
STATUTORY INSTRUMENTS

1981 No. 1117 (N.I. 24)

NORTHERN IRELAND

**The Road Traffic (Car-Sharing Arrangements)
(Northern Ireland) Order 1981**

Laid before Parliament in draft

Made 31st July 1981

Coming into Operation 1st September 1981

At the Court at Buckingham Palace, the 31st day of July 1981

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1. This Order may be cited as the Road Traffic (Car-sharing Arrangements) (Northern Ireland) Order 1981 and shall come into operation on the expiration of the period of one month from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(b) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Car-sharing arrangements and insurance

3.—(1) The Road Traffic (Northern Ireland) Order 1981 (c) shall be amended as follows—

- (a) in Article 2(2), at the end of the definition of “public service vehicle” add the words “or any vehicle to which Article 66A (car-sharing arrangements) applies”;
- (b) after Article 66 insert the following Article—

‘Car-sharing arrangements

66A.—(1) A motor vehicle carrying passengers for payment in circumstances in which the conditions set out in paragraph (2) are fulfilled shall not be regarded as a public service vehicle.

(a) 1974 c. 28. (b) 1954 c. 33 (N.I.). (c) S.I. 1981/154 (N.I. 1).

- (2) The conditions referred to in paragraph (1) are—
- (a) that the vehicle is not adapted to carry more than 8 passengers in addition to the driver;
 - (b) that the payment or aggregate of the payments made in respect of the journey by the vehicle does not exceed the amount of the running costs of the vehicle for the journey; and
 - (c) that the arrangements for payment by the passenger or passengers so carried were made before the journey began,

and for the purposes of sub-paragraph (b) the running costs of a vehicle for a journey shall be taken to include an appropriate amount in respect of depreciation and general wear.

(3) In this Article “payment” includes consideration of any kind, whether monetary or not.”;

(c) at the end of Article 94(2) add the following paragraphs—

‘(3) To the extent that a policy or security issued or given for the purposes of this Part—

(a) restricts, as the case may be, the insurance of the persons insured by the policy or the operation of the security to use of the vehicle for specified purposes (for example, social, domestic and pleasure purposes) of a non-commercial character; or

(b) excludes from, as the case may be, that insurance or the operation of the security—

(i) use of the vehicle for hire or reward;

(ii) business or commercial use of the vehicle; or

(iii) use of the vehicle for specified purposes of a business or commercial character,

then, for the purposes of that policy or security so far as it relates to such liabilities as are required to be covered by a policy under Article 92, the use of a vehicle on a journey in the course of which one or more passengers are carried for payment shall, if the conditions set out in Article 66A (2) are satisfied and the vehicle is not a motor cycle, be treated as falling within that restriction or not falling within that exclusion, as the case may be.

(4) Paragraph (3) shall have effect however the restrictions or exclusions described in that paragraph are framed or worded.

(5) In paragraph (3) “payment” has the same meaning as in Article 66A (3).’.

(2) In section 46 of the Transport Act (Northern Ireland) 1967(a), at the end of paragraph (a) add the words “, but shall not include any payment in respect of a journey in a motor vehicle in circumstances where the conditions set out in Article 66A (2) of the Road Traffic (Northern Ireland) Order 1981 (car-sharing arrangements) are satisfied”.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Road Traffic (Northern Ireland) Order 1981 and the Transport Act (Northern Ireland) 1967 in order to permit car-sharing arrangements, that is to say, the use of small vehicles (with up to 8 passenger seats) to carry passengers for payment without compliance with the provisions relating to public service vehicle licensing and road service licensing. The payment, or aggregate of payments, in respect of a journey must not exceed the amount of the running costs (including depreciation and general wear) of the car for that journey, and arrangements for the payment must be made before the journey begins. Restrictions or exclusions in private car insurance policies, relating to the use of a vehicle for social, domestic or pleasure purposes or for hire or reward or for business or commercial purposes, are not to apply, as regards the third-party risks required by law to be covered by insurance, to car-sharing arrangements under the Order.

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