

Island of



Guernsey

# Ordinance of the States

**X**  
**1995**

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## The Driving Licences (Guernsey) Ordinance, 1995

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## **The Driving Licences (Guernsey) Ordinance, 1995**

**THE STATES**, in pursuance of their Resolutions of the 27th day of February, 1975(a), the 14th day of March, 1985(b) and the 28th day of October, 1993(c) and in exercise of the powers conferred upon them by sections 2, 11, 23 and 28 of the Motor Taxation and Licensing (Guernsey) Law, 1987(d), hereby order:-

### **Application for, and grant of, licences**

1. (1) The Committee may, subject to payment of such fee (if any) as may be payable pursuant to section 7 of this Ordinance, and subject to the following provisions of this section, grant a licence to a person who:-

- (a) makes application for it in such manner and containing such particulars, with such verification of such particulars, as the Committee may specify;
- (b) provides the Committee with such evidence or further evidence in support of the application as the Committee may require;
- (c) surrenders to the Committee any previous licence granted to him, including any licence issued outside this Island, or provides the Committee with an explanation for not surrendering it which the Committee considers adequate; and

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- (a) Article XX of Billet d'État No. IV of 1975.
  - (b) Article I of Billet d'État No. VII of 1985.
  - (c) Article XIII of Billet d'État No. XIX of 1993.
  - (d) Ordres en Conseil, Vol. XXX, p. 341.

- (d) is not disqualified by reason of age or otherwise from obtaining the licence for which he makes the application.

(2) A full licence authorising the driving of motor vehicles of any class shall not be granted to any person unless he satisfies the Committee that he is a bona fide resident of the Bailiwick and intends to drive motor vehicles of that class in the Bailiwick and:-

- (a) he produces to the Committee a valid pass certificate in accordance with the provisions of section 5; or
- (b) he satisfies the Committee that he has been, within the period of 5 years ending on the date when the application is made, the holder of a full licence authorising him to drive a motor vehicle of that class which has expired, or which has been suspended pursuant to an order of a court, and that at some time during that period he has driven, in accordance with the terms of that licence, a motor vehicle of that class:

PROVIDED THAT where such licence has been suspended pursuant to an order of the court following the conviction of the holder of an offence which is specified in Schedule 1 for the purposes of this paragraph, the Committee shall not grant a licence until the applicant has produced a pass certificate in accordance with paragraph (a); or

- (c) subject to subsections (3) and (4):-
  - (i) he satisfies the Committee that he is, or was within the period of two years ending on the date when the application is made, the holder of a valid full licence authorising him to drive a motor vehicle of that class and issued by the competent authority in Great Britain, Northern Ireland, the Isle of Man, Alderney or Jersey; or
  - (ii) he satisfies the Committee that he is the holder of a valid full licence authorising him to drive a motor vehicle of that class and issued by the competent authority of a member state of

the European Community and he has taken up normal residence in this Island; or

(iii) he satisfies the Committee that he is the holder of a valid full licence authorising him to drive a motor vehicle of that class and issued by the competent authority of such country with which the United Kingdom may from time to time have a reciprocal arrangement; and

(d) he satisfies any additional requirements prescribed pursuant to section 14 of this Ordinance.

(3) Notwithstanding that the Committee is satisfied as to the matters set out in paragraph (c)(i), (ii) or (iii) of subsection (2), the Committee may, at its discretion:-

(a) refuse to grant a full licence; or

(b) require the applicant to obtain a pass certificate prior to the issue of such a licence.

(4) An application for a licence pursuant to paragraph (c)(i), (ii) or (iii) of subsection (2) may only be made within the period of one year after the applicant became resident in the Island.

(5) In the case of an application for the grant or renewal of a licence enabling the applicant to drive a motor vehicle of a class included in categories C, D1 or D, where the applicant has attained the age of 45 years, the applicant must, if so required by the Committee, produce a certificate, in such form as the Committee may require, that has been signed by a recognised medical practitioner not more than four months prior to the date on which the licence is to take effect.

(6) The Committee may refuse to grant a licence for any reason which may appear to it sufficient and which shall be indicated when notifying the refusal to the applicant.

(7) Where an application for a licence states that it is made for the purpose of enabling the applicant to drive a motor vehicle of any class with a view to passing a test of competence to drive such a vehicle, any licence granted in pursuance of the application shall be a provisional licence for that purpose.

(8) A provisional licence authorising the driving of a motor vehicle of a class included in categories P, A, A1, B1, F, G, H, K or L set out in Schedule 4 to this Ordinance shall not be granted, in so far as it authorises the driving of such a motor vehicle, where the applicant has held such a licence and the licence applied for would come into force within the period of one year beginning immediately after the expiration of such previous licence.

(9) A person who makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant or renewal of a licence is guilty of an offence and liable upon conviction to a term of imprisonment not exceeding three years or to a fine not exceeding level 3 on the uniform scale or to both such imprisonment and such fine.

(10) A person who, with intent to deceive, forges or alters a driving licence is guilty of an offence and liable-

- (a) upon summary conviction, to a term of imprisonment not exceeding 3 months or to a fine not exceeding level 3 on the uniform scale or to both such imprisonment and such fine;
- (b) upon conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both such imprisonment and such fine.

#### **Conditions attached to provisional licences**

2. (1) Subject to subsection (2), the holder of a provisional licence granted pursuant to section 1 shall not drive any motor vehicle of a class which he is authorised to drive by virtue of the provisional licence:-

- (a) otherwise than under the supervision of a person who is present with him in or on the vehicle and who holds, and has held for a period of at least twelve months, a full licence authorising him to drive a motor vehicle of the class being driven by the holder of the provisional licence;
- (b) unless a distinguishing mark ("L" Plate") in a form approved by the Committee is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle;
- (c) while it is being used to draw a trailer, unless he is also the holder of a category E licence authorising him so to do; and
- (d) in the case of a motor vehicle falling within categories P, A or A1, not having attached thereto a side-car, while carrying on it another person.

(2) Paragraph (a) of subsection (1) shall not apply to the holder of a provisional licence authorising him to drive a motor vehicle falling within categories P, A, A1, B1, F or G, or within category L in the case of a vehicle which is designed or adapted to be occupied solely by the driver, while he is driving such a vehicle.

(3) A person who fails to comply with any condition applicable to him by virtue of subsection (1) is guilty of an offence and liable upon conviction to a fine not exceeding level 3 on the uniform scale.

(4) The holder of a full licence who has not held such a licence for a period of at least twelve months and who purports to supervise the holder of a provisional licence in accordance with subsection (1)(a) is guilty of an offence and liable upon conviction to a fine not exceeding level 3 on the uniform scale.

**Persons who become resident in the Island**

3. A person who becomes resident in the Island shall during the period of one year after he becomes so resident be treated for the purposes of the principal Law as the holder of a full licence authorising him to drive motor vehicles of the classes which he is authorised to drive by any licence of which he is the holder which is for the time being valid and which was issued by the competent authority in a country outside the Island provided that he is not disqualified for holding or obtaining a licence in the Island.

