

PROJET DE LOI

ENTITLED

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

[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.

©States of Guernsey

* Ordres en Conseil Vol. XVIII, p. 257; as amended by the Motor Vehicles (Amendment) (Guernsey) Law, 1969 (Ordres en Conseil Vol. XXII, p. 227); the Driving Licences (Guernsey) Ordinance, 1995 (Recueil d'Ordonnances Tome XXVI, p. 374); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006 (No. I of 2007, Recueil d'Ordonnances Tome XXXII, p. 1); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991 (No. VI of 1991, Ordres en Conseil Vol. XXXIII, p. 127); the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 90).

PROJET DE LOI

ENTITLED

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

ARRANGEMENT OF SECTIONS

1. Interpretation.
2. ...
3. ...
4. Amendment of Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936.
5. ...
6. Citation and commencement.

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.

Interpretation.

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 –

"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 [Committee for Home Affairs],

"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.

NOTES

In section 1, the words in square brackets in the definition of the expression "mechanical loading vehicle" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016,

*section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016.*¹

*The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*²

The Loi relative aux Automobiles, 1926 has since been repealed by the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006, section 3(1), Schedule, Part I, with effect from 1st January, 2008.

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

2. ...

NOTE

Section 2 was repealed by the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006, section 3(1), Schedule, Part I, with effect from 1st January, 2008.

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

3. ...

NOTE

Section 3 was repealed by the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006, section 3(1), Schedule, Part I, with effect from 1st January, 2008.

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".³

New category of driving licence.

5. ...

NOTE

Section 5 was repealed by the Driving Licences (Guernsey) Ordinance, 1995, section 26, Schedule 9, with effect from 1st September, 1995, subject to the transitional provisions and savings in, respectively, section 25 and section 26 of the 1995 Ordinance.⁴

Citation and commencement.

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

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

¹ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(a), with effect from 6th May, 2004.

² The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(a), Schedule 2, paragraph 2(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the States Board of Administration under the since-repealed Loi relative aux Automobiles, 1926 (the "principal law") were first transferred to the Island Traffic Committee by the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991, section 1, Schedule, with effect from 9th July, 1991; thence to the States Traffic Committee by the Island Traffic Committee (Transfer of Functions) No. 2) Ordinance, 1992, section 1, Schedule 1, with effect from 29th July, 1992 and, subsequently, to the States Environment Department by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 29, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance. The functions originally vested in the States Board of Administration under this Law, however, have not been so transferred in the same manner and, accordingly, as per the annotations to section 1, rest presently with the States Home Department.

³ For subsequent amendments, see the consolidated text of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936.

⁴ Prior to its repeal, part of section 5 was repealed by the Motor Vehicles (Amendment) (Guernsey) Law, 1969, section 2, Schedule, with effect from 11th

November, 1969.