreed upon between him and the Government Insurance Office, pay any such amount so lodged with him to the Government Insurance Office.

(d)

Motor Vehicles (Third Party Insurance) Amendment.

(d) The provisions of this subsection shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance premium is lodged after such commencement.

4. The Stamp Duties Act, 1920, as amended by subsequent Acts, is amended by inserting next after section 88c the following new section :—

Amendment of Act No. 47, 1920.
New sec. 88D.

88D. (1) Where under the provisions of subsection five of section nine of the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, or paragraph (c) of subsection (3B) of section one hundred and fifty-four of the Transport Act, 1930, as amended by subsequent Acts, the amount of any premiums in respect of any third-party policies, or policies, is paid to the Government Insurance Office during the period from the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, up to and including the last day of the calendar month in which that Act commenced, or during any subsequent calendar month, the Government Insurance Office shall furnish to the Commissioner a return in such form as the Commissioner may approve showing the number of third-party policies, or policies, in respect of which such premiums have been paid to the Government Insurance Office during that period or month, as the case may be.

Stamp duty on certain policies of insurance deemed to have been issued by the Government Insurance Office.

The Government Insurance Office shall furnish every such return within seven days after the period or month in respect of which it is required to be furnished.

(2)

Motor Vehicles (Third Party Insurance) Amendment.

(2) The duty that would have been payable on any such third-party policies, and policies, had they been made out and executed, shall be paid by the Government Insurance Office to the Commissioner at the time when the return in respect of such third-party policies, or policies, is furnished under this section to the Commissioner, or within such further time as the Commissioner may allow, and shall be denoted on such return.

(3) In this section, "Government Insurance Office" means the Government Insurance Office of New South Wales.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 November, 1963, A.M.*

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. 43, 1963.

An Act to remove, in respect of certain third party insurances effected with the Government Insurance Office of New South Wales, the necessity for that Office to be formally nominated as insurer and to issue policies; for these and other purposes to amend the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, the Transport Act, 1930, as amended by subsequent Acts, and the Stamp Duties Act, 1920, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 2nd December, 1963.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Motor Vehicles (Third Party Insurance) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title,
citation
and com-
mencement.

1. (1) This Act may be cited as the "Motor Vehicles (Third Party Insurance) Amendment Act, 1963".

(2) The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Motor Vehicles (Third Party Insurance) Act, 1942-1963.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

(4) The Stamp Duties Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Stamp Duties Act, 1920-1963.

(5) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

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of Act No.
10, 1963.
Sec. 1.
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quential.)

(6) The Government Railways and Transport (Amendment) Act, 1963, is amended by omitting subsection three of section one.

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15, 1942.

2. The Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, is amended—

Sec. 8.
(Motor
vehicle
not to be
registered,
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(a) (i) by omitting paragraph (b) of subsection one of section eight and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the
Government

Motor Vehicles (Third Party Insurance) Amendment.

Government Insurance Office of the motor vehicle for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

(ii) by omitting paragraph (b) of subsection two of the same section and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance under a third-party policy with the Government Insurance Office of motor vehicles to which such trader's plate is affixed at any time whilst it is in issue.

(b) (i) by inserting at the end of subsection one of section nine the following new paragraph :—

(d) This subsection shall not apply in any case in which subsection two or three of this section applies. (Issue of certificate and third-party policy.)

(ii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

(2) Upon lodgment under paragraph (b) of subsection one of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor vehicle in respect of which such amount was lodged and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicle.

For

Motor Vehicles (Third Party Insurance) Amendment.

For the purposes of this Act, such policy shall be deemed to be expressed—

- (a) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later; and
- (b) to terminate on the date of expiration of the registration or renewal of registration.

(3) Upon lodgment under paragraph (b) of subsection two of section eight of this Act of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of motor vehicles to which the trader's plate, specified in the receipt for payment of such amount, is affixed and to have issued a third-party policy, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, in relation to such motor vehicles.

For the purposes of this Act, such policy shall be deemed to be expressed—

- (a) to commence on the date of commencement shown in such receipt or the date of such lodgment whichever is the later; and
- (b) to terminate on the date of expiration shown in such receipt.

(4) Where a third-party policy is deemed to be issued pursuant to subsection two or three of this section it shall not, for the purposes of this or any other Act, be necessary for the Government Insurance Office to make out, execute or issue a third-party policy.

