

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinance, 1972 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. 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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Recueil d'Ordonnances Tome XVIII, p. 130; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991 (No. VI of 1991, Ordres en Conseil Vol. XXXIII, p. 127); the Motor Vehicles (International Motor Insurance Card) Ordinance, 1974 (Recueil d'Ordonnances Tome XIX, p. 318); the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 1979 (Recueil d'Ordonnances Tome XXI, p. 188); the Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey) Ordinance, 1981 (Recueil d'Ordonnances Tome XXII, p. 104); the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 90); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009 (No. XVI of 2009, Recueil d'Ordonnances Tome XXXIII, p. 519); the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2012 (No. XLIV of 2012); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). The Ordinance is applied, with modifications, to the Island of Alderney by the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014 (Alderney Ordinance No. VI of 2014). See also the Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014 (Alderney Ordinance No. VII of 2014); the Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey) Ordinance, 1981 (*supra*).

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinance, 1972

ARRANGEMENT OF SECTIONS

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- 1A. Issue of insurance discs.
2. Time of issue of certificate and disc.
3. Production of evidence as alternatives to certificates.
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Part 1 Forms of Certificates.

Part 2 Provisions relating to the forms and completion of certificates.

(Made on 25th October, 1972.)

The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinance, 1972

THE STATES, on the representations of the States Board of Administration and in exercise of the powers now vested in them by section twelve and section fourteen of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, as amended^a, and of all other powers enabling them in that behalf, hereby order: –

Issue of certificates of insurance.

1. (1) A company shall issue to every holder of a policy other than a covering note issued by the company –

- (a) in the case of a policy relating to one or more specified vehicles a certificate of insurance in Form A in respect of each such vehicle,
- (b) in the case of a policy relating to vehicles other than specified vehicles such number of certificates in Form B as may be necessary for the purpose of complying with the requirements of subsection (1) of section thirteen of the Law and of this Ordinance as to the production of evidence that a motor vehicle is not being driven in contravention of section two of the Law.

(2) Notwithstanding the foregoing provisions of this Ordinance, where as respects third party risks a policy relating to a specified vehicle extends also to the driving by the holder of other motor vehicles, not being specified vehicles, the certificate may be in Form A containing a statement that the policy extends to such driving of other motor vehicles; where such a certificate is issued

^a Ordres en Conseil Vol. X, p. 388; Vol. XV, p. 43; Vol. XVIII, p. 35 and p. 257; Vol. XX, p. 246; No. XXI of 1971.

by a company they may, and shall in accordance with a demand made to them by the holder, issue to him a further such certificate or a certificate in Form B.

(3) Every policy in the form of a covering note issued by a company shall have printed thereon or on the back thereof a certificate of insurance in Form C.

NOTES

The Ordinance is applied to the Island of Alderney by the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 2, with effect from 19th March, 2014, subject to the modifications set out therein.¹

In accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey) Ordinance, 1981, section 3, with effect from 1st October, 1981, this Ordinance, when cited together with the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 1979, may be cited as the Road Traffic (Compulsory Third Party Insurance) (Guernsey) Ordinances, 1972 to 1981.

[Issue of insurance discs.]

1A. A company shall also issue to every holder of a policy an insurance disc in Form E, or, if it is a temporary insurance disc, Form F.]

NOTE

Section 1A was inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(2), with effect from 1st April, 2009.

[Time of issue of certificate and disc.]

2. Every certificate of insurance [and insurance disc] shall be issued not later than four days after the date on which the policy to which it relates is issued or renewed.

NOTE

In section 2, and the marginal note thereto, the words in square brackets were inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(3), with effect from

1st April, 2009.

Production of evidence as alternatives to certificates.

3. (1) A certificate in Form D signed by a person authorised in that behalf by one of the bodies referred to in subsection (3) of section two of the Law that a motor vehicle is owned by that body may be produced in pursuance of section thirteen of the Law, as an alternative to the production of a certificate of insurance, as evidence that the said motor vehicle is not or was not being driven in contravention of section two of the Law.

(2) Any certificate issued in accordance with the last preceding subsection shall be destroyed by the owner of the vehicle to which it relates before the motor vehicle is sold or otherwise disposed of.