**Tests of competence**

4. (1) A person shall not submit himself for a test, without the permission in writing of the Committee, unless he has held a provisional licence for a minimum period of one month.

(2) A person submitting himself for a test shall provide for the purposes of the test a motor vehicle which is suitable for the purposes of the test and where a person submitting himself for a test fails to produce such a vehicle the examiner may refuse to conduct the test.

(3) A person submitting himself for a test shall, prior to taking such test, pay to the Committee such fee as may be specified in Schedule 2 to this Ordinance, which fee may be repaid in the following cases and not otherwise:-

- (a) if an appointment for a test is subsequently cancelled by or on behalf of the Committee;
- (b) if the person for whom the appointment was made keeps the appointment but the test does not take place or is not completed, for reasons attributable neither to him nor to any vehicle provided by him for the purposes of the test;
- (c) if the person for whom the appointment is made fails to keep the appointment due to ill-health subject to the person furnishing the Committee with a certificate from a recognised medical practitioner; or

- (d) if the person for whom the appointment is made gives notice of cancellation to the Committee or a person authorised by the Committee not less than 7 clear days (excluding Saturdays, Sundays, public holidays, Christmas Day or Good Friday) before the day of the appointment.

(4) A person submitting himself for a test and failing to pass that test shall not be eligible to submit himself for another test in a vehicle of a class included in the same category before the expiration of one month after submitting himself for the first-mentioned test.

#### Pass certificates

5. (1) Where a person has passed a test of competence prescribed by the Committee for the purposes of section 4 he shall be issued with a certificate of competence to drive (a "pass certificate") signed on behalf of the Committee by a person authorised so to do.

(2) Subject to subsection (3), a pass certificate issued in accordance with subsection (1) shall remain valid until the expiration of the period of one year commencing with the date of its issue, or until the expiration of the provisional licence held by the holder of the pass certificate, whichever is the sooner.

(3) The Committee may at its discretion treat a pass certificate as valid notwithstanding that the period which has elapsed since the date of its issue exceeds one year.

(4) A person who has passed a test of competence and who is the holder of a pass certificate issued under subsection (1) but who has not yet obtained a full licence may, during the period of seven days from the date of issue of the pass certificate, drive a motor vehicle of any class in respect of which he holds a valid provisional licence; and, during the said period of seven days, the pass certificate shall have effect as a full licence to drive such a vehicle.

(5) The holder of a pass certificate who has not obtained a full licence who purports to supervise the driving of any motor vehicle by the holder of a provisional licence pursuant to section 2(1)(a), or who drives a motor vehicle notwithstanding that he

is not the holder of a valid provisional licence, is guilty of an offence and liable upon conviction to a fine not exceeding level 3 on the uniform scale.

**Period for making of applications for, or for renewal of, driving licences**

6. (1) Subject to section 1(8), applications for the grant of, or renewal of, a provisional licence may be received and dealt with during the period of one month immediately prior to the date when the licence is intended to take effect, or the date of expiration of the previous licence, as the case may be.

(2) Applications for the renewal of a full licence may be received and dealt with during the period of two months ending on the date of expiration of the previous licence.

(3) Where the holder of a licence has been disqualified for holding a licence under section 8 of the principal Law he may, subject to any requirement that he pass a test of competence, make application for the grant of a licence during the period of one month, in the case of an application for a provisional licence, or two months, in the case of an application for a full licence, ending on the date of expiration of the period of disqualification: Provided that such licence shall not take effect until the period of disqualification has expired.

(4) Notwithstanding the provisions of subsection (2) and (3), the Committee may at its discretion and subject to the provisions of this Ordinance receive and deal with applications for renewal of a full licence, or for the grant of a licence after a period of disqualification, after the periods set out in those subsections.

**Fees for licences**

7. (1) Subject to subsection (2), the fee payable for licences issued under this Ordinance shall be, in the case of a licence of a description and, in certain instances, granted in particular circumstances specified in the first column of the Table set out in Schedule 3 to this Ordinance, the fee specified in the second column of that Table.

(2) Where, in the case of licences included within paragraphs (1) to (3) or (5) of the said Schedule, a licence is granted, pursuant to the provisions of section 8, for a period less than ten years, the fee payable in respect of the issue of such licence shall be such reduced sum as the Committee shall determine.

**Duration of licences**

8. (1) Subject to the following provisions of this section, a licence shall, unless previously surrendered or revoked, remain in force for the period ending on the last day of the month immediately preceding the month in which the next decade birthday of the holder will fall:

Provided that where the effect of this subsection would be that a licence would remain in force for a period of less than one year, the application of this subsection shall be modified to the effect that "next decade birthday" shall be deemed to read "next decade birthday but one".

(2) Where the applicant for a licence, or for the renewal thereof, has attained the age of sixty eight years such licence shall remain in force, unless previously surrendered or revoked, for a period of three years from the date of issue of such licence: Provided that a licence granted to such applicant shall not authorise the driving of any motor vehicle except one of a class included in categories P, A1, A, B1, B, F or L.

(3) In the case of an application for a licence which authorises its holder to drive a motor vehicle of a class included in categories C, C1, D, D1, E, H or N, or for renewal thereof, such licence shall remain in force, in so far as it authorises the driving of such a motor vehicle and unless previously surrendered or revoked:-

- (a) where the applicant has not attained the age of 38 years, in accordance with subsection (1);
- (b) where the applicant has attained the age of 38 years, for the period ending on his 45th birthday;
- (c) where the applicant has attained the age of 45 years, for a period of five years from the date of issue of such licence; and
- (d) where the applicant has attained the age of 65 years, for a period of one year from the date of issue of such licence.

(4) A provisional licence authorising the driving of a motor vehicle of a class included in categories P, A, A1, B1, F, G, H, K or L set out in Schedule 4 to this Ordinance shall, unless previously revoked or surrendered, remain in force for a period of two years.

(5) Where it appears to the Committee that the applicant for a licence is suffering from a relevant or prospective disability any licence granted to such applicant shall remain in force for such period not exceeding five years as the Committee may determine.

(6) For the purposes of this section:-

- (a) a "decade birthday" shall mean an anniversary of a date of birth which is the twentieth, thirtieth, fortieth, fiftieth, sixtieth or seventieth anniversary of that date of birth;
- (b) any period referred to herein shall begin with the date on which the licence in question is expressed to come into force; and
- (c) any reference to the age of the applicant for a licence shall be construed as a reference to the age of the applicant on the day when the licence applied for is intended to come into force.

### **Surrender of licences**

9. (1) Where it appears to the Committee:-

- (a) that a licence or the counterpart of a licence granted to any person is required to be endorsed in pursuance of any enactment or was granted in error or with an error or omission in the particulars specified in the licence or counterpart, or
- (b) that a licence or the counterpart of a licence granted to any person is required to be endorsed in pursuance of any enactment or was issued with an error or omission in the

particulars specified therein or required to be so endorsed on it, or

- (c) that the particulars specified in a licence or the counterpart of a licence granted to any person do not comply with any requirement imposed since the licence was granted by any provision made by or having effect under any enactment,

the Committee may serve notice in writing on that person revoking the licence and requiring him to surrender the licence and its counterpart forthwith to the Committee and it shall be the duty of that person to comply with the requirement.

