

SUBSIDIARY LEGISLATION

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**MOTOR VEHICLES INSURANCE
(THIRD PARTY RISKS) ACT
(CHAPTER 90)**

**MOTOR VEHICLES INSURANCE
(THIRD PARTY RISKS) RULES**

British Resident's Office Notification 33/1950

REVISED EDITION 2014

SUBSIDIARY LEGISLATION

**MOTOR VEHICLES INSURANCE
(THIRD PARTY RISKS) RULES**

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SUBSIDIARY LEGISLATION

Rules made under section 23

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) RULES

Commencement: 1st May 1950

Citation.

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

Interpretation.

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

“Act” means the Motor Vehicles Insurance (Third Party Risks) Act;

“company” means an insurer approved by the Authority under the Act or a body of persons by whom a security may be given in pursuance of the Act;

“Licensing Officer” means a Licensing Officer appointed under the Road Traffic Act (Chapter 68);

“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 Act and includes a covering note;

“security” means such security in respect of third party risks arising out of the use of motor vehicles as complies with the requirements of the Act.

Certificates of insurance and certificates of security.

3. (1) A company shall issue to every holder of a policy, other than a covering note, or of a security issued by the company —

(a) in the case of a policy or security relating to a specified motor vehicle or to specified motor vehicles a certificate of insurance in Form 1 or a certificate of security in Form 4 set out in the Schedule in respect of each such motor vehicle;

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(b) in the case of a policy or security not relating to any specified motor vehicle or motor vehicles such number of certificates in Form 2 or Form 4 set out in the Schedule as may be necessary to enable the requirements of section 16(1) and of these Rules as to the production of evidence that a motor vehicle is not being driven in contravention of section 3 to be complied with.

(2) Every policy in the form of a covering note issued by a company shall have printed thereon or on the back thereof a certificate of insurance in Form 3 set out in the Schedule.

Certificate of insurance to be authenticated.

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

(2) The certificates shall be issued not later than 4 days after the date on which the policy or security is issued or renewed.

Issue of further certificate.

5. Where under the terms of a policy or security relating to a specified motor vehicle the holder is entitled to drive any other motor vehicle than that specified without contravention of section 3, the company by whom the policy or security was issued may and shall on demand being made to them by the holder, issue to him a further certificate of insurance in Form 1 or Form 2 set out in the Schedule or a further certificate of security, as the case may be.

Alternative to certificate of insurance.

6. The following evidence that a motor vehicle is not being driven in contravention of section 3 may be produced by the driver of such motor vehicle on the request of a police officer in pursuance of section 16(1) as an alternative to the production of a certificate of insurance or a certificate of security —

(a) in the case of a motor vehicle owned by the Government, a certificate in Form 5 set out in the Schedule signed by a duly authorised officer of the department in whose possession or use such vehicle may be;

(b) in the case of a motor vehicle of which the owner has for the time being deposited with the State Financial Officer the sum directed by the Authority in accordance with the provisions of section 3(5)(b), a certificate in Form 6 set out in the Schedule signed by the owner of the motor vehicle or by some person authorised by him in that behalf.

(c) in the case of motor vehicles exempted from the provisions of section 3 by the Authority under section 25, a certificate in Form 7 set out in the Schedule signed by the State Secretary.

Certificate to be destroyed.

7. Any certificate issued in accordance with rule 6 shall be destroyed by the person by whom it was issued before the motor vehicle to which it relates is sold or otherwise disposed of.

Nature of certificate.

8. (1) Every certificate issued in pursuance of the Act and of these Rules 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 on the back thereof:

Provided that the name and address of a company by whom a certificate is issued, or a reproduction of the seal of the company, or any monogram or similar device of the company, or the name and address of an insurance broker, shall not be deemed to be advertising matter for the purposes of this rule if it is printed or stamped at the foot or on the back of such certificate.

Production of certificate.

9. Any person applying for a licence for a motor vehicle under the Road Traffic Act (Chapter 68), shall produce to the Licensing Officer a certificate of insurance or a certificate of security indicating that on the date when the licence comes into operation there will be in force a policy or security 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 in the case of a motor vehicle to which section 3 does not apply, *in lieu* of a certificate of insurance or a certificate of security, there may be produced a duly signed certificate in the appropriate form set out in the Schedule:

Provided further that a person engaged in the business of letting motor vehicles on hire shall not, when applying for a licence under the Road Traffic Act, be required to comply with this rule if the motor vehicle in respect of which registration is applied for is intended to be used solely for the purpose of being let on hire and driven by the person by whom the motor vehicle is hired or by persons under his control.

Records.

10. (1) Every company by whom a policy or security is issued shall keep in Brunei Darussalam a record of the following particulars relative thereto and of the certificates issued in connection therewith —

(a) full name and address of the person to whom the policy, security or certificate 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 vehicles;

(c) the date on which the 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 classes or persons specified in the policy will be indemnified;

(e) in the case of a security, the conditions subject to which the undertaking given by the company 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 with the State Financial Officer the sum directed by the Authority in pursuance of section 3(5)(b) shall keep in Brunei Darussalam a record of the motor vehicles owned by him and of any certificates issued by him under these Rules in respect of such motor vehicles and of the withdrawal or destruction of any such certificates.