[(3) In the case of a vehicle normally based in the territory of a member state of the Communities, other than the United Kingdom and Gibraltar, or of Austria, Czechoslovakia, Finland, the German Democratic Republic, Hungary, Norway, Sweden or Switzerland, a document issued by the insurer of a motor vehicle which indicates the name of the insurer, the number or other identifying particulars of the insurance policy issued in respect of the said vehicle and the period of the insurance cover may be produced in pursuance of section thirteen of the Law, as an alternative to the production of a certificate of insurance, as evidence that the said vehicle is not or was not being driven in contravention of section two of the Law.

(4) For the purposes of the last foregoing subsection, the territory of the state in which a motor vehicle is normally based shall be –

- (a) the territory of the state in which the vehicle is registered,
- (b) in cases where no registration is required for the type of vehicle, but the vehicle bears an insurance plate or distinguishing sign analogous to a registration plate, the territory of the state in which the insurance plate or

the sign is issued, or

- (c) in cases where a registration plate, insurance plate and distinguishing sign is not required for the type of vehicle, the territory of the state in which the keeper of the vehicle is permanently resident,

and "**Communities**" in that subsection means the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community.]

NOTE

In section 3, subsection (3) and subsection (4) were inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 1979, section 1, with effect from 31st January, 1979.

Production of evidence of insurance on application for licences.

4. (1) Any person applying for a licence under the Law of 1926 shall, except as hereinafter provided and subject to the provisions of [regulation five of the Regulations set out in the Schedule to the Motor Vehicles (International Motor Insurance Card) Ordinance, 1974], produce to the Board either –

- (a) a certificate of insurance, indicating that on the date when the licence comes into operation there will be in force the necessary policy in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission and such further evidence as may be necessary to establish that the certificate relates to such user, or
- (b) in the case where the motor vehicle is one of more than ten motor vehicles owned by the same person in respect of which a policy or policies of insurance have been obtained by him from the same authorised insurer, a statement duly authenticated by the

authorised insurer to the effect that on the date when the licence becomes operative an insurance policy which complies with the Law will be in force in relation to the user of the motor vehicle, or

- (c) evidence that section two of the Law does not apply to the motor vehicle at a time at which it is being driven under the owner's control, in the case of a motor vehicle owned by any of the bodies referred to in subsection (3) of section two of the Law a certificate in Form D signed by some person authorised in that behalf by such body that the vehicle in respect of which the application for a licence is made is owned by the said body.

(2) A person engaged in the business of letting motor vehicles on hire shall not, when applying for a licence under the Law of 1926, be required to comply with the provisions of subsection (1) of this section if the motor vehicle in respect of which the licence is applied for is intended to be used solely for the purpose of being let on hire and driven by the person by whom the motor vehicle is hired or by persons under his control.

NOTES

In section 4, the words in square brackets in subsection (1) were substituted by the Motor Vehicles (International Motor Insurance Card) Ordinance, 1974, section 2, with effect from 19th June, 1974 and, in their application to the Island of Alderney in accordance with the provisions of the 1974 Ordinance as modified by the Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014, section 1, with effect from 19th March, 2014, shall have effect subject to the provisions of section 2(b) of the 2014 Ordinance, with effect from that latter date.²

The "Board" referred to in subsection (1) has since been replaced by, first, the Island Traffic Committee and, second, the States Traffic Committee, the reference to which latter has since been substituted by a reference to the Environment Department by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004. The functions, rights and liabilities of the Traffic Committee and of its President were transferred to and vested in, respectively, the Environment Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 29, with effect from 6th May, 2004,

subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

Keeping of records by companies.

5. (1) Every company by whom a policy is issued shall keep a record of the following particulars relative thereto and of any certificates[, or discs] issued in connection therewith –

- (a) the full name and address of the person to whom the policy[, certificate or disc] is issued,
- (b) in the case of a policy relating to one or more specified motor vehicles the registration mark of each such motor vehicle,
- (c) the date on which the policy comes into force and the date on which it expires,
- (d) in the case of a policy the conditions subject to which the persons or classes of persons specified in the policy will be indemnified,

and every such record shall be preserved for one year from the date of expiry of the policy.

(2) Every body referred to in subsection (3) of section two of the Law shall keep a record of the motor vehicles owned by them in respect of which a policy has not been obtained, and of any certificates issued by them under this Ordinance in respect of such motor vehicles, and of the withdrawal or destruction of any such certificates.

(3) Any company, body as aforesaid or other person by whom records of documents are required by this Ordinance to be kept shall without charge furnish to [the Committee] or to the Chief Officer of the Island Police Force on request any particulars thereof.

