

ORDER IN COUNCIL

IX
2000

ratifying a Projet de Loi

ENTITLED

The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000

(Registered on the Records of the Island of Guernsey
on the 22nd August, 2000.)



2000

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of August, 2000 before Andrew Christopher King Day, Esquire, Deputy Bailiff; present:- John Richard Rowe Henry, David Charles Lowe, Esquires, Mrs. Eileen May Glass, Laurence Lenfestey Guille, Stephen Edward Francis Le Poidevin, Alan Cecil Bisson, David Michael Jory, Keith Bichard, O.B.E., Esquires, The Reverend Peter Gerald Lane, Michael John Wilson and Michael Henry De La Mare, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 12th July, 2000, approving and ratifying a Projet de Loi entitled "The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000", THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ORDERED that the said Order in Council be registered on the records of this Island of which Order in Council the tenor followeth:-.

At the Court at Buckingham Palace

The 12th day of July 2000

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 5th day of July 2000 in the words following, viz.:-

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:-

“1. That, in pursuance of their Resolution of the 29th day of October 1997, the States of Deliberation at a meeting held on the 23rd day of February 2000 approved a Bill or “Projet de Loi” entitled “The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is as set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000”, and to order that the same shall have force of law in the Islands of Guernsey.

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Herm and Jethou.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

A. K. Galloway

The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000

THE STATES, in pursuance of their Resolution of the 29th October, 1997^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have the force of law in the Island of Guernsey.

Amendments to Law of 1987

1. In the Motor Taxation and Licensing (Guernsey) Law, 1987^b as amended^c-

- (a) in the arrangement of sections, after the entry relating to section 2 insert the following entries-

"2A. Regulations as to driving licences and fees.

2B. General provisions relating to section 2A.";

- (b) in section 2(24)-

(i) the expression "age entitlement," is repealed; and

(ii) after the words "revoking driving licences" there is inserted "but excluding any matter for which provision can be made by regulation under section 2A";

- (c) sections 2(25), 2(26) and 2(27) are repealed;

^a Article XI of Billet d'État No. XIX of 1997.

^b Ordres en Conseil Vol. XXX, p. 341.

^c Order in Council No. XI of 1995.

- (d) immediately after section 2 there are inserted the following sections-

"Regulations as to driving licences and fees.

2A. The Committee may by regulation make such provision as they consider necessary or expedient in relation to-

- (a) the categories of driving licences;
- (b) the fees chargeable for-
 - (i) driving licences; and
 - (ii) tests of competence to drive;
- (c) the conditions attaching to driving licences; and
- (d) the age requirements and staging requirements to be observed for the grant of driving licences.

General provisions relating to section 2A.

2B. Regulations under section 2A-

- (a) may amend or repeal any provision of an Ordinance made under section 2 of this Law;
- (b) may be amended or repealed by subsequent regulations;
- (c) may contain such consequential, incidental, supplementary and transitional provision as the Committee may consider to be necessary or expedient;

(d) may make different provision for different cases, circumstances or purposes; and

(e) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new regulations.";

(e) for paragraph (a) of section 10 substitute the following-

"(a) apply for the grant of a driving licence of any category which relates to any class of motor vehicle to which the disqualification relates until the commencement of-

(i) in the case of an application for a provisional driving licence, a period of one month; or

(ii) in the case of an application for a full driving licence, a period of two months;

in each case 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; or"; and

(f) in section 26(1) after the definition of the expression "registration mark" insert the following definition-

"staging requirement" means a requirement that a person must hold a driving licence of a particular category

before being granted a driving licence of another particular category;".

Savings.

2. Notwithstanding the repeal effected by section 1(b)(i) and (c) of this Law, any provision of an Ordinance which was in force immediately before the commencement of this Law and which was made under or by virtue of any of the words or provisions repealed shall continue to have effect until repealed by regulations under section 2A of the Motor Taxation and Licensing (Guernsey) Law, 1987, as amended by this Law.

Citation.

3. This Law may be cited as the Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2000.