

1987 No.20

† see GSI 200 No.16

The Motor Cyclists' Protective Helmets Order, 1987

Made the 1st day of June, 1987.

Coming into operation on the 9th day of June, 1987.

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 orders:-

Requirements
for helmets

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

(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 the British Standard 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 (i) of this subparagraph;

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.

(2) Until the 1st day of April, 1989, the requirements prescribed for helmets for the purposes of the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962 as amended are that the helmet either -

(a) complies with paragraph (1) of this article;
or

(b) complies with the requirements set out in sub-paragraphs (b) and (c) of paragraph (1) of this article 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 1985

3. The Motor Cyclists Protective Helmet Order, 1985 (d) is revoked.

Citation

4. This Order may be cited as the Motor Cyclists' Protective Helmets Order, 1987.

Commencement

5. This Order shall come into force on the 9th day of June, 1987.

Dated this 1st day of June, 1987.


A C RILEY

Vice-President of the Island Police Committee
for and on behalf of the Committee

(c) Ordres en Conseil Vol. XIII, p. 355.
(d) S.I. 1985 No 11.

SCHEDULE

BRITISH STANDARDS

PART I

Article 1(1)(a)

1. British Standard 6658: 1986

PART II

Article 1(2)(b)

2. British Standard 5361: 1975(e)
3. British Standard 2495: 1977(f)

(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:

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2	31st August, 1978
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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 9th June, 1987 until 1st April, 1989 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 1st April, 1989 only helmets complying with British Standard 6658: 1986 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) or the 1962 Ordinance.