

PROJET DE LOI

ENTITLED

The Motor Vehicles (Passenger Insurance) (Guernsey) Law, 1971^{*}

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XXIII, p. 227. This Law is applied to the Island of Alderney by the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Law, 1950 (Ordres en Conseil Vol. XIV, p. 209).

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ARRANGEMENT OF SECTIONS

1. Cover for liability in respect of passengers to be compulsory.
2. Citation and collective title.
3. Commencement.

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THE STATES, in pursuance of their Resolution of the twenty-ninth day of September, nineteen hundred and seventy-one, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in this Island.

Cover for liability in respect of passengers to be compulsory.

1. (1) Paragraph (ii) of the proviso to subsection (1) of section three of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, as amended (hereinafter referred to as "**the principal Law**")^a is hereby repealed.

(2) Where after the coming into force of this Law a person uses a motor vehicle in circumstances such that under section two of the principal Law there is required to be in force in relation to his use of it such a policy of insurance as is mentioned in subsection (1) of that section, then, if any other person is carried in or upon the vehicle while the user is so using it, any antecedent agreement or understanding between them (whether intended to be legally binding or not) shall be of no effect so far as it purports or might be held –

- (a) to negative or restrict any such liability of the user in respect of persons carried in or upon the vehicle as is required by section three of the principal Law to be

^a Ordres en Conseil, Vol. X, p. 388.

covered by a policy of insurance, or

- (b) to impose any conditions with respect to the enforcement of any such liability of the user,

and the fact that a person so carried has willingly accepted as his the risk of negligence on the part of the user shall not be treated as negating any such liability of the user.

(3) For the purposes of the last preceding subsection references to a person being carried in or upon a vehicle include references to a person entering or getting on to, or alighting from, the vehicle, and the reference to an antecedent agreement is to one made at any time before the liability arose.

NOTE

The Law is applied to the Island of Alderney by the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Law, 1950, section 1, Schedule (as amended by the Motor Vehicles (Passenger Insurance) (Alderney) Law, 1972, section 1), with effect from 1st December, 1972, subject to the exceptions, adaptations and modifications in section 2 of the 1950 Law.

Citation and collective title.

2. (1) This Law may be cited as the Motor Vehicles (Passenger Insurance) (Guernsey) Law, 1971.

(2) This Law and the Road Traffic (Compulsory Third Party Insurance) (Guernsey) Laws, 1936 and 1958, may be cited together as the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Laws, 1936 to 1971.

Commencement.

3. This Law shall come into force on the first day of December, nineteen

hundred and seventy-two.