

## Regulations 1975 No. 5

### Regulations under the *Motor Traffic Ordinance 1936-1974*.\*

I, GORDON MUNRO BRYANT, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Motor Traffic Ordinance 1936-1974*.

Dated this third day of March, 1975.

GORDON M. BRYANT  
Minister of State for the Capital Territory.

#### AMENDMENTS OF THE MOTOR VEHICLE (THIRD PARTY INSURANCE) REGULATIONS†

1. Regulation 8 is amended by omitting sub-regulation (1) and substituting the following sub-regulation:—

Returns  
relating to  
claims.

“(1) Every authorized insurer shall, not later than the thirty-first day of March in each year, furnish to the Registrar a return in accordance with Form O in respect of the year ending on the previous thirty-first day of December.”

2. The Second Schedule to the Motor Vehicle (Third Party Insurance) Regulations is amended by omitting Forms O and P and substituting the following form:

Forms.

#### FORM O

Regulation 8

Return for Year 19

AUSTRALIAN CAPITAL TERRITORY

Motor Vehicle (Third Party Insurance) Regulations

RETURN UNDER REGULATION 8

Name of Authorized Insurer

#### General Instructions

These instructions are for the guidance of persons compiling the returns under the A.C.T. Motor Vehicle (Third Party Insurance) Regulations, and persons signing these returns.

It should be noted that these returns refer to PERSONAL INJURY ONLY. Policies issued in respect of property damage should not be included.

The number of claims should equal the number of individuals who have made a claim, so that one accident could generate more than one claim.

All money amounts are to be shown to the nearest dollar.

All totals are to be the sum of the individual entries.

All payments during the year should be shown, even though further payments may be outstanding on the claim in question. Legal costs and expenses of investigation and settlement should be included and recoveries from owners and drivers are to be deducted. Payments and recoveries by way of re-insurance, and payments to Nominal Defendant, are to be excluded.

The four parts must, of course, be consistent with each other. The checks necessary to bring this about are outlined below, and are to be carefully observed.

\* Notified in the *Australian Government Gazette* on 6 March 1975.

† For references to the original Regulations and amendments made before 1960, see footnote on p. 388 of Vol. III of “Laws of the Australian Capital Territory 1911-1959” and, for later amendments, see Regulations 1961, No. 14; 1962, No. 12; 1963, No. 9; 1964, No. 6; 1968, No. 7; 1971, No. 12; and 1974, Nos. 2 and 18.

*Motor Vehicle (Third Party Insurance) Regulations*

**Instructions for Part 1**

The following list shows the classification of the items referred to in column 1 of Part 1.

Item	Classification	Item	Classification
1	Private Motor Car	9	Motor Cycle:
2	Business Car		(a) where the capacity rating of the engine of the motor cycle exceeds 250 cubic centimeters
3	Goods Vehicle:		(b) where the capacity rating of the engine of the motor cycle exceeds 125 cubic centimetres but does not exceed 250 cubic centimetres
	(a) where the unladen weight does not exceed 2 tons		(c) where the capacity rating of the engine of the motor cycle does not exceed 125 cubic centimetres
	(b) where the unladen weight exceeds 2 tons	10	Fire Fighting Vehicle
4	Primary Producer's Goods Vehicle	11	Undertaker's Vehicle
	(a) where the unladen weight does not exceed 2 tons	12	Motor Break-down Vehicle
	(b) where the unladen weight exceeds 2 tons	13	Trailer
5	Omnibus or Tourist Motor Vehicle	14	Miscellaneous Vehicle
	(a) where the vehicle has seating accommodation for more than six adult persons (including the driver)	15	Primary Producer's Tractor
	(b) where the vehicle has seating accommodation for not more than six adult persons (including the driver)	16	Mobile Crane
6	Taxi	<b>Premiums prescribed in regulation 16 for policies covering trader's plates</b>	
7	Private Hire Car	17	Motor Cycles and Trailers
8	Drive-Yourself Vehicle	18	Other Motor Vehicles

Premiums prescribed in regulation 16 have been numbered 17 and 18 to simplify computer coding. They are not item numbers appearing in the Motor Vehicle (Third Party Insurance) Regulations. Trader's plates must NOT be included in item 12 but in item 17 or 18. Permits are to be shown in Part 4.

For the purposes of computing the number of insured motor vehicles, where the Third Party Insurance policy is in force for a period of less than twelve months, each month or part thereof for which the insurance policy is in force shall be deemed to be one-twelfth of a motor-vehicle. The number so calculated is to be shown on the return to the nearest whole number.