(2) Where the name or address of the licence holder as specified in a licence ceases to be correct, its holder must within thirty days of the change surrender the licence and its counterpart to the Committee and provide it with particulars of the alterations falling to be made in the name or address.

(3) A person who without reasonable excuse fails to comply with the duty under subsection (1) or (2) is guilty of an offence and liable upon conviction to a fine not exceeding level 4 on the uniform scale.

(4) On the surrender of a licence and its counterpart by any person in pursuance of subsection (1) or (2), the Committee:-

- (a) must, except where the licence was granted in error or the licence and its counterpart are surrendered in pursuance of subsection (1) in consequence of an error or omission appearing to the Committee to be attributable to that person's fault or in consequence of a current disqualification, and
- (b) may, in such an excepted case which does not involve a current disqualification,

grant to that person free of charge a new licence for such period (subject to subsection (5)) that it expires on the date on which the surrendered licence would have expired if it had not been surrendered.

(5) Where the period for which the surrendered licence was granted was based on an error with respect to the licence holder's date of birth such that, if that error had not been made, that licence would have been expressed to expire on a different date, the period of the new licence shall be such that it expires on that different date.

**Lost or defaced licences**

10. (1) If the holder of a licence satisfies the Committee:-

- (a) that the licence or its counterpart has been lost or defaced;
- (b) that where such licence or counterpart has been lost, the holder has informed an officer of police of such loss; and
- (c) that he is entitled to continue to hold that licence,

the Committee shall, subject to payment of the fee prescribed in section 7 to this Ordinance, and upon surrender of any licence or counterpart that has not been lost, issue to him a duplicate licence and counterpart and shall, subject to subsection (2), endorse upon the licence and counterpart any particulars endorsed upon the original licence or counterpart as the case may be and the duplicates so issued shall have the same effect as the originals which said originals shall thereafter be of no effect.

(2) Where at least five years have elapsed since the date of expiry of the disqualification to which particulars endorsed upon the original licence or counterpart relate, such particulars shall not be endorsed upon the duplicate licence or its counterpart.

(3) If at any time while a duplicate licence is in force the original licence or counterpart is found, the person to whom the original licence or counterpart was issued, if it is in his possession, shall return it to the Committee, or, if it is not in his possession

but he becomes aware that it has been found, shall take all reasonable steps to obtain possession of it and if successful shall return it as soon as may be to the Committee.

(4) A person who deliberately defaces or destroys a licence or its counterpart or knowingly retains a licence or its counterpart in respect of which a duplicate is in force is guilty of an offence and liable upon conviction to a fine not exceeding level 4 on the uniform scale.

**Categories of licence**

11. (1) Subject to section 13, the holder of a licence of a category specified in Schedule 4 to this Ordinance shall be entitled to drive only motor vehicles of the class described in that Table in relation to that category.

(2) A licence issued pursuant to this Ordinance may be endorsed with additional information and restrictions, in code form, the meaning of such codes to be as set out in Schedule 5 to this Ordinance.

**Minimum age conditions**

12. A person is disqualified for holding or obtaining a licence to drive on a public highway a motor vehicle of a class included in a category specified in the first column of the Table contained in Schedule 6 to this Ordinance if he is under the age specified in relation thereto in the second column of that Table.

**Additional categories**

13. A person who has passed a test to drive vehicles of a class included in any category shall be deemed competent to drive, in addition to vehicles of a class included in that category, vehicles of a class included in any other category which is referred to in the third column of the Table in Schedule 6 to this Ordinance as being an additional category in relation to that particular category.

**Additional requirements**

14. A person who has passed a test to drive motor vehicles of a class included in any category must, before being granted a full licence in accordance with this Ordinance, satisfy the additional requirements specified in the fourth column of the Table contained in Schedule 6 to this Ordinance in relation to that category.

**Disqualification to prevent duplication of licences**

15. A person is disqualified for obtaining a licence authorising him to drive a motor vehicle of any class so long as he is the holder of another licence authorising him to drive a motor vehicle of that class, whether the licence is suspended or not.

**Requirements as to physical fitness of drivers**

16. (1) An application for the grant of a licence must include a declaration by the applicant, in such form as the Committee may require, stating whether he is suffering or has at any time, or during such period if any prescribed for the purposes of this section by Resolution of the Committee, suffered from any relevant disability or any prospective disability.

(2) For the purposes of this Law:-

**"disability"** includes disease;

**"prospective disability"** in relation to any person means any disability other than a relevant disability which:-

- (a) at the time of the application for the grant of a licence or, as the case may be, the material time for the purposes of the provision in which the expression is used, is not of such a kind that it is a relevant disability, but
- (b) by virtue of the intermittent or progressive nature of the disability or otherwise, may become a relevant disability in the course of time.

**"relevant disability"** in relation to any person means:-

- (a) any disability prescribed by section 19; and
- (b) any other disability likely to cause the driving of a vehicle by him in pursuance of a licence to be a source of danger to the public.

(3) If it appears from the applicant's declaration, or if on inquiry the Committee is satisfied from other information, that the applicant is suffering from a relevant disability, the Committee must, subject to the following provisions of this section, refuse to grant the licence.

(4) The Committee must not by virtue of subsection (3) refuse to grant a licence:-

- (a) on account of any relevant disability, if the applicant has at any time passed a test of competence under section 4 of this Ordinance or under Article VIII(4) of the "Ordonnance relative au Trafic Véhiculaire en cette Ile" of the 2nd March, 1929(e) or under any corresponding law in Great Britain, Northern Ireland, the Isle of Man, Alderney or Jersey being a test authorising the grant of a licence in respect of vehicles of the classes to which the application relates and it does not appear to the Committee that the disability has arisen or become more severe since that time or was, for whatever reason, not disclosed to the Committee (or to the relevant authority in Great Britain, Northern Ireland, the Isle of Man, Alderney or Jersey, as the case may be) at that time;
- (b) on account of any relevant disability which is prescribed for the purposes of this paragraph by section 19, if the applicant satisfies such conditions as may be prescribed with a view to authorising the grant of a licence to a person in whose case the disability is appropriately controlled;
- (c) on account of any relevant disability which is prescribed for the purposes of this paragraph by section 19, if the application is for a provisional licence.

(5) Where as a result of a test of competence to drive under section 4 of this Ordinance or of information obtained in pursuance of section 18(6)(a) or (b) the Committee is satisfied that the person who took the test or in relation to whom the

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(e) Recueil d'Ordonnances, Tome VIII, p. 184.

information was obtained is suffering from a disability such that there is likely to be a danger to the public:-

- (a) if he drives any vehicle; or
- (b) if he drives a vehicle other than a vehicle of a particular construction or design,

the Committee must serve a notice in writing to that effect on that person and must include in the notice a description of the disability.