NOTES

In section 5,

the words in the first and second pairs of square brackets in subsection (1) were, respectively, inserted and substituted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, respectively section 1(4)(a) and section 1(4)(b), with effect from 1st April, 2009;

the words in square brackets in subsection (3) were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 15(a), with effect from 30th September, 1992.

Notification to [the Committee] of ineffective policies.

6. Where to the knowledge of a company a policy issued by them ceases to be effective without the consent of the person to whom it was issued, otherwise than by effluxion of time or by reason of his death, the company shall forthwith notify [the Committee] of the date on which the policy ceased to be effective:

Provided that such notification need not be made if the certificate relating to the policy has been received by the company from the person to whom the certificate was issued on or before the date on which the policy ceases to be effective.

NOTE

In section 6, and the marginal note thereto, the words "the Committee" in square brackets, wherever occurring, were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 15(a), with effect from 30th September, 1992.

[Return of certificates and discs to issuing company.]

7. (1) The following provisions shall apply in relation to the transfer of a policy with the consent of the holder to any other person –

- (a) the holder shall, before the policy is transferred, return any relative [certificates and discs] issued for the purposes of this Ordinance to the company by whom they were issued, and

- (b) the policy shall not be transferred to any other person unless and until the [certificates and discs] have been so returned or the company are satisfied that the [certificates and discs] have been lost or destroyed.

(2) In any case where with the consent of the person to whom it was issued a policy is suspended or ceases to be effective, otherwise than by effluxion of time, in circumstances in which the provisions of section eight of the Law (relating to the surrender of [certificates and discs]) do not apply, the holder of the policy shall within seven days from the date when it is suspended or ceases to be effective return any relative [certificates and discs] issued for the purposes of this Ordinance to the company by whom they were issued and the company shall not issue a new policy to the said holder in respect of the motor vehicle or vehicles to which the said first mentioned policy related unless and until the [certificates and discs] have been returned to the company or the company are satisfied that they have been lost or destroyed.

(3) Where a policy is cancelled by mutual consent or by virtue of any provision in the policy, any declaration that a certificate [or disc] has been lost or destroyed made in pursuance of section eight of the Law (which requires any such declaration to be made within a period of seven days from the taking effect of the cancellation) shall be delivered forthwith after it has been made to the company by whom the policy was issued.

(4) The provisions of the last preceding subsection shall be without prejudice to the provisions of paragraph (c) of subsection (2) of section four of the Law as to the effect for the purposes of that subsection of the making of a declaration within the periods therein stated.

NOTE

In section 7, the words in, first, the square brackets in the marginal note thereto, second, the square brackets in subsection (1) and subsection (2) and, third, the square brackets in subsection (3) were, respectively, substituted, substituted and inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, respectively section 1(5)(a), section 1(5)(b and)section 1(5)(c), with effect from 1st April, 2009.

Issue of fresh certificates.

8. Where any company by whom a certificate of insurance has been issued are satisfied that the certificate has become defaced or has been lost or destroyed they shall, if they are requested to do so by the person to whom the certificate was issued, issue to him a fresh certificate; in the case of a defaced certificate the company shall not issue a fresh certificate unless the defaced certificate is returned to the company.

[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.]

NOTE

Section 8A was inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(6), with effect from 1st April, 2009.

Register of companies.

9. [The Committee] shall cause a register to be kept of the names of all assurance companies approved as "authorised insurers" for the purposes of the Law and of the addresses of the head offices thereof and of the addresses in Guernsey communicated to [the Committee] by such assurance companies under the provisions of section three of the Law and, upon payment of a sum not exceeding five new pence in respect of any such assurance company, shall supply to any person on demand the particulars contained in the register concerning that assurance company.

NOTES

In section 9, the words "the Committee" in square brackets, wherever occurring, were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 15(a), with effect from 30th September, 1992.

In its application to the Island of Alderney, section 9 is omitted in

*accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 2, with effect from 19th March, 2014.*³

Assurance companies ceasing to be authorised insurers.

10. Upon any assurance company which has been approved by [the Committee] as an "authorised insurer" for the purposes of the Law ceasing to be so approved, [the Committee] shall forthwith publish during six consecutive days in "La Gazette Officielle" an intimation that that assurance company has ceased to be an "authorised insurer" for the purposes of the Law.

NOTES

In section 10, the words "the Committee" in square brackets, wherever occurring, were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 15(a), with effect from 30th September, 1992.

