



Road Traffic Act 1930

1930 CHAPTER 43

PART II

PROVISION AGAINST THIRD-PARTY RISKS ARISING OUT OF THE USE OF MOTOR VEHICLES.

36 Requirements in respect of policies.

- (1) In order to comply with the requirements of this Part of this Act, a policy of insurance must be a policy which—
- (a) is issued by a person who is an authorised insurer within the meaning of this Part of this Act; and
 - (b) insures such person, persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person caused by or arising out of the use of the vehicle on a road :

Provided that such a policy shall not be required to cover—

- (i) liability in respect of the death arising out of and in the course of his employment of a person in the employment of a person insured by the policy or of bodily injury sustained by such a person arising out of and in the course of his employment; or
 - (ii) except in the case of a vehicle in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon or entering or getting on to or alighting from the vehicle at the time of the occurrence of the event out of which the claims arise; or
 - (iii) any contractual liability.
- (2) Where any payment is made by an authorised insurer under a policy issued under this Part of this Act or by the owner of a vehicle in relation to the user of which a security under this Part of this Act is in force, or who has made a deposit under this Part of this Act in respect of the death of or bodily injury to any person arising out of the use of a motor vehicle on a road and the person who has so died or been bodily injured has to

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the knowledge of the authorised insurer or such owner received treatment in a hospital in respect of the fatal or other bodily injury so arising, there shall also be paid by the authorised insurer or such owner to such hospital the expenses reasonably incurred by the hospital in affording such treatment to an amount not exceeding twenty-five pounds for each person so treated.

For the purposes of this subsection the expression " hospital " means an institution which provides medical or surgical treatment for in-patients, and the expression " expenses reasonably incurred " means, in relation to a person who receives treatment in a hospital, an amount for each day such person is maintained in such hospital representing the average daily cost per patient of the maintenance of the hospital and the staff thereof and the maintenance and treatment of the patients therein:

Provided that this subsection shall not apply in any case where a charge has been made by the hospital in respect of such treatment.

- (3) For the purposes of this Part of this Act, the expression " authorised insurer " means an assurance company or an underwriter in whose case the requirements of the Assurance Companies Act, 1909, as amended by this Act, with respect to deposits by assurance companies and deposits and guarantees by underwriters are complied with.
- (4) Notwithstanding anything in any enactment, a person issuing a policy of insurance under this section shall be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of those persons or classes of persons.
- (5) A policy shall be of no effect for the purposes of this Part of this Act unless and until there is delivered by the insurer to the person by whom the policy is effected a certificate (in this Part of this Act referred to as a " certificate of insurance ") in the prescribed form and containing such particulars of any conditions' subject to which the policy is issued and of any other matters as may be prescribed, and different forms and different particulars may be prescribed in relation to different cases or circumstances.
- (6) In this Part of this Act the expression " policy of insurance " includes a covering note.