(6) Where a notice is served in pursuance of subsection (5)(a) then:-

- (a) if the disability is not prescribed for the purposes of subsection (2), it shall be deemed to be so prescribed in relation to the person who took the test; and
- (b) if the disability is prescribed for the purposes of subsection (4)(c) it shall be deemed not to be so prescribed in relation to him.

(7) Where a notice is served in pursuance of subsection (5)(b), any licence granted to the person who took the test shall be limited to vehicles of the particular construction or design specified in the notice.

(8) If the Committee considers it appropriate to do so it may, after serving a notice in pursuance of subsection (5)(a), serve a notice in pursuance of subsection (5)(b) or, after serving notice in pursuance of subsection (5)(b), serve a notice in pursuance of subsection (5)(a) or a further notice in pursuance of subsection (5)(b); and on its serving a further notice under any of those provisions the notice previously served shall cease to have effect and any limited licence previously granted shall be revoked by the subsequent notice.

(9) A person whose licence is revoked by virtue of subsection (8) must deliver the licence to the Committee forthwith after the revocation and any person failing so to do is

guilty of an offence and liable upon conviction to a fine not exceeding level 4 on the uniform scale.

(10) A person who holds a licence authorising him to drive a motor vehicle of any class and who drives a motor vehicle of that class on a public highway and who has made a declaration in accordance with subsection (1) which he knew to be false is guilty of an offence and liable upon conviction to a term of imprisonment not exceeding three months or to a fine not exceeding level 5 on the uniform scale or to both such imprisonment and such fine.

**Revocation of licence because of disability or prospective disability**

17. (1) If the Committee is at any time satisfied on inquiry:-

- (a) that a licence holder is suffering from a relevant disability; and
- (b) that the Committee would be required by virtue of section 16(3) or (7) to refuse an application for the licence made by him at that time,

the Committee may serve notice in writing on the licence holder revoking the licence with effect from such date as may be specified in the notice, not being earlier than the date of service of the notice.

(2) If the Committee is at any time satisfied on inquiry that a licence holder is suffering from a prospective disability the Committee may:-

- (a) serve notice in writing on the licence holder revoking the licence with effect from such date as may be specified in the notice, not being earlier than the date of service of the notice; and
- (b) on receipt of the licence so revoked and its counterpart and of an application made for the purposes of this subsection, grant to the licence holder, free of charge, a new licence for a period determined by the Committee under section 8(5).

(3) A person whose licence is revoked under subsection (1) or (2) must deliver up the licence and its counterpart to the Committee forthwith after the revocation and a person who, without reasonable excuse, fails to do so is guilty of an offence and liable upon conviction to a fine not exceeding level 5 on the uniform scale.

**Provision of information etc relating to disabilities**

18. (1) If at any time during the period for which his licence remains in force a licence holder becomes aware:-

- (a) that he is suffering from a relevant or prospective disability which he has not previously disclosed to the Committee; or
- (b) that a relevant or prospective disability from which he has at any time suffered (and which has been previously so disclosed) has become more severe since the licence was granted,

the licence holder must forthwith notify the Committee in writing of the nature and extent of his disability.

(2) The licence holder is not required to notify the Committee under subsection (1) if:-

- (a) the disability is one from which he has not previously suffered; and
- (b) he has reasonable grounds for believing that the duration of the disability will not extend beyond the period of three months beginning with the date on which he first becomes aware that he suffers from it.

(3) A person who fails without reasonable excuse to notify the Committee as required by subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding level 5 on the uniform scale.

(4) A person who holds a licence authorising him to drive a motor vehicle of any class and who drives a motor vehicle of that class on a public highway is guilty of an offence if at any earlier time while the licence was in force he was required by subsection

(1) to notify the Committee but has failed without reasonable excuse to do so and such a person shall be liable upon conviction to a fine not exceeding level 5 on the uniform scale.

(5) If the Committee has reasonable grounds for believing that a person who is an applicant for, or the holder of, a licence may be suffering from a relevant or prospective disability, subsection (6) applies for the purpose of enabling the Committee to satisfy itself whether or not that is the case.

- (6) The Committee may by notice in writing served on the applicant or holder:-
- (a) require him to provide the Committee, within such reasonable time as may be specified in the notice, with such an authorisation as is mentioned in subsection (7); or
  - (b) require him, as soon as practicable, to arrange to submit himself for examination:-
    - (i) by such recognised medical practitioner or practitioners as may be nominated by the Committee, or
    - (ii) with respect to a disability prescribed in section 19(1)(e), by such officer of the Committee as may be nominated,for the purpose of determining whether or not he suffers or has at any time suffered from a relevant or prospective disability; or
  - (c) except where the application is for, or the licence held is, a provisional licence, require him to submit himself for a test of competence to drive, being a test authorising the grant of a licence in respect of vehicles:-
    - (i) of all or any of the classes to which the application relates, or
    - (ii) which he is authorised to drive by the licence which he holds,

as the case may be.

(7) The authorisation referred to in subsection (6)(a):-

- (a) shall be in such form and contain such particulars as may be specified in the notice by which it is required to be provided; and
- (b) shall authorise any recognised medical practitioner who may at any time have given medical advice or attention to the applicant or licence holder concerned to release to the Committee any information which he may have, or which may be available to him, with respect to the question whether, and if so to what extent, the applicant or licence holder concerned may be suffering, or may at any time have suffered, from a relevant or prospective disability.

(8) If it considers it appropriate to do so in the case of any applicant or licence holder the Committee:-

- (a) may include in a single notice under subsection (6) requirements under more than one paragraph of that subsection; and
- (b) may at any time after the service of a notice under that subsection serve a further notice or notices under that subsection.

(9) If any person on whom a notice is served under subsection (6):-

- (a) fails without reasonable excuse to comply with a requirement contained in the notice; and
- (b) fails any test of competence which he is required to take as mentioned in paragraph (c) of that subsection,

the Committee may exercise its powers under section 16 and 17 of this Ordinance as if it were satisfied that the applicant or licence holder concerned is suffering from a relevant disability which is not prescribed for the purposes of any paragraph of section 16(4) of this Ordinance or, if the Committee so determines, as if it were satisfied that the applicant or licence holder concerned is suffering from a prospective disability.

**Prescribed disabilities**

19. (1) The following disabilities are prescribed for the purposes of section 16(2):-

- (a) epilepsy;
- (b) severe mental handicap;
- (c) liability to sudden attacks of disabling giddiness or fainting, other than such attacks falling within paragraph (d);
- (d) liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence has a device implanted in his body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect; and
- (e) inability to read in good daylight (with the aid of glasses or contact lenses if worn) a registration plate conforming to the provisions of the "Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile", as amended<sup>(f)</sup>, fixed to a vehicle at a distance of 22.50 metres (24.61 yards).

