



Jersey

MOTOR TRAFFIC (THIRD-PARTY INSURANCE) (VISITING DRIVERS) (JERSEY) ORDER 2013

Arrangement

Article

1	Interpretation	3
2	Application of Law - qualifying insurance policy.....	4
3	Application of Law- valid green card.....	5
4	Application of Law - motor vehicles from the United Kingdom, Guernsey, Alderney or the Isle of Man	6
5	Revocation.....	6
6	Citation and commencement.....	7



Jersey

MOTOR TRAFFIC (THIRD-PARTY INSURANCE) (VISITING DRIVERS) (JERSEY) ORDER 2013

Made

Coming into force

THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES, in pursuance of Article 17 of the Motor Traffic (Third-Party Insurance) (Jersey) Law 1948, orders as follows –

1 Interpretation

In this Order, unless the context otherwise requires –

“green card” means an international certificate of insurance issued on behalf of a national insurers’ bureau in accordance with Recommendation No. 5 adopted on 25th January 1949 by the Road Transport Subcommittee of the Inland Transport Committee of the United Nations Economic Commission for Europe;

“hired motor vehicle” means a motor vehicle which is –

- (a) designed for private use and with seats for not more than 8 persons, excluding the driver;
- (b) specified in a green card;
- (c) last brought into Jersey by a person making only a temporary stay; and
- (d) owned and let for hire by a person whose business includes the letting of vehicles for hire and whose principal place of business is outside Jersey;

“hiring visitor” means a person to whom a hired motor vehicle is let on hire, who is making only a temporary stay in Jersey and is named as the insured or user of that vehicle in the green card in which that vehicle is specified;

“Law” means the Motor Vehicles (Third-Party Insurance) (Jersey) Law 1948;

“member” means a member of a national insurers’ bureau that is a signatory to the multilateral agreement;

“Motor Insurers’ Bureau” means the company of that name incorporated on 14th June 1946 under the Companies Act 1929 of the United Kingdom;

“multilateral agreement” means the Agreement between the national insurers’ bureaux of the Member States of the European Economic Area and other Associate States, concluded in Rethymno (Crete) on 30th May 2002 and revised in Lisbon (Portugal) on 29th May 2008, together with any addendum to the Agreement that is signed by the Motor Insurers’ Bureau as the national insurers’ bureau for the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, Gibraltar and the Isle of Man;

“national insurers’ bureau” means a professional organisation which is constituted in accordance with Recommendation No. 5 adopted on 25th January 1949 by the Road Transport Sub-committee of the Inland Transport Committee of the United Nations Economic Commission for Europe and which groups together insurance undertakings which, in a member State, are authorized to conduct the business of motor vehicle insurance against civil liability;

“qualifying insurance policy” means a contract of compulsory insurance issued by a member that, in accordance with the requirements of the multilateral agreement, covers civil liability in respect of the use of a vehicle in Jersey;

“visitor” means a person bringing a motor vehicle into Jersey, making only a temporary stay and named in a green card as the insured or user of the vehicle; and includes a hiring visitor who brings a hired motor vehicle into Jersey, but no other hiring visitor.

2 Application of Law - qualifying insurance policy

- (1) This Article applies where a motor vehicle specified in a qualifying insurance policy is used on a road by a person whose third party liability is covered by the policy.
- (2) Article 2 of the Law shall have effect as though the qualifying insurance policy were a policy of insurance complying with the requirements of the Law and having effect for the purposes of the Law, in relation to such use.
- (3) Article 3(2) to (4) of the Law shall have effect as though –
 - (a) the qualifying insurance policy were a policy of insurance complying with the requirements of the Law and having effect for the purposes of the Law, in relation to such use; and
 - (b) the member issuing the policy were an authorized insurer.
- (4) Article 10 of the Law shall have effect as though the qualifying insurance policy were a policy of insurance under Article 3(1)(b) of the Law.
- (5) Article 15 of the Law shall have effect as though the qualifying insurance policy were a certificate of insurance.

