

MOTOR VEHICLE (THIRD PARTY INSURANCE).

11° Elizabeth II., No. LVII.

No. 57 of 1962.

AN ACT to amend the *Motor Vehicle (Third Party Insurance) Act, 1943-1961*.

[Assented to 30th November, 1962.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Motor Vehicle (Third Party Insurance) Act Amendment Act, 1962*.

Reprinted as
approved for
reprint
2nd March,
1961, and
further
amended by
Act No. 70
of 1961.

(2) In this Act the *Motor Vehicle (Third Party Insurance) Act, 1943-1961*, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Motor Vehicle (Third Party Insurance) Act, 1943-1962*.

2. Section three P of the principal Act is amended by adding after subsection (4) a subsection as follows:—

S. 3P
amended.

(4a) (a) The Trust shall keep a separate account to be known as the “Premium Surcharge Account” and shall pay into that account all sums received by it on account of the surcharge payable in respect of a premium payable on a policy of insurance payable under the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962.

(b) All sums so received by the Trust—

- (i) do not form part of the Fund;
- (ii) are not subject to subsection (5) of this section;
- (iii) shall be paid to the Treasurer by the Trust at such intervals and in such manner as the Treasurer determines; and
- (iv) when so paid to the Treasurer shall be paid by the Treasurer into the Consolidated Revenue Fund. .

3. Subsection (4) of section three R of the principal Act is amended—

S. 3R
amended.

- (a) by adding after the subsection designation, “(4)”, the paragraph designation, “(a)”;
- (b) by substituting for the word, “Every”, being the first word in the subsection, the passage, “Subject to paragraph (b) of this subsection, every”; and
- (c) by adding paragraphs as follows:—

(b) The Commissioner of Police as the licensing authority in the Metropolitan Area under the Traffic Act, 1919, shall comply with the provisions of paragraph (a) of this subsection, except that all amounts received by him on account of the surcharge payable under the Motor

Vehicle (Third Party Insurance Surcharge) Act, 1962, upon any insurance premium paid in respect of any policy of insurance shall, within twenty-one days after the last day of each calendar month, be paid by him to the Treasurer.

(c) The Treasurer shall pay all amounts received by him under paragraph (b) of this subsection into the Consolidated Revenue Fund. .

S. 4
amended.

4. Paragraph (a) of subsection (8) of section four of the principal Act is amended by adding after the word, "license", being the last word in the paragraph, the passage, "together with the surcharge payable under the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962, in respect of that premium".

S. 25
amended.

5. Section twenty-five of the principal Act is amended—

- (a) by deleting the subsection designation, "(1)" in line one; and
- (b) by adding after paragraph (c), the following paragraph:—
 - (ca) The amounts received by the Trust on account of the surcharge payable under the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962, in respect of premiums payable on policies of insurance complying with the requirements of this Act; .