(2) Epilepsy is prescribed for the purposes of section 16(4)(b) and an applicant for a licence suffering from epilepsy shall satisfy the conditions that:-

- (a) he shall have been free from any epileptic attack during the period of one year immediately preceding the date when the licence is granted;  
or

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(f) Recueil d'Ordonnances, Tome VI, p. 89; Tome VIII, pp. 226, 229 and 233; Tome XIV, p. 125; Tome XV, p. 219; Tome XVI, p. 14; Tome XXI, p. 190; Ordinance No. XXIV of 1992.

(b) in the case of an applicant who has had an epileptic attack or attacks only whilst asleep during that period:-

(i) he shall have had an epileptic attack whilst asleep more than three years before the date the licence is granted; and

(ii) he shall have had no epileptic attack or attacks whilst awake but only whilst asleep since he had that attack;

(c) in the case of an applicant for a licence which authorises the driving of a vehicle of a class included in categories C, C1, D or D1 set out in Schedule 4 to this Ordinance, that he does not have a liability to epileptic attacks; and

(d) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public.

(3) The disability prescribed in subsection (1)(d) is prescribed for the purposes of section 16(4)(b) and an applicant for a licence suffering from that disability shall satisfy the conditions that:-

(a) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public; and

(b) he has made adequate arrangements to receive regular medical supervision by a cardiologist (being a supervision to be continued throughout the period of the licence) and is conforming to those arrangements.

(4) The following disability is prescribed for the purposes of section 16(4)(a) and (c), namely a disability which is not progressive in nature and which consists solely of any one or more of the following:-

(a) the absence of one or more limbs;

(b) the deformity of one or more limbs;

(c) the loss of use of one or more limbs.

(5) The disability prescribed in paragraph (1)(e) is prescribed for the purposes of section 18(6)(b) of this Ordinance.

(6) (a) In paragraph (1)(b) the expression "severe mental handicap" means a state of arrested or incomplete development of mind which includes severe impairment of intelligence and social functioning.

(b) In paragraph (3)(b) the expression "cardiologist" means a recognised medical practitioner, or a medical practitioner qualified to practise in the United Kingdom, who specialises in disorders or defects of the heart.

(c) In paragraph (4), references to a limb include references to a part of a limb, and the reference to loss of use, in relation to a limb, includes a reference to a deficiency of limb movement or power.

**Driving after refusal or revocation of licence due to disability**

20. A person who drives a motor vehicle of any class on a public highway otherwise than in accordance with a licence authorising him to drive a motor vehicle of that class is guilty of an offence if:-

(a) at any earlier time the Committee has in accordance with section 16(3) of this Ordinance refused to grant such a licence, or has under section 17(1) or (2) of this Ordinance refused to grant such a licence; and

(b) he has not since that earlier time held such a licence,

and such a person shall be liable upon conviction to a term of imprisonment not exceeding three months or to a fine not exceeding level 5 on the uniform scale or to both such imprisonment and such fine.

**Notification of refusal of insurance on grounds of health**

21. (1) If an authorised insurer refuses to issue to any person such a policy of insurance as complies with the requirements of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936(g) ("the 1936 Law") on the ground that the state of health of that person is not satisfactory, or on grounds which include that ground, the insurer shall as soon as practicable notify the Committee of that refusal and of the full name, address, sex and date of birth of that person as disclosed by him to the insurer.

(2) In subsection (1) "authorised insurer" has the meaning given to that expression by the 1936 Law.

**Driving with uncorrected defective eyesight**

22. (1) If a person drives a motor vehicle on a road while his eyesight is such (whether through a defect which cannot be or one which is not for the time being sufficiently corrected) that it amounts to a prescribed disability within the meaning of section 19(1)(e) he is guilty of an offence and liable upon conviction to a term of imprisonment not exceeding three months or to a fine not exceeding level 5 on the uniform scale or to both such imprisonment and such fine.

(2) An officer of police having reason to suspect that a person driving a motor vehicle may be guilty of an offence under subsection (1) may require him to submit to a test for the purpose of ascertaining whether, using no other means of correction than he used at the time of driving, he can comply with the requirement set out in the said section 19(1)(e).

(3) If that person refuses to submit to the test he is guilty of an offence and liable on conviction to a fine not exceeding level 5 on the uniform scale.

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(g) Ordres en Conseil, Vol. X, p. 388; Vol. XII, p.380; Vol. XV, p. 43; Vol. XVIII, pp.35 and 257; Vol. XX, p. 246; Vol. XXIII, p. 227; Vol. XXVII, pp. 76 and 415; Vol. XXVIII, p. 303; Vol. XXIX, p. 214; Vol. XXX, p. 243; No. XVIII of 1989; Nos. I and VI of 1991.

**Power of officer of police to require production of driving licence etc.**

**23. (1)** Any of the following persons:-

- (a) a person driving a motor vehicle on a public highway;
- (b) a person whom an officer of police has reasonable cause to believe to have been the driver of a motor vehicle at a time when an accident occurred owing to its presence on a public highway;
- (c) a person whom an officer of police has reasonable cause to believe to have committed an offence in relation to the use of a motor vehicle on a public highway; or
- (d) a person:-
  - (i) who supervises the holder of a provisional licence while the holder is driving a motor vehicle on a public highway;
  - (ii) whom an officer of police has reasonable cause to believe was supervising the holder of a provisional licence while driving, at a time when an accident occurred owing to the presence of the vehicle on a public highway or at a time when an offence is suspected of having been committed by the holder of the provisional licence in relation to the use of the vehicle on a public highway,

must, on being so required by an officer of police, produce his licence and its counterpart for examination, so as to enable the officer of police to ascertain the name and address of the holder of the licence, the date of its issue and the authority by which it was issued.

(2) Such a person must, on being so required by the officer of police, state his name, address and date of birth.

(3) If:-

(a) a licence has been revoked by the Committee under section 9 or 17 of this Ordinance, and

(b) the holder of the licence fails to deliver it and its counterpart to the Committee in pursuance of the section in question,

an officer of police may require him to produce the licence and its counterpart, and upon their being produced may seize them and deliver them to the Committee.

(4) Where an officer of police has reasonable cause to believe that the holder of a licence, or any other person, has knowingly made a false statement for the purpose of obtaining the grant of the licence, the officer of police may require the holder of the licence to produce it and its counterpart to him.

(5) Where a person has been required under section 11(4) of the principal Law to deliver his licence and its counterpart to Her Majesty's Greffier and fails to do so, an officer of police may require him to produce them and, upon their being produced, may seize them and deliver them to Her Majesty's Greffier.

(6) If a person required under the preceding provisions of this section to produce a licence and its counterpart or state his date of birth to an officer of police fails to do so he is, subject to subsection (7), guilty of an offence and liable upon conviction to a fine not exceeding level 3 on the uniform scale.

(7) In proceedings against any person for the offence of failing to produce a licence and its counterpart it shall be a defence for him to show that:-

- (a) within seven days after the production of the licence and its counterpart was required he produced them in person at the police station, or
- (b) it was not reasonably practicable for him to produce them there before the day on which the proceedings were instituted.

