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1985 No. 11

Revised by
20 of 1987

The Motor Cyclists' Protective Helmets Order, 1985

Made the 15th day of July, 1985.

Coming into operation on the 1st day of August, 1985.

THE ISLAND POLICE COMMITTEE, in exercise of the powers conferred upon it by section 1 of the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962 as amended(a), hereby order:-

Requirements
for helmets

1.(1) Subject to paragraph (2) of this article, the helmets prescribed for the purposes of section 3 of the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962, as amended(b) are any helmet which -

(a) is either:

(i) a helmet bearing a marking applied by its manufacturer indicating compliance with the requirements specified by the British Standards Institution in one of the British Standards mentioned in Part I of the Schedule to this Order; or

(ii) a helmet of a type manufactured for use by persons on motor cycles and shown by its wearer, to the satisfaction of the Committee, to be one which, by virtue of its shape, material and construction, could reasonably be expected to afford to persons on motor cycles a degree of protection from injury, in the event of an accident, similar to or greater than that afforded by such a helmet as is mentioned in item (a) (i) of this sub-paragraph;

and

(b) if worn with a chin cup attached to or held in position by a strap or other fastening provided on the helmet, is provided with an additional strap or other fastening (to be fastened under the wearer's jaw) for securing the helmet firmly to the head of the wearer;

and

(c) is securely fastened to the head of the wearer by means of the straps or other fastening provided on the helmet for that purpose.

(a) Recueil d'Ordonnances, Tome XIII, p. 87; Tome XIV, p.152; Tome XV, p.384; Tome XVI, p. 501; No. II of 1979.

(b) Section 3 was substituted by the Motor Vehicles (Miscellaneous Provisions) (Amendment) Ordinance, 1968 (Tome XV, p. 384).

(2) Until the 31st day of July, 1986 the helmets prescribed for the purposes of section 3 of the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962 as amended are any helmet which either

(a) complies with sub-paragraph (1) of this paragraph;

or

(b) complies with the requirements set out in items (b) and (c) of sub-paragraph (i) of this paragraph and bears a marking applied by its manufacturer indicating compliance with the requirements specified by the British Standards Institution in one of the British Standards mentioned in Part II of the Schedule to this Order.

(3) The references in this article to the compliance of a helmet with a British Standard are references to compliance with that British Standard subject to such (if any) amendments thereto as have effect at the time of the manufacture of that helmet.

Interpretation

2. The Interpretation (Guernsey) Law, 1948(c) applies to the interpretation of this Order as it applies to the interpretation of an enactment.

Revocation of Order of 1962.

3. The Motor Cyclists Protective Helmet Order, 1962(d) is revoked.

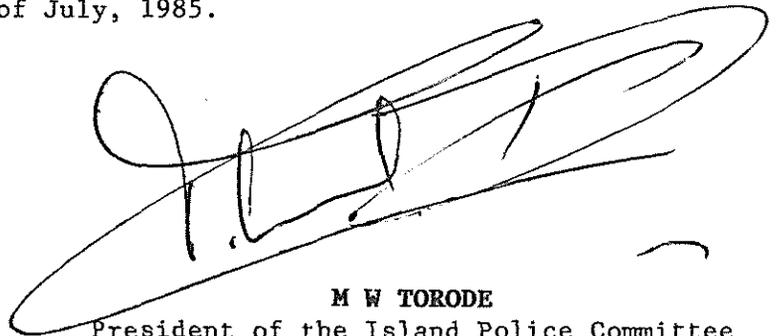
Citation.

4. This Order may be cited as the Motor Cyclists' Protective Helmets Order, 1985

Commencement.

5. This Order shall come into force on the 1st day of August, 1985.

Dated this 15th day of July, 1985.



M W TORODE
President of the Island Police Committee
for and on behalf of the Committee

(c) Ordres en Conseil Vol. XIII, p.355.
(d) S.I. 1962 1962 No. 6.

SCHEDULE

BRITISH STANDARDS

PART I

Article 1(1)(a)

1. British Standard 5361: 1976(e)

2. British Standard 2495: 1977(f)

PART II

Article 1(2)(b)

3. British Standard 2001: 1956(g)

(e) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	30th September, 1977
2	31st August, 1978
3	31st August, 1979
4	29th February 1980
5	27th February, 1981

(f) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	30th September, 1977
2	31st August, 1978
3	31st August, 1979
4	29th February, 1980
5	27th February, 1981

(g) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	11th January, 1957
2	23rd November 1959
3	27th February, 1962
4	11th June, 1964
5	13th March, 1968
6	18th February, 1972

- 4. British Standard 1869: 1960 (h)
 - 5. British Standard 2495: 1960 (i)
 - 6. British Standard 2001: 1972 (j)
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(h) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	29th May, 1963
4	3rd December, 1965
5	13th March, 1968
6	10th August, 1971
7	3rd January, 1972 .
8	15th May, 1973
9	1st February, 1974
10	2nd September, 1974
11	1st March, 1975

(i) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	29th May, 1963 .
2	22nd February, 1965
3	7th December, 1965
4	22nd July, 1966
5	10th August, 1971
6	3rd January, 1972
7	1st February, 1974
8	1st March, 1975

(j) Amended as at the date of this Order by the following Amendment Slips:

<u>Number</u>	<u>Date of Publication</u>
1	12th December, 1972
2	26th January, 1973
3	1st February, 1974
4	2nd September, 1974
5	1st March 1975

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the helmets to be worn by persons driving or being carried on motor cycles in order to comply with section 3 of the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962 as amended.

From 1st August 1985 until 31st July 1986 a helmet must normally comply with one of the British Standards mentioned in the Schedule (as from time to time amended) (Article 1(2)); after 31st July 1986 only helmets complying with British Standard 5361 : 1976 or 2495 : 1977 (as from time to time amended) will normally be permitted (Article 1(1)(a)(i)). In either case, however, a purpose-made helmet which can be shown by its wearer, to the Police Committee's satisfaction, to afford similar or greater protection may be worn (Articles 1(1)(a)(ii) and 1(2)).

Helmets with chin cups must have an additional strap (Articles 1(1)(b) and 1(2)) and all helmets must be securely fastened (Articles 1(1)(c) and 1(2)).

Failure by a driver or passenger on a motor cycle to wear a helmet of prescribed type is an offence under section 3(2) of the 1962 Ordinance.