(4) Any person or company by whom records of documents are required to be kept by these Rules shall, without charge, furnish to the Licensing Officer or to any gazetted police officer on request any particulars thereof.

Notification that policy or security ceases to be effective.

11. Where to the knowledge of a company a policy or security issued by them ceases to be effective without the consent of the person to whom it was issued otherwise than by effluxion of time or by reasons of his death, the company shall forthwith notify the Licensing Officer of the date on which the policy or security ceased to be effective.

Return of certificates.

12. 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, such person shall forthwith return any relative certificates to the company by whom they were 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 unless and until the certificates have been returned to the company or the company are satisfied that they have been lost or destroyed.

Issue of fresh certificates.

13. Where any company by whom a certificate of insurance or a certificate of security has been issued are satisfied that the certificate has become defaced or has been lost or destroyed they shall, if requested so to do by the person to whom the certificate was issued, issue to him a fresh certificate.

Statutory declarations.

14. Every statutory declaration made for the purposes of section 9(2)(c) or of section 15 shall be delivered to the insurer in like manner as though it were a certificate.

Penalty.

15. Any person who acts in contravention of or fails to comply with any of the requirements of rule 3, 7, 8, 10, 11 or 12 is guilty of an offence and liable on conviction to a fine of \$1,000.

LAWS OF BRUNEI

Motor Vehicle Insurance

(Third Party Risks)

8 CAP. 90, R 1

[Subsidiary]

SCHEDULE

FORMS

FORM 1

(rules 3(1)(a) and 5)

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of Insurance

Certificate No.

Policy No.
(Optional)

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

I
We hereby certify that the policy to which this Certificate relates is issued in accordance with the provisions of the Motor Vehicles Insurance (Third Party Risks) Act (Chapter 90).

.....
Approved Insurers

* Limitations rendered inoperative by section 7 of the Motor Vehicle Insurance (Third Party Risks) Act are not to be included under this heading.

SCHEDULE — *(continued)*

FORM 2

(rules 3(1)(b) and 5)

Motor Vehicles Insurance (Third Party Risks) Rules

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

$\frac{I}{We}$ hereby certify that the policy to which this Certificate relates is issued in accordance with the provisions of the Motor Vehicles Insurance (Third Party Risks) Act (Chapter 90).

.....
Approved Insurers

* Limitations rendered inoperative by section 7 of the Motor Vehicle Insurance (Third Party Risks) Act are not to be included under this heading.

LAWS OF BRUNEI

Motor Vehicle Insurance
(Third Party Risks)

10 CAP. 90, R 1

[Subsidiary]

SCHEDULE — *(continued)*

FORM 3

(rule 3(2))

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of Insurance

$\frac{I}{We}$ hereby certify that this covering note is issued in accordance with the provisions of the Motor Vehicles Insurance (Third Party Risks) Act (Chapter 90).

.....
Approved Insurers

SCHEDULE — *(continued)*

FORM 4

(rule 3(1)(a) and (b))

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of Security

Certificate No.

Policy No.
(Optional)

1. Name of holder of security.
2. Effective date of the commencement of security for the purposes of the Act.
3. Date of expiry of security.
4. Conditions of which security is subject.*

$\frac{I}{We}$ hereby certify that the security to which this Certificate relates is issued in accordance with the provisions of the Motor Vehicle Insurance (Third Party Risks) Act (Chapter 90).

.....
Authorised under the
Motor Vehicles Insurance
(Third Party Risks) Act
(Chapter 90) to issue securities

* Conditions rendered inoperative by section 7 of the Motor Vehicles Insurance (Third Party Risks) Act are not to be included under this heading.

LAWS OF BRUNEI

*Motor Vehicle Insurance
(Third Party Risks)*

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SCHEDULE — *(continued)*

FORM 5

(rule 6(a))

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of Ownership by the Government

I hereby certify that the vehicle of which registration mark and number
are
is the property of
.....

Signature

Rank and Department

Date, 20

SCHEDULE — *(continued)*

FORM 6

(rule 6(b))

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of Deposit

$\frac{I}{We}$ hereby certify that $\frac{I\ am}{we\ are}$ the $\frac{owner}{owners}$ of the vehicle of which the registration mark and number are

and that in pursuance of the provisions of section 3(6) of the Motor Vehicles Insurance (Third Party Risks) Act (Chapter 90) —

have deposited with the State Financial Officer the sum

of

Signed

on behalf of

Date, 20

LAWS OF BRUNEI

*Motor Vehicle Insurance
(Third Party Risks)*

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SCHEDULE — *(continued)*

FORM 7

(rule 6(c))

Motor Vehicles Insurance (Third Party Risks) Rules

Certificate of exemption from the provisions of section 3 of the
Motor Vehicles Insurance (Third Party Risks) Act (Chapter 90)

I hereby certify that the vehicle, owned by
..... of, of which the
registration mark and number are, has been
exempted from the provisions of section 3 of the Motor Vehicle Insurance (Third Party
Risks) Act (Chapter 90).

Signature
State Secretary

Date, 20