*In its application to the Island of Alderney, section 10 is omitted in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 2, with effect from 19th March, 2014.*⁴

[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.]

NOTE

Section 10A was inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(7), with effect from 1st April, 2009.

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.]

NOTE

Section 10B was inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(7), with effect from 1st April, 2009.

Offences.

11. Any person who contravenes or fails to comply with any of the provisions of sections one to eight, both inclusive, of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 1 on the uniform scale].

NOTE

In section 11, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Savings.

12. Nothing in this Ordinance shall affect the validity of any certificate which has been issued before the date of the coming into force of this Ordinance in a form prescribed by the Road Traffic (Compulsory Third-Party Insurance) Ordinance, 1936, as amended^c, as in force immediately before the date of the coming into force of this Ordinance, and any certificate in such a form may continue to be issued until the expiration of three years from the date of the coming into force of this Ordinance.

Amendment to Ordinance of 1953.

13. ...

NOTE

Section 13 was repealed by the Motor Vehicles (International Motor Insurance Card) Ordinance, 1974, section 3(1), with effect from 19th June, 1974.⁵

Repeals.

14. The Road Traffic (Compulsory Third-Party Insurance) Ordinance, 1936, and the Road Traffic (Compulsory Third-Party Insurance) (Amendment) Ordinance, 1962, are hereby repealed.

Interpretation.

15. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them –

"assurance company" includes an underwriter or association of underwriters,

["the Committee" means the States [Committee for the Environment & Infrastructure] or such other Committee as the States may by Resolution prescribe,]

^c Recueil d'Ordonnances Tome VIII, p. 239; Tome XIII, p. 61.

"company" means an authorised insurer within the meaning of the Law,

"the Law" means the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, as amended,

"the Law of 1926" means the Law entitled "Loi relative aux Automobiles" registered on the eleventh day of December, nineteen hundred and twenty-six, as amended^d,

"a licence under the Law of 1926" means a licence granted by [the Committee] under the provisions of Article three of the Law of 1926,

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads,

"policy" means a policy of insurance in respect of third party risks arising out of the use of motor vehicles which complies with the requirements of the Law and includes a covering note.

[(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.]

NOTES

In section 15,

first, the definition of the expression "the Committee" and, second, the words in square brackets in the definition of the expression "a licence under the Law of 1926" in subsection (1) were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, respectively paragraph 15(b) and paragraph 15(a), with

^d Ordres en Conseil Vol. VIII, p. 56.

effect from 30th September, 1992;

the words "Committee for the Environment & Infrastructure" in square brackets within the definition of the expression "the Committee" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016;⁶

subsection (2) was substituted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(7), with effect from 1st April, 2009.

The functions, rights and liabilities of the Environment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 4(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.⁷

The Loi relative aux Automobiles, 1926 has since been repealed by the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006, section 3(1), Schedule, Part I, with effect from 1st January, 2008.

Citation.

16. This Ordinance may be cited as the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinance, 1972.

Commencement.

17. This Ordinance shall come into force on the first day of November, nineteen hundred and seventy-two.

NOTE

In its application to the Island of Alderney, section 17 is omitted in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 2, with effect from 19th March, 2014.⁸

SCHEDULE
PART 1

Forms of Certificates

FORM A

Certificate of Motor Insurance

Certificate No. Policy No. (Optional)

1. Registration mark of vehicle.
2. Name of policy holder.
3. Effective date of the commencement of insurance for the purposes of the relevant law.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.
6. Limitations as to use.

I/We hereby certify that the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Guernsey.

.....
Authorised Insurers

Note: For full details of the insurance cover reference should be made to the policy.

FORM B

Certificate of Motor Insurance

Certificate No. Policy No. (Optional)

1. Description of vehicles.
2. Name of policy holder.
3. Effective date of the commencement of insurance for the purposes of the relevant law.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.
6. Limitations as to use.

I/We hereby certify that the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Guernsey.

.....

Authorised Insurers

Note: For full details of the insurance cover reference should be made to the policy.

FORM C

Certificate of Motor Insurance

I/We hereby certify that this covering note satisfies the requirements of the relevant law applicable in Guernsey.

.....

Authorised Insurers

FORM D

Certificate of Ownership

We hereby certify that the vehicle of which the registration mark is
..... is owned by

Signed

on behalf of

[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:

]

PART 2

Provisions relating to the forms and completion of certificates

[1. Every certificate shall be printed and completed in black on white paper or similar material. This provision shall not prevent the reproduction of a seal or monogram or similar device referred to in paragraph 2 of this Part of this Schedule, or the presence of a background pattern (of whatever form and whether coloured or not) on the face of the form which does not materially affect the legibility of the certificate.

