



Jersey

ARMED FORCES (VEHICLES AND ROADS – AMENDMENTS) (JERSEY) REGULATIONS 2018

Arrangement

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Made 26th June 2018
Coming into force 30th June 2018

THE STATES, in pursuance of Article 18(6) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017¹, have made the following Regulations –

1 Amendment of Motor Traffic (Third-Party Insurance) (Jersey) Law 1948

In Article 2(3) of the Motor Traffic (Third-Party Insurance) (Jersey) Law 1948², after the words “owned and used by any Department of Her Majesty’s Government,” there are inserted the words “by a home force as defined by Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017³”.

2 Amendment of Motor Vehicle Registration (Jersey) Law 1993

In the Motor Vehicle Registration (Jersey) Law 1993⁴ –

(a) after Article 2(b) there is inserted the following sub-paragraph –

“(ba) any motor vehicle that, for the time being –

- (i) is used for the purposes of a home force, as defined by Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017⁵, and
- (ii) indicates that use as required by Article 2A;”;

(b) after Article 2 there is inserted the following Article –

“2A Indicator of use of vehicle for naval, military or air force purposes

- (1) A motor vehicle indicates its use, for the purpose of Article 2(ba)(ii), if –
 - (a) a plate, disc or document (an ‘indicator’) is displayed in a conspicuous place on or in the motor vehicle, so as to be clearly visible from outside the motor vehicle;

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- (b) the Inspector has, by notice under paragraph (3), approved the indicator, or a description of indicators within which the indicator falls, for the purpose of Article 2(ba)(ii); and
 - (c) the indicator is used in accordance with any condition imposed by the Inspector under paragraph (2).
 - (2) The Inspector may, by notice under paragraph (3), impose any one or more of the following conditions on the use of an indicator –
 - (a) a condition that the indicator includes a mark identifying the particular indicator;
 - (b) a condition that a particular indicator is used only in relation to a particular motor vehicle or by a particular person or home force, or that particular descriptions of indicator are used only in relation to particular descriptions of motor vehicle;
 - (c) a condition that the indicator is not used in relation to a motor vehicle unless, when the vehicle was brought to Jersey or on some other occasion specified in the condition, the Inspector was notified of the intention to use it for the purposes of a home force;
 - (d) any other condition appearing to the Inspector likely to be useful in identifying the motor vehicle or in verifying the use of the motor vehicle.
 - (3) The notice must be given –
 - (a) in writing or by electronic communication within the meaning of the Electronic Communications (Jersey) Law 2000⁶; and
 - (b) to a member of a home force who has been nominated by that force for the purpose of enabling that force to bring the approval or condition to the attention of any person, or of any other of the home forces, who might reasonably be expected to seek to rely on Article 2(ba).
 - (4) The Minister may by Order, after consulting any member of a home force appearing appropriate to the Minister, amend paragraphs (1) and (2) to add, substitute or remove any requirement as to the indication of the use of a motor vehicle.
 - (5) In this Article ‘home force’ has the meaning given by Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017⁷.

3 Amendment of Motor Vehicles (International Circulation) (Jersey) Regulations 1958

In the Motor Vehicles (International Circulation) (Jersey) Regulations 1958⁸ –

- (a) in Regulation 2(1) –
 - (i) sub-paragraph (c) is deleted,

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- (ii) the words “, except in the case of a holder of a British Forces (BFG) driving licence,” are deleted;
- (b) after Regulation 2(1) there is inserted the following paragraph –
- “(1A) Subject to the provisions of this Regulation, it shall be lawful for a person who –
- (a) is a member of a home force, within the meaning of Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017⁹;
- (b) is posted by that force to Jersey, other than permanently; and
- (c) holds a domestic driving permit issued under the law of any jurisdiction in the British Islands other than Jersey,
- during the period of that posting to drive, or to be employed by that force in driving, in Jersey a motor vehicle of any class or description which the person is authorized by that permit to drive, notwithstanding that the person is not the holder of a licence within the meaning of the Road Traffic (Jersey) Law 1956¹⁰.”;
- (c) for Regulation 2(3) there is substituted the following paragraph –
- “(3) Paragraphs (1) and (2) are without prejudice to Article 20 of the Road Traffic (Jersey) Law 1956, except that –
- (a) Article 20(6) of that Law does not apply to a person driving under this Regulation a heavy motor cycle brought temporarily into Jersey, if the person has attained the age of 18 years; and
- (b) Article 20 of that Law does not apply to a person driving, under paragraph (1A) of this Regulation, a motor vehicle that is being used for the purposes of the force of which that person is a member.”;
- (d) in Regulation 2(5) for the words “the right conferred by paragraph (1)(b) or the right conferred by paragraph (1)(c) or the right conferred by paragraph (2)(b), or any 2 or more of those rights, either in the case of all domestic driving permits or British Forces (BFG) driving licences, or in the case of domestic driving permits or British Forces (BFG) driving licences of a description specified in the Order” there are substituted the words “the right conferred by paragraph (1)(b) or (2)(b), or both of those rights, either in the case of all domestic driving permits, or in the case of domestic driving permits of a description specified in the Order”;
- (e) in Regulation 2(6) –
- (i) the definitions “British Forces (BFG) driving licence” and “dependants” are deleted,
- (ii) in the definition “domestic driving permit”, paragraph (b) is deleted;
- (f) in Regulation 4(1), sub-paragraph (c) of the definition “visitor’s registration document” is deleted.