(8) Where in accordance with this section a person has stated his date of birth to an officer of police, the Committee may serve on that person a notice in writing requiring him to provide the Committee:-

- (a) with such evidence in that person's possession or obtainable by him as the Committee may specify for the purpose of verifying that date, and
- (b) if his name differs from his name at the time of his birth, with a statement in writing specifying his name at that time,

and a person who knowingly fails to comply with a notice under this subsection is guilty of an offence and liable upon conviction to a fine not exceeding level 3 on the uniform scale.

### Interpretation

24. (1) In this Ordinance, unless the context otherwise requires-

"**agricultural tractor**" means a tractor used primarily for work on land in connection with agriculture, horticulture, market gardening and forestry;

"**articulated goods vehicle**" means a motor vehicle which is so constructed that a trailer designed to carry goods may by partial superimposition be attached to it in such manner as to cause a substantial part of the weight of the trailer to be borne by the motor vehicle, and "articulated goods vehicle combination" means an articulated goods vehicle with a trailer so attached;

"**carriage of goods**" includes the haulage of goods;

**"category"**, in relation to a licence, means a category of licence prescribed in Schedule 4, and **"categories"** shall be construed accordingly;

**"class"**, in relation to a motor vehicle, means any class or description of motor vehicles prescribed in section 11;

**"disability"** has the meaning given by section 16;

**"electrically propelled vehicle"** means a vehicle of which the motive power is solely derived from an electrical storage battery carried on the vehicle and not connected to any external source of power when the vehicle is in motion;

**"full licence"** means a full driving licence;

**"maximum authorised mass"** means:-

(a) in relation to a goods vehicle of whatever description:-

(i) in the case of a motor vehicle which neither is an articulated goods vehicle nor is drawing a trailer, the maximum gross weight of the vehicle;

(ii) in the case of an articulated goods vehicle:-

(aa) when drawing only a semi-trailer, the maximum train weight of the articulated goods vehicle combination;

(bb) when drawing a trailer as well as a semi-trailer, the aggregate of the maximum train weight of the articulated goods vehicle combination and the maximum gross weight of the trailer;

(cc) when drawing a trailer but not a semi-trailer, the aggregate of the maximum gross weight of the

articulated goods vehicle and the maximum gross weight of the trailer;

(dd) when drawing neither a semi-trailer nor a trailer, the maximum gross weight of the vehicle;

(iii) in the case of a motor vehicle (not being an articulated goods vehicle) which is drawing a trailer, the aggregate of the maximum gross weight of the motor vehicle and the maximum gross weight of the trailer; and

(b) in relation to any other motor vehicle or trailer, its maximum gross weight;

**"maximum design speed"** means the speed which a vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;

**"maximum gross weight"**, in relation to a motor vehicle or trailer, means the weight of the vehicle laden with the heaviest load which it is constructed or adapted to carry;

**"maximum train weight"**, in relation to an articulated goods vehicle combination means the weight of the combination laden with the heaviest load which it is constructed or adapted to carry;

**"mechanical loading vehicle"** means a mechanical loading vehicle within the meaning of the Motor Vehicles (Amendment) (Guernsey) Law, 1960(h);

**"mobile crane"** means a vehicle designed and constructed as a mobile crane;

**"normal residence"** has the meaning given in Council Directive 91/440/EEC of 29th July, 1991 which is reproduced in Schedule 7 to this Ordinance;

**"officer of police"** means a member of the salaried police force of this Island and, within the limit of his jurisdiction, a member of the special constabulary of this Island;

**"pass certificate"** means a certificate issued to a person under section 5 certifying that such person has passed a test of competence to drive motor vehicles of such class or classes specified in such certificate;

**"the principal Law"** means the Motor Taxation and Licensing (Guernsey) Law, 1987;

**"prospective disability"** has the meaning given by section 16 of this Ordinance;

**"provisional licence"** means a provisional driving licence;

**"recognised medical practitioner"** means a medical practitioner registered to practise medicine in this Island;

**"relevant disability"** has the meaning given by section 16 of this Ordinance;

**"semi-trailer"**, in relation to an articulated goods vehicle, means a trailer attached to it in the manner described in the definition of articulated goods vehicle;

**"vehicle with automatic transmission"** means a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle;

(2) Expressions used in this Ordinance have the meanings (if any) given by the principal Law.

(3) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

### **Transitional provisions**

25. (1) The holder of a valid licence issued pursuant to the provisions of the Law entitled "Loi relative aux Automobiles" registered on the 11th December, 1926(i) ("the 1926 Law") shall, until the expiration, surrender or revocation of such licence, continue to be authorised to drive any motor vehicle which he is authorised to drive under that licence and such licence shall be treated, for the purposes of the principal Law and of this Ordinance, as if it were a licence issued under the principal Law.

(2) Subject to subsection (3), where the holder of such a licence applies for the renewal thereof he shall, subject to the provisions of this Ordinance, be issued with a licence of the category set out in the second column of the Table contained in Schedule 8 to this Ordinance which corresponds to the category of his previous licence set out in the first column of that Table.

(3) The holder of such a licence issued pursuant to Article 10(a)(6) of the 1926 Law may, upon his application for the renewal thereof, be issued with a licence authorising him to drive vehicles of a class included in category C + E if the Committee is satisfied that he has regularly driven an articulated goods vehicle in the normal course of his employment during the period of validity of the expiring licence.

### **Repeals and savings**

26. (1) The enactments set out in Schedule 9 to this Ordinance are hereby repealed to the extent specified in that Schedule.

(2) Where a person has been disqualified for holding a licence pursuant to the provisions of the Law entitled "Loi relative aux Automobiles" registered on the 11th December, 1926 such disqualification shall remain in force during the period of disqualification ordered by the court notwithstanding the repeal of such Law.

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(i) Ordres en Conseil, Vol. VIII, p. 56.

(3) Any offence under any provision of any of the enactments hereby repealed which was committed prior to the commencement of this Ordinance shall be dealt with under the provisions of the principal Law or this Ordinance, as the case may be.

**Citation**

27. This Ordinance may be cited as the Driving Licences (Guernsey) Ordinance, 1995.

**Commencement**

28. This Ordinance shall come into force on the 1st day of September, 1995.

*Offences pursuant to which a pass certificate must be produced*

- Driving in a reckless or dangerous manner or at a reckless or dangerous speed
- Causing death by reckless or dangerous driving
- Manslaughter arising out of the use of a motor vehicle
- Driving or attempting to drive with excess alcohol
- Driving or attempting to drive whilst unfit through drink or drugs
- Failing to provide a specimen for analysis whilst driving or attempting to drive
- Failing to provide a specimen for analysis whilst in charge of a motor vehicle
- Being in charge of a motor vehicle with excess alcohol
- Being in charge of a motor vehicle whilst unfit through drink or drugs
- Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
- Driving without a licence
- Driving with uncorrected defective eyesight
- Refusing to submit to an eyesight test

## SCHEDULE 2

## Section 4

*Driving test fees*

The fee payable prior to taking a test of competence relating to a motor vehicle of a class included in the category set out in column (1) of the Table below shall be the corresponding sum set out in column (2) thereof.

