

Island of



Guernsey

Ordinance of the States

XVI
2009

Made16th March, 2009

Coming into Operation.....1st April, 2009

Laid before the States.....29th April, 2009

The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009

The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009

THE STATES LEGISLATION SELECT COMMITTEE, in exercise of the powers conferred on the States by sections 3A and 14 of the Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936 as amended^a, and all other powers enabling them in that behalf, and on the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948 as amended^b, hereby orders:-

Amendment of the 1972 Ordinance.

1. (1) The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinance, 1972^c is further amended as follows.

(2) Immediately after section 1, insert a new section –

"Issue of insurance discs.

1A. A company shall also issue to every holder of a policy an

^a Ordres en Conseil Vol. X, p. 388; Vol. XII, p. 380; Vol XV, p. 43; Vol. XVIII, pp. 35 and 257; Vol. XX, p. 246; Vol. XXIII, p. 227; Vol. XXIV, p. 250; Vol XXVII, p. 76 and 415; Vol. XXVIII, p. 303; Vol XXIX, p. 214; Vol XXX, p. 243; Vol. XXXI, p. 423; No. 1 of 1991; No. XXI of 2002.; No. II of 2009.

^b Ordres en Conseil Vol. XIII, p. 288; Vol. XIV, p. 407; Vol. XV, p. 279; Vol. XVI, p. 178; Vol. XVIII, p. 275; Vol. XIX, pp. 84 and 140; Vol. XXII, p. 122; Vol. XXIII, p. 476; Vol. XXV, p. 326; Vol. XXVI, p. 255; Vol. XXIX, p. 56; Vol. XXX, p. 16; Vol. XXXI, pp. 164 and 278; Vol. XXXII, p. 41; No. V of 1993; No. II of 1996; No's. III and X of 1998; No. XIII of 2003; No. III of 2004; No's. II and XX of 2007; No. XIII of 2008; the Royal Court (Reform) (Guernsey) Law, 2008 (No. XXII of 2008); Ordinance No. XXXIII of 2003; and the House Committee (Transfer of Functions) Ordinance, 2008.

^c Recueil d'Ordonnances Tome XVIII, p. 130; as amended by Tome XIX, p. 318; Tome XXI, p.188; Tome XXII, p. 104; and Tome XXVI, p. 90.

insurance disc in Form E, or, if it is a temporary insurance disc, Form F."

(3) In section 2, for the marginal note substitute "Time of issue of certificate and disc.", and after "certificate of insurance" insert "and insurance disc".

(4) In section 5 –

(a) in subsection (1), immediately after "any certificates" insert ", or discs", and

(b) in subsection (1)(a), for "or certificate" substitute ", certificate or disc".

(5) In section 7 –

(a) for the marginal note, substitute "Return of certificates and discs to issuing company.",

(b) in subsections (1) and (2), each time "certificates" appears, substitute "certificates and discs", and

(c) in subsection (3), immediately after "certificate" insert "or disc".

(6) Immediately after section 8, insert a new section –

"Issue of duplicate insurance discs.

8A. Where any company by whom an insurance disc has been issued is satisfied that the disc has been lost, stolen, damaged or destroyed,

it shall issue to the person to whom that disc was issued a duplicate insurance disc."

(7) After section 10, insert –

"Display of insurance discs.

10A. An insurance disc required to be displayed on a motor vehicle in accordance with section 3A of the Law shall –

(a) either –

(i) where the vehicle is fitted with a front windscreen, be secured to the inner surface of the windscreen on the near side of the vehicle, or

(ii) where the vehicle is not fitted with a front windscreen, be contained in a holder with a transparent cover on the near side of the vehicle;

(b) be so displayed that the printed face of the disc is conspicuous and unobscured, and is visible and readily accessible for inspection from outside the vehicle; and

(c) be so located that it does not obstruct the view of the road and traffic ahead of the vehicle of a person driving the vehicle or, where this not possible, does so to the least extent practicable.

Fleet registered keepers.

10B. For the purposes of section 3A of the Law, the number of motor vehicles owned by a fleet registered keeper and operated for trade or business purposes shall not be fewer than 5."

