

L.N. 139 of 2024

**Motor Vehicles Insurance (Third Party Risks)
(Amendment) Regulation 2024**

(Made by the Chief Executive in Council under section 20 of the Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap. 272))

1. Commencement

This Regulation comes into operation on 30 December 2024.

2. Motor Vehicles Insurance (Third Party Risks) Regulations amended

The Motor Vehicles Insurance (Third Party Risks) Regulations (Cap. 272 sub. leg. A) are amended as set out in sections 3 and 4.

3. Regulation 24 substituted

Regulation 24—

Repeal the regulation

Substitute

“24. Proof of policy or security—licensing of motor vehicles or transfer of motor vehicle ownership

- (1) On delivering to the Commissioner, under regulation 21(1) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) (**Cap. 374E**), an application for the licensing of a motor vehicle, the applicant must also deliver to the Commissioner—

- (a) documentary proof of a policy or security in respect of the vehicle in the name of the registered owner of the vehicle that is valid on the date on which the licence takes effect; or
 - (b) any other information or document specified by the Commissioner that enables the Commissioner to be satisfied that there is such a policy or security.
- (2) If subregulation (1) is not complied with, the Commissioner may refuse to license the motor vehicle.
- (3) On delivering to the Commissioner, under regulation 17(2)(b) of Cap. 374E, a notice of transfer of ownership of a motor vehicle that is licensed under Cap. 374E, the new owner of the vehicle must also deliver to the Commissioner—
 - (a) documentary proof of a policy or security in respect of the vehicle that is valid at the time of delivery; or
 - (b) any other information or document specified by the Commissioner that enables the Commissioner to be satisfied that there is such a policy or security.
- (4) If subregulation (3) is not complied with, the Commissioner may cancel the licence of the motor vehicle.
- (5) In this regulation—

Commissioner (署長) means the Commissioner for Transport;

documentary proof (文件證明), in relation to a policy or security, means the original or a copy of—

- (a) the policy or security; or
- (b) a certificate of insurance or certificate of security issued in respect of the policy or security in accordance with regulation 3(1).”.

4. Regulation 25 repealed (condition for issue of licence)

Regulation 25—

Repeal the regulation.

Carmen KONG
Clerk to the Executive Council

COUNCIL CHAMBER

8 October 2024

Explanatory Note

This Regulation amends the Motor Vehicles Insurance (Third Party Risks) Regulations (Cap. 272 sub. leg. A) (***TPR Regulations***). The existing regulation 24 of the TPR Regulations requires proof of a policy of insurance or security in respect of third party risks by a certificate of insurance, certificate of security or other documentary proof (***documentary proof***) on delivering to the Commissioner for Transport (***Commissioner***) an application for a motor vehicle licence or a notice of transfer of ownership of a motor vehicle.

2. Sections 3 and 4 repeal the existing regulations 24 and 25 of the TPR Regulations respectively. A new regulation 24 is substituted to—
 - (a) expressly state that documentary proof of a policy of insurance or security means the original or a copy of—
 - (i) the policy or security; or
 - (ii) its certificate of insurance or certificate of security;
 - (b) allow using other information or documents specified by the Commissioner for proof of a valid policy of insurance or security; and
 - (c) provide for the consequence of non-compliance with the new regulation 24 clearly.

3. Allowing the use of other information or documents mentioned in paragraph 2(b) introduces flexibility so that apart from the documentary proof mentioned in paragraph 2(a), a policy of insurance or security may be proved by other means (for example, online instant verification of a policy of insurance by information such as the identity of the vehicle owner).