

## **Unvalidated References:**

*Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Act 1974*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel  
Dated 25 November 2006

**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 296.

***Motor Vehicles (Third Party Insurance) (Basic Protection Compensation)  
Regulation 1974***



## ARRANGEMENT OF SECTIONS.

1. Method of appointment of assessors.
2. Functions of assessors.
3. Request to conduct inquiry.
4. Report on progress of inquiry.
5. Record of inquiry.
6. Transfer of proceedings.
7. Payment of compensation.
8. Award of compensation.

### SCHEDULE 1

#### ***Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Regulation 1974***

MADE under the *Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Act 1974*.

Dated                    200 .

#### **1. METHOD OF APPOINTMENT OF ASSESSORS.**

An assessor shall be appointed by instrument under the hand of the assessment officer conducting the inquiry in relation to which the appointment is made.

#### **2. FUNCTIONS OF ASSESSORS.**

Without limiting the right of an assessment officer to make a direction as to the functions and duties of an assessor appointed by him, the functions and duties of an assessor may include the making of inquiries and the conducting of investigations concerning—

- (a) the details of the site of the accident the subject of the inquiry (including, where necessary, the making of an inspection of the site); and
- (b) the dependant or dependants (if any) of the deceased in relation to whom the inquiry is being conducted; and
- (c) any account or report given or made by a person who was a witness to the accident in relation to which the inquiry is being conducted.

**3. REQUEST TO CONDUCT INQUIRY.**

A request under Section 8(1)(b) of the Act may be oral or written.

**4. REPORT ON PROGRESS OF INQUIRY.**

Where an assessment officer is required to furnish a report under Section 8(2) of the Act, he shall forward the report to the Minister within 21 days after receiving the request to conduct an inquiry.

**5. RECORD OF INQUIRY.**

(1) An assessment officer shall prepare a record of any inquiry conducted by him.

(2) A record of inquiry under Subsection (1) shall be in Form 1.

(3) A record of inquiry under Subsection (1), together with a copy of any award made on the inquiry, shall be lodged with the District Court for the area in which the inquiry was conducted, and shall be entered in the record of that Court.

**6. TRANSFER OF PROCEEDINGS.**

Where an assessment officer transfers an inquiry to some other assessment officer he shall, at the same time, furnish that other assessment officer with—

(a) a summary of the evidence taken by him in the matter; and

(b) the reports (if any) given to him by any assessor.

**7. PAYMENT OF COMPENSATION.**

Where an award of compensation has been made, the person liable to make the payment must, within seven days after the date of service on him, under Section 21 of the Act, of a copy of the award, deposit the whole of the moneys payable under the award with the District Court specified in Section 5(3) for payment by that District Court to the entitled person or entitled persons.

Penalty: A fine not exceeding K500.00.

**8. AWARD OF COMPENSATION.**

An award of compensation shall be in Form 2.

**Sch. 1**

*Motor Vehicles (Third Party Insurance) (Basic Protection  
Compensation) Regulation 9999*

**SCHEDULE 1**

*Motor Vehicles (Third Party Insurance) (Basic Protection  
Compensation) Regulation 9999*

**Sch. 1**

***PAPUA NEW GUINEA.***

***Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Act 1974.***

***Form 1 – RECORD OF INQUIRY.***

Reg., Sec. 5. Form 1.

*Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Regulation 9999*

1. Details of deceased person(s);
    - (a) Name:
    - (b) Age:
    - (c) Usual place of residence:
    - (d) Occupation:
  2. Particulars of motor vehicle(s) involved in the accident:
    - (a) Registration number(s):
    - (b) Date(s) of expiry of registration(s):
    - (c) Name(s) of owner(s):
    - (d) Name(s) of driver(s):
    - (e) Name(s) of third-party insurer(s):
    - (f) Number(s) of third-party policy(ies):
  3. Cause of death(s):
  4. Brief description of facts of accident:
  5. Summary of evidence given at inquiry:
  6. Amount of compensation awarded:
  7. Person(s) to whom compensation payable:
  8. Amount payable to each entitled person (if applicable):
  9. Person(s) by whom compensation payable:
  10. Reasons for the award (briefly):
- Dated . . . 20...

Assessment Officer.



*Motor Vehicles (Third Party Insurance) (Basic Protection  
Compensation) Regulation 9999*

**Sch. 1**

***PAPUA NEW GUINEA.***

***Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Act 1974.***

***Form 2 – AWARD OF COMPENSATION.***

Reg., Sec. 8. Form 2.

Sch. 1

*Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Regulation 9999*

To: *(name and address of person liable for payment of compensation)*.

I, . . . , of . . . , assessment officer, by virtue of the powers conferred by the *Motor Vehicles (Third Party Insurance) (Basic Protection Compensation) Act* and all other powers me enabling, having conducted an inquiry into the death of . . . , that occurred on . . . 20... , and having considered *(here give brief description of conclusion)*, . . .

DO ORDER THAT YOU . . . of . . . pay in to the District Court at . . . for payment by it to . . . of . . . the sum of *(set out the amount or amounts payable to the entitled person)* within seven days after the date of service of this award on you.

Dated . . . 20...

Assessment Officer.

*Motor Vehicles (Third Party Insurance) (Basic Protection  
Compensation) Regulation 1974*