(8) For section 15(2), substitute –

"(2) Any reference in this Ordinance to a certificate or disc in Form A, B, C, D, E or F shall be construed as a reference to a certificate or disc in the form so headed and set out in Part 1 of the Schedule to this Ordinance, which has been duly made and completed subject to and in accordance with the relevant provisions set out in Part 2 of the Schedule."

(9) In Part 1 of the Schedule –

(a) for "Forms of Certificates" substitute "Forms of Certificates and Discs"; and

(b) after Form D insert the following forms –

"FORM E

Insurance Disc

Road Traffic (Compulsory Third Party Insurance)

(Guernsey and Alderney) Law, 1936 – **Insurance Disc**

Policy No:

Commencement Date:

Expiry Date:

Reg. Mark/ Fleet Reg. Keeper:

Authorised Insurer:

FORM F

Temporary Insurance Disc

Road Traffic (Compulsory Third Party Insurance)

(Guernsey and Alderney) Law, 1936 – **TEMPORARY**

Insurance Disc

Policy/cover Note No:

Commencement Time:

Commencement Date:

Expiry Time:

Expiry Date:

Reg. Mark/Fleet Reg. Keeper:

Authorised Insurer:

Issuer: "

(10) At the end of Part 2 of the Schedule, after paragraph 7 insert –

"Provisions relating to the forms and completion of discs

(1) Every insurance disc issued under section 3A of the

Law shall –

- (a) be printed in black on paper of a colour approved, and which may be varied from time to time, by the States Home Department, and
- (b) bear a security number individual to itself printed on it by its manufacturer.

(2) The colour of the paper on which an insurance disc is printed and the ink used in printing it shall be resistant against fading in direct sunlight.

(3) Subject to paragraphs (4) to (6) below, an insurance disc shall be in Form E of Part 1 of this Schedule to this Ordinance, and before issuing it the authorised insurer shall complete it by inserting the following particulars –

- (a) the number of the policy to which it relates,
- (b) the dates of commencement and expiry of the period of cover under the policy specified in the certificate of insurance,
- (c) either –
 - (i) the registration mark of the motor vehicle on which it is to be displayed, being a motor vehicle the use of which is covered by the policy, or
 - (ii) where the policy is effected by a fleet

registered keeper, or it is a motor cycle rider policy, the name of the policy holder,

- (d) the name of the authorised insurer issuing the policy, and
- (e) in print not less than ½ inch in height, the month and year in which the period of cover under the policy expires, the month being represented by the first three letters of the name of the month in block capitals and the year by the last two digits of the year in Arabic numerals.

(4) A duplicate insurance disc issued under section 8A of this Ordinance shall be in Form E of Part 1 of this Schedule and completed as required by paragraph (3) above, save that instead of inserting the date of the commencement of the period of cover, the authorised insurer or his agent shall insert the word "DUPLICATE".

(5) Where a temporary covering note has been issued, the authorised insurer or his agent may issue a temporary insurance disc to the person by whom the policy of insurance has been, or is to be, effected, pending the issue to that person of an insurance disc complying with the requirements of paragraph (3) above.

(6) A temporary insurance disc shall be in Form F of Part 1 of this Schedule, and before issuing it the authorised insurer or his or her agent shall complete it by inserting the following particulars –

- (a) the number of the insurance policy or covering note to which it relates,
- (b) the dates and times of commencement and expiry of the period of cover under the policy specified in the certificate of insurance or, where the temporary insurance disc is issued in respect of a covering note, the period of cover specified in the note,
- (c) either –
 - (i) the registration mark of the motor vehicle on which it is to be displayed, being a motor vehicle the use of which is covered by the policy or covering note, or
 - (ii) where the policy is, or is to be, effected by a fleet registered keeper or is, or is to be, a motor cycle rider policy, the name of the policy holder, and
- (d) where the temporary insurance disc is issued by the authorised insurer, his name, or where it is issued by the agent of the authorised insurer, the names of the authorised insurer and the agent."

Citation and commencement.

2. This Ordinance may be cited as The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, and shall come into force on the 1st April 2009.

S.M.D. ROSS,
Her Majesty's Deputy Greffier.

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