3 Application of Law- valid green card

- (1) For the purposes of this Order, a green card shall be valid only if –
 - (a) the motor vehicle specified in the card is brought into Jersey during the period of validity so specified;
 - (b) the application of the card in Great Britain and Northern Ireland is indicated on it;
 - (c) all relevant information provided for in the card has been inscribed on the card; and
 - (d) the card has been duly signed by the visitor and the insurer named in the card and, in the case of a hired motor vehicle, by every hiring visitor who is named in the card as the insured or user.
- (2) Paragraphs (3) to (7) apply where a motor vehicle specified in a valid green card is used on a road by –
 - (a) the visitor to whom the card was issued;
 - (b) any hiring visitor named in the card; or
 - (c) any other person, on the order or with the permission of the said visitor or said hiring visitor.
- (3) Article 2 of the Law shall have effect as though the valid green card were a policy of insurance complying with the requirements of the Law and having effect for the purposes of the Law, in relation to such use.
- (4) Article 3(2) to (4) of the Law shall have effect as though the valid green card were a policy of insurance –
 - (a) issued by an authorized insurer; and
 - (b) complying with the requirements of the Law and having effect for the purposes of the Law, in relation to such use.
- (5) Article 15 of the Law shall have effect as though the valid green card were a certificate of insurance.
- (6) Where the motor vehicle remains in Jersey after the expiry of the period of validity specified in the green card, then as respects any period whilst it so remains during which the vehicle is in Jersey the card shall not be regarded as having ceased to be in force for the purposes of Articles 2 and 3(2) to (4) of the Law by reason only of the expiry of the period of validity specified in the card.
- (7) Where a claim is made –
 - (a) in respect of any such liability as is required to be covered by a policy of insurance under Article 3(1)(b) of the Law; and
 - (b) arising out of the use on a road of a motor vehicle specified in a valid green card card by the visitor to whom it was issued or any hiring visitor named in it, or by any other person on the order or with the permission of the said visitor or hiring visitor,

the person against whom the claim is made shall give to the person making the claim, on the person's demand –
 - (i) the serial letter or letters and number shown in the card,

- (ii) the name of the national insurers' bureau under whose authority it was provided, and
- (iii) the name and address of the person specified in it as the insured or user of the vehicle.

4 Application of Law - motor vehicles from the United Kingdom, Guernsey, Alderney or the Isle of Man

- (1) This Article applies where a motor vehicle is brought into Jersey from the United Kingdom, Guernsey, Alderney or the Isle of Man by a person making only a temporary stay in Jersey, who is the holder of a policy of insurance which –
 - (a) complies with the Road Traffic Act 1988 of the United Kingdom or with the corresponding enactments of Northern Ireland, Guernsey, Alderney or the Isle of Man; and
 - (b) covers the driving of the motor vehicle in Jersey.
- (2) Any certificate of insurance issued in respect of such policy shall have effect as a policy of insurance or a certificate of insurance respectively for the purposes of the Law and of Part 1 of the Motor Traffic (Third-Party Insurance) (Jersey) Order 1961.
- (3) Paragraph (2) shall not be taken to require the display of an insurance disc on the motor vehicle, if such display is not required by the enactment in compliance with which the policy of insurance is issued.
- (4) The assurance company or underwriter who issued the certificate of insurance shall, for the purposes of the Law, be taken to be the authorized insurer under or in consequence of a policy of insurance issued under the Law.

5 Revocation

The Motor Vehicles (International Motor Insurance Card) (Jersey) Order 1963 is revoked.

6 Citation and commencement

This Order may be cited as the Motor Traffic (Third-Party Insurance) (Visiting Drivers) (Jersey) Order 2013 and shall come into force 7 days after it is made.

Signed.....

Date.....

Minister for Transport and Technical Services

