
STATUTORY INSTRUMENTS

1981 No. 1543

ROAD TRAFFIC

The Carriage of Goods By Road (Isle of Man) Order 1981

Made - - - - 28th October 1981

Coming into Operation 18th November 1981

At the Court at Buckingham Palace, the 28th day of October 1981

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 9 and 12 of the Carriage of Goods by Road Act 1965(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Carriage of Goods by Road (Isle of Man) Order 1981 and shall come into operation on 18th November 1981.
2. The Carriage of Goods by Road (Isle of Man) Order 1969 is hereby revoked.
3. In this Order and the Schedule hereto:
the expression “Act of 1965” means the Carriage of Goods by Road Act 1965(2); and
the expression “Act of 1979” means the Carriage by Air and Road Act 1979.
4. The Act of 1965 shall extend to the Isle of Man subject to the exceptions, adaptations and modifications specified in Part I of the Schedule to this Order and the transitional and supplementary provisions contained in Part II of the Schedule.

N.E. Leigh
Clerk of the Privy Council

(1) section 9 is referred to in the declaration in section 6(1) of the Carriage by Air and Road Act 1979 (c. 28).
(2) Section 8A was inserted by section 3(3) of the Carriage by Air and Road Act 1979 and the Schedule was amended by section 4(2) of that Act.

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SCHEDULE

Article 4

PART I

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

1. In section 1 for the words “United Kingdom” there shall be substituted the words “Isle of Man”.
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 Isle of Man.”.
3. In section 3(1) and (2) for the words “United Kingdom” there shall be substituted the words “Isle of Man”.
- 4.—(1) In section 4(1) for the words “Foreign Judgments (Reciprocal Enforcement) Act 1933” there shall be substituted the words “Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968 (an Act of Tynwald)” and for the words “the Act of 1933” there shall be substituted the words “the Act of 1968”.
- (2) In section 4(2) and (3) for the words “the Act of 1933” there shall be substituted the words “the Act of 1968”.
5. In section 5(1) for the words from “nothing” to “1940” there shall be substituted the words “nothing in Part II of the Law Reform (Married Women and Tortfeasors) Act 1936 (an Act of Tynwald)”.
6. In section 6 for the words “United Kingdom” there shall be substituted the words “Isle of Man” 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 provision:—

“(2) An Order in Council made under this section as it has effect in the United Kingdom shall also have effect in the Isle of Man insofar as the enactment modified extends to the Isle of Man.”.
9. For section 8A(3)(3), there shall be substituted 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 Isle of Man provided that Tynwald has by resolution approved its having effect there.”.
10. Sections 9, 10, 11, 12 and 14(4) shall be omitted.

PART II

TRANSITIONAL AND SUPPLEMENTARY PROVISIONS

11. 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.

(3) Section 8A was inserted by section 3(3) of the Carriage by Air and Road Act 1979.

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12. 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 for which a sum has been so fixed.

13. Any reference in this Schedule to an enactment of Tynwald shall be construed as a reference to that enactment as amended or replaced by or under any other enactment of Tynwald.

EXPLANATORY NOTE

This Order revokes and replaces the Carriage of Goods by Road (Isle of Man) Order 1969. This Order extends to the Isle of Man with the exceptions, adaptations and modifications specified in Part I of the Schedule to the Order the Carriage of Goods by Road Act 1965, as amended by the &. The Act of 1965 gives effect to the Convention on the Contract for the International Carriage of Goods by Road signed at Geneva on 19th May 1956. The Act of 1979 replaces references to gold francs in the Act of 1965 with references to special drawing rights.