
ALDERNEY STATUTORY INSTRUMENT

No. 3 — 2006

**The Road Traffic (Motor Cyclists' Protective Helmets)
(Alderney) Regulations 2006**

Made	...	...	...	...	...	...	...	...	1st June 2006
Came into force..	..	...	...	...	...	...	...	...	1st August 2006

THE STATES GENERAL SERVICES COMMITTEE, in exercise of the powers conferred upon it by section 5 of the Road Traffic (Protective Helmets) (Alderney) Ordinance, 2006(a), hereby orders:-

Requirements for helmets.

1. (1) The requirements prescribed for protective helmets for the purposes of the Road Traffic (Protective Helmets) (Alderney) Ordinance, 2006 are that the helmet -

(a) is either:

(i) a helmet bearing a marking applied by its manufacturer indicating compliance with one of the standards referred to in the second column of the Schedule to these Regulations, as prescribed by the organisation appearing in the first column of the Schedule to these Regulations, 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 subparagraph (i); 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.

(2) The reference in this regulation to the compliance of a protective helmet with a British Standard is a reference 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. (1) In these Regulations -

“BS” means British Standard,

“**Regulation 22.05**” means Regulation No. 22 (as amended by the 05 series of amendments and all previous amendments in force on 30 June 2000) set out in Addendum 21 of the UN ECE Agreement, and

“**the UN ECE Agreement**” means the Agreement of the United Nations Economic Commission for Europe concluded at Geneva on 20 March 1958, as amended up to 30 June 2000, concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions.

(2) The Interpretation (Guernsey) Law, 1948(b) applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

Citation.

3. These Regulations may be cited as the Road Traffic (Motor Cyclists' Protective Helmets) (Alderney) Regulations, 2006.

(b) Ordres en Conseil Vol. XIII, p. 355

Commencement.

4. These Regulations shall come into force on the 1st day of August 2006.
Dated this 1st day of June 2006

B.A.E.Pengilley
Chairman of the States General Services Committee
for and on behalf of the Committee

SCHEDULE**STANDARDS**

Regulation 1(1)(a)

<i>Organisation</i>	<i>Standard</i>
1. British Standards Institution	BS 5361
2. British Standards Institution	BS 2495
3. British Standards Institution	BS 6658: 1985
4. United Nations Economic Commission for Europe	As described in Regulation 22.05

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the helmets to be worn by persons under 18 years of age who are driving or being carried on motor cycles in order to comply with the Road Traffic (Protective Helmets) (Alderney) Ordinance, 2006.

Any helmet must normally comply with one of the standards mentioned in the Schedule, although a purpose-made helmet which can be shown by its wearer, to the General Services Committee's satisfaction, to afford similar or greater protection may be worn (Regulation 1(1)(a)(ii)).

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

Failure by motor-cycle driver who is under 18 years of age to wear a helmet of a prescribed type is an offence under section 1 of the Ordinance. A person who, whilst driving a motor-cycle on a public highway, carries a passenger who is aged under 18 years and who is not wearing a protective helmet, is guilty of an offence under section 2 of the Ordinance.

S.E. Kelly
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