

# ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

## **The Foreshore (Riding and Driving) Ordinance, 1951 \***

[CONSOLIDATED TEXT]

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Recueil d'Ordonnances Tome X, p. 157; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 422); the Foreshore (Riding and Driving) (Amendment) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 130); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Offences (Fixed Penalties) (Guernsey) Law, 2009 (No. XV of 2010).

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ARRANGEMENT OF SECTIONS

1. Repeal.
2. Definitions.
3. Riding, etc. on foreshore.
4. Saving of rights.
5. Penalty.
6. Commencement.

*(Made on 21st March, 1951.)*

## **The Foreshore (Riding and Driving) Ordinance, 1951**

**THE STATES**, on the representations of the Island Police Committee, hereby order: –

### **Repeal.**

1. The Ordonnance prohibant la circulation de Véhicules sur les Plages de cette Île, of the 10<sup>th</sup> day of March, 1934, is hereby repealed.

### **Definitions.**

2. In this Ordinance the expression "**vehicle**" includes horse-drawn vehicles, bicycles, sand-yachts, motor-cars, motor-bicycles and all other mechanically-propelled vehicles and the expression "**horse**" includes pony, mule and ass.

### **Riding, etc. on foreshore.**

3. No person shall, without the permission of the [Committee for the Environment & Infrastructure] –

- [(a) during the period from 1<sup>st</sup> May to 30<sup>th</sup> September inclusive in any year, between the hours of 10.00 a.m. and 7.00 p.m., ride on or in or drive a vehicle or ride a horse, on the foreshore of this Island:

PROVIDED that the provisions of this section shall not apply to a vehicle used on the foreshore solely for the lawful collection of vraic, sand, stones or other beach material or the haulage of fish, boats or their stores or gear,]

- (b) at any time take off, land or manoeuvre any aircraft or air glider from, on or upon the foreshore of this Island.

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**NOTES**

*In section 3,*

*the words in the first pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 8, Schedule 4, paragraph 3, with effect from 1st May, 2016;*

*paragraph (a) was substituted by the Foreshore (Riding and Driving) (Amendment) Ordinance, 1990, section 1, with effect from 31st January, 1990.*

*In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against paragraph (a) of this section may be discharged by payment of a fixed penalty.<sup>1</sup>*

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**Saving of rights.**

4. Nothing in this Ordinance contained shall be deemed in any way to prejudice any right or interest of any person in or over any part of the said foreshore.

**Penalty.**

5. A person contravening any provision of this Ordinance shall be guilty of an offence and liable on conviction to a fine not exceeding [level 3 on the uniform scale].

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**NOTE**

*In section 5, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.<sup>2</sup>*

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**Commencement.**

6. This Ordinance shall come into force on the 21<sup>st</sup> day of March, 1951.

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<sup>1</sup> Previously, in accordance with the provisions of the Traffic Offences (Fixed Penalties) Ordinance, 1989, section 1, section 2 and Schedule 1, with effect from 1st May, 1989, any liability to conviction of offences against paragraph (a) of section 3 may have been discharged by payment of a fixed penalty.

<sup>2</sup> These words were formerly substituted by the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986, section 1, Schedule, with effect from 1st April, 1986.