(5)

Motor Vehicles (Third Party Insurance) Amendment.

(5) The Commissioner shall, at such times as may be agreed upon by him and the Government Insurance Office, pay any amount of insurance premium lodged with him in accordance with paragraph (b) of subsection one or paragraph (b) of subsection two of section eight of this Act to the Government Insurance Office.

(6) The provisions of subsections two to five inclusive of this section shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a third-party policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance premium is lodged after such commencement.

3. The Transport Act, 1930, as amended by subsequent Acts, is amended—

(a) by omitting paragraph (b) of subsection three of section one hundred and fifty-four and by inserting in lieu thereof the following paragraph :—

(b) the appropriate amount of insurance premium in respect of the insurance of the motor omnibus under a policy with the Government Insurance Office for a period commencing on the date of commencement and terminating on the date of expiration of the registration or renewal of registration.

Amendment
of Act No.
18, 1930.

Sec. 154.
(Insurance
of motor
omnibuses
against
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property.)

(b)

Motor Vehicles (Third Party Insurance) Amendment.

(b) by inserting at the end of subsection (3A) of the same section the following new paragraph :—

(c) This subsection shall not apply in any case in which subsection (3B) of this section applies.

(c) by omitting subsection (3B) of the same section and by inserting in lieu thereof the following subsection :—

(3B) (a) Upon lodgment under paragraph (b) of subsection three of this section of the appropriate amount of insurance premium, the Government Insurance Office shall be deemed to have been nominated as the authorised insurer of the motor omnibus in respect of which such amount was lodged and to have issued, duly stamped within the meaning of the Stamp Duties Act, 1920, as amended by subsequent Acts, a policy in relation to such motor omnibus.

For the purposes of this Division, such policy shall be deemed to be expressed—

- (i) to commence on the date of commencement of the registration or renewal of registration or the date of such lodgment, whichever is the later ; and
- (ii) to terminate on the date of expiration of the registration or renewal of registration.

(b) It shall not, for the purposes of this or any other Act, be necessary in any such case for the Government Insurance Office to make out, execute or issue a policy.

(c) The Commissioner shall, at such times as may be agreed upon between him and the Government Insurance Office, pay any such amount so lodged with him to the Government Insurance Office.

(d)

Motor Vehicles (Third Party Insurance) Amendment.

(d) The provisions of this subsection shall apply where the appropriate amount of insurance premium, and a nomination of the Government Insurance Office as authorised insurer, was lodged with the Commissioner before the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, and a policy had not, pursuant to such nomination, been issued at such commencement, as well as where an appropriate amount of insurance premium is lodged after such commencement.

4. The Stamp Duties Act, 1920, as amended by subsequent Acts, is amended by inserting next after section 88c the following new section :—

Amendment
of Act No.
47, 1920.

New sec.
88D.

88D. (1) Where under the provisions of subsection five of section nine of the Motor Vehicles (Third Party Insurance) Act, 1942, as amended by subsequent Acts, or paragraph (c) of subsection (3B) of section one hundred and fifty-four of the Transport Act, 1930, as amended by subsequent Acts, the amount of any premiums in respect of any third-party policies, or policies, is paid to the Government Insurance Office during the period from the commencement of the Motor Vehicles (Third Party Insurance) Amendment Act, 1963, up to and including the last day of the calendar month in which that Act commenced, or during any subsequent calendar month, the Government Insurance Office shall furnish to the Commissioner a return in such form as the Commissioner may approve showing the number of third-party policies, or policies, in respect of which such premiums have been paid to the Government Insurance Office during that period or month, as the case may be.

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The Government Insurance Office shall furnish every such return within seven days after the period or month in respect of which it is required to be furnished.

(2)

Motor Vehicles (Third Party Insurance) Amendment.

(2) The duty that would have been payable on any such third-party policies, and policies, had they been made out and executed, shall be paid by the Government Insurance Office to the Commissioner at the time when the return in respect of such third-party policies, or policies, is furnished under this section to the Commissioner, or within such further time as the Commissioner may allow, and shall be denoted on such return.

(3) In this section, "Government Insurance Office" means the Government Insurance Office of New South Wales.

In the name and on behalf of Her Majesty I assent to this Act.

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 2nd December, 1963.*