BELIZE

MOTOR VEHICLES INSURANCE (THIRD PARTY-RISKS) ACT
CHAPTER 231

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS
BELIZE

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This edition contains a consolidation of the following laws-

**MOTOR VEHICLES INSURANCE (THIRD PARTY-RISKS) REGULATIONS**

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MOTOR VEHICLES INSURANCE (THIRD PARTY-RISKS) REGULATIONS

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CHAPTER 231

MOTOR VEHICLES INSURANCE (THIRD PARTY-RISKS) REGULATIONS

(Section 15)

PART I

1. These Regulations may be cited as the

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) REGULATIONS.

2. In these Regulations-

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

“company” means an insurer as defined in section 2 of the Act;

“owner” in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement means the person in possession of the vehicle under that agreement;

“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 single covering note issued for a period not exceeding ninety days in respect of any motor vehicle, but does not include any extension of a covering note or any subsequent covering note issued in respect of the same motor vehicle during any period of six consecutive months;

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

(a) in the case of a policy or security relating to a specified vehicle or to specified vehicles, a certificate of insurance in Form A or a certificate of a security in Form D set out in the Schedule to these Regulations in respect of each such vehicle;

(b) in the case of a policy or security not relating to any specified vehicle or vehicles, such number of certificates in Form A or D set out in the Schedule to these Regulations as may be necessary to enable the requirements of subsection (1) of section 7 of the Act and of these Regulations as to the production of evidence that a motor vehicle is not being driven in contravention of section 3 of the Act to be complied with:

Provided that where a security is intended to cover the use of more than ten motor vehicles at one time, the company by whom it was issued may, subject to the consent of the Minister, issue one certificate only and where such consent has been given the holder of the security may issue duplicate copies of such certificate duly authenticated by him up to such number and subject to such conditions as the Minister may determine.

(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 the Form C set out in the Schedule to these Regulations.
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 certificate aforesaid shall be issued on or before the date on which the policy or security is issued or renewed.

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 of the Act, the company by which 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 A set out in the Schedule to these Regulations or a further certificate of security as the case may be.

6. The following evidence that a motor vehicle is not being driven in contravention of section 3 of the Act may be produced by the driver of such motor vehicle on the request of a member of the Police Department in pursuance of section 7 of the Act as an alternative to the production of a certificate of insurance or a certificate of security:

(a) a duplicate copy of a certificate of security issued in accordance with Regulation 3 (1) (b) of these Regulations;

(b) in the case of the municipal motor vehicles mentioned in subsection (6) of section 3 of the Act, a certificate in Form E set out in the Schedule to these Regulations signed by some person authorised in that behalf by such authority.

7. Any certificate issued in accordance with subparagraph (b) of the preceding Regulation 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.

Authentication of certificate.

Further certificate.

Evidence of insurance cover.

Certificate to be destroyed.
8. (1) Every certificate issued in pursuance of the Act and of these Regulations 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 which a certificate is issued or a reproduction of the seal of the company or any monogram or similar device of the company or name and address of an insurance broker shall not be deemed to be advertising matter for the purposes of this Regulation if it is printed or stamped at the foot or on the back of such certificate.

9. Any person applying under section 14 of the Motor Vehicles and Road Traffic Act for the licensing of a motor vehicle shall produce to the Transport Officer, for verification, a certificate of insurance or a certificate of security issued in accordance with Regulation 3(1) of these Regulations, indicating that on the date when the licence comes into operation there will be in force a policy or a security in relation to the use of the motor vehicle by the applicant or by other persons on his order or with his permission:

Provided that there may be produced in lieu thereof-

(a) in the case of a motor vehicle of which the owner had deposited with the Financial Secretary to the Ministry of Finance the sum of $8,000 in accordance with the provisions of subsection (4) of section 5 of the Act, a certificate signed by the owner of the vehicle or by some person authorised by him in that behalf and by the Accountant General that such deposit has been made;

(b) in the case where the motor vehicle is one of more than 10 motor vehicles owned by the same person
in respect of which a policy or policies of insurance have been obtained by him from the same insurer, a statement duly authenticated by the insurer to the effect that on the date when the licence becomes operative an insurance policy which complies with the Act will be in force in relation to the motor vehicle;

(c) in the case of motor vehicles used and employed exclusively in Government service or in the service of any town or village council or board, a certificate signed by some person authorised in that behalf that the vehicles in respect of which the application for a licence is made, are owned by Government or by such town or village council or board and so used and employed exclusively.

10. (1) Every company by whom a policy or a security is issued shall keep a record of the following particulars relative thereto and of any 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 vehicle;

(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 of persons specified in the policy will be indemnified;
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) Every municipal authority mentioned in subsection (6) of section 3 of the Act shall keep a record of the motor vehicles owned by them in respect of which a policy or a security has not been obtained, and of any certificate issued by them under these Regulations in respect of such motor vehicles, and of the withdrawal or destruction of any such certificates.

(4) Any person, authority, or company by whom records of documents are required to be kept by these Regulations shall, without charge, furnish to the Commissioner of Police on request any particulars thereof.

(5) Every company by whom a certificate of insurance or a certificate of security is issued, shall forthwith forward to the Transport Officer, a duplicate of such certificate.

For the purposes of this paragraph, the expression “Transport Officer” means an officer appointed under section 3 of the Motor Vehicles and Road Traffic Act.

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 reason of his death, the company shall forthwith notify the Commissioner of Police of the date on which the policy or security ceased to be effective.