2. No certificate shall contain any advertising matter, either on the face or on the back thereof:

Provided that the name and address of the company by whom the certificate is issued, or a reproduction of the seal of the company or any monogram or similar device of the company, or the name and address of an insurance broker, shall not be deemed to be advertising matter for the purposes of this paragraph if it is printed or stamped at the foot or on the back of such certificate, or if it forms, or forms part of, any such background pattern as is referred to in the foregoing paragraph.]

3. The whole of each form as set out in Part 1 of this Schedule shall in each case appear on the face of the form, the items being in the order so set out and the certification being set out at the end of the form.

4. The particulars to be inserted on the said forms shall so far as possible appear on the face of the form, but where in the case of any of the numbered headings in Forms A or B, this cannot conveniently be done, any part of such particulars may be inserted on the back of the form, provided that their presence on the back is clearly indicated under the relevant heading.

5. The particulars to be inserted on any of the said forms shall not include particulars relating to any exceptions purporting to restrict the insurance under the relevant policy which are by section six of the Law rendered of no effect as respects the third party liabilities required by section three of the Law to be covered by a policy.

6. (1) In any case where it is intended that a certificate of insurance or a covering note shall be effective not only in Guernsey but also in any of the following territories, that is to say, Great Britain, Northern Ireland, the Isle of Man, the Island of Jersey or the Island of Alderney, Forms A, B and C may be modified by the addition thereto, where necessary, of a reference to the relevant legal provisions of such of those territories as may be appropriate.

(2) A certificate of insurance may contain either on the face or on the back of the certificate a statement as to whether or not the policy to which it relates satisfies the requirements of the relevant law in any of the territories referred to in this paragraph.

7. Every certificate of insurance shall be duly authenticated by or on behalf of the company by whom it is issued.

[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 [...].

(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[; save that this paragraph shall not apply to a temporary insurance disc].

(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,

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- (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, ["Fleet Reg. Keeper" or "Rider Policy" as appropriate],
- (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

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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, ["Fleet Reg. Keeper" or "Rider Policy" as appropriate], 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.]

NOTES

In the Schedule,

Form E and Form F in Part 1 were inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(9)(a), with effect from 1st April, 2009;

paragraph 1 and paragraph 2 of Part 2 were substituted by the Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey) Ordinance, 1981, section 1, with effect from 1st October, 1981;

the words and paragraphs in square brackets following paragraph 7 of Part 2 were inserted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009, section 1(9)(b), with effect from 1st April, 2009;

in paragraph 7, first, the words omitted in paragraph (1) were repealed, second, the words in paragraph (2) were inserted and, third, the words in square brackets in paragraph (3) and paragraph (6) (in item (c)(ii) in each case) were substituted by the Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2012, respectively section 1(2), section 1(3) and section 1(4), with effect from 17th December, 2012.⁹

¹ Previously, the Ordinance was applied to the Island of Alderney by the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, with effect from 3rd January, 1973, subject to, first, the exceptions, adaptations and modifications set out in the right-hand column of the Schedule to the 1973 Ordinance and, second, section 2 of the 1973 Ordinance.

² Previously, prior to the commencement of the Road Traffic (Compulsory

Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 4(1) was modified in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.

³ Section 9 was previously omitted in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.

⁴ Section 10 was previously omitted in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.

⁵ Previously, prior to the commencement of the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, section 13 was modified in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.

⁶ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004.

⁷ The functions, rights and liabilities of the Environment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Traffic Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 29, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the States Traffic Committee under this Ordinance were previously transferred to it from the Island Traffic Committee by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 1, Schedule 1, paragraph 13, with effect from 29th July, 1992, subject to the savings in section 2 of the 1992 Ordinance. The functions of the Island Traffic Committee under this Ordinance were previously transferred to it and its President from, respectively, the States Board of Administration and the States Supervisor by the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991, section 1(1), Schedule, with effect from 6th August, 1991.

⁸ Section 17 was previously omitted in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.

⁹ Previously, prior to the commencement of the Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014, sub-paragraph (1) of paragraph 6 of Part 2 of the Schedule was modified in accordance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Alderney) Ordinance, 1973, section 1, Schedule, with effect from 3rd January, 1973.