4 Amendment of Road Traffic (Jersey) Law 1956

In Article 38(1) of the Road Traffic (Jersey) Law 1956¹¹, for the words in the proviso “motor vehicles owned by Her Majesty and used for naval, military or air force purposes, or in the case of vehicles so used while being driven by persons for the time being subject to the orders of any member of the armed forces of the Crown” there are substituted the words “a motor vehicle owned and used for the purposes of a home force, as defined by Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017¹², or in the case of a motor vehicle so used while being driven by a person who is subject to service law within the meaning of that Law”.

5 Amendment of Motor Vehicles (Construction and Use) (Jersey) Order 1998

In the Motor Vehicles (Construction and Use) (Jersey) Order 1998¹³ –

- (a) in Article 1(1), after the definition “gross weight” there is inserted the following definition –
 - “ ‘home force’ has the meaning given by Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017¹⁴;”;
- (b) in Article 1(1), for the definition “vehicle in the service of a visiting force or of a headquarters” there is substituted the following definition –
 - “ ‘visiting force’ means a visiting force of a listed country, as defined by Article 3(1) and (4) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017;”;
- (c) for Article 1(4)(b)(ii) there is substituted the following clause –
 - “(ii) a vehicle belonging, or which has belonged, to a home force and which is or was used or appropriated for the purposes of that force;”;
- (d) in Article 1(4)(b)(iii) the words “or a headquarters or defence organization to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965 of the United Kingdom applies” are deleted;
- (e) in the Table in Article 2(4), item 4 (vehicle in the service of a visiting force or of a headquarters) is deleted;
- (f) after Article 2(7) there is added the following paragraph –
 - “(8) No fee is required under paragraph (7) in respect of a vehicle used for the purposes of a home force or of a visiting force.”;
- (g) for Article 52(2)(i) there is substituted the following sub-paragraph –
 - “(i) a vehicle used for the purposes of a home force or of a visiting force;”;
- (h) for Article 54(2)(g) there is substituted the following sub-paragraph –
 - “(g) a vehicle used for the purposes of a home force or of a visiting force;”.

6 Amendment of Motor Vehicles (Driving Licences) (Jersey) Order 2003

After Article 42 of the Motor Vehicles (Driving Licences) (Jersey) Order 2003¹⁵ there is inserted the following Article –

“42A Reserve forces – young driver exemption

Despite Article 20(4) of the Law, a person who has attained the age of 17 years is not to be deemed to be disqualified by age from holding or obtaining a licence to drive, or from driving under such a licence, on a road a motor vehicle specified in any of items 9 to 14 of the table in that Article, if –

- (a) the person is a member of a home force that is a reserve force, within the meaning of those terms in Article 3(1) of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017¹⁶; and
- (b) the vehicle is used for the purposes of that force.”.

7 Citation and commencement

These Regulations may be cited as the Armed Forces (Vehicles and Roads – Amendments) (Jersey) Regulations 2018 and come into force on the coming into force of the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017.

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- 1 *L.25/2017*
 - 2 *chapter 25.250*
 - 3 *L.25/2017*
 - 4 *chapter 25.350*
 - 5 *L.25/2017*
 - 6 *chapter 04.280*
 - 7 *L.25/2017*
 - 8 *chapter 25.400.50*
 - 9 *L.25/2017*
 - 10 *chapter 25.550*
 - 11 *chapter 25.550*
 - 12 *L.25/2017*
 - 13 *chapter 25.550.08*
 - 14 *L.25/2017*
 - 15 *chapter 25.550.10*
 - 16 *L.25/2017*