

ORDER IN COUNCIL

XVII

1983

ratifying a Projet de Loi

ENTITLED

The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Law, 1983

(Registered on the Records of the Island of Guernsey
on the 15th day of November, 1983.)



1983

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 15th day of November, 1983 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:—Albert Richard McCartney Straw, Esquire, Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Donald Pescott Plummer, Esquire, Sydney Haydn Heard, Esquire, M.B.E., Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bultsrode, Geoffrey Ernest Le Page and Stanley Walter John Jehan, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 19th day of October, 1983, ratifying a *Projet de Loi* of the States of Guernsey entitled “The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Law, 1983”, the Court, after the reading of the said Order in Council and after having heard Her Majesty’s Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty’s Greffier to the Clerk of the Court of Alderney for registration on the records of that Island of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 19th day of October 1983

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 21st day of September 1983 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

‘1. That, in pursuance of their Resolution of the 27th day of October 1982, the States of Deliberation at a meeting held on the 25th May 1983 approved a Bill or “Projet de Loi” entitled “The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Law, 1983”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.

2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of the Island of Guernsey entitled “The Road Traffic (Com-

pulsory Third Party Insurance) (Amendment) (Guernsey) Law, 1983”, and to order that the same shall have force of law in the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant-Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

N. E. Leigh.

PROJET DE LOI

ENTITLED

The Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Law, 1983

THE STATES, in pursuance of their Resolution of the twenty-seventh day of October, nineteen hundred and eighty-two, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. Section three of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, as amended^(a), is hereby further amended as follows:—

Amend-
ments to
Law of
1936.

(a) sub-paragraph (i) of paragraph (b) of subsection (3) thereof is repealed and the following sub-paragraph is substituted therefor—

“(i) such assurance company is a person or body of persons who is for the time being a member of the Motor Insurers’ Bureau, a company limited by guarantee and incorporated under the Companies Act 1929 on the fourteenth day of June, nineteen hundred and forty-six; and”;

(a) Ordres en Conseil Vol. X, p. 388; Vol. XV, p. 43; Vol. XVIII, pp. 35 and 257; Vol. XX, p. 247; Vol. XXIII, p. 227; Vol. XXIV, p. 250; No. III of 1979.

(b) immediately after subsection (3) thereof there is inserted the following additional subsection numbered "(3A)"—

" (3A) If any person or body of persons ceases to be a member of the Motor Insurers' Bureau referred to in sub-paragraph (i) of paragraph (b) of the last preceding subsection that person or body shall not thereby cease to be treated as an authorised insurer for the purposes of this Law—

(a) in relation to any policy issued by the insurer before ceasing to be such a member; or

(b) in relation to any obligation (whether arising before or after the insurer ceased to be such a member) which the insurer may be called upon to meet under or in consequence of any such policy or under subsection (2) of this section (payment for hospital treatment) by virtue of making a payment in pursuance of such an obligation."

Citation.

2. This Law may be cited as the Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey) Law, 1983.

3. This Law and the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Laws, 1936 to 1979, may be cited together as the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Laws, 1936 to 1983. ^{Collective title.}

D. J. ROBILLIARD,
Her Majesty's Deputy Greffier.