
 No. 89 of 1958.

 AN ACT to amend the *Police Offences Act 1935*.
 [21 January 1959.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Police Offences Act* Short title and citation. (No. 2) 1958.

(2) The *Police Offences Act 1935*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section forty-seven of the Principal Act is amended— Interpretation.

(a) by omitting the definition of “Motor-vehicle” and substituting therefor the following definitions:—

“ ‘Accident’ means an accident within the meaning of Part VII of the *Traffic Act 1925*;

‘Insurer’ means an insurer within the meaning of Part VII of the *Traffic Act 1925*;

‘Motor-vehicle’ means a motor-vehicle within the meaning of Part VII of the *Traffic Act 1925*”;

(b) by omitting the word “and” at the end of paragraph I of the definition of “Motor-vehicle race”;

(c) by adding at the end of that definition the following paragraph:—

“: and

“ III The use of any motor-vehicle in any practice at the place where, or over any part of the course on which, any such race, competition, or test is to take place with a view to the participation in that race, competition, or test, of that motor-vehicle or the person so using it.”; and

(d) by adding at the end of the definition of “Reliability trial” the words “, and the use of any motor-vehicle in any practice at the place where, or over any part of the course on which, any such competition is to be held with a view to the participation in that competition of that motor-vehicle or the person so using it.”.

Permits for
motor-vehicle
races and
reliability
trials.

3 Section forty-nine of the Principal Act is amended by inserting at the end of that section the following subsections:—

“(4) No permit granted under this section shall be of any effect unless there is in force in relation to the motor-vehicle race or reliability trial a policy of insurance that complies with the requirements of this section.

“(5) Subject to the provisions of subsection (6) of this section, in order to comply with the requirements of this section a policy of insurance must be a policy which is issued by an insurer and insures any person taking part in the motor-vehicle race or reliability trial jointly and each of them severally against any liability (including liability for costs) that may be incurred by any such person, whether jointly with any other person or severally—

I In respect of the death of, or bodily injury to, any person caused by or arising out of the use of a motor-vehicle, competing or taking part in that motor-vehicle race or reliability trial: and

II Where the race or trial takes place on any public road or thoroughfare, in respect of any damage or injury to any property other than a motor-vehicle competing or taking part in the race or trial arising from such use.

“(6) A policy of insurance issued for the purposes of subsection (5) of this section shall not be required to provide for—

I The payment by the insurer of any sum exceeding—

(a) Five thousand pounds in respect of any claim in respect of the death of, or bodily injury to, any one person: or

(b) Fifty thousand pounds in respect of all claims in respect of the death of, or bodily injury to, any person or persons arising out of the same accident: or

II Any contractual liability,

but shall provide for the payment of funeral expenses of any person dying as a result of any accident to which the policy relates.

“(7) Notwithstanding any other law or rule of law to the contrary, an insurer who issues a policy of insurance under or for the purposes of this section is liable to indemnify any person taking part in the motor-vehicle race or reliability trial, and, on his death, his personal representatives, in respect of any liability incurred by that person which the policy purports to cover.

“(8) Subsection (2A) of section sixty-four of the *Traffic Act 1925* shall have effect in relation to this section as it has effect in relation to paragraph IIA of subsection (2) of that section.”.