

Approved for Reprint, 5th August, 1974.
WESTERN AUSTRALIA.

MOTOR VEHICLE (THIRD PARTY INSURANCE SURCHARGE).

11^o Elizabeth II., No. LVI.

No. 56 of 1962.

[As amended by Acts:

No. 113 of 1965,¹ assented to 21st December, 1965;

No. 20 of 1968, assented to 16th October, 1968;

No. 30 of 1971,² assented to 1st December, 1971;

No. 37 of 1973,³ assented to 18th October, 1973;

and reprinted pursuant to the Amendments Incorporation Act, 1938.]

AN ACT to impose a Surcharge upon Insurance Premiums paid in respect of Policies of Insurance with The Motor Vehicle Insurance Trust in accordance with the Motor Vehicle (Third Party Insurance) Act, 1943.

[Assented to 30th November, 1962.]

BE it enacted—

1. This Act may be cited as the *Motor Vehicle (Third Party Insurance Surcharge) Act, 1962-1973.*

Short title.
Amended by
No. 37 of
1973.

¹ Decimal Currency Act, 1965, s. 4 (1). Came into operation 14/2/66.

² Came into operation on 1st January, 1972. See *Gazette* 10/12/71, p. 5170.

³ To operate from 1st February, 1974. See *Gazette* 23/11/73, p. 4266.

*Motor Vehicle (Third Party Insurance Surcharge).*Interpre-
tation.

2. In this Act, unless the contrary intention appears,—

“motor vehicle” has the same meaning as that expression has in the Insurance Act;

“policy of insurance” means a contract of insurance with the Trust that complies with the requirements of the Insurance Act;

“the Insurance Act” means the Motor Vehicle (Third Party Insurance) Act, 1943;

“the Trust” means The Motor Vehicle Insurance Trust constituted under the Insurance Act.

Surcharge
imposed on
insurance
premiums.
Amended by
No. 113 of
1965, s. 4;
No. 20 of
1968, s. 2;
No. 30 of
1971, s. 3;
No. 37 of
1973, s. 3.

3. (1) Subject to this Act, there shall be paid for the use of Her Majesty with each appropriate insurance premium payable under the Insurance Act, in respect of any policy of insurance that is effected or renewed after the thirty-first day of December, nineteen hundred and sixty-two, a surcharge of five dollars where the policy of insurance is effected or renewed for a period of twelve months and where the policy of insurance is effected or renewed for a period of less than twelve months a surcharge of forty-two cents for each month or part thereof for which the policy of insurance is effected or renewed.

(2) No surcharge is required to be paid in respect of the appropriate premium payable under the Insurance Act in respect of a policy of insurance relating to any motor vehicle that is—

- (a) used or intended to be used solely for interstate trade, commerce or intercourse;
- (b) a caravan (trailer type) as described in the Second Schedule to the Traffic Act, 1919;
- (c) a trailer as so described;

- (d) a tractor (other than a prime mover type) as so described;
- (e) a motorised wheelchair designed for the use of or by incapacitated or crippled persons only;
- (ea) owned by a person engaged in the business of farming or grazing and that is fitted or adapted for the purpose of fire fighting and in respect of which a vehicle licence issued under the Traffic Act, 1919, is in force authorizing the use of the vehicle on a road for fire fighting purposes only;
- (f) a motor vehicle in respect of which a vehicle licence issued under Part IIA of the Traffic Act, 1919, is in force;
- (g) a motor vehicle in respect of which a vehicle licence limited to private use issued under Part II of the Traffic Act, 1919, to the Governor, is in force;
- (h) a motor vehicle in respect of which a vehicle licence issued under Part II of the Traffic Act, 1919, to a person engaged in a full time capacity as an accredited diplomatic representative, consul, or consular officer of a country, is in force; or
- (i) a motor vehicle that belongs to the Crown or a local authority in respect of which a vehicle licence issued under subsection (3) of section eleven of the Traffic Act, 1919, is in force.

Paragraphs (g), (h) and (i) of this subsection shall be deemed to have come into operation on the same day as this Act came into operation.