

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Motor Vehicles (Amendment) (Guernsey) Law, 1960

(Registered on the Records of the Island of Guernsey
on the 22nd day of November, 1960.)



1960.

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1960

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of November, 1960, before William Henry Arnold, Esquire, C.B.E., Bailiff; present :—Sir John Leale, William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx, Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, and Gilbert Carey de Jersey, Esquire, C.B., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 26th day of October, 1960, ratifying a *Projet de Loi* entitled "The Motor Vehicles (Amendment) (Guernsey) Law, 1960",—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 26th day of October, 1960.

PRESENT

The Queen's Most Excellent Majesty.

LORD PRESIDENT

MR. WOOD

MR. WATKINSON

MR. BEVINS

SIR TERENCE DONOVAN

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 10th day of October, 1960, 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 1st day of June, 1960, the States of Deliberation at a meeting held on the 3rd day of August, 1960, approved a Bill or “Projet de Loi” entitled “The Motor Vehicles (Amendment) (Guernsey) Law, 1960” 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 in the words and figures 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 Vehicles (Amendment) (Guernsey) Law, 1960” and to order that the same shall have the force of Law in the Island of Guernsey.’

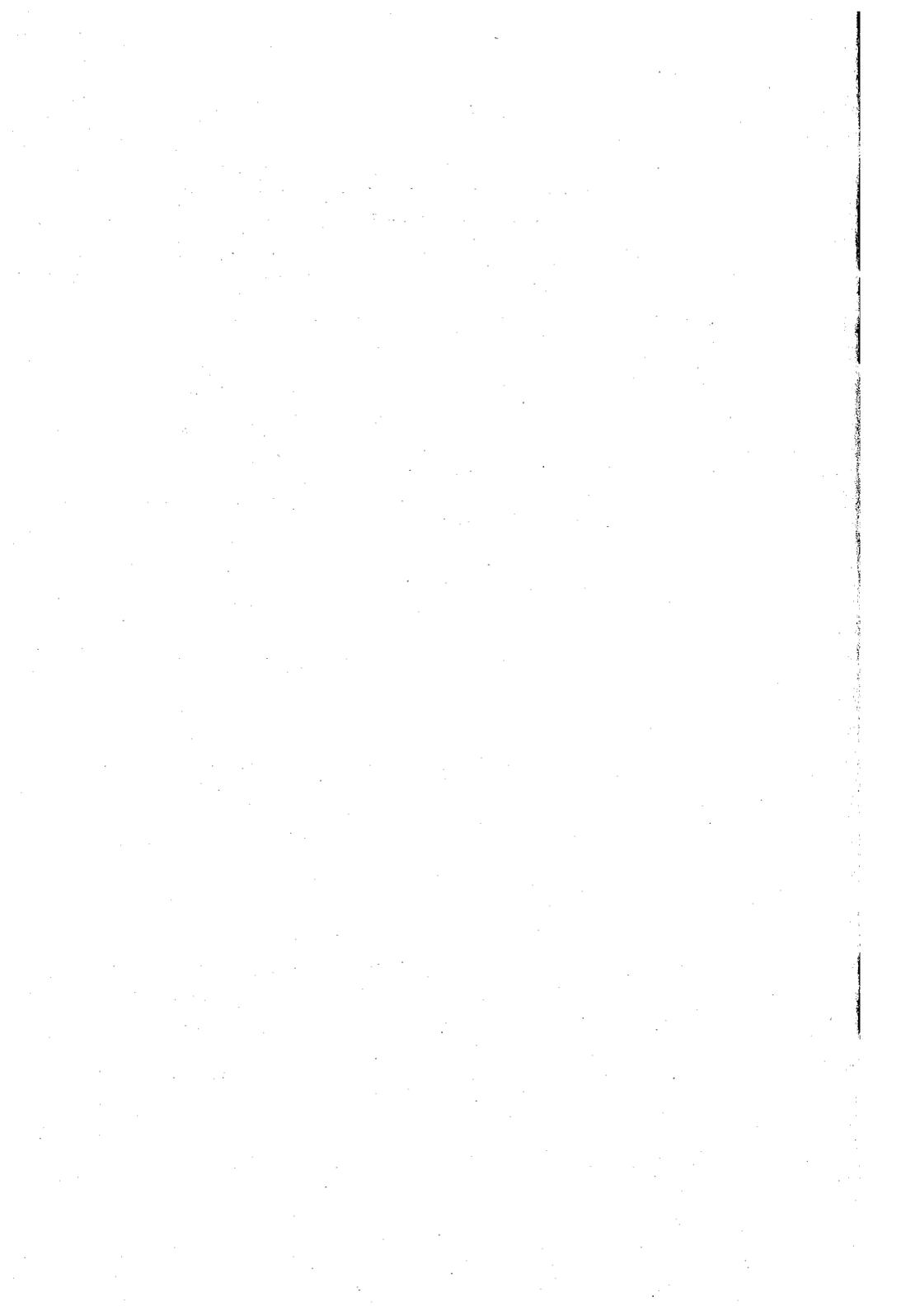
“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer 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, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

