

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969

(Registered on the Records of the Island of Guernsey
on the 24th day of June, 1969.)



1969.

VIII

1969

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 24th day of June, 1969, before Sir William Arnold, Kt., C.B.E., Bailiff; present :—Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Carl Edward Blad, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, and Jean Le Pelley, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 23rd day of May, 1969, ratifying a *Projet de Loi* entitled "The Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969", 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, of which Order in Council the tenor followeth :—

At the Court at Holyroodhouse

The 23rd day of May 1969

PRESENT,

The Queen's Most Excellent Majesty

LORD WILSON OF LANGSIDE

MR. SECRETARY ROSS

LORD STOTT

MR. THOMSON

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 16th day of May 1969, 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 26th day of February 1969, the States of Deliberation at a meeting held on the said 26th day of February 1969, approved a Bill or "Projet de Loi" entitled "The Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969" 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 Guernsey entitled "The Vessels and Speed-boats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969" 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.

W. G. Agnew.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969

THE STATES, in pursuance of their Resolution of the twenty-sixth day of February, nineteen hundred and sixty-nine, 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 one of the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1968 (hereinafter referred to as "the principal Law") is hereby repealed and the following section is hereby substituted therefor—

Amend-
ments to
Law of
1968.

" 1. (1) A person shall not use, or cause or permit any other person to use, in the territorial waters of the Islands:—

- (a) a vessel licensed by the Board in pursuance of the provisions of the Ordinance entitled "Ordonnance par rapport aux Bateaux portant Passagers, ou mis en location" made permanent on the eighteenth day of January, nineteen hundred and thirty-two;
- (b) a local motor vessel within the meaning of the Passenger Vessels (Bailiwick of Guernsey) Ordinance, 1953;

unless there is in force in relation to the user of that vessel by that person or that other person, as the case may be, a policy of insurance issued by an authorised insurer, the policy being one which, subject to any restrictions or conditions specified therein, insures such person or classes of persons as may be specified in the policy:—

- (c) in an amount of not less than ten thousand pounds in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any one passenger in such vessel in any one occurrence or series of occurrences arising out of any one event; and
- (d) subject to the said limit of ten thousand pounds in respect of any one passenger, in an amount of not less than fifty thousand pounds in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to more than one passenger in such vessel in any one occurrence or series of occurrences arising out of any one event;

caused by or arising out of the use of that vessel whilst at sea.

(2) A person shall not use, or cause or permit any other person to use, in the territorial waters of the Islands a speedboat unless there is in force in relation to the user of that speedboat by that person or that other person, as the case may be, a policy of insurance issued by an authorised insurer, the policy being one which, subject to any restrictions or conditions specified therein, insures such person or classes of persons as may be specified in the policy:—

- (a) in an amount of not less than fifty thousand pounds in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person or for loss of or damage to any property in or on the water or on the fore-shore in any one occurrence or series of occurrences arising out of any one event, caused by or arising out of the use of that speedboat whilst at sea; and
 - (b) in an amount of not less than fifty thousand pounds in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person engaged in water skiing, aquaplaning or similar sport, in any one occurrence or series of occurrences arising out of any one event whilst so engaged; and
 - (c) in an amount of not less than fifty thousand pounds in respect of any liability in respect of the death of or bodily injury to any person or for loss of or damage to any property which may be incurred by any person engaged in water skiing, aquaplaning or similar sport, in any one occurrence or series of occurrences arising out of any one event whilst so engaged.
- (3) Notwithstanding anything in the last two preceding subsections such a policy of insurance as is referred to in either of those two subsections shall not be required to cover liability in respect of the death arising out of and in the course of his employment of a person in the employment of a person insured by the policy or of bodily injury sustained by such person arising out of and in the course of his employment.

(4) In this section the expression "authorised insurer" means an assurance company for the time being approved by the Board.

(5) The States may, from time to time, by Ordinance vary all or any of the amounts specified in subsections (1) and (2) of this section."

Citation and
collective
title.

2. This Law may be cited as the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Amendment) (Guernsey) Law, 1969, and this Law and the principal Law may be cited together as the Vessels and Speedboats (Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Laws, 1968 and 1969.

Commence-
ment.

3. This Law shall come into force on such date as the States may by Ordinance appoint.

R. H. VIDELO,
Her Majesty's Greffier.