STATUTORY INSTRUMENTS

1967 No. 1326

ROAD TRAFFIC

The Motor Vehicles (Third-Party Risks Deposits) Regulations 1967

Made - - -	*6th September* 1967
Laid before Parliament	*19th September* 1967
Coming into Operation	*2nd October* 1967

The Minister of Transport, in exercise of the powers conferred upon her by sections 210(2) and 215 of the Road Traffic Act 1960(**a**), section 20(1) of the Insurance Companies Act 1958(**b**), as amended by section 17 of and Schedule 1 to the Administration of Justice Act 1965(**c**), and section 14(3) of the Administration of Justice Act 1965, and of all other enabling powers, and after consultation with the Lord Chancellor and, in accordance with the provisions of section 260(2) of the Road Traffic Act 1960, with representative organisations, hereby makes the following Regulations:—

Commencement and citation

1. These Regulations may be cited as the Motor Vehicles (Third-Party Risks Deposits) Regulations 1967, and shall come into operation on the 2nd October 1967.

Revocation

2. The Motor Vehicles (Third-Party Risks Deposits) Rules 1952(**d**) are hereby revoked.

Interpretation

3.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Road Traffic Act 1960;

"the Accountant General" means the Accountant General of the Supreme Court;

"the court" means the High Court;

"the depositor" has the meaning assigned thereto in Regulation 4 of these Regulations;

"long-term investment account" and "short-term investment account" have the same meanings as in section 6(1)(*a*) of the Administration of Justice Act 1965;

"the Minister" means the Minister of Transport.

(**a**) 8 & 9 Eliz. 2. c. 16. (**b**) 6 & 7 Eliz. 2. c. 72. (**c**) 1965 c. 2.
(**d**) S.I. 1952/1616 (1952 III, p.2922).

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Rules revoked by Regulation 2 of these Regulations were an Act of Parliament thereby repealed.

Deposits

4. Any person wishing to deposit with the Accountant General the sum of £15,000 in pursuance of section 202 or section 204 of the Act may apply to the Minister for a warrant which shall be a sufficient authority for the Accountant General to issue a direction for the payment into the Bank of England to the credit of his account by the person named in the warrant (hereinafter referred to as "the depositor") of the said sum of £15,000 which shall be credited in the books of the Accountant General to an account entitled ex parte the depositor, in respect of the Act:

Provided that in lieu, wholly or in part, of the deposit of money the depositor may deposit an equivalent amount of securities in which cash under the control of or subject to the order of the court may for the time being be invested (the value thereof being taken at a price as near as may be to, but not exceeding, the current market price) and in that case the Minister shall vary her warrant accordingly.

Investment

5.—(1) The court may, on the application of the depositor, make an order for dealing with any money which has been deposited in court under the last preceding Regulation by its placement to a short-term or long-term investment account or by its investment in any securities in which cash under the control of or subject to the order of the court may for the time being be invested, or for the variation of any existing investment by way of sale and reinvestment, or otherwise, and for the payment of the interest, dividends or income accruing due on such investment.

(2) Any interest, dividend or income accruing due on money or securities deposited with the court under the last preceding Regulation shall, subject to any order of the Court, be paid to the depositor at his request.

(3) Any money which has been deposited with the court under the last preceding Regulation may be placed to a short-term investment account at the request of the depositor.

(4) This Regulation shall apply to any deposit made, or having effect as if made, in pursuance of section 202 or section 204 of the Act, whether under these, or any preceding, Rules or Regulations.

Withdrawal of deposits

6. In any case where it may be just and equitable so to do, and in particular in any of the following cases, that is to say—

(*a*) where a person who has made a deposit in pursuance of section 202(1) of the Act, or having effect as if made in pursuance of that section, complies, or satisfies the court that he intends to comply, in some other manner, whether by way of insurance or otherwise with the provisions of Part VI of the Act,

(*b*) where—

(i) a person who has made such a deposit as aforesaid ceases to own, or to control the use of, a motor vehicle, or

(a) 52 & 53 Vict. c. 63.

(ii) a person who has made a deposit in pursuance of section 204 of the Act, or having effect as if made in pursuance of that section, has ceased altogether to carry on in the United Kingdom the business of giving securities under Part VI of the Act,

and in either case all liabilities in respect of which money or securities were deposited in court have been satisfied or otherwise provided for,

the court may, on the application of any such person (of which application notice shall be served on the Minister) order any money or securities deposited in court to be paid or transferred out of court to such person as aforesaid or otherwise as the court may direct.

Warrants

7. The issue of any warrant under Regulation 4 of these Regulations or any error in any such warrant, or in relation thereto, shall not render the Minister or the person signing the warrant on her behalf, in any manner liable for or in respect of any money or security deposited in court, or any securities for the time being representing the same, or the interest, dividends or income accruing due thereon.

Application of Supreme Court Funds Rules

8. Subject to the foregoing Regulations, the relevant provisions of the Rules for the time being in force under section 7 of the Administration of Justice Act 1965 (Rules as to funds in Supreme Court) shall apply to deposits made, or having effect as if made, in pursuance of section 202 or section 204 of the Act, whether under these or any preceding Rules or Regulations.

Given under the Official Seal of the Minister of Transport
the 6th September 1967.

Barbara Castle,

(L.S.) The Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to the making of deposits with the Accountant General of the Supreme Court in connection with provision against third-party risks arising out of the use of motor vehicles on roads, the investment of money or securities placed on deposit, and the withdrawal of such deposits. The Regulations supersede the Motor Vehicles (Third-Party Risks Deposits) Rules 1952 and make the following changes:—

(a) the function of issuing warrants authorising the deposit of money or securities with the Accountant General will be exercised by the Minister of Transport (Regulation 4);

(b) the court may, on the application of the depositor, make an order for dealing with any money which has been deposited in court by its placement to a short-term or long-term investment account (Regulation 5(1));

(c) any interest, dividend or income accruing due on money or securities deposited may, subject to any order of the court, be paid to the depositor at his request (Regulation 5(2));

(d) any money deposited may be placed to a short-term investment account at the request of the depositor (Regulation 5(3));

(e) the relevant provisions of the Rules for the time being in force under section 7 of the Administration of Justice Act 1965 (Rules as to funds in Supreme Court) are applied to deposits (Regulation 8).