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.

W. G. AGNEW.



**Projet de Loi referred to in the foregoing
Order in Council.**

PROJET DE LOI

ENTITLED

The Motor Vehicles (Amendment) (Guernsey) Law, 1960

THE STATES, in pursuance of their Resolution of the first day of June, nineteen hundred and sixty, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. (1) In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpreta-
tion.

“mechanical loading vehicle” means a mechanically propelled vehicle which is of a make and type for the time being approved as a mechanical loading vehicle by the States Board of Administration;

“mechanically propelled vehicle” has the same meaning as the expression “automobile” has in the principal Law;

“the principal Law” means the Law entitled “Loi relative aux Automobiles” registered on the eleventh day of December, nineteen hundred and twenty-six.

(2) Any reference in this Law to any other enactment shall be construed as including a reference to that enactment as amended, extended or applied by or under any other enactment including this Law.

Mechanical loading vehicle operated by a person seated upon the vehicle.

2. Notwithstanding anything contained in the principal Law, the annual rate of tax chargeable under that Law in respect of any mechanical loading vehicle which—

- (a) is normally operated by a person seated upon such vehicle;
- (b) is not used on public roads, other than on the quays of the Harbour of Saint Peter Port or on the quays of the Harbour of Saint Sampson, for hauling any load other than such as is necessary for its propulsion or equipment;

shall be, whether or not the motive power of such vehicle is supplied by heavy oil in a compression ignition engine, six pounds.

Mechanical loading vehicle operated by a person walking near and not seated upon the vehicle.

3. Notwithstanding anything contained in Article 1 of the principal Law, a licence under Article 3 of that Law shall not be required in respect of any mechanical loading vehicle which—

- (a) is normally operated by a person walking near and not seated upon such vehicle;
- (b) is not used on public roads for hauling any load other than such as is necessary for its propulsion or equipment.

Amendment of Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936.

4. In subsection (1) of section one of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, there shall be inserted in the definition of the expression "motor vehicle", immediately after the words "the tractor", the words "and any mechanical loading vehicle within the meaning of the Motor Vehicles (Amendment) (Guernsey) Law, 1960, in relation to which the provisions of section three of that Law apply".

5. Article 10 of the principal Law is hereby further amended as follows, that is to say:—

New category of driving licence.

- (a) immediately after category (3A) of paragraph (a) thereof there is hereby inserted the following additional category numbered (3B)—

“(3B) Autorisation de conduire un Automobile, dit “mechanical loading vehicle”, auquel les dispositions de la section deux de la Loi intitulée “The Motor Vehicles (Amendment) (Guernsey) Law, 1960” s’appliquent. Cette autorisation ne sera accordée à une personne âgée de moins de dix-sept ans.”;

- (b) in paragraph (ii) of the proviso to paragraph (b) thereof the words and figures “des catégories 3A et 4” are hereby deleted and the words and figures “des catégories 3A, 3B et 4” are hereby substituted therefor.

6. (1) This Law may be cited as the Motor Vehicles (Amendment) (Guernsey) Law, 1960.

Citation and commencement.

(2) This Law shall come into force on the first day of January, nineteen hundred and sixty-one.

R. H. VIDELO,

Her Majesty's Greffier.