(1)	(2)
Category	
P	£25
A	£25
A1	£25
B	£20
B1	£25
C	£40
C1	£40
D	£40
D1	£40
B + E	£20
C1 + E	£40

Category	
C + E	£40
D1 + E	£40
D + E	£40
F	£40
G	£40
L	£20

## SCHEDULE 3

## Section 7

*Fees for licences*

(1) <u>Description of licence</u>	(2) <u>Fee</u>
(1) A provisional licence granted to a person who has not held a licence before	£20
(2) First full licence granted in exchange for a provisional licence which said provisional licence was:-	
(a) granted prior to the commencement of this Ordinance	£20

- (b) granted after the commencement of this Ordinance £0
- (3) Renewal of a full or provisional licence £20
- (4) A full or provisional licence granted in exchange for a subsisting licence (other than a licence issued by the competent authority in a country outside the Island) or in place of a licence revoked pursuant to section 9(1) of this Ordinance [surrender of driving licences] except:-
- (a) where the licence granted is a first full licence granted in exchange for a provisional licence; or
- (b) where the subsisting or revoked licence is surrendered pursuant to section 9(1) or (2) of this Ordinance and the Committee is required to grant a new licence free of charge £6
- (5) A licence issued in exchange for a licence issued by the competent authority in a country outside the Island £20
- (6) The first licence granted to a person after the expiration of a period of disqualification imposed upon him by an order of the court £12

- |     |  |    |
|-----|--|----|
| (7) | A licence granted pursuant to section 11(2) of the principal Law | £6 |
| (8) | A duplicate licence  | £6 |

## SCHEDULE 4

## Section 11

*Categories of licence*Category P - Moped

Any two-wheeled or three-wheeled vehicle which is fitted with an internal combustion engine having a cylinder capacity not exceeding 50cc and a maximum design speed not exceeding 50 kilometres per hour.

Category A - Motor Cycle

Any two-wheeled vehicle, with or without a side-car, with a cubic capacity exceeding 125 cc.

Category A1 - Light motor cycle

Any two-wheeled vehicle, with or without a side-car, with a maximum design speed of over 50 kilometres per hour or, if it is powered by an internal combustion engine, with a cubic capacity exceeding 50 cc but not exceeding 125 cc, and of a power not exceeding 11 kilowatts.

Category B - Motor vehicle up to 3.5 tonnes

Any motor vehicle, other than one falling within category A, with a maximum authorised mass not exceeding 3,500 kilograms, and having not more than 8 seats in addition to the driver's seat including such a vehicle drawing a trailer having a maximum authorised mass which does not exceed 750 kilograms OR

A combination of a motor vehicle in category B and a trailer, where the maximum

authorised mass of the combination does not exceed 3,500 kilograms and the maximum authorised mass of the trailer does not exceed the unladen mass of the motor vehicle.

Category B + E

A combination of vehicles consisting of a motor vehicle in category B and a trailer, where the combination does not come within category B.

Category B1 - Motor-powered tricycle and quadricycle

Any three- or four-wheeled vehicle in category B with a maximum design speed exceeding 50 kilometres per hour, or powered by an internal combustion engine with a cubic capacity exceeding 50 cc or any other engine of equivalent power, the unladen mass (not including battery mass in the case of electrically propelled vehicles) of which does not exceed 550 kilograms.

Category C - Large goods vehicle

A motor vehicle used for the carriage of goods, or a mobile crane or mechanical loading vehicle, whose maximum authorised mass exceeds 7,500 kilograms including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kilograms.

Category C + E

A combination of vehicles where the motor vehicle is in category C and its trailer has a maximum authorised mass exceeding 750 kilograms.

Category C1 - Goods vehicle not exceeding 7.5 tonnes

A motor vehicle used for the carriage of goods, or a mobile crane or mechanical loading vehicle, whose maximum authorised mass exceeds 3500 kilograms but does not exceed 7,500 kilograms including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kilograms.

Category C1 + E

A combination of vehicles where the motor vehicle is in category C1 and its trailer has a maximum authorised mass exceeding 750 kilograms provided that the maximum authorised mass of the combination does not exceed 12,000 kilograms and that the maximum authorised mass of the trailer does not exceed the unladen mass of the motor vehicle.

Category D - Large passenger-carrying vehicle

A motor vehicle used for the carriage of passengers and having more than eight seats in addition to the driver's seat including such a vehicle drawing a trailer having a maximum authorised mass which does not exceed 750 kilograms.

Category D + E

A combination of vehicles where the motor vehicle is in category D and its trailer has a maximum authorised mass exceeding 750 kilograms.

Category D1 - Large passenger-carrying vehicle

A motor vehicle used for the carriage of passengers and having more than eight, but not more than sixteen, seats in addition to the driver's seat which has a maximum authorised mass of 3,500 kilograms excluding any specialised equipment intended for use in the carriage of disabled passengers including such a vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.

Category D1 + E

A combination of vehicles where the motor vehicle is in category D1 and its trailer has a maximum authorised mass exceeding 750 kilograms provided that, firstly, the maximum authorised mass of the combination does not exceed 12,000 kilograms and the maximum authorised mass of the trailer does not exceed the unladen mass of the motor vehicle and, secondly, the trailer is not used for the transport of persons.

Category F - Agricultural tractor

An agricultural tractor.

Category G - Road repairing machine

A road repairing machine to which the provisions of the Motor Vehicles (Amendment) (Guernsey) Law, 1966(j) apply.

Category L - Electrically propelled vehicle

An electrically propelled vehicle excluding any vehicle included in category A, C, C1, D, and D1.

## SCHEDULE 5

## Section 11

*Information, enhancement and restriction codes*European Union CodesDriver

01	Sight correction
02	Hearing aid
03	Prosthesis/Orthesis of locomoter equipment
04	Medical check-up
05	Limited use

Vehicle adaptations

10	Adjusted gear box
15	Adjusted clutch
20	Adjusted braking mechanism
25	Adjusted acceleration mechanism
30	Adjusted combined acceleration and braking mechanism
35	Adjustment of control devices
40	Adjusted steering
45	Adapted driving mirrors
50	Adjusted driver seat
55	Adaptation on motorcycle
60	Specific vehicle adaptation

Administrative matters

70	Exchange for licence of a foreign country
71	Duplicate
72	Limited to vehicles of category A1
73	Limited to motor-powered tricycles and quadricycles of Category B (B1)
74	Limited to vehicles of Category C1
75	Limited to vehicles of Category D1
76	Limited to vehicles of Category C1 + E
77	Limited to vehicles of Category D1 + E
78	Limited to vehicles with automatic transmission

National codes

101	Not for hire or reward
102	Draw bar trailers only
103	Subject to certificate of training
105	Not more than 5.5 metres long
107	Less than 8,250 kg
108	Subject to minimum age requirements
110	Limited to invalid carriages
111	Limited to 16 passenger seats
113	Limited to 16 passenger seats except for automatics
114	Limited to 25 KW or under until 2 years experience gained
115	Organ donor
116	Limited to automatics when towing a trailer
117	Motorcycle and trailer
118	The date quoted is the earliest available of at least one of the minor categories quoted
119	D1 + E not for hire or reward and C1 + E less than 8,250 kg

SCHEDULE 6

Section 12-14

Category	Minimum Age in years	Additional categories covered	Additional requirements
P	14	---	---
A	17	P and A1	Applicants under 18 years of age must have held a full Category A1 licence for at least 12 months.
A1	16	P	Applicants under 17 years of age must have held a full Category P licence for at least 12 months.
B	17	P,F and L	---
B + E	17	P,F and L	Applicants must hold a full Category B licence.
B1	17	P and L	---
C	21	B and C1	Applicants must hold a full Category C1 licence.
C + E	21	B + E and C1 + E; & D + E provided that the holder holds a full Category D licence.	Applicants must hold a full Category C licence.

