

SCHEDULE

Article 2

PART I

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF THE CARRIAGE OF GOODS BY ROAD ACT 1965 TO GUERNSEY

1. In section 1, for the words “United Kingdom” there shall be substituted the words “Bailiwick of Guernsey”.

2. At the end of section 2 there shall be added the following subsection:—

“(3) An Order in Council made under this section as it has effect in the United Kingdom shall also have effect in the Bailiwick of Guernsey.”.

3. In section 3(1) and (2), for the words “United Kingdom” there shall be substituted the words “Bailiwick of Guernsey”.

4.—(1) In section 4(1), for the words “Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933” there shall be substituted the words “Part II of the Judgments (Reciprocal Enforcement) (Guernsey) Law 1957” and for the words “Act of 1933” there shall be substituted the words “Law of 1957”.

(2) In section 4(2), for the words “Part I of the Act of 1933” there shall be substituted the words “Part II of the Law of 1957” and for the words “section 4 of that Act” there shall be substituted the words “section 6 of that Law”.

(3) In section 4(3), for the words “Part I of the Act of 1933” there shall be substituted the words “Part II of the Law of 1957”.

5. In section 5(1), for the words “section 1 of the Civil Liability (Contribution) Act 1978 or section 3(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940” there shall be substituted the words “section 18(1)(c) of the Law Reform (Tort) (Guernsey) Law 1979”.

6. In section 6, for the words “United Kingdom” there shall be substituted the words “Bailiwick of Guernsey” and the words “or in Scotland the execution of diligence” shall be omitted.

7. Section 7(2) shall be omitted.

8. For section 8(2) there shall be substituted the following subsection:—

“(2) An Order in Council made under this section as it has effect in the United Kingdom shall also have effect in the Bailiwick of Guernsey insofar as the enactment amended or modified extends to the Bailiwick.”.

9. For section 8A(3) there shall be substituted the following subsections:—

“(3) An Order in Council made under this section as it has effect in the United Kingdom shall also have effect in the Bailiwick of Guernsey insofar as the enactment amended extends to the Bailiwick.

(4) Insofar as an Order in Council made under subsection (1)(c) of this section amends an enactment which does not extend to the Bailiwick of Guernsey, the Order shall have effect there as if for references to that enactment there were substituted references to any corresponding provision contained in an Order in Council under section 9 of this Act by virtue of section 12 of this Act.”.

10. Sections 9, 10 and 11 shall be omitted.

11. For section 14(4) there shall be substituted the following subsection:—

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“(4) Nothing in this Act shall apply in relation to any contract for the carriage of goods by road made before 15th November 1971.”.

PART II

TRANSITIONAL AND SUPPLEMENTARY PROVISIONS

12. If judgment in respect of a liability limited by Article 23 in the Schedule to the Act of 1965 is given after the coming into operation of this Order, then notwithstanding that the liability arose before the coming into operation of this Order, the judgment shall be in accordance with Article 23 as amended by section 4(2) of the Act of 1979.

13. For the purposes of Article 23 in the Schedule to the Act of 1965, as amended by section 4(2) of the Act of 1979, the value on a particular day of one special drawing right shall be treated as equal to such a sum in sterling as the International Monetary Fund have fixed as being the equivalent of one special drawing right—

- (a) for that day; or
- (b) if no sum has been so fixed for that day for the last day before that day for which a sum has been so fixed.

14. In this Schedule the expression—

“Act of 1965” means the Carriage of Goods by Road Act 1965; and

“Act of 1979” means the Carriage by Air and Road Act 1979.