

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 169 of 1948.

The undertaking by Registered Insurance Companies registered under the Basutoland Proclamation No. 17 of 1946, the Bechuanaland Protectorate Proclamation No. 18 of 1946, and Swaziland Proclamation No. 19 of 1946 and under the Union of South Africa Motor Vehicle Insurance Act, 1942, appearing below, is hereby published for general information.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office.
Pretoria, 17th August, 1948.

Whereas the Signatories hereto, hereinafter referred to jointly as "the Insurers" and individually as "each Insurer" are Registered Companies in terms of The Union of South Africa Motor Vehicle Insurance Act, 1942, hereinafter referred to as "the Union Act".

And whereas in the Territories of Basutoland, the Bechuanaland Protectorate and Swaziland legislation similar to that of the Union Act, has been enacted, particulars of which legislation are set forth in the Schedule A hereto.

And whereas the Insurers have been asked and have agreed to abide by a reciprocal agreement in respect of motor vehicles used in the Union of South Africa and the Mandated Territory of South West Africa and in any of the said Territories in the terms hereinafter set forth.

Now therefore this undertaking witnesseth:—

(1) Each Insurer agrees that whenever it shall have insured a motor vehicle in the Union of South Africa or the Mandated Territory of South West Africa or Basutoland or the Bechuanaland Protectorate or Swaziland (hereinafter collectively referred to as "the Countries" or individually as "the Country") in terms of the relative legislative enactments set forth in Schedule A hereto, it will, whenever any occurrence takes place within any of the Countries—other than the Country in

which the said Insurance was effected—make good to any person in the said legislative enactments described as “the third party”³, who is entitled to claim compensation for any loss or damage as a result of bodily injury to or death of any person the compensation which such person would have been entitled to recover from such Insurer under the relative legislative enactment had the motor vehicle concerned been insured within the Country in which the said occurrence took place.

(2) Each Insurer undertakes to assume all the liabilities and obligations imposed upon an insurer in respect of an insured motor vehicle in terms of the legislative enactment applicable in the Country in which any claim arises other than in the Country in which the insurance of that motor vehicle was effected and furthermore undertakes to permit itself to be sued in the same manner as it could have been sued had the motor vehicle concerned been insured in the Country in which the occurrence giving rise to the claim took place.

(3) This undertaking shall remain binding on the Insurers notwithstanding any amendments which may from time to time be made to the law governing the compulsory insurance of motor vehicles in any of the Countries.

(4) The Insurers or any Insurer may by written notice addressed simultaneously to the Minister of Transport of the Union of South Africa, and the High Commissioner for Basutoland, the Bechuanaland Protectorate and Swaziland terminate their or its liability under this undertaking and their or its liability shall thereupon terminate six months after such written notice shall have been received by both the Minister of Transport for the Union of South Africa and the High Commissioner for Basutoland, the Bechuanaland Protectorate and Swaziland.

(5) Every Declaration of Insurance issued before or during the subsistence of this undertaking by an Insurer shall be deemed to have been issued subject to this undertaking.

(6) This undertaking is given to the Minister of Transport, Pretoria, and the High Commissioner for Basutoland, the Bechuanaland Protectorate and Swaziland and to whomsoever else it may concern and will have force and effect as from 1st April, 1947.

(7) The Insurers agree that the terms of this undertaking may be published for general information in the *Government Gazette* of the Union of South Africa, and the *Official Gazettes* of South-West Africa, Basutoland, the Bechuanaland Protectorate and Swaziland.

SIGNATORIES.

African Guarantee and Indemnity Company,
Limited.
Alliance Assurance Company, Limited.
Atlas Assurance Company, Limited.
A.A. Mutual Insurance Association, Limited.
British America Assurance Company.
The British Oak Insurance Company, Limited.
British and Overseas Insurance Company, Limited.
British Traders' Insurance Company, Limited.
Caledonian Insurance Company.
Car & General Insurance Corporation, Limited.
The Central Insurance Company, Limited.
The Century Insurance Company, Limited.
Commercial Union Assurance Company, Limited.
The Dominion Insurance Company of South Africa,
Limited.
Eagle Star Insurance Company, Limited.
Economic Insurance Company, Limited.
The Employers' Liability Assurance Corporation,
Limited.
The Equitable Trust and Insurance Company of
South Africa, Limited.
The Essex & Suffolk Equitable Insurance Society,
Limited.
The Federal Insurance Corporation of South Africa,
Limited.
The Federated Employers' Fire & General Insurance
Company, Limited.
General Accident, Fire and Life Assurance Corpo-
ration, Limited.
Guardian Assurance Company, Limited.
The Guildhall Insurance Company, Limited.
Law Union Rock Insurance Company, Limited.
Legal Insurance Company, Limited.
Legal and General Insurance Company, Limited.
The Licenses & General Insurance Company,
Limited.
The Liverpool & London & Globe Insurance Com-
pany, Limited.
The London Assurance.
London Guarantee & Accident Company, Limited.
The London & Lancashire Insurance Company,
Limited.
London & Scottish Assurance Corporation, Limited.
The Motor Union Insurance Company, Limited.
National Employers' Mutual General Insurance
Association, Limited.
The Netherlands Insurance Company, Est. 1845
(Ltd.).
New India Assurance Company, Limited.
The New Zealand Insurance Company, Limited.
North British & Mercantile Insurance Company,
Limited.

The Northern Assurance Company, Limited.
 Norwich Union Fire Insurance Society, Limited.
 The Ocean Accident & Guarantee Corporation,
 Limited.
 Pearl Assurance Company, Limited.
 Phoenix Assurance Company, Limited.
 The Planet Assurance Company, Limited.
 Provincial Insurance Company, Limited.
 The Prudential Assurance Company, Limited.
 Queensland Insurance Company, Limited.
 Railway Passengers Assurance Company.
 Royal Insurance Company, Limited.
 Royal Exchange Assurance.
 Scottish Insurance Corporation, Limited.
 Scottish Union & National Insurance Company.
 The Sea Insurance Company, Limited.
 Seven Provinces Insurance Company, Limited.
 The South African Fire & Accident Insurance Com-
 pany, Limited.
 The South African Liberal Insurance Company,
 Limited.
 South African National Trust and Assurance Com-
 pany, Limited.
 The South British Insurance Company, Limited.
 The Southern Insurance Association, Limited.
 The Standard General Insurance Company,
 Limited.
 Sun Insurance Office, Limited.
 Trans-African Insurance Company, Limited.
 Union Assurance Society, Limited.
 Union & National & General Assurance Company
 of South Africa, Limited.
 The United Provident and Assurance Association
 of South Africa, Limited.
 Western Assurance Company.
 The World Auxiliary Insurance Corporation,
 Limited.
 The Yorkshire Insurance Company, Limited.

SCHEDULE A.

<i>Country or Territory.</i>	<i>Legislative Enactment.</i>
Union of South Africa and South West Africa	Motor Vehicle Insur- ance Act, No. 29 of 1942.
Basutoland	Proclamation No. 17 of 1946.
Bechuanaland Protectorate	Proclamation No. 18 of 1946.
Swaziland	Proclamation No. 19 of 1946.