Category	Minimum Age in years	Additional categories covered	Additional requirements
C1	18	B	Applicants must hold a full Category B licence.
C1 + E	18	B + E	Applicants must hold a full Category C1 licence.
D	21	---	Applicants must hold a full Category D1 licence.
D + E	21	B + E, D1 + E	Applicants must hold a full Category D licence.
D1	18	B	Applicants must hold a full Category B licence.
D1 + E	18	B + E	Applicants must hold a full Category D1 licence.
F	17	---	---
G	17	---	---
L	17	---	---

*Definition of "normal residence"**Article 9 of Council Directive 91/440/EEC of 29th July, 1991*

"For the purpose of this Directive, "normal residence" means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living.

However, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer to normal residence."

## SCHEDULE 8

Section 25

*Transitional provisions*

(1)	(2)
Article 10(a)(1) (motor cycle not exceeding one horsepower)	A1
Article 10(a)(2) (motor cycle exceeding one horsepower)	A
Article 10(a)(3) (motor cycle with sidecar)	A
Article 10(a)(3A) (tractor)	F
Article 10(a)(3B) (mechanical loading vehicle)	C or C1, according to weight
Article 10(a)(3C) (road repairing machine)	G
Article 10(a)(3D) (mobile crane)	C
Article 10(a)(4) (motor car)	B + E
Article 10(a)(4A) (automatic car)	Endorsed B + E

(1)	(2)
Article 10(a)(5) (vehicle of 1½ but less than 3 tons):-	
goods vehicle	C1 + E
passenger vehicle	D1 + E
Article 10(a)(6) (vehicle of 3 tons or more):-	
goods vehicle	C
passenger vehicle	D
Article 10(a)(7) (invalid carriage exceeding 150 kilograms)	L

*Repeals*

(1) Enactment	(2) Extent of repeal
The Law entitled "Loi relative aux Automobiles" registered on the 11th December, 1926	Articles 8 to 16 and, in Article 17, the words "à l'exception des Articles 8, 13, 14, 15 et 16," and "et auront obtenu une autorisation de conduire".
The "Ordonnance relative au Trafic Véhiculaire en cette Ile" of the 2nd March, 1929	Article VIII(4)
The Law entitled "Loi Supplémentaire à la Loi relative aux Automobiles, 1932(k)	The whole Law
The Law entitled "Loi Supplémentaire relative aux Automobiles (Autorisations de Conduire), 1937(l)	The whole Law
The "Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile" of the 19th March, 1938(m)	The whole Ordinance

(k) Ordres en Conseil, Vol. IX, p. 299.

(l) Ordres en Conseil, Vol. XI, p. 130.

(m) Recueil d'Ordonnances, Tome VIII, p. 200.

(1) Enactment	(2) Extent of repeal
The Law entitled "Loi Supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939(n)	The whole Law
The Ordinance of 1948, amending the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Ile" of 2nd March, 1929, of the 11th September, 1948(o)	The whole Ordinance
The Law entitled "Loi de 1950 supplémentaire à la Loi relative aux Automobiles"(p)	Articles 2 and 3
The Driving Licences (Suspension) (Guernsey) Law, 1951(q)	The whole Law
The Law entitled "Loi supplémentaire à la Loi relative aux Automobiles, 1954(r)	The whole Law
The Motor Vehicles (Provisional Driving Licences) Ordinance, 1958(s)	The whole Ordinance

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- (n) Ordres en Conseil, Vol. XI, p. 299.
- (o) Recueil d'Ordonnances, Tome VIII, p. 205.
- (p) Ordres en Conseil, Vol. XIV, p. 436.
- (q) Ordres en Conseil, Vol. XV, p. 43.
- (r) Ordres en Conseil, Vol. XVI, p. 121.
- (s) Recueil d'Ordonnances, Tome XII, p. 76.

(1) Enactment	(2) Extent of repeal
The Motor Vehicles (Amendment) (Guernsey) Law, 1960(t)	Article 5
The Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962(u)	Section 4
The Vehicular Traffic (Driving Licences) (Amendment) Ordinance, 1962(v)	The whole Ordinance
The Motor Vehicles (Driving Licences) Law, 1963(w)	The whole Law
The Motor Vehicles (Driving Licences) Ordinance, 1963(x)	The whole Ordinance
The Motor Vehicles (Amendment) (Guernsey) Law, 1966	Article 5
The Motor Vehicles (Amendment) (Guernsey) Law, 1967(y)	The whole Law
The Motor Vehicles (Amendment) (Guernsey) Law, 1969(z)	The whole Law

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- (t) Ordres en Conseil, Vol. XVIII, p. 257.
- (u) Recueil d'Ordonnances, Tome XIII, p. 87.
- (v) Recueil d'Ordonnances, Tome XIII, p. 236.
- (w) Ordres en Conseil, Vol. XIX, p. 164.
- (x) Recueil d'Ordonnances, Tome XIII, p. 301.
- (y) Ordres en Conseil, Vol. XXI, p. 113.
- (z) Ordres en Conseil, Vol. XXII, p. 227.

(1) Enactment	(2) Extent of repeal
The Motor Vehicles (Amendment) (Guernsey) Law, 1970(aa)	The whole Law
The Motor Vehicles (Provisional Driving Licences) (Amendment) Ordinance, 1970(ab)	The whole Ordinance
The Motor Vehicles and Road Traffic (Penalties) (Guernsey) Law, 1982(ac)	Section 1(b), (c), (d), (e) and (f).
The Driving Tests (Amendment and Transfer of Functions) Ordinance, 1990(ad)	The whole Ordinance
The Driving Tests (Increase of Fees) Ordinance, 1992(ae)	Section 1 and the Schedule

K. H. TOUGH,  
Her Majesty's Greffier.

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- (aa) Ordres en Conseil, Vol. XXII, p. 530.
- (ab) Recueil d'Ordonnances, Tome XVI, p. 501.
- (ac) Ordres en Conseil, Vol. XXVII, p. 415.
- (ad) Ordinance No. IX of 1990.
- (ae) Ordinance No. XXV of 1992.