12. Where with the consent of the person to whom it was issued a policy or security is suspended or ceases to be effective otherwise than by effluxion of time, such person shall forthwith return any relative certificates to the company.
by which they were issued and a new policy or security shall not be issued to that person, nor shall the said 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.

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

(2) Every statutory declaration made for the purposes of paragraphs (i) and (ii) of subsection (2)(b) of section 19 or of section 23 of the Act, shall be delivered forthwith to the insurer by the person making such declaration.

**PART II**

14. In this Part of these Regulations—

“issuing authority” means the Commissioner of Transport;

“motor vehicle” means a motor vehicle brought into Belize by a visitor;

“visitor” means a person bringing a motor vehicle into Belize and making only a temporary stay therein.

15. A visitor who is a holder of a policy of insurance issued outside Belize in respect of third party risks arising out of the driving by him of a motor vehicle in Belize may make application to the issuing authority for a certificate (hereinafter called “a certificate of foreign insurance”) in Form F set out in the Schedule to these Regulations.

16. The issuing authority may issue in duplicate a certificate of foreign insurance to any visitor who makes application therefor in the manner prescribed
by these Regulations.

| Particulars in application. | 17. Every such application as aforesaid shall be signed by the person by whom it is made and shall specify the number of the policy in respect of third party risks held by him, the name of the company by which it was issued, the date on which the policy commences and the date on which it expires, and shall also contain a declaration by the applicant that the provisions of the policy with respect to third party risks are effective in relation to the driving of the motor vehicle in Belize by him or by some other person or persons or classes of persons specified in the declaration. |
| Certificate to be signed. | 18. Every certificate of foreign insurance shall be signed by some person duly authorised in that behalf by the issuing authority. |
| Period of certificate. | 19. The period of validity of a certificate of foreign insurance shall not exceed either of the following- |
| | (a) four months from the date of the arrival of the motor vehicle in Belize; |
| | (b) the unexpired period covered by the policy to which it relates. |
| Effect of certificate. | 20. For the purposes of the Act and of Regulation 6 of Part I of these Regulations, a certificate of foreign insurance shall have effect as if it were a certificate of insurance issued by an insurer and the policy of insurance to which it relates shall be deemed to comply with the requirements of the Act. |
| Act Section 7. | 21. The provisions of section 6 of the Act shall not apply in relation to any policy of insurance in respect of which a certificate of foreign insurance has been issued. |
| Surrender of certificate. | 22. A certificate of foreign insurance shall be forthwith returned by the visitor to the issuing authority if the motor vehicle to which it relates is sold or |
otherwise disposed of or if, by reason of his obtaining a new policy or otherwise, a new certificate of foreign insurance is issued to him during his stay in Belize, and if the certificate is not so returned it shall be surrendered to the issuing authority by which it was issued by or on behalf of the visitor when the motor vehicle is taken out of Belize.

23. The issuing authority shall keep a record of the following particulars relative to any certificates of foreign insurance issued by it -

   (a) the full name and address of the person to whom the certificate is issued and particulars of the persons or classes of persons authorised to drive the motor vehicle;

   (b) the date on which the policy of insurance to which the certificate relates commences and the date on which it expires;

   (c) the date of return of the certificate to the issuing officer.

**PART III**

24. Any person acting in contravention of or failing to comply with these Regulations shall be guilty of an offence and shall for each offence be liable on summary conviction to a fine of twenty four dollars.
SCHEDULE

FORM A

The Motor Vehicles Insurance (Third Party Risks) Act

Certificate of Insurance

Certificate No .........................

(I) or (We) Hereby Certify that a Policy of Insurance covering the liabilities required to be covered by the Motor Vehicles Insurance (Third Party Risks) Act, has been issued as follows:

1. Name of policy holder.

2. Policy No.

3. Date of commencement of insurance.

4. Date of Expiry.

5. Vehicle(s) covered

(a)

(b)

....................................................

....................................................

Authorised Insurer
FORM B

The Motor Vehicles Insurance (Third Party Risks) Act

Certificate of Deposit

Certificate No. ..........................

I Hereby Certify that a deposit of ..................................................... has been made to make good any liability required to be covered by the above mentioned Act.

......................................................

Accountant General

FORM C

The Motor Vehicles Insurance (Third Party Risks) Act

Certificate of Insurance

(I) or (We) Hereby Certify that this covering note is issued in accordance with the provisions of the above-mentioned Act.

......................................................

Authorised Insurer
FORM D

The Motor Vehicles Insurance (Third Party Risks) Act

Certificate of Security

Certificate No. ......................... Security No. ...................................

___________________________ (Optional)

1. Name of holder of security.

2. Date of commencement of security.

3. Date of expiry of security.

4. Conditions to which security is subject.

(I) or (We) Hereby Certify that the security to which this certificate relates is issued in accordance with the provisions of the above-mentioned Act.

___________________________ (Authorised under the said Act to issue securities)
FORM E

The Motor Vehicles Insurance (Third Party Risks) Act

Certificate of Ownership by Government or a Town Council or Board

We hereby certify that the vehicle of which the registration marks and numbers are ................................ is the property of ............................................................

........................................................................

Signed on behalf of the Authority

FORM F

Certificate of Foreign Insurance

Certificate No. ......................... Policy No. .........................

1. Date to which certificate is valid.

2. Identification mark and number or numbers and make of vehicle.

3. Persons or classes of persons authorised to drive the vehicle.

4. Date of commencement of policy.

5. Date of expiry of policy.

I hereby certify that this certificate is issued in accordance with the regulations made under the Motor Vehicles Insurance (Third-Party Risks) Act.

Signed .............................................
on behalf of .............................................