

No. 7.] *Motor Vehicle (Third Party Insurance)*. [1945.

MOTOR VEHICLE (THIRD PARTY INSURANCE).

9° GEO. VI., No. VII.

No. 7 of 1945.

AN ACT to amend the *Motor Vehicle (Third Party Insurance) Act, 1943-1944*.

[Assented to 27th November, 1945.]

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

Short title.
Cf. No. 40 of
1944, s. 9.

1. This Act may be cited as the *Motor Vehicle (Third Party Insurance) Act Amendment Act, 1945*, and shall be read as one with the *Motor Vehicle (Third Party Insurance) Act, 1943-1944* (No. 32 of 1943, as amended by the Act No. 40 of 1944), hereinafter referred to as the principal Act.

Amendment
of s. 3.

2. Section three of the principal Act is amended by adding at the end of the definition of "Owner" the words "but does not include the grantee under a Bill of Sale by way of security granted in respect of a motor vehicle except when such grantee takes possession of the motor vehicle under the authority of and by way of enforcing his rights as grantee under such Bill of Sale."

Amendment
of s. 7.

3. Section seven of the principal Act is amended as follows:—

(a) by deleting paragraph (i) from the proviso to subsection (1) and inserting in lieu thereof a paragraph as follows:—

"(i) When the judgment against the insured person was obtained within the State,

this subsection shall not apply unless before the action in which such judgment was obtained came on for hearing, the insurer knew that that action had been commenced; and” and

- (b) by deleting from paragraph (ii) of the proviso to subsection (1) the words “or as to the persons in respect of whose death or injury the insured person is indemnified” at the end of the said paragraph; and
- (c) by deleting from paragraph (b) of subsection (6) the words “If at the material time it was being used in the business of carrying passengers for hire.”

4. Section nineteen B of the principal Act is amended by adding at the end of subsection (1) the words “or until a new policy of insurance complying with this Act is obtained in substitution or replacement of such first mentioned policy of insurance in respect of the said motor vehicle, whichever is the lesser period.”

Amendment
of s. 19B.

5. The principal Act as amended by this Act may be cited as the *Motor Vehicle (Third Party Insurance) Act, 1943-1945*.

Citation of
principal Act
as amended.