GREFFE
ROYAL COURT

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GUERNSEY

The Seat Belts (Exemptions) Order 2019

Made	*27th March, 2019*
Coming into operation	*29th March, 2019*
Laid before the States	*, 2019*

THE COMMITTEE FOR HOME AFFAIRS, in exercise of the powers conferred on it by sections 9(2) and 13 of the Seat Belts Ordinance, 1988[a], and all other powers enabling them in that behalf, hereby order:-

Amendment to 1988 Ordinance.

1.   Schedule 5 of the Seat Belts Ordinance, 1988 is amended as follows.

2.   Immediately after paragraph 1, insert the following –

"**1A.**   The prohibition in section 8 does not apply in relation to –

(a)   a child who is riding in the rear of a motor car in respect of which a taxi licence or private hire motor car licence has been granted, whilst the said motor car is actually carrying a passenger for hire or reward, where the child –

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[a]   Recueil d'Ordonnances Tome XXIV, p. 328; amended by Ordres en Conseil Vol. XXXII, p. 278; Ordinance No. XXVII of 2004; the Seat Belts (Amendment) Ordinance, 2019; G.S.I. No. 40 of 1988; G.S.I. No. 7 of 1989.

(i)   is under the age of three years, if no appropriate seat belt is available for the child in the front or rear of the motor car, provided that the child is accompanied by an adult who is also travelling as a passenger for hire or reward and who assumes responsibility for the child, or

(ii)   has attained the age of three years, if no appropriate seat belt is available for the child in the front or rear of the motor car, and the child is wearing a seat belt conforming to the requirements set out in Schedule 1,

(b)   a child who has attained the age of three years, who is wearing a seat belt conforming to the requirements set out in Schedule 1, where the use of child restraints by the child occupants of two seats in the rear of the motor car prevents the use of an appropriate seat belt for that child and no appropriate seat belt is available for that child in the front of the vehicle,

(c)   a child who has attained the age of 12 years, or a child who is under that age but who is 135 centimetres in height or more, who is in the rear of the motor car, if no appropriate seat belt is available for that child in the rear of that vehicle.".

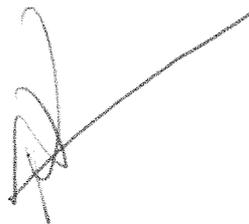3.   In paragraph 2, insert the following definitions in the appropriate places –

""**appropriate seat belt**" means a seat belt which conforms to the provisions of section 8 in relation to the age and height of the child in question,",

""**private hire motor car licence**" means a public service vehicle licence granted in respect of a motor car under section 7 of the Public Transport Ordinance. 1986 for the use of that vehicle to operate a private hire motor car service, as defined in that Ordinance,".

Citation and commencement.

4.   This Order may be cited as the Seat Belts (Exemptions) Order, 2019 and shall come into force on the 29th March, 2019.

Dated this 27th day of March, 2019

R.G. PROW

Vice-President of the Committee for Home Affairs

For and on behalf of the Committee

This Order makes provision exempting from the prohibition on children under 14 riding in a motor car without a seat belt or child restraint appropriate to their age –

(a) a child riding in the rear of a taxi or private hire vehicle, where an appropriate seat belt or child restraint is not available (children under three must be accompanied by an adult who assumes responsibility for the child) and children aged three or more must wear an adult seat belt),

(b) a child riding in the rear of a vehicle where two child restraints are already in use preventing the use of such a restraint by that child, provided that the child is wearing an adult belt, and

(c) a child aged twelve or more, or who is 135 cm or more in height, riding in the rear of the vehicle, if no seat belt is available.

This Order comes into force on the 29th day of March, 2019.