Premiums received are to be the premiums actually received, or for which credit has been taken in anticipation of payment, less refunds of premiums made consequent to the surrender of a policy. Re-insurances received are not to be included, and re-insurances ceded are not to be deducted.

Estimate of Liability on outstanding claims notified is to be the estimated future liability under claims which are outstanding at the end of the year no matter when the claim was made.

- The totals of some columns must agree with the totals shown in Part 2 as follows:
- The total of column (4) of Part 1 must agree with the total of column (3) of Part 2
- The total of column (5) of Part 1 must agree with the total of column (4) of Part 2
- The total of column (6) of Part 1 must agree with the total of column (5) of Part 2

**PART 1 POLICIES ISSUED AND CLAIMS RECEIVED DURING YEAR**

Item	Number of Vehicles	Premiums Received after deduction of Premium Refunds	Number of claims during the year	Payments made during year in respect of claims	Estimate of outstanding Liability on all claims notified
1	2	3	4	5	6
		\$		\$	\$
1					
2					
3(a)					
3(b)					
4(a)					

PART 1 POLICIES ISSUED AND CLAIMS RECEIVED DURING YEAR—continued

Item	Number of Vehicles	Premiums Received after deduction of Premium Refunds	Number of claims during the year	Payments made during year in respect of claims	Estimate of out-standing Liability on all claims notified
1	2	3	4	5	6
		\$		\$	\$
4(b)					
5(a)					
5(b)					
6					
7					
8					
9(a)					
9(b)					
9(c)					
10					
11					
12					
13					
14					
15					
16					
17					
18					
Total					

Instructions For Part 2

All sub-totals must be completed and three lines of totals must appear at the foot of the form.

Include in "Other" all vehicles except Private Motor Cars.

Columns (6) and (7) refer to claims arising from accidents which have occurred before 31 December of the year of the return, but have not been notified to the company by that date. Estimates based on the numbers and average size of claims lodged in past years but relating to accidents prior to those years are required.

The Grand Total shown for Item 1 and Total in Column (3) must agree with Item 1 and Total in Column (4) of Part 1 (note that an analysis by year of accident is required). Complete all subsidiary totals.

The Grand Total shown for Item 1 and Total in Column (4) must agree with Item 1 and Total in Column (5) of Part 1 (note that an analysis by year of accident is required). Complete all subsidiary totals.

The Grand Total shown for Item 1 and Total in Column (5) must agree with Item 1 and Total in Column (6) of Part 1 (note that an analysis by year of accident is required). Complete all subsidiary totals.

**PART 2 CLAIMS**

Year of Accident  1	Item  2	CLAIMS NOTIFIED			CLAIMS INCURRED BUT NOT NOTIFIED	
		Number of Claims notified during year 3	Payments made during year in respect of all claims 4	Estimates of Outstanding Liability on all claims notified 5	Estimated Number 6	Estimated Outstanding Liability 7
			\$	\$		\$
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
	Item 1					
	Other					
	Total					
Grand Total (all years)	Item 1					
	Other					
	Total					

Instructions for Part 3

For each year the figures in columns (2) to (6) less the amount in column (7) must agree with the figures for the same year in column (4) of Part 2.

**PART 3 SUB-DIVISION OF PAYMENTS**

Year of Accident 1	Damages including loss of earnings 2	Legal Fees and Disbursements 3	Investigation Expenses 4	Hospital Treatment 5	Medical Nursing Dental and Physiotherapeutic Treatment and Ambulance Service 6	Amounts Recovered 7

Instructions for Part 4

Note that the instructions regarding the counting of months do not apply. Column 2 calls for NUMBER of permits issued.

**PART 4 POLICIES ISSUED DURING YEAR IN RESPECT OF PERMITS**

Type of Permit 1	Number of Permits Issued 2	Premiums Received (deduct refunds) 3	Number of Claims 4	Payments Made 5	Estimate of Outstanding Liability 6
One day					
Passenger					
Other (Specify)					
<b>Total</b>					

**DECLARATION**

I, ..... (full name) being .....  
 ..... (designation) of .....  
 ..... (address), in the Australian Capital Territory do solemnly and sincerely declare that to the best of my knowledge and belief all the information contained in this return is true and correct in every particular, and that all the estimates therein have been made with due care.